

PROHIBIT RANKED CHOICE VOTING

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4707 as reported from committee

Sponsor: Rep. Rachelle Smit

Committee: Election Integrity

Complete to 8-20-25

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4707 would amend the Michigan Election Law to prohibit the state or a city or township from conducting an election using *ranked choice voting*. A city or township could not enact or enforce a law or ordinance authorizing ranked choice voting, and any such law or ordinance would be void and unenforceable.

Ranked choice voting would mean either of the following methods of voting:

- One that allows a voter to rank the candidates for an office in order of preference, with ballots tabulated in multiple rounds following the elimination of candidates until a single candidate is declared the winner.
- One that allows voters to vote for more candidates for an office than the total number of positions to be filled for that office.

Proposed MCL 168.642e

BACKGROUND:

Under what is now most commonly referred to as ranked choice voting (also called instant runoff voting), voters rank candidates in order of preference. If no candidate has more than 50% of voters' first-choice votes when ballots are initially counted, the candidate with the fewest number of first-choice votes is eliminated from the race, and their votes are reassigned to the candidates indicated on each ballot as the voter's second choice. This process is repeated (eliminating the candidate with the fewest votes, reassigning those ballots to voters' active next-choice candidates) until one of the remaining candidates has more than 50% of the votes.¹

Sixteen states have banned ranked choice voting. Alaska and Maine have adopted ranked choice voting for statewide elections, and six other states and the District of Columbia allow or require ranked choice voting under specified circumstances, such as in primary or special elections or elections for more than one position in a single district or office. Several other municipalities around the country (i.e., in the 26 states that do not either prohibit or provide for ranked choice voting) use ranked choice voting under various circumstances.²

In Michigan, the Home Rule City Act was amended in 1917 to allow city charters to provide for elections by "preferential ballot." Preferential voting systems (which ranked choice is one type of) were among several election reforms being advanced nationwide during this period,

¹ In what is usually called "first past the post" or "plurality" voting, the candidate with more votes than every other candidate wins, regardless of whether they have more than 50% of the total vote.

² <https://www.ncsl.org/elections-and-campaigns/ranked-choice-voting>

including the secret ballot, the initiative, the referendum, the recall, the nonpartisan ballot, the “short ballot,” the nomination of candidates by petition, and the primary election. Preferential voting systems were portrayed as a way to offset the power of party machines and to provide more balanced representation for political minorities. Notably during this period, some form of preferential voting was proposed for Detroit (but ultimately not included in the charter put before voters); was proposed to, and rejected by, the voters of Flint; and was adopted and used in the city of Marquette (from 1918 to 1933). Decades later, Ann Arbor voters approved a charter amendment providing for a form of ranked choice voting in November 1974, and repealed those provisions in April 1976.

While the Home Rule City Act’s “preferential ballot” language is still on the books, the state Bureau of Elections has indicated that such a system cannot be implemented today because of conflicts with other provisions of Michigan law. Thus, while ranked choice voting has been approved for city elections by voters in Ferndale (2004), Ann Arbor (2021), East Lansing (2023), Kalamazoo (2023), and Royal Oak (2023), according to news reports it cannot be implemented in those cities due to those conflicts. However, under a federal judicial consent decree, a form of ranked choice voting was implemented in the city of Eastpointe for several years beginning in 2019.

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

POSITIONS:

Representatives of the following entities testified in support of the bill (8-19-25):

- Save Our States Action
- Honest Elections Project Action
- Pure Integrity for Michigan Elections

Michigan Forward Network indicated support for the bill. (8-19-25)

A representative of Rank MI Vote testified in opposition to the bill. (8-19-25)

The following entities indicated opposition to the bill (8-19-25):

- ACLU of Michigan
- Detroit Disability Power

Legislative Analyst: Rick Yuille
Fiscal Analyst: Michael Cnossen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.