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Title: King County Ranked Choice Voting Administrative Rules
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Sponsoring Agency: King County Elections

King County

Signature: _____

Date signed: _____

I. Purpose

This rule facilitates the implementation of ranked choice voting for the City of Seattle as required by Chapter 2.18 of Seattle Municipal Code (SMC). This rule is meant to supplement the laws and rules governing election administration in the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC), along with the requirements for ranked choice voting outlined in SMC and other rules and policies established by King County Elections.

Applicability and Audience

This rule applies to the King County Department of Elections

II. Definitions

Canvassing Board: the King County Canvassing Board.

Canvassing Board Manual: the official document that contains the administrative rules adopted by the Canvassing Board which facilitate the process of counting ballots in King County.

Jurisdiction Manual: the document prepared and updated by King County Elections that provides information to jurisdictions about the election process and indicates specific requirements regarding material to be submitted by jurisdictions for an election.

III. Policy

A. Ranked Choice Voting

1. The primary election for City of Seattle offices shall be conducted using the bottoms-up method of ranked choice voting as defined by Section 2.18.020(A) of the Seattle City Code.

2. If a voter's highest ranked candidate is eliminated and the next rank or ranks have been left blank, the voter's vote shall be transferred to the next-highest ranked candidate after the blank ranking or rankings, if any.

3. The Canvassing Board shall adopt rules and codify them in the Canvassing Board Manual for:
    a. Counting a ballot where multiple candidates are given the same rank;
    b. Counting a ballot where the same candidate is ranked multiple times;
    c. Any rules necessary for determining voter intent in a ranked choice voting race that are not already included in Title 434 WAC; and
    d. Any other rules deemed necessary by the Canvassing Board for counting votes in ranked choice voting races.

B. Number of Rankings

1. In races utilizing ranked choice voting, voters may rank up to five candidates.

2. In races utilizing ranked choice voting where fewer than five candidates have filed, voters may rank up to the number of filed candidates plus one additional rank for the write-in line.

3. A voter is not required to rank the maximum number of candidates. King County Elections shall count a vote in a ranked choice voting race regardless of how many candidates the voter ranks, except that King County Elections shall not count the votes for rankings made by a voter that are greater than the maximum number of rankings allowed for that office.

C. Ballot Order

During elections with ranked choice voting races, King County Elections shall set the ballot order for ranked choice voting races and City of Seattle ballot measures in the Jurisdiction Manual.

D. Write-In Votes

1. Except as defined in subsection (D)(2), write-in votes shall be eliminated first before any candidate is eliminated.

2. Votes must be individually tallied for a candidate who has filed as a declared write-in candidate for an office subject to ranked choice voting only if, in the initial round before any eliminations, the total number of write-in votes cast for that office exceeds the votes of at least one candidate whose name is printed on the ballot for that office.

3. A declared write-in candidate whose votes have been individually tallied shall be treated like any other candidate for the purposes of tabulation.

E. Ties

1. Except as defined in subsection (E)(2), in the event two or more candidates are tied as the candidate with the fewest votes in a round, King County Elections shall break the tie using the randomly generated order in which candidates are listed on the ballot and eliminate the candidate listed higher on the ballot.

2. If, in the final results certified by the Canvassing Board, two or more candidates are tied as the candidate with the fewest votes in the round where only three candidates remain, the Canvassing Board shall follow the procedure for breaking ties outlined in RCW 29A.60.221 and the Canvassing Board Manual.

F. Mandatory Recounts

1. Except as defined in subsection (F)(2), the Canvassing Board shall conduct a recount of a ranked choice voting race if, in the final results certified by the Canvassing Board, in any round the difference in the number of votes cast for the candidate with the fewest votes in the round and the number of votes cast for the candidate with the next fewest votes meets the criteria for a mandatory recount as established by RCW 29A.64.021. The recount shall be conducted in accordance with chapter 29A.64 RCW.

2. If in any round, except the round where only three candidates remain, the candidate with the fewest votes in the round and the candidate with the next fewest votes are part of a group of consecutively placed candidates whose collective vote total is less than the number of votes cast for the candidate placed immediately above that group, then the results of that round cannot trigger a mandatory recount.

3. For any mandatory recount of a ranked choice voting race under subsection (F)(1), the recount is only required to be conducted up to the round that triggered the recount, unless the result of the recount changes which candidate is eliminated in that round in which case the recount must continue through all rounds in that race.

G. Order of Candidates for the General Election

Once all candidates except two have been eliminated, the candidate with the most votes shall appear first on the general election ballot. If the final two candidates receive exactly the same number of votes, the order in which their names are listed on the general election ballot shall be determined by lot per

WAC 434-230-045.

H. When Not Using Ranked Choice Voting

If, after the last day to withdraw a declaration of candidacy, two or fewer candidates have filed for a City of Seattle office subject to ranked choice voting, the election shall not be conducted using ranked choice voting and shall instead be conducted according to general law. Per RCW 29A.52.220, no primary shall be held for that race, and the candidates shall advance to the general election.

IV. Implementation Plan

A. This rule becomes effective for King County Elections on [*insert date; public rules become effective 30 days after filing with ARMMS*]. King County Elections is responsible for implementation of this rule.

B. King County Elections is responsible for communicating this rule to the management structure within their respective agencies and other appropriate parties.

V. Maintenance

A. This rule will be maintained by King County Elections, or its successor agency.

Appendices: None