



Legislation Text

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Int. No. 1108

By Council Members Brewer, Arroyo, Comrie, Dickens, James, Lander, Mendez, Palma, Rose, Weprin, Wills, Garodnick, Richards, Rivera, Vallone, Dromm, Rodriguez, Vacca, Van Bramer, Nelson, Koslowitz, Levin, Mark-Viverito, Jackson, King, Chin, Gentile, Barron, Crowley, Recchia, Oddo and Halloran

A Local Law to amend the New York city charter, in relation to absentee and military voters utilizing ranked choice voting.

Be it enacted by the Council as follows:

Section 1. Chapter 46 of the New York city charter is amended by adding a new section 1057-c to read as follows:

§ 1057-c Ranked choice voting for absentee and military voters in citywide primary elections.

a. The method of conducting fall primary elections and primary run-off elections for the offices of mayor, public advocate, and comptroller shall be governed by applicable provisions of the New York state election law, except for provisions inconsistent with the procedures established by this section.

b. For the purposes of this section:

(1) a “fall primary election” is an election held pursuant to paragraph a of subdivision 1 of section 8-100 of the state election law; and

(2) a “primary run-off election” is an election held pursuant to paragraph b of subdivision 1 of section 8-100 of the state election law.

c. Persons who meet the requirements of subdivision 1 of section 8-400 of the election law for voting absentee, or who are a military voter as defined in section 10-102 of the election law, with respect to the fall primary election, and who request or are otherwise entitled to an absentee ballot or military ballot in accordance with state law for such election, shall receive an absentee or military ballot permitting ranked choice voting.

Such ballot shall allow such persons to rank candidates in order of preference in any race for the office of mayor, public advocate, and comptroller where more than two candidates appear on the applicable fall primary election ballot.

d. In counting votes for offices for which such ranked choice ballots have been used, a first choice vote on a ballot issued pursuant to subdivision b of this section shall be counted towards the chosen candidate's total votes in the fall primary election and primary run-off election, except that, in the case of a primary run-off election in which the candidate receiving a first choice vote on such a ballot was eliminated in the fall primary election, the second choice vote on such ballot shall be counted towards the second choice candidate's total votes in such primary run-off election. If both the first and the second choice candidates marked on a ballot issued pursuant to subdivision b of this section were eliminated in the fall primary election, the third choice vote on such ballot shall be counted towards the third choice candidate's total votes in such primary run-off, unless that candidate was eliminated in the fall primary election, and so on in descending order of marked preference until the ballot has registered a vote for a candidate or unless all candidates for an office for which the voter registered any preference were eliminated in the fall primary election.

e. Ballots issued pursuant to subdivision b of this section shall permit a voter to include in his or her ranking of preferences a write-in candidate to the extent he or she would be permitted to do so if voting in-person.

f. Ballots issued pursuant to subdivision b of this section shall include instructions explaining how to make a ranked choice vote for those races for which such a vote is an option, as well as any other instructional information deemed appropriate by the New York city board of elections.

g. The voter assistance advisory committee shall take steps to ensure that absentee and military voters are familiar with the ranked choice method of absentee and military voting.

§ 2. This local law shall take effect immediately following its ratification by the voters of this city in a referendum to be held in the general election next following its enactment.

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