

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE JOINT  
4 RESOLUTION 1023

By: Dollens

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection a proposed amendment to the Constitution of  
10 the State of Oklahoma by adding a new Section 8 to  
11 Article III; creating the Oklahoma Rank Choice Voting  
12 Act; providing for when law goes into effect;  
13 defining terms; created a method of casting and  
14 tabulating votes in order of preference; providing  
15 ballot title; and directing filing.

16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
17 1ST SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

18 SECTION 1. The Secretary of State shall refer to the people for  
19 their approval or rejection, as and in the manner provided by law,  
20 the following proposed amendment to the Constitution of the State of  
21 Oklahoma by adding a new Section 8 to Article III thereof, to read  
22 as follows:

23 Section 8. A. This act shall be known and may be cited as the  
24 "Oklahoma Rank Choice Voting Act". The State Election Board shall

1 cause this section to become effective upon the next upgrade of the  
2 voting processes used by the State Election Board.

3 B. 1. As used in this section, the following terms have the  
4 following meanings:

5 1. "Batch elimination" means the simultaneous defeat of  
6 multiple candidates for whom it is mathematically impossible to be  
7 elected.

8 2. "Continuing ballot" means a ballot that is not an exhausted  
9 ballot.

10 3. "Continuing candidate" means a candidate who has not been  
11 defeated.

12 4. "Exhausted ballot" means a ballot that does not rank any  
13 continuing candidate, contains an overvote at the highest continuing  
14 ranking or contains two (2) or more sequential skipped rankings  
15 before its highest continuing ranking.

16 5. "Highest continuing ranking" means the highest ranking on a  
17 voter's ballot for a continuing candidate.

18 6. "Last-place candidate" means the candidate with the fewest  
19 votes in a round of the ranked-choice voting tabulation.

20 7. "Mathematically impossible to be elected", with respect to a  
21 candidate, means either:

22 a. the candidate cannot be elected because the  
23 candidate's vote total in a round of the ranked-choice  
24 voting tabulation plus all votes that could possibly

1 be transferred to the candidate in future rounds from  
2 candidates with fewer votes or an equal number of  
3 votes would not be enough to surpass the candidate  
4 with the next-higher vote total in the round; or

5 b. the candidate has a lower vote total than another  
6 candidate.

7 8. "Office elected by ranked-choice voting" means any of the  
8 following offices: United States Senator, United States  
9 Representative to Congress, Governor, State Senator and State  
10 Representative, state office, district judge, associate district  
11 judge, district attorney, and includes any nominations by primary  
12 election to such offices.

13 9. "Overvote" means a circumstance in which a voter has ranked  
14 more than one candidate at the same ranking.

15 10. "Ranked-choice voting" means the method of casting and  
16 tabulating votes in which voters rank candidates in order of  
17 preference, tabulation proceeds in sequential rounds in which last-  
18 place candidates are defeated and the candidate with the most votes  
19 in the final round is elected.

20 11. "Ranking" means the number assigned on a ballot by a voter  
21 to a candidate to express the voter's preference for that candidate.  
22 Ranking number one is the highest ranking, ranking number 2 is the  
23 next-highest ranking and so on.

1       12. "Round" means an instance of the sequence of voting  
2 tabulation steps.

3       13. "Skipped ranking" means a circumstance in which a voter has  
4 left a ranking blank and ranks a candidate at a subsequent ranking.

5       C. For offices elected by ranked-choice voting, the ballot must  
6 be simple and easy to understand and allow a voter to rank  
7 candidates for an office in order of preference.

8       D. 1. The Secretary of the State Election Board shall tabulate  
9 all votes that appear by an election return to have been cast for  
10 each question or candidate whose name appeared on the ballot. For  
11 offices elected by ranked-choice voting, the Secretary of State  
12 shall tabulate the votes according to the ranked-choice voting  
13 method.

14       2. The following procedures are used to determine the winner in  
15 an election for an office elected by ranked-choice voting.  
16 Tabulation must proceed in rounds. In each round, the number of  
17 votes for each continuing candidate must be counted. Each  
18 continuing ballot counts as one vote for its highest-ranked  
19 continuing candidate for that round. Exhausted ballots are not  
20 counted for any continuing candidate. The round then ends with one  
21 of the following two potential outcomes:

22           a. if there are two or fewer continuing candidates, the  
23               candidate with the most votes is declared the winner  
24               of the election, or



1 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

2 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

3 This measure adds a new section to the Oklahoma Constitution.

4 It creates the Oklahoma Rank Choice Voting Act for certain

5 elected offices. It creates a method of casting and tabulating

6 votes in which voters rank candidates in order of preference,

7 tabulation proceeds in rounds in which last-place candidates are

8 defeated and the candidate with the most votes in the final

9 round is elected.

10 SHALL THE PROPOSAL BE APPROVED?

11 FOR THE PROPOSAL - YES \_\_\_\_\_

12 AGAINST THE PROPOSAL - NO \_\_\_\_\_

13 SECTION 3. The Chief Clerk of the House of Representatives,  
14 immediately after the passage of this resolution, shall prepare and  
15 file one copy thereof, including the Ballot Title set forth in  
16 SECTION 2 hereof, with the Secretary of State and one copy with the  
17 Attorney General.

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19 59-1-5488 LRB 01/15/23

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