

ASSEMBLY BILL

No. 2808

Introduced by Assembly Member O'Donnell

February 18, 2022

An act to add Section 18 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2808, as introduced, O'Donnell. Elections: ranked choice voting. Existing law specifies various procedures for conducting statewide and local elections.

This bill would prohibit the use of ranked choice voting, a method of voting that allows voters to rank candidates in order of preference, in state and local elections.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Ranked choice voting can lead to inherently undemocratic
- 4 outcomes like the winners of elections failing to receive a plurality
- 5 of the vote.
- 6 (b) Ranked choice voting is fundamentally more complicated
- 7 than currently available alternatives and this complexity can lead
- 8 to mistakes that can further disenfranchise voters.

1 (c) Ranked choice voting can lead to elections that are more
2 expensive given the additional computer systems or manpower
3 required to tabulate the ranked votes.

4 (d) Many of the purported benefits of ranked choice voting,
5 including more diverse fields of candidates and fewer negative
6 campaign advertisements, have not been realized in the
7 jurisdictions that have used this election method.

8 (e) Ranked choice voting does not lead to outcomes that reflect
9 the ideals of our democracy and could harm the ability of voters
10 to express their vote.

11 SEC. 2. Section 18 is added to the Elections Code, to read:

12 18. (a) State and local elections shall not be conducted using
13 ranked choice voting.

14 (b) For purposes of this section, “ranked choice voting” means
15 a method of voting that allows voters to rank candidates for office
16 in order of preference.

17 SEC. 3. The Legislature finds and declares that Section 2 of
18 this act addresses a matter of statewide concern rather than a
19 municipal affair as that term is used in Section 5 of Article XI of
20 the California Constitution. Therefore, Section 2 of this act applies
21 to all cities, including charter cities.