

# SB-62

To establish the use of ranked choice voting, specifically instant run-off voting, in federal elections for house representatives, senators, and the President and Vice President of the United States.

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## IN THE SENATE OF THE AMERICAN LEGION BOYS NATION

Mr. Zhao of California introduced the following bill;

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## A BILL

To establish the use of ranked choice voting, specifically instant run-off voting, in federal elections for house representatives, senators, and the President and Vice President of the United States.

*Be it enacted by The American Legion Boys Nation Senate assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bridging the Divide with RCV Act".

### SECTION 2 AUTHORITY.

The American Legion Boys Nation Senate finds it has the constitutional authority to encourage the adoption of ranked choice voting in federal elections.

According to a Congressional Research Service (CRS) report in 2022, Article 1, Section 4, of the U.S. Constitution states, "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations."

According to a CRS report in 2022, "relying on its Spending Clause authority, Congress may also condition the receipt of federal funds for state or local elections on compliance with federal requirements."

Previously introduced ranked choice voting legislation such as H.R. 5500; H.R. 1; H.R. 5314; H.R. 3863 were all considered constitutionally sound by the 117th Congress.

### **SECTION 3 PREFACE.**

WHEREAS: Polarization is at a breaking point. One-fifth of both Republicans and Democrats now consider the opposing party "evil", six-in-ten (6/10) Americans do not identify with either political party, and seventy-five (75) percent of issues in congress are subject to legislative gridlock.

WHEREAS: Ranked choice voting has been shown to change election strategies by encouraging broad appeal, reducing perceived negative campaigning by two-hundred (200) percent, thereby decreasing polarization, and reducing political gridlock in Santa Fe, New Mexico by ninety (90) percent following two election cycles. Candidates were incentivized to focus less on ad hominem attacks against opponents in fear of losing potential second and third choice voters.

WHEREAS: A national poll finds most Americans regardless of age, income or education, support using ranked-choice voting in federal elections.

WHEREAS: Cost is not an issue. Ranked choice voting saves money and results in a budget surplus. By eliminating the need for runoff elections, ranked choice voting saves on average ~thirty thousand (30,000) dollars per election.

### **SECTION 4 DEFINITION.**

Ranked choice instant runoff voting is defined as

A system of ranked choice voting in which each voter ranks candidates in order of preference.

The candidate with the least first round votes is eliminated and their voters second round votes will be included in the next rounds tabulation. This process repeats until there is one candidate left standing.

In normal speaking terms, RCV means conducting multiple normal runoff elections instantly.

## **SECTION 5 ENFORCEMENT.**

(1) In accordance with the CRS report in 2022, relying on its Spending Clause authority, Congress will condition the receipt of federal funds for federal elections of house representatives, senators, and President and Vice President of the United States to States on their use of ranked choice voting.

(1A) In accordance with H.R. 5500, Congress shall direct the Election Assistance Commission (EAC) to provide technical assistance to state governments transitioning to ranked choice voting systems.

(2) The enforcement of ranked choice voting will be monitored and facilitated by a national oversight committee which will consist of fifty (50) members, one appointed by each state's Governor.

(2A) The national oversight committee must convene at least twice per year to discuss the progress of implementation and new research around ranked choice voting.

(2B) The national oversight committee has the authority to extend the length of implementation and choose to give States more time to comply with federal ranked choice voting requirements.

## **SECTION 6 TIMELINE.**

(1) The creation of the national oversight committee will be formed two years following the 2024 United States presidential election.

(2) The "Bridging the Divide with RCV Act" shall be implemented two years following the 2024 United States presidential election with a ten year phase in period.