Short Title:	Wilmington Instant Runoff.	(Local)
Sponsors:	Representatives Hughes, Justice, and McComas (Primary Sponsors).	
Referred to:		

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE USE OF INSTANT RUNOFF VOTING IN
3   WILMINGTON CITY ELECTIONS.
4 The General Assembly of North Carolina enacts:
5   **SECTION 1.** Article IV of the Charter of the City of Wilmington, as enacted
6 in Chapter 495 of the 1977 Session Laws, reads as rewritten:
7   "Sec. 4.1. The regular municipal election for elected officials shall be nonpartisan
8 and ~~the election and run-off election method set out in G.S. 163-293~~ instant runoff
9 voting shall be used. The regular municipal election shall be held on ~~the fourth Tuesday~~
10 ~~before the Tuesday after the first Monday in November, and the run-off election, if~~
11 ~~required, shall be held on~~ Tuesday after the first Monday in November beginning in
12 1977.
13   As used in this section, "instant runoff voting" means a system in which voters rank
14 up to three of the candidates by order of preference, first, second, or third. If the
15 candidate with the most first-choice votes receives a majority of the first-choice votes,
16 that candidate wins. If no candidate receives the threshold of victory of first-choice
17 votes, the two candidates with the greatest number of first-choice votes advance to a
18 second round of counting. In this round, each ballot counts as a vote for whichever of
19 the two final candidates is ranked higher by the voter. The candidate with the most votes
20 in the second round wins the election.
21   The State Board of Elections shall adopt rules for the implementation of instant
22 runoff voting, including the following:
23   (1)   If, after the first-choice candidate is eliminated, a ballot does not
24   indicate one of the uneliminated candidates as an alternative choice,
25   the ballot is exhausted and shall not be counted after the initial round.
26   (2)   The fact that the voter gives more than one ranking to the same
27   candidate shall not invalidate the vote. The highest ranking given a

1   particular candidate shall count as long as the candidate is not
2   eliminated.
3   (3)   In case of a tie between candidates such that two or more candidates
4   have an equal number of first choices and more than two candidates
5   qualify for the second round, instant runoff voting shall be used to
6   determine which two candidates shall advance to the second round. If
7   the second round of counting results in a tie, the tie shall be broken as
8   provided in G.S. 163-182.8.
9   (4)   The State Board shall modify instant runoff voting where necessary to
10   apply its essential principles suitably to races in which more than one
11   seat is to be filled.
12   The New Hanover County Board of Elections shall adhere to the rules of the State
13 Board of Elections in its implementation of instant runoff voting.
14   Present members of the city council shall continue in office until the expiration of
15 their respective terms.
16   "Sec. 4.2. Election of council members. At the regular municipal election to be held
17 in 1977,three council members shall be elected for terms of four years, and in 1979
18 three council members shall be elected for terms of four years. Thereafter, as the terms
19 of the members expire, their successors shall be elected for terms of four years.
20   "Sec. 4.3. Election of mayor. In 1977, and every two years thereafter, the mayor
21 shall be elected by the qualified voters of the city for a term of two years.
22   "Sec. 4.4. County board of elections to hold municipal elections. All elections in the
23 City of Wilmington shall be held and conducted by the county board of elections in
24 accordance with the provisions of this charter and the applicable provisions of Articles
25 23 and 24 of Chapter 163 of the General Statutes. The city shall reimburse the county
26 board of elections for the expense incurred in holding and conducting the municipal
27 elections.
28   "Sec. 4.5. Any qualified voter of the city, except as disqualified by the Constitution
29 of North Carolina, shall be eligible for election by the people to office, and to vote in
30 municipal elections."
31   **SECTION 2.** This act is effective when it becomes law and applies to
32 elections held on or after that date.