

SB 212 – Local Options for Elections

SENATOR BEN ALLEN

Fact Sheet

SUMMARY

SB 212 authorizes general law cities, general law counties and school districts to utilize two majority-winner voting methods for local elections: a two-round runoff and ranked choice voting (RCV). RCV can be used in single-seat or multi-seat elections. This gives local jurisdictions the same flexibility that charter cities already have to conduct their elections.

BACKGROUND

Under current state law, voters in general law cities must elect their city council members using plurality-winner voting, meaning the candidate with the most votes wins. Charter cities have the authority to adopt majority-winner voting methods, which require that the winner receive a majority of votes to win. Plurality-winner voting can result in winners who have little popular support and can be especially problematic when there are many candidates running for office.

Charter cities can currently use two majority-winner voting methods: the traditional two-round runoff or ranked choice voting (RCV). Counties can use the traditional two-round runoff. Under these systems, majority-winner voting ensures that there is substantial support for a candidate.

Plurality-winner voting in single member districts requires only one election to determine the winner, but candidates can be elected with much less than majority support. In 2014, a Pomona city council member was elected with a mere 28.9% of votes and in the same year in Moreno Valley, a city council member was elected with only 21.6%. Unfortunately, these are not just extreme outliers.

California Common Cause conducted an analysis of city elections from 2006-14 and found that in races with three or more candidates, 42% of city council candidates were elected with less than majority support¹.

Giving cities the option to choose RCV can save jurisdictions and campaigns money by eliminating the need to hold a second election, and would address turnout disparities of the two-round elections for jurisdictions that hold their elections when turnout is highest, generally on the same date as the November general election. For multi-seat elections, RCV ensures that a majority of voters will elect a majority of seats, while also allowing an electoral minority to elect a fair share of representation.

HOW IT WORKS

SB 212 gives local jurisdictions access to solutions that charter cities are already using in California to counter vote-splits and the spoiler effect of plurality-winner voting.

Under the traditional two-round runoff, if a candidate gets a majority of votes in the first election, that candidate is elected. If there is not a majority winner in the first election, the top-two candidates advance to the second election. The candidate that receives the majority of votes in the second-round runoff is elected. Traditional two-round runoffs are already used in Los Angeles, San Diego, San Jose, Sacramento and many counties across the state.

Ranked choice voting (RCV) also elects a majority winner, but in a single election. Each voter has one vote and ranks the candidates in order of preference. The results are tabulated in rounds and if no

¹ California Municipal Democracy Index 2016; California Common Cause; Nicolas Heidorn December 2016



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candidate receives a majority in the first round, this process proceeds until one candidate receives more than 50%.

Today RCV is used by more than ten cities for municipal elections, including San Francisco, Oakland, Berkeley, San Leandro, Minneapolis, and Santa Fe. In 2018, Maine voters used ranked choice voting to elect their U.S. Senator and Representatives. Between 1970 and 2014, nine of the Maine’s past twelve governors got less than 50% of votes and five took office with less than 40% of votes. Many Maine voters cited this as a reason for switching to RCV, where candidates are only elected if they receive a majority, not a mere plurality of support from the electorate.

Majority-winner voting methods avoid vote splitting and ensure that the winner is preferred by a majority of voters. RCV has resulted in decreases in negative campaigning, more choices for voters and limits the “spoiler effect” of crowded elections by allowing voters to select candidates in order of preference.

SOLUTION

SB 212 does not impose any change in localities. It simply provides communities with more options so they can better select an elections method that matches their needs and circumstances.

The majority-winner options that SB 212 provides are already in use in various jurisdictions around California. In order to adopt these majority-winner voting methods, a majority of voters must approve the change at a regularly scheduled election. The jurisdiction must also conduct a voter outreach campaign for the first two elections that RCV is adopted.

If a jurisdiction decides to adopt RCV, it can allow more voters to fully participate because the single election can be scheduled for a date with higher turnout and this consolidation may provide significant cost savings to the jurisdiction. By giving general law jurisdictions the same tools that charter cities have, SB 212 will expand access to electoral options that will ensure that elected officials enjoy wider-spread popular support before assuming office.

SUPPORT

FairVote California (Sponsor)

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