

HOUSE BILL 1116

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6lr0750

By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Ranked Choice Voting**

3 **MC 15–16**

4 FOR the purpose of authorizing the Montgomery County Council to adopt, by law, a ranked
5 choice voting method for special elections for the offices of county executive or
6 member of the county council; defining “ranked choice voting”; authorizing a local
7 law adopting ranked choice voting to provide for the ballot format, procedures for
8 tabulating votes, and other provisions necessary to implement ranked choice voting;
9 authorizing the Montgomery County Charter to provide for a single special election
10 that is conducted by ranked choice voting to fill a vacancy in the offices of county
11 executive or member of the county council; and generally relating to the use of
12 ranked choice voting for special elections for certain local offices in Montgomery
13 County.

14 BY repealing and reenacting, with amendments,
15 Article – Election Law
16 Section 8–101, 8–401, and 9–204
17 Annotated Code of Maryland
18 (2010 Replacement Volume and 2015 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Election Law**

22 8–101.

23 (a) Under the supervision of the State Board, and in accordance with regulations
24 and procedures adopted by the State Board, a local board shall conduct all elections held
25 under this article in the county in which the board is located.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Except where it would be inappropriate, or as otherwise provided in this
 2 article, the electoral process for primary elections, general elections, and special elections
 3 shall be uniform.

4 (c) (1) IN THIS SUBSECTION, "RANKED CHOICE VOTING" MEANS A
 5 METHOD OF CASTING AND TABULATING VOTES IN WHICH VOTERS RANK
 6 CANDIDATES IN ORDER OF PREFERENCE AND VOTES ARE TABULATED IN THE
 7 MANNER KNOWN AS "SINGLE TRANSFERABLE VOTE" OR THE "GREGORY METHOD".

8 (2) THE MONTGOMERY COUNTY COUNCIL MAY, BY LAW, ADOPT A
 9 RANKED CHOICE VOTING SYSTEM FOR SPECIAL ELECTIONS FOR THE FOLLOWING
 10 OFFICES:

11 (I) COUNTY EXECUTIVE; OR

12 (II) MEMBER OF THE COUNTY COUNCIL.

13 (3) A LOCAL LAW ENACTED UNDER THIS SUBSECTION MAY PROVIDE
 14 FOR:

15 (I) THE BALLOT FORMAT;

16 (II) PROCEDURES FOR TABULATING VOTES; AND

17 (III) ANY OTHER PROVISION NECESSARY TO IMPLEMENT
 18 RANKED CHOICE VOTING.

19 8-401.

20 (a) A special primary election and a special general election may be held at a time
 21 other than the date of a regular primary election and a regular general election:

22 (1) to fill a vacancy in the office of Representative in Congress; or

23 (2) to fill a vacancy in the county council or in the office of chief executive
 24 officer or county executive if the charter of that county provides for special elections.

25 (b) (1) Special elections to fill a vacancy in the office of Representative in
 26 Congress shall be held at the time specified in Subtitle 7 of this title.

27 (2) (I) Special elections to fill vacancies in a county council or in the
 28 office of chief executive officer or county executive shall be held as provided in the county
 29 charter.

1 **(II) NOTWITHSTANDING ANY LAW THAT REQUIRES A SPECIAL**
2 **PRIMARY ELECTION AND A SPECIAL GENERAL ELECTION TO FILL A VACANCY IN AN**
3 **OFFICE, THE MONTGOMERY COUNTY CHARTER MAY PROVIDE FOR A SINGLE**
4 **SPECIAL ELECTION THAT IS CONDUCTED BY RANKED CHOICE VOTING TO FILL A**
5 **VACANCY IN THE OFFICES OF COUNTY EXECUTIVE OR MEMBER OF THE COUNTY**
6 **COUNCIL.**

7 (c) An election to fill a vacancy in the office of United States Senator shall be held
8 concurrently with a regular election as provided in Subtitle 6 of this title.

9 9–204.

10 (a) Subject to the other provisions of this subtitle and to different presentations
11 required or made desirable by different voting systems, all ballots used in an election shall
12 be as uniform as possible.

13 (b) Except as otherwise specifically provided in this title, or unless a provision is
14 clearly inappropriate to absentee ballots, the provisions of this subtitle relating to ballot
15 content and arrangement shall apply to the arrangement of absentee ballots.

16 (c) If applicable for the voting system in use, the appropriate components of the
17 voting system shall be configured for a primary election to permit the voter to vote only for
18 the candidates for which the voter is entitled to vote.

19 **(D) THE MONTGOMERY COUNTY COUNCIL MAY, BY A LAW ADOPTED IN**
20 **ACCORDANCE WITH § 8–101(C) OF THIS ARTICLE, PROVIDE FOR THE FORMAT OF**
21 **BALLOTS TO BE USED IN AN ELECTION CONDUCTED BY RANKED CHOICE VOTING.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
23 1, 2016.