

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 754, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:

3
4 "115.134. 1. As used in this section, the following terms mean:

5 (1) "Continuing ballot", a ballot that has not been exhausted by the instant runoff vote;

6 (2) "Continuing candidate", a candidate who has not been eliminated by the instant runoff
7 vote;

8 (3) "Exhausted ballot", a ballot upon which all of the continuing candidates have been
9 eliminated or upon which no more continuing candidates are indicated;

10 (4) "Instant runoff vote", a procedure of voting as described in this section that requires a
11 candidate to receive a majority rather than a plurality of the votes cast for a particular elected office
12 before the candidate takes office, and that allows voters to elect a candidate by casting ranked-
13 choice ballots in the event no candidate for elected office receives a majority of the votes cast;

14 (5) "Elected office", any office that voters go to the polls to elect candidates, including, but
15 not limited to, national offices such as United States president, United States senator, United States
16 representative; statewide offices such as governor, lt. governor, attorney general, secretary of state,
17 state treasurer, state auditor, supreme court judge, circuit court judge, associate court judge; local
18 offices such as any county, township, city, town, village, fire district, library district, port authority,
19 school district, special district, or any other political subdivision not listed;

20 (6) "Ranked-choice ballot", a ballot that allows voters to vote for candidates and to rank a
21 number of choices in order of preference equal to the total number of candidates for each office in
22 the event an instant runoff vote is required after the votes are first counted under this chapter.

23 2. All primary and general elections conducted in the state of Missouri shall be by ranked-
24 choice ballots and the instant runoff vote as established in this section. No candidate for any such
25 office shall be nominated or certified under this chapter unless such candidate has received a
26 majority of the votes cast in the election for such state office.

27 3. Votes for all candidates for office shall be counted and recorded as provided in this
28 chapter and shall be certified in the following manner:

29 (1) If a candidate receives a majority of the first choices after the first count of votes under
30 this chapter that candidate shall be certified as the winner;

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1 (2) If no candidate receives a majority after the first count, the candidate who received the
2 fewest first choices shall be eliminated and each vote cast for that candidate shall be transferred to
3 the next ranked continuing candidate on that voter's ballot. If, after this transfer of votes, any
4 continuing candidate has a majority of the votes from the continuing ballots that continuing
5 candidate shall be certified as the winner;

6 (3) If no candidate receives a majority of votes from the continuing ballots after a candidate
7 has been eliminated and such candidate's votes have been transferred to the next ranked continuing
8 candidate, the continuing candidate with the fewest votes from the continuing ballots shall be
9 eliminated. All votes cast for that candidate shall be transferred to the next ranked continuing
10 candidate on each voter's ballot. This process of eliminating candidates and transferring of votes to
11 the next ranked continuing candidates shall be repeated until a candidate receives a majority of the
12 votes from the continuing ballots;

13 (4) If the total number of votes of the two or more candidates credited with the lowest
14 number of votes is less than the number of votes credited to the continuing candidate with the next
15 highest number of votes, those candidates with the lowest number of votes shall be eliminated
16 simultaneously and their votes transferred to the next ranked continuing candidate on each ballot in
17 a single counting operation; and

18 (5) A tie between two or more candidates will be resolved by calculating the candidate who
19 receives the highest ranked choices that have been cast for a particular candidate. If a tie still exists
20 between two or more candidates, then the tie shall be resolved by a coin flip conducted by the
21 elections commission and votes transferred from the candidate who is eliminated.

22 4. In an election in which more than one candidate is to be elected to an office in a multiple-
23 seat district or on a governing body that includes multiple at-large seats, a ranked-choice ballot shall
24 be used. The ballots shall be counted and certified in the following manner:

25 (1) Each candidate will be treated separately to determine the highest preference among the
26 candidate field.

27 (2) The candidate who received the fewest first choices shall be eliminated and each vote
28 cast for that candidate shall be transferred to the next ranked continuing candidate on the voter's
29 ballot and then placed on the continuing ballot.

30 (3) This process of eliminating candidates shall be repeated until there are two candidates
31 left and one candidate receives the majority of votes between the two.

32 (4) Ties will be resolved by applying the method described in subdivision (5) of subsection
33 3 of this section.

34 (5) After one candidate has been selected, that candidate will be removed from the
35 candidate pool and the process shall continue until all seats are filled, filling the next sequential seat
36 before repeating the process for the remaining seats.

37 5. If the voting system used by a municipality or political subdivision cannot feasibly
38 accommodate choices equal to the total number of candidates running for each office, then the
39 election authorities may limit the number of choices a voter may rank to no fewer than three. The
40 ballot shall in no way interfere with a voter's ability to cast a write-in vote for a candidate.

41 6. No exhausted ballot shall be counted in further stages of the tabulation. If a ranked-

1 choice ballot gives equal rank to two or more candidates, the ballot shall be declared exhausted if
2 such multiple rankings are reached. If a voter casts a ranked-choice ballot but skips a rank, the
3 voter's vote shall be transferred to that voter's next ranked choice.

4 7. Any election dispute regarding the implementation of a limit on the number of candidates
5 on a ballot under subsection 5 of this section shall be first appealed to the secretary of state for a
6 final order and thereafter may be appealed to any court of competent jurisdiction. All other election
7 disputes shall proceed as established in this chapter.

8 8. All statutes and regulations governing voting procedures and ballots under this chapter
9 shall govern instant runoff voting and ranked-choice ballots.

10 9. The secretary of state shall conduct a voter education campaign to familiarize voters with
11 the instant runoff voting system and ranked-choice ballots."; and

12
13 Further amend said bill and page, Section 115.352, Line 5, by inserting after all of said section and
14 line the following:

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16 "Section B. The enactment of section 115.134 of this act shall become effective on January
17 1, 2019."; and

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19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.