STATE OF NEW YORK

5259

2023-2024 Regular Sessions

IN SENATE

February 28, 2023

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to directing the state board of elections to conduct a study on the implementation and impact of ranked choice voting in New York state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The election law is amended by adding a new section 3-228 to read as follows:

§ 3-228. Ranked choice voting study. 1. Definitions. For the purpose of this section:

(a) "Rank" means the number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Rank number one is the highest ranking, rank number two is the next highest ranking, and so on.

(b) "Ranked choice election" means any election in which ranked choice voting is used and all candidates are nominated by independent nominating petition.

(c) "Ranked choice voting" means the method of casting and tabulating votes in which voters rank candidates in order of preference, tabulation proceeds in rounds in which last place candidates are eliminated, and the votes for eliminated candidates are redistributed based on the voter's next rank until one candidate receives a majority of the non-exhausted votes. The candidate with the majority of the non-exhausted votes wins that election.

2. The state board of elections shall conduct a study on the implementation and impact of ranked choice voting in New York state for both primary and general elections. The study shall include, but shall not be limited to: the impact on voter turnout, campaign donations, costs associated with implementing ranked choice voting, data security, availability of contractors and software to implement ranked choice voting, the

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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amount of time it would take to calculate winners under ranked choice voting compared to conventional plurality elections, and number of candidates compared to conventional plurality elections.

(a) The study may analyze the impact of ranked choice voting in other states and in local elections in the city of New York.

(b) The state board of elections shall solicit input from county boards of election across the state, and the New York city board of elections, and others with expertise in the administration and regulation of elections.

3. Not later than one year after the effective date of this section, the state board of elections shall transmit to the temporary president of the senate and the speaker of the assembly a report on the study conducted pursuant to subdivision two of this section, including any recommendations on how to best implement ranked choice voting for primary and general elections statewide. The state board of elections shall also make this report publicly accessible on its website.

§ 2. This act shall take effect immediately.