

Be it enacted by the people of the City of Sacramento:

Section 1. Title

Ranked Choice Voting for Sacramento Act

Section 2. Findings and Declarations

The people of the City of Sacramento (the "City") hereby find and declare the following:

(a) 44 percent of sitting city elected offices are filled by a candidate elected during the primary.

(b) March and June primaries have lower turnout than November runoff elections.

(c) Ranked Choice Voting provides a majority winner in a single November election.

(d) Voter turnout is higher in November elections than in March and June elections. This means that the November electorate is more representative of the community than the electorate in the March or June election.

(e) Eliminating the need for March and June primaries for candidates saves the City money.

(f) Ranked Choice Voting encourages candidates to talk and listen to all voters, not just their base.

(g) Ranked Choice Voting encourages positive campaigning, focused on issues voters care about.

(h) Ranked Choice Voting allows candidates to run for office without fear of splitting the vote or being a "spoiler candidate."

(i) Ranked Choice Voting enhances voter choice by allowing voters to select their favorite candidate and rank back-up choices, without fear of "wasting" their vote and inadvertently helping elect their least preferred candidate.

(j) Ranked Choice Voting is used across 48 cities and two states including the California cities of: Albany, Berkeley, Oakland, Redondo Beach, San Francisco, and San Leandro.

(k) Exit polling has shown that voters, across all age groups and ethnicities, like Ranked Choice Voting and find it easy to use.

### Section 3. Purpose and Intent

It is the people of the City of Sacramento's intent to do all of the following with the Ranked Choice Voting for Sacramento Act:

(a) Strengthen local democracy by adopting Ranked Choice Voting for city council and mayoral elections.

(b) Consolidate elections into a single November election, thereby saving public resources, and improving voter turnout.

(c) Ensuring election results more fully reflect the values and priorities of all Sacramento residents.

(d) Empower voters with more choice and a more meaningful vote. If a voter's first-choice candidate cannot win, their ballot counts toward their next choice — ensuring that the winning candidate reflects broad-based, majority support from the electorate.

(e) Reduce the cost and negative tone of campaigns by eliminating expensive primary and runoff elections, to encourage candidates to run on the issues and appeal to a wide range of voters, and to allow like-minded candidates to compete without fear of splitting the vote or acting as a "spoiler."

(f) In adopting Ranked Choice Voting, the people of Sacramento join a growing number of cities and states — including San Francisco, Oakland, New York City, and Minneapolis — that have successfully modernized their elections. This measure is guided by the principle that democracy works best when every voter has a reason to participate and every vote carries meaningful weight.

(g) To preserve and protect the fundamental right of the voters to propose and enact laws through the initiative process. Nothing in this Initiative is intended to limit, restrict, or otherwise alter the ability of voters to place measures on the ballot, nor to change the procedures governing voter-sponsored initiatives.

Section 4. Section 150 of Article X of the Charter of the City of Sacramento is hereby amended to read as follows (Proposed additions to the charter are *italicized text*. Deletions are in ~~strikethrough text~~. Unchanged Charter text is in plain font):

§ 150 Election code. The city council shall adopt an election code ordinance, providing an adequate and complete procedure to govern city elections, including the nomination of candidates for all elective offices. All elections provided for by this Charter for choice of officers, shall be conducted in the manner prescribed by *this Charter*, or said election code ordinance or as said code is hereafter amended.

Section 5. Section 151 of Article X of the Charter of the City of Sacramento is hereby amended to read as follows (Proposed additions to the charter are *italicized text*. Deletions are in ~~strikethrough text~~. Unchanged Charter text is in plain font):

§ 151 Nominations. ~~Nominations~~ *Except as may be otherwise provided by this Charter, nominations* of candidates for all elective offices shall be made in the manner prescribed by the election code ordinance.

Section 6. Section 152 of Article X of the Charter of the City of Sacramento is hereby amended to read as follows (Proposed additions to the charter are *italicized text*. Deletions are in ~~strikethrough text~~. Unchanged Charter text is in plain font):

§ 152 Elections.

(a) ~~Commencing with the year 1992, the primary city election shall be held on the same date in each election year as the California statewide direct primary election, and the general city election shall be held on the same date as the California statewide general election for that year.~~ *Regular Municipal Elections. Commencing with the first election year after the year in which this charter amendment is adopted, the Regular Municipal Election for the election of City officers, including the mayor and city council members, shall be held on the first Tuesday after the first Monday in November in each even-numbered year. In order to consolidate Regular Municipal Elections with Statewide General Elections, the Council may by ordinance provide for a date for a Regular Municipal Election which conforms to the date of a Statewide General Election.* All other elections shall be known as special elections.

~~To implement this provision, primary and general elections for council districts one, three, five and seven shall be held in the year 1994, and the primary and general elections for council districts two, four, six and eight, and for the office of mayor, shall be held in the year 1992.~~

~~Notwithstanding any other provision of this charter, the term of office of each person who is, on the effective date of this amendment, an incumbent of the council seat for district two, four, six or eight, or of the office of Mayor, and whose term of office would otherwise normally expire in 1991, shall be extended until a successor is elected in 1992 and has been seated.~~

~~Notwithstanding any other provision of this charter, the term of office of each person who is, on the effective date of this amendment, an incumbent of the council seat for district one, three, five or seven, and whose term of office would otherwise normally expire in 1993, shall be extended until a successor is elected in 1994 and has been seated.~~

(b) *At the primary election, there shall be chosen by the voters of each council district with a council member whose term expires at the end of or during the same year as the election, two candidates for the office of council member from that district. When the term*

~~of office of mayor expires at the end of or during the same year as the election, there shall be chosen by the voters of the entire city at the primary election two candidates to fill the office of mayor. Notwithstanding any other provision in this Charter to the contrary, in the event that any candidate for nomination to the office of council member or the mayor shall receive a majority of the votes cast for all the candidates for nomination for such seat or office at such primary election, the candidate so receiving such majority of all votes shall be deemed to be, and declared by the city council to be, elected to such office.~~

*Ranked Choice Voting. Elections for all elected city offices, including but not limited to Mayor and council member, shall be conducted using ranked choice voting, known sometimes as "instant runoff voting,"*

(1) *Definitions. The following definitions shall apply to Article X of the Charter.*

(i) *"Choice" means an indication on a ballot of a voter's assigned ranking of candidates (i.e., first choice, second choice, third choice, etc.) for any single office according to the voter's preference.*

(ii) *"Continuing ballot" shall mean a ballot that counts towards a continuing candidate.*

(iii) *"Continuing candidate" shall mean a candidate that has not been eliminated.*

(iv) *"Majority of votes" shall mean more than fifty percent (50%) of the votes cast on continuing ballots.*

(v) *"Next-ranked" means the highest ranked choice among the continuing candidates.*

(vi) *"Ranked choice voting" shall mean an election system in which voters rank the candidates for office in order of preference, and the ballots are counted in rounds that simulate a series of runoff elections until one candidate receives a majority of votes. Ranked choice voting is also known as "instant runoff voting."*

(vii) *"Round of counting" or "round" means a step in the counting process during which votes for all continuing candidates are tabulated for the purpose of determining whether a candidate has achieved a majority of the votes cast for a particular office, and, absent a majority, which candidate or candidates must be eliminated.*

(viii) *"Vote" means a ballot choice that is counted toward the election of a candidate. During each round of counting, each continuing ballot contains one vote. All first choices are votes and lower ranked choices are potential runoff votes that may, in accordance with the requirements of this section, become votes and subsequently credited*

for a continuing candidate.

(2) *General Provisions.* Ranked choice voting elections for the offices of Mayor and City Council member shall be conducted according to the procedures in this section. The City shall conduct a voter education campaign to familiarize voters with ranked choice voting.

(3) *Ballot.* The ranked choice voting ballot shall allow voters to rank as many choices as there are candidates. The ballot shall not interfere with a voter's ability to rank a write-in candidate.

(4) *Tabulation.* The ballots shall be counted in rounds.

(i) *In the first round, every ballot shall count as a vote towards the first-choice candidate.*

(ii) *After every round, if any candidate receives a majority of votes from the continuing ballots, that candidate shall be declared the winner.*

(iii) *If, in a round, no candidate receives a majority, the candidate receiving the fewest number of votes shall be eliminated and every ballot counting towards that candidate shall be advanced to the next-ranked continuing candidate. All the continuing ballots for all continuing candidates shall be counted again in a new round.*

(5) *Ties.* If two or more candidates tie for the smallest number of votes, the candidate to eliminate shall be chosen by lot, except that if all of the tied candidates can be eliminated using the procedure in paragraph (6) of this subsection, then that procedure shall be used. The result of any tie resolution must be recorded and reused in the event of a recount.

(6) *Elimination of more than one candidate.* During the elimination stage of any round, if any candidate has more votes than the combined vote total of all candidates with fewer votes, all the candidates with fewer votes may be eliminated simultaneously, and those ballots advanced to the next-ranked continuing candidate.

(7) *Skipped rankings.* If, in any round, any ballot reaches a ranking with no candidate indicated, that ballot shall immediately be advanced to the next ranking.

(8) *Undervotes, Overvotes, and Exhausted Ballots.* After each round, any ballot that is not continuing is an undervote, overvote, or exhausted ballot, as follows: Any ballot that has no candidates indicated at any ranking shall be declared an "undervote." If any ballot reaches a ranking with more than one candidate indicated, that ballot shall immediately be declared an "overvote." If any ballot cannot be advanced because no further continuing candidates are ranked on that ballot, that ballot shall immediately be declared "exhausted." Any ballot that has been declared an undervote, overvote, or exhausted shall

remain so and shall not count towards any candidate in that round or in subsequent rounds.

(9) Reports. The following reports shall be produced for public review.

(i) The "summary report" for a contest shall mean a report that lists the candidate vote totals in each round, and the cumulative numbers of undervotes, overvotes, and exhausted ballots in each round.

(ii) The "cast vote record report" for a contest shall mean a report that lists, for each ballot, the candidate or candidates indicated at each ranking, the precinct of the ballot, and whether the ballot was cast by a vote-by-mail ballot. In the report, the ballots shall be listed in an order that does not permit the order in which they were cast in each precinct to be reconstructed.

(iii) The "comprehensive report" for a contest shall mean a report that lists the vote totals in the summary report by precinct. The report shall list, for each round, the number of ballots cast in each precinct that:

(A) were tallied as votes for each candidate in that round,

(B) have been declared undervotes,

(C) have been declared overvotes, cumulatively for all previous rounds and inclusive of the reported round of tabulation, and

(D) have been declared exhausted cumulatively for all previous rounds and inclusive of the reported round of tabulation.

(iv) Mode and manner of release. Preliminary versions of the summary report and cast vote record report shall be made available as soon as possible after the commencement of the canvass of votes cast. The summary report, cast vote record report, comprehensive report, and all preliminary versions of the summary report and cast vote record report shall be made available to the public during the canvass via the Internet and by other means. The cast vote record report and preliminary versions of the cast vote record report shall be made available in a plain text electronic format. In any case, preliminary versions of the summary report and cast vote record reports shall be made available to the public prior to the commencement of the manual tally.

(10) Continuing the tally to two candidates. If a winner is declared pursuant to subparagraph (ii) of paragraph (4) of this subsection when there are three or more continuing candidates (including the winner), and if the vote tabulating system allows for it, additional rounds of tallying shall occur until there are only two candidates left.

*(11) Changes to Procedures. For the purposes of this subsection: "voting equipment" shall mean all ballots and/or voting devices, vote tabulating systems and/or similar or related systems to be used in the conduct of the City's election, including but not limited to paper ballot systems, optical scan systems, and touchscreen systems.*

*(i) Number of rankings. In the event that the voting equipment cannot feasibly accommodate a number of rankings on the ballot equal to the number of candidates, the City Clerk may limit the number of choices a voter may rank to the maximum number allowed by the equipment. This limit shall never be less than three.*

*(ii) Voting Equipment. If the voting equipment cannot feasibly accommodate all of the procedures in paragraphs (5)-(10) of this subsection, the City Clerk may make changes to those procedures provided that ranked choice voting shall still be used, the smallest feasible number of changes shall be made, and such changes shall only be allowed until such time as the voting equipment can accommodate all such procedures.*

*(iii) State Guidelines. If the State of California adopts guidelines for the conduct of ranked choice voting elections and the voting equipment used to conduct the City's election can accommodate such State guidelines, the City Clerk shall have the option of adopting those guidelines, in whole or in part, in lieu of the ranked choice voting procedures in this subsection.*

*(12) Exception from Using Ranked Choice Voting. Notwithstanding any other provision of this Charter, the City shall use ranked choice voting once the Sacramento County Registrar of Voters is able to conduct the election on behalf of the City in accordance with the requirements and procedures of this section, including any changes to such procedures made pursuant to paragraph (11) of this subsection.*

*(13) Election Procedures if Ranked Choice Voting is Not Used. Before the implementation of ranked choice voting pursuant to subsection (a) of this section, or if the City is unable to use ranked choice voting as a result of causes outside of the reasonable control of the City, the City shall hold a primary election for the nomination of candidates to hold the offices of the mayor and council member which shall be held on the same date the State of California holds its statewide primary election. If any candidate for nomination to the office of the mayor or council member shall receive a majority of the votes cast for all the candidates for nomination for such seat or office at such primary election, the candidate so receiving such majority of all votes shall be deemed to be, and declared by the city council to be, elected to such seat or office. Otherwise, at the Regular Municipal Election, the voters eligible to vote for each seat or office for which a primary election was held shall select from among the two candidates chosen at the primary election for such seat or office, and the candidate receiving the most votes in the Regular Municipal Election for such seat or office shall be elected to such seat or office.*

~~–(c) At the general election, the voters of each council district in which a primary election was held shall select from among the two candidates chosen at the primary election in each district one candidate to succeed to the office of the council member whose term expires at the end of or during the same year as the election.~~

Section 7. Section 154 of Article X of the Charter of the City of Sacramento is hereby amended to read as follows (Proposed additions to the charter are *italicized text*. Deletions are in ~~strikethrough text~~. Unchanged Charter text is in plain font):

§ 154 Special elections to fill vacant offices.

A special election to fill a vacancy in office of the mayor or council member shall be called by the city council as soon as said vacancy occurs, but in no event later than 14 days following the date upon which said vacancy occurs.

The special election to fill said vacant office shall be held on the next regular election date following the date upon which said election is called at which time permits said election to be lawfully held, or at an earlier date as may be fixed by the city council. *A special election held during or after the first use of ranked choice voting in a Regular Municipal Election, as required in section 152 of this Charter, shall be conducted using ranked choice voting. If the special election is held before the first use of ranked choice voting in a Regular Municipal Election, the City Council shall have the authority to provide for a ranked choice voting election by ordinance.* ~~The~~ *Otherwise,* the candidate receiving the greatest number of votes in said election shall be elected to fill said vacant office.

As used in this section, the term "regular election date" means the primary municipal election date for council elections and any election date specified in Section 2500 1000 of the Elections Code of the State of California as the same now reads or may be hereafter amended.

Section 8. Section 171 of Article XII of the Charter of the City of Sacramento is hereby amended to read as follows (Proposed additions to the charter are *italicized text*. Deletions are in ~~strikethrough text~~. Unchanged Charter text is in plain font):

§ 171 Power and duty of Commission to adopt Council District Boundary Map.

(a) Within six months after census-block-level population data from a regular United States decennial census is made available to the public, the commission shall adopt a final map establishing new council district boundaries and a final report explaining its decision. The final map shall include a precise map and written description of the boundaries of each council district. In the final report, the commission shall explain the rationale for the council district boundaries, including, at a minimum, an explanation of how the final map complies with the redistricting requirements and criteria in Section 175 and a reasonable justification for any council district boundary that does not comply with any redistricting criterion.

(b) A commission-adopted final map has the force and effect of law. At the first election after adoption of the final map, excluding a special election to fill a vacancy or a recall election, councilmembers shall be elected for each district under the final map that has the same district number as a district whose incumbent's term is due to expire, unless on the date of adoption there are less than six months until the next ~~primary city election~~ *Regular Municipal Election*, in which case the final map shall go into effect after that election and ~~any applicable run-off election~~.

(c) If the commission does not adopt a final map by the deadline in subsection (a), the city attorney shall immediately petition the superior court for an order prescribing new council district boundaries in accordance with the redistricting criteria and requirements set forth in Section 175. The boundaries prescribed by the superior court shall be used for all city council elections that take place more than six months from the date of the superior court's order and shall last until a final map is adopted by the commission to replace it.

(d) The commission shall redraw council district boundaries only once per decade as provided in subsection (a), unless the commission is ordered to do so by a court or if requested by the city clerk to approve an update pursuant to subsection (e).

(e) Any territory that is annexed, consolidated, or otherwise attached to the city shall be allocated to a council district pursuant to this subsection, effective upon the completion of such annexation, consolidation, or other proceedings. The city clerk shall update the final map accordingly.

(1) If the territory's boundary is contiguous to the boundary of not more than one council district, the territory shall be allocated to that council district.

(2) If the territory's boundary is contiguous to the boundaries of two or more council districts, the territory shall be allocated to the council district with which it shares the longest boundary.

(3) If the territory's boundary is not contiguous with the boundary of any council district, the territory shall be allocated to the closest council district.

~~(f) Notwithstanding the time restrictions set forth in subsections (a), (b), and (c) above, for the map based on the 2020 United States decennial census, the commission shall adopt the final map establishing new council districts no later than 130 days before the 2022 primary city election; and any map that is effective before the councilmember candidate nomination period opens may be used for the 2022 elections.~~

Section 9. Section 173 of Article XII of the Charter of the City of Sacramento is hereby amended to read as follows (Proposed additions to the charter are *italicized text*. Deletions are in ~~strikethrough text~~. Unchanged Charter text is in plain font):

§ 173 Commissioner qualifications, requirements, and post-service restrictions.

(a) Each commissioner must be a registered voter of the city and must either:

(1) Have voted in two of the last three ~~primary~~ city elections *which must be primary elections prior to the adoption of this amendment, or Regular Municipal Elections after the adoption of the Ranked Choice Voting for Sacramento Act*, immediately preceding his or her application to be on the commission; or

(2) Have been a resident of the city for at least ten years immediately preceding his or her application to be on the commission.

(b) The following persons are not eligible to be a commissioner:

(1) A person who - or whose spouse, registered domestic partner, or child - has contributed to a candidate for city elective office, in a single city election cycle in either of the last two city election cycles preceding their date of application to be on the commission, more than 50 percent of the allowable amount for a councilmember candidate.

(2) A person who - or whose spouse, registered domestic partner, or child - is or has been, within the four years immediately preceding their date of application to be on the commission, any of the following:

(A) A paid employee of the city;

(B) A registered city lobbyist, or someone who was required to be a registered city lobbyist; or

(C) A paid employee of any redistricting contractor or consultant.

(3) A person who - or whose spouse, registered domestic partner, parent, sibling, or child - has been, within ten years immediately preceding their date of application to be on the commission, any of the following:

(A) Elected to, or a candidate for, city elective office;

(B) An employee of, or paid consultant or contractor to, a campaign for city elective office;

(C) A paid employee of, a consultant to, or someone under contract with any city elected official; or

(D) A principal officer of an active campaign committee domiciled in the County of Sacramento that has made expenditures on candidate elections for a city elective office.

(c) Within 30 days of appointment, a commissioner shall file with the city clerk a statement of economic interest, or similar financial disclosure statement, as required under the city's conflict of interest code.

(d) A commissioner shall be ineligible, for a period of ten years beginning from the date of their appointment, to hold city elective office. A commissioner shall be ineligible, for a period of four years beginning from the date of their appointment, to be appointed to

another city commission, to serve as paid staff for or as a paid consultant to any city elected official, to receive a non-competitively bid contract with the city, or to register as a city lobbyist.

(e) A commissioner shall not contribute to or participate in any candidate campaign for city elective office, from the date of appointment to the commission until 60 days after the adoption of a final map.

#### Section 10. Conforming Amendments to City Code

The Council shall make conforming amendments to the Sacramento City Code, including but not limited to removing references to primary elections.

#### Section 11. No Change to Staggered Election Cycles

It is the intent of the Ranked Choice Voting for Sacramento Act to maintain the existing staggered election cycle for members of the City Council and the mayor. For the avoidance of doubt, elections for City Council districts 1, 3, 5, 7 shall be held in 2026 and every four years thereafter, and elections for City Council districts 2, 4, 6, 8 and mayor shall be held in 2028 and every four years thereafter.

#### Section 12. Severability

It is the intent of the people of the City of Sacramento that the provisions of this measure are severable and that if any provision of this measure, or part thereof, is held to be invalid, such invalidity shall not affect any other provisions of this measure that can be given effect without the invalid provision.

#### Section 13. Conflicting Measures

It is the intent of the people that if this measure and another measure relating to the manner of elections appear on the same citywide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. If this measure receives a greater number of affirmative votes than a measure deemed to conflict with it, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure shall be null and void.

#### Section 14. Conflicting Charter Provisions

Any section or part of any section in the Charter, insofar as it should conflict with this amendment or with any part thereof, shall be superseded by the contents of this amendment.

#### Section 15. Liberal Construction

This measure shall be liberally construed and applied in order to fully promote its underlying purposes.