**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4022**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. J.L. Johnson and Collins

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Introduced in the House on February 23, 2023

Currently residing in the House Committee on **Judiciary**

Summary: Instant Runoff Voting

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/23/2023 House Introduced and read first time ([House Journal‑page 13](h:\hj\20230223.docx))

2/23/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 13](h:\hj\20230223.docx))

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**VERSIONS OF THIS BILL**

[02/23/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4022_20230223.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 5‑15‑64 SO AS TO PROVIDE FOR THE INSTANT RUNOFF VOTING METHOD OF CONDUCTING MUNICIPAL ELECTIONS; AND BY AMENDING SECTION 5‑15‑60, RELATING TO METHODS OF NOMINATING CANDIDATES FOR AND DETERMINING RESULTS OF MUNICIPAL ELECTIONS, SO AS TO ADD THE INSTANT RUNOFF VOTING METHOD.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 15, Title 5 of the S.C. Code is amended by adding:

Section 5‑15‑64. (A) Municipal elections using the instant runoff voting method must be conducted in accordance with the provisions of this section.

(B) Electors shall rank the candidates in order of their preference, and the threshold for victory must be determined to be a majority calculated using the method prescribed in Section 7‑17‑610. The surplus threshold must be determined by taking one more than the total number of votes cast and dividing by one more than the total number of seats available to be filled in the race. Each candidate will be assigned a weight of one. This value is expected to decrease to a value between zero and one over the course of many rounds.

(C) The following procedure must be repeated until as many candidates have been declared victors as there are seats available:

(1) if the number of candidates not yet eliminated (the combined number of candidates declared victorious and those still competing) is equal to or less than the required number of winning candidates with respect to the election, then all continuing candidates will be declared victorious and the election will be concluded;

(2) the present state of vote allocation must be tabulated in accordance with subsection (D);

(3) if any candidate has a vote total greater than the surplus threshold calculated in subsection (B), then a surplus reweighting round must be conducted in accordance with subsection (E). Otherwise, a candidate elimination round must be conducted in accordance with subsection (F).

(D) The fractional allocation of each vote to each candidate on the voter’s ballot must be determined by taking the one minus the weight of each higher-ranked candidate on the voter's ballot, and taking the product of all differences and multiplying it by the weight of the candidate. The total vote count of each candidate must be determined by adding the fraction vote values allocated to them from each ballot.

(E) All candidates who have a total vote count greater than the threshold for victory established in subsection (B) must be declared victors. All victors shall have their weight modified by multiplying it by the threshold for victory and then dividing by their present total vote count to produce the new weight for the candidate.

(F) The continuing candidate with the lowest total vote count must be identified and marked as eliminated, and such candidate’s weight must be reduced to zero.

SECTION 2. Section 5‑15‑60 of the S.C. Code is amended to read:

Section 5‑15‑60. (A) Each municipality in this State shall adopt by ordinance one of the following alternative methods of nominating candidates for and determining the results of its nonpartisan elections:

(1) The nonpartisan plurality method prescribed in §Section 5‑15‑61;

(2) The nonpartisan election and runoff election method prescribed in §Section 5‑15‑62;

(3) The nonpartisan primary election and general election method prescribed in §Section 5‑15‑63;

(4) The instant runoff voting method prescribed in Section 5‑15‑64.

(B) If nonpartisan elections are not provided for, nomination of candidates for municipal offices may be by party primary, party convention or by petition in accordance with the provisions of this chapter, the applicable provisions of the state election laws, and the rules of municipal political party organizations not in conflict therewith with them.

SECTION 3. This act takes effect upon approval by the Governor.

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