

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. 1337

Amending Multnomah County Code Chapter 5 to Implement Ranked Choice Voting in County Candidate Elections.

(Language ~~*stricken~~ is deleted; underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- A. In November 2022, Multnomah County voters adopted Measure 26-232, which amended the Multnomah County Home Rule Charter to provide that Multnomah County elected officials would be elected using instant runoff ranked choice voting starting in 2026. The measure also provided that County elected officials would be elected at the general election, without a primary election, but maintained that vacancies could be filled in either May or November.
- B. The City of Portland began using ranked choice voting to elect its elected officials in November 2024.
- C. In an effort to provide voters with a consistent, understandable, and user-friendly voting experience, Multnomah County will align with the City of Portland's implementation of instant runoff ranked choice voting where appropriate.
- D. The Elections Director is the county official in charge of conducting elections in Multnomah County, including preparing ballots and receiving and processing votes.

Multnomah County Ordains as Follows:

Section 1. MCC 5.007 is deleted as follows:

~~§ 5.007 — SPECIAL RUNOFF ELECTION.~~

~~(A) If no candidate receives 50% plus one vote of votes cast at an election to fill a vacancy, the Board shall call a special runoff election in which the names of the two candidates receiving the highest number of votes will appear on the ballot.~~

~~(B) The special runoff election will be held on the next available May or November election date for which the state law filing requirements can be met.~~

~~(C) If it is demonstrated that the public interest could be harmed by waiting for a May or November election as specified in section (B) above, the Board may call for an~~

~~emergency election. An emergency election under this section shall be scheduled at least 80 days after the election to fill the vacancy.~~

Section 2. MCC 5.300 is added as follows:

§ 5.300 DEFINITIONS.

For purposes of MCC 5.300 through MCC 5.307, the following definitions shall apply unless the context requires a different meaning.

- (A) **ACTIVE BALLOT.** Any ballot that is not an inactive ballot.
- (B) **ACTIVE CANDIDATE.** Any candidate who has not been defeated or elected.
- (C) **BATCH ELIMINATION.** The simultaneous defeat of multiple active candidates for whom it is mathematically impossible to be elected. For purposes of this definition, write-in votes tallied together may be defeated as a single candidate for whom it is mathematically impossible to be elected.
- (D) **CANDIDATE HAVING THE FEWEST VOTES.** The active candidate who has the fewest votes in the round but for whom it is not mathematically impossible to be elected in the round. For purposes of this definition, write-in votes tallied together may be a single “candidate having the fewest votes.”
- (E) **DIRECTOR.** The Director of the Division of Elections of the County, or authorized representative.
- (F) **HIGHEST-RANKED ACTIVE CANDIDATE.** The active candidate an elector has assigned to a higher ranking than any other active candidate in the contest being tallied, excluding overvotes. Overvotes do not indicate a clear and unmistakable ranking for any particular candidate. Therefore, an overvote may not be interpreted as a ranking of any of the overvoted candidates.
- (G) **INACTIVE BALLOT.** A ballot that, in any round of tabulation, does not count for any candidate. A ballot becomes inactive for the contest being tallied at the point any one of the following is true:
 - (1) In any round after the first round, the ballot no longer contains any votes for any active candidates for the contest being tallied.
 - (2) In any round, the ballot has reached an overvote for the contest being tallied and there are no lower-ranked active candidates on the ballot that are not also overvotes.

- (H) **MAJORITY OF VOTES.** For each round being tabulated, more than 50 percent of votes cast on active ballots for active candidates in that round.
- (I) **MATHEMATICALLY IMPOSSIBLE TO BE ELECTED.** An active candidate cannot be elected because that candidate's vote total in a round, plus all votes that could possibly be transferred to that candidate in future rounds from active candidates who received an equal or fewer number of votes, would not be enough to surpass that of the active candidate with the next highest vote total in such round. For purposes of this definition, write-in votes tallied together may be considered a single candidate.
- (J) **OVERVOTE.** An elector ranks more than one candidate at the same ranking in the same contest. For example, a ballot has an overvote if an elector assigns two candidates the number 1 ranking in the same contest.
- (K) **RANKED CHOICE VOTING.** When two or more candidates have filed for a county elective office, an election method in which electors may rank candidates for an office in order of electors' preferences and ballots may be counted in rounds.
- (L) **RANKING.** The number available to be assigned by an elector to a candidate to express the elector's choice for that candidate. The number 1 is the highest available ranking, followed by 2, and then 3 and so on.
- (M) **REPEAT RANKING.** An elector assigns more than one ranking to the same candidate in a contest. For example, a ballot has a repeat ranking if an elector assigns the same candidate the number 1 ranking and the number 2 ranking.
- (N) **SKIPPED RANKING.** An elector has left a ranking or multiple consecutive rankings unassigned in a contest but ranked a candidate at a subsequent ranking in that contest. For example, a ballot has a skipped ranking if a voter assigns a candidate the number 1 ranking, skips the number 2 ranking, and assigns a candidate the number 3 ranking. A ballot also has a skipped ranking if a voter assigns a candidate the number 1 ranking, skips the number 2 and number 3 rankings, and assigns a candidate the number 4 ranking.
- (O) **UNDERVOTE.** A ballot that does not contain a marking for any candidate at any ranking in a contest. For example, a ballot has an undervote for a commissioner contest if an elector does not rank any candidate for commissioner.

Section 3. MCC 5.301 is added as follows:

§ 5.301 RANKED CHOICE VOTING.

- (A) When there are two or more filed candidates for a county elective office, the office will be elected using instant runoff ranked choice voting.
- (B) When there is only one filed candidate for a county elective office, the office will be elected using plurality voting, where the candidate that receives the highest number of votes cast for the office shall be elected to the office.

Section 4. MCC 5.302 is added as follows:

§ 5.302 NUMBER OF RANKINGS.

- (A) Except as otherwise provided in this section, electors may rank up to six candidates for each county elective office. Electors may rank write-in candidates. Electors are not required to use all available rankings on a ballot.
- (B) When the total number of filed candidates plus one write-in line for a contest is less than six, the number of available rankings will equal the number of filed candidates plus one. For example, in a commissioner contest with three filed candidates, an elector may rank up to four candidates (three filed candidates plus one write-in candidate).

Section 5. MCC 5.303 is added as follows:

§ 5.303 CANDIDACY BY CERTIFICATION AS WRITE-IN.

- (A) At least seven calendar days before the date of an election, a person who wants write-in votes for them to show as votes for them as a write-in candidate must submit to the director, on a form provided by the director, a certification that the candidate meets the necessary qualifications for the county office and will serve if elected.
- (B) In the event that write-in votes are tallied to show the total number of votes cast for each write-in candidate:
 - (1) Uncertified write-in candidates will be considered a single candidate; and
 - (2) Uncertified write-in candidates will be defeated.
- (C) Individual write-in votes will be tallied for each certified write-in candidate.

Section 6. MCC 5.304 is added as follows:

§ 5.304 ELECTOR INTENT.

- (A) In the event that tabulation reaches a skipped ranking, the elector's vote is transferred to the next highest-ranked active candidate on the elector's ballot after the skipped ranking, if any.
- (B) In the event that tabulation reaches an overvote, the elector's vote is transferred to the next highest-ranked active candidate on the elector's ballot, if any.
- (C) In the event that tabulation reaches a repeat ranking, the elector's highest ranking of the candidate that is not an overvote will be the elector's ranking for that candidate, and the elector's lower rankings of that same candidate will be treated as skipped rankings.

Section 7. MCC 5.305 is added as follows:

§ 5.305 TIE VOTE

If two or more active candidates are tied as the candidate having the fewest votes in the round, and tabulation cannot continue until the candidate having the fewest votes is defeated, then the candidate to be defeated is determined by lot by the director. The result of the tie resolution must be recorded and reused in the event of a recount.

Section 8. MCC 5.306 is added as follows:

§ 5.306 TABULATION.

- (A) Each active ballot counts as one vote for the highest-ranked active candidate.
- (B) If a candidate receives a majority of votes in the initial round of tabulation, that candidate is declared elected.
- (C) If no candidate receives a majority of votes in the initial round of tabulation, votes in the initial round and in subsequent rounds are tabulated as follows:
 - (1) Active candidates retain the number of votes counted for them in the first and any subsequent rounds that already occurred.
 - (2) If no candidate has a majority of votes, the active candidate having the fewest votes is defeated and each vote on a ballot that had been counted as a vote for the defeated candidate is transferred to

the next highest-ranked active candidate on that ballot that is not an overvote, if any.

(3) At the same time that the active candidate having the fewest votes is defeated, all active candidates for whom it is mathematically impossible to be elected must be defeated simultaneously, unless the batch elimination would result in only one remaining active candidate, in which case no batch elimination shall occur. Each vote on a ballot that had been counted as a vote for a candidate defeated by batch elimination is transferred to the next highest-ranked active candidate on that ballot that is not an overvote, if any.

(4) If, after the transfer of votes, any candidate has a majority of votes, that candidate is declared elected. If no candidate has a majority of votes, the round ends and a new round begins with subsection (C)(1).

(D) In any round of tabulation, an inactive ballot does not count for any candidate. An undervote does not count as an active or inactive ballot in any round of tabulation.

Section 9. MCC 5.307 is added as follows:

§ 5.307 RESULTS REPORTING.

The design and format of preliminary and final results reports is at the discretion of the director. Results reports may include:

(A) Total votes cast;

(B) Election threshold;

(C) Total first round rankings for all filed candidates;

(D) The complete round-by-round tabulation results, including defeated candidate transfers; and

(E) Other information identified by the director.

Section 10. This ordinance shall take effect 30 days after adoption, but shall not apply to any election prior to the November 3, 2026 election.

FIRST READING: July 17, 2025

SECOND READING AND ADOPTION: July 24, 2025



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jessica Vega Pederson

Jessica Vega Pederson, Chair

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