



## Legislation Text

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**File #:** Int 0130-2018, **Version:** \*

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Int. No. 130

By Council Members Lander, Kallos, Brannan, Levin, Powers and Maisel (by request of the Manhattan Borough President)

A Local Law to amend the New York city charter, in relation to instant run-off voting.

Be it enacted by the Council as follows:

Section 1. Paragraph 10 of subdivision c of section 10 of the New York city charter is REPEALED.

§2. Chapter 46 of the New York city charter is amended by adding a new section 1057-g to read as follows:

§ 1057-g. Instant run-off voting for citywide primary elections.

a. The method of conducting primary elections for the offices of mayor, public advocate, and comptroller, and any election for mayor, public advocate, comptroller, borough president, or councilmember for which all candidates were nominated by independent nominating petition, shall be governed by applicable provisions of the New York state election law, except for provisions inconsistent with the procedures established by this section. The procedures of this section shall apply exclusively to instant run-off candidates and instant run-off ballots.

b. For the purposes of this section:

(1) “instant run-off candidate” shall mean a candidate for nomination for the offices of mayor, public advocate, or comptroller in a primary election for which at least two other candidates for nomination to the same office are on the ballot, and a candidate for mayor, public advocate, comptroller, borough president, or councilmember for which all candidates were nominated by independent nominating petition and for which there are at least two other candidates for the same office on the ballot.

(2) “instant run-off ballot” shall mean a ballot allowing voters to rank up to three instant run-off candidates in order of preference as their first, second and third choices.

c. Elections with instant run-off candidates shall utilize instant run-off ballots.

d. If an instant run-off candidate receives at least fifty percent plus one vote of first choice votes, that candidate shall be declared the winner for that race.

e. If no instant run-off candidate in a race receives at least fifty percent plus one vote of first choice votes, the following tabulation procedure shall apply: the two candidates who received the highest and second highest number of first choice votes in each such race shall be continuing candidates, while all other candidates in each such race shall be eliminated. Ballots indicating a first choice vote for an eliminated candidate shall be counted as votes for the highest ranked continuing candidate in such race on such ballot. Ballots that do not rank a continuing candidate shall not be counted as votes for any candidate in that race. If both continuing candidates receive the same rank on a ballot, the ballot shall not be counted as a vote for any candidate in that race. The continuing candidate with the highest number of votes after the tabulation procedure set forth in this subdivision shall be declared the winner for that race.

f. An instant run-off ballot shall allow a voter to rank one write-in candidate for each race with instant run-off candidates.

g. Instant run-off ballots shall include instructions explaining how to mark a ballot, as well as any other information deemed necessary by the New York city board of elections.

h. The voter assistance advisory committee shall conduct a voter education campaign to familiarize voters with the instant run-off method of voting.

§3. This local law takes 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.

DSS  
LS 335/2014/Int 150  
LS 370/2018  
12/15/17

