

Date: January 16, 2024  
Subject: Comments on ballot title and summary for HB 2004  
To: Joint Committee on Ballot Measure Titles and Explanatory Statements  
From: Deb Otis, Director of Policy and Research for FairVote Action

Dear Committee Members,

Thank you for your efforts to create a clear, succinct, and comprehensive ballot title for HB 2004, the legislative referral for statewide ranked choice voting.

I'm writing to share best practices that FairVote Action has observed based on our decades of research and advocacy for ranked choice voting. Our organization supports HB 2004 and we're invested in ensuring voters have adequate and clear information. Given our passion about this issue, we would like to bring your attention to some concerns with the current proposed ballot title and summary.

We urge you to consider making substantive changes to the language before approving it for the November 2024 ballot based on the outlined best practices below.

**We recommend including a description of what ranked choice voting allows voters to use the first time the term is introduced.** The current draft ballot caption refers to "a ranked choice method." This is imprecise and could lead to confusion. HB2004 describes "ranked choice *voting*", not "a ranked choice *method*." Technically there are numerous methods of potentially tabulating ranked ballots, but HB2004 is specific in that it uses the standard form of ranked choice voting rather than some other type of "ranked voting method." Additionally, we recommend that if the term "ranked choice voting" is used anywhere in the ballot language, that it be followed up with a clear and comprehensive description of what this voting method allows voters to do, which is rank candidates in order of preference.

**The caption is lengthier than normal and contains extraneous details.** The current drafted caption is roughly three times longer than what voters are accustomed to, potentially giving the impression this issue is overly complex. Details such as the included local option may be more appropriate in the Summary in order to keep the caption concise.

**The "Yes" statement is also significantly longer than normal.** The drafted yes statement is over four times longer than what voters are accustomed to and could lead to voter confusion. It includes details that are more appropriate for the summary, such as the individual offices impacted and the local governments option.

**The summary would benefit from a description of how ranked choice voting works.** In the summary, where there is space for full details, we recommend describing how ranked choice voting works. The current drafted summary notes the majority requirement but not how ballots are counted. In particular, it would be helpful to note that each ballot counts for the voter's first choice, unless that candidate is eliminated, at which time the ballot counts for their next choice, and that candidates are eliminated one-at-a-time until a candidate earns a majority.

**The “no” statement erroneously equates “highest number of votes” with plurality voting.**

Use of the phrase “highest number of votes” in the “No” statement is misleading because it gives the impression that ranked choice voting does *not* elect the candidate with the most votes, when in fact it does. Both methods elect the candidate with the most votes, but ranked choice voting uses multiple rounds before determining which candidate has the most votes. We recommend that the difference between a “yes” vote and a “no” vote is the difference between requiring a majority or not requiring a majority, since “highest number of votes” applies to both systems, and a required majority of votes only applies to ranked choice voting.

I appreciate your consideration of these suggestions.

Sincerely,



Deb Otis  
Director of Policy and Research at FairVote Action