



2024 City of Dallas Charter Review Commission

Proposed Amendment #2

Submitted by: David de la Fuente	Location: Chapter IV, Sec. 11	Category: Policy
CHAPTER XXIV. SEC. 11 RUNOFF ELECTIONS RANKED CHOICE VOTING SEC. 11. RUNOFF ELECTIONS. RANKED CHOICE VOTING If no candidate for a particular office receives a majority of the votes cast for all candidates for that office in the first election, a runoff election for that office is required. Candidates in the runoff election will be listed on the ballot in the order of their standing in the first election. If two candidates tie in the number of votes received in the first election, they shall cast lots to determine the order in which their names will be listed on the runoff ballot. The runoff election will be conducted in accordance with the Texas Election Code, as amended. (Amend. of 4-2-83, Prop. No. 4; Amend. of 8-12-89, Prop. No. 5; Amend. of 5-1-93, Prop. No. 6) <i>(A) This section shall be operative provided it is not in conflict with the state constitution or the state laws.</i> <i>(B) To the extent of any conflict with other provisions of this Charter, this section controls.</i> <i>(C) For the purposes of this section, the following terms have the following meanings:</i> <i>(1) Batch elimination. The term "batch elimination" means the simultaneous elimination of multiple candidates whose election is mathematically impossible.</i> <i>(2) Continuing ballot. The term "continuing ballot" means a ballot that is not an inactive ballot.</i> <i>(3) Continuing candidate. The term "continuing candidate" means any candidate who has not been eliminated.</i> <i>(4) Election is mathematically impossible. The term "election is mathematically impossible" applies to a candidate who cannot be elected because such candidate's vote total in a round, plus all votes that could possibly be transferred to such candidate in future rounds from candidates who received a fewer or an equal number of votes, would not be enough to surpass that of the candidate with the next highest vote total in such round.</i>		

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(5) *Inactive ballot. The term "inactive ballot" means a ballot in which all ranked candidates have been eliminated, or a ballot that assigns equal rank to two or more candidates and all candidates with higher ranks than the rank assigned to two or more candidates are eliminated.*

(6) *Highest rank. The term "highest rank" refers to the highest rank whether that be rank number 1, rank number 2, rank number 3, rank number 4, or rank number 5.*

(7) *Last place candidate. The term "last place candidate" means a continuing candidate with the fewest votes in a round.*

(8) *Rank. The term "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 1 is the highest ranking, rank number 2 is the next highest ranking, and so on.*

(9) *Ranked choice election. The term "ranked choice election" means any election for a ranked choice office.*

(10) *Ranked choice office. The term "ranked choice office" means the offices of mayor and council member.*

(D) *The provisions of this section shall apply to ranked choice elections. No runoff election shall be held for any ranked choice office.*

(E) *All candidates in a ranked choice election shall be listed on the ballot. The ballot shall permit a voter to rank five candidates for each office, inclusive of any write-in candidate permitted by law, in order of preference, unless there are fewer than five candidates on the ballot for such office, in which case the ballot shall permit a voter to rank the total number of such candidates for such office inclusive of any write-in candidate permitted by law.*

(F) *For all ranked choice elections, the following tabulation procedures apply:*

(1) *If a candidate receives a majority of highest rank votes, that candidate shall be elected.*

(2) *If no candidate receives a majority of highest rank votes, tabulation shall proceed in rounds. In each round, the number of votes for each continuing candidate shall be counted; each continuing ballot shall count as one vote for its highest ranked continuing candidate for that round; and inactive ballots shall not be counted for any continuing candidate. A round ends with one of the following outcomes:*

(i) *If there are two continuing candidates, the candidate with the most votes shall be elected.*

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(ii) If there are more than two continuing candidates, the last place candidate shall be eliminated and a new round shall begin; provided, however, that batch elimination shall occur at the same time as such elimination of the last place candidate, unless such batch elimination would result in only one continuing candidate, in which case no such batch elimination shall occur.

(3) A tie between two or more candidates shall be resolved in accordance with the election law.

Rationale:

Substituting out language in Section 11 to switch City of Dallas away from a runoff system to a ranked choice voting system once state law permits. The substituted language is identical to what City of Austin put in their City Charter after vetting by their attorneys and approval by their voters.

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