ASSEMBLY, No. 4744

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 24, 2020

Sponsored by:
Assemblywoman ANNETTE CHAPARRO
District 33 (Hudson)
Assemblywoman ANGELICA M. JIMENEZ
District 32 (Bergen and Hudson)
Assemblyman ANDREW ZWICKER
District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS
Permits use of instant run-off voting in balloting for certain local elective public offices.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 10/8/2020)

1   AN ACT permitting use of instant run-off voting in balloting for
2   certain local elective public offices and supplementing Title 19
3   of the Revised Statutes.
4
5   BE IT ENACTED *by the Senate and General Assembly of the State*
6   *of New Jersey:*
7
8   1.   As used in this act:
9   "instant run-off voting" means a system of voting which allows
10   each voter to vote for the voter's preferred candidate as well as
11   specific alternative choices from among the other candidates
12   appearing on the ballot for that office in order of preference and, in
13   the event that no candidate receives a majority of the votes cast for
14   candidates for that office, provides that the candidate receiving the
15   fewest votes will be eliminated and the second choice votes of the
16   voters who voted for that candidate counted, with the process
17   continuing until one candidate is a majority winner; and
18   "continuing candidate" means a candidate who has not been
19   eliminated as a result of this instant run-off voting procedure.
20
21   2.   The governing body of a municipality governed by the
22   provisions of the "Uniform Nonpartisan Elections Law," P.L.1981,
23   c.379 (C.40:45-5 et seq.), may, by ordinance or resolution as
24   appropriate, authorize the use of instant run-off voting in elections
25   at which a candidate is to be elected to an elective public office
26   filled by one individual at an election held pursuant to law. In each
27   such election the first choice vote of each voter for each race shall
28   be counted first. If, after all ballots are counted, a candidate has
29   obtained a majority of the first choice votes for that race, further
30   counting is not necessary, and that candidate shall be declared the
31   winner. If no candidate has obtained a majority of first choice
32   votes, then the candidate with the fewest number of first choice
33   votes shall be declared eliminated, and the second choice votes of
34   voters who voted for this candidate shall be transferred to the next
35   choice continuing candidate marked on each continuing ballot, and
36   added to that continuing candidate's vote total. However, if the
37   total of the votes of the two or more candidates credited with a low
38   number of votes is less than the number of votes credited to the
39   candidate with the next highest number of votes, these candidates
40   shall be declared defeated simultaneously and their votes
41   transferred to the next choice continuing candidate marked on each
42   ballot in a single counting operation. If the next-choice candidate
43   has been eliminated, the vote shall be transferred to the next-choice
44   candidate who is a continuing candidate. After this tabulation, if no
45   continuing candidate receives a majority of the votes, then the
46   continuing candidate with the fewest votes shall be declared
47   defeated. This process of eliminating last-place candidates,

1　transferring ballots from these candidates, and adding them to the
2　totals of continuing candidates shall proceed until a candidate has a
3　majority of the ballots, in which case that candidate is elected, or
4　there is a tie between all remaining continuing candidates. If, in
5　any election, a ballot has no more available preferences stated, that
6　ballot shall be declared exhausted and shall not be counted further.
7　A ballot assigning the same ranking to more than one candidate for
8　an office shall be declared exhausted when the double ranking is
9　reached. If a ballot skips a ranking then the next ranking shall be
10　counted. If there is a tie between candidates, the procedures
11　otherwise provided by law shall be followed.
12
13　　3.　The Secretary of State, pursuant to the "Administrative
14　Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall
15　promulgate rules and regulations necessary to effectuate the
16　purposes of this act. Instant run-off voting shall not be
17　implemented in any municipality until the Secretary of State
18　determines that voting equipment and ballots have been updated to
19　accommodate this process.
20
21　　4.　This act shall take effect immediately.
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24　　　　　　　　　　　　　　　STATEMENT
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26　　This bill permits the governing body of a municipality governed
27　by the provisions of the "Uniform Nonpartisan Elections Law,"
28　N.J.S.A.40:45-5 et seq., to allow the use of instant run-off voting in
29　elections at which a candidate is to be elected to a local elective
30　public office filled by one individual.
31　　Instant run-off voting is a system of voting which allows each
32　voter to vote for the voter's preferred candidate as well as specific
33　alternative choices from among the other candidates appearing on
34　the ballot for that office in order of preference. In the event that no
35　candidate receives a majority of the votes cast for candidates for
36　that office, the candidate receiving the fewest votes will be
37　eliminated and the second choice votes for that candidate counted,
38　with the process continuing until one candidate is a majority
39　winner.
40　　The Secretary of State would be responsible for promulgating
41　rules and regulations necessary to effectuate the bill's purposes.
42　Instant run-off voting would not be implemented until the Secretary
43　of State determines that voting equipment and ballots have been
44　updated to accommodate this process.