WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 133

By Senator Tarr

[Introduced February 12, 2025; referred

to the Committee on the Judiciary]

1   A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,

2   designated §3-1-52, relating to prohibiting ranked choice voting in elections in West

3   Virginia.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-52.   Ranked   choice   voting   prohibited.

1   (a) Definitions:

2   "Local government" means any municipality, county, school district, special taxing district,

3   or any other regional or local district or unit of government that is governed by one or more elected

4   officials.

5   "Ranked choice voting" or "instant runoff voting" means a method of casting and tabulating

6   votes in which:

7   (1) Voters rank candidates in order of preference;

8   (2) Tabulation proceeds in rounds such that in each round either a candidate or candidates

9   are elected or the last-place candidate is defeated;

10   (3) Votes are transferred from elected or defeated candidates to the voters' next ranked

11 candidate or candidates in order of preference; and

12   (4) Tabulation ends when a candidate receives the majority of votes cast or the number of

13 candidates elected equals the number of offices to be filled.

14   (b) No state, county, or local elections office may use ranked choice voting or instant runoff

15 voting to conduct an election or nomination of any candidate in this state for any local government,

16 statewide, or federal elective office.

17   (c) Any local government ordinance in conflict with this section is void.

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NOTE: The purpose of this bill is to prohibit ranked choice voting in elections in West
Virginia.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.