

BILL ANALYSIS

S.B. 310
By: Hughes
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to a 2024 report distributed by the Texas Public Policy Foundation, ranked choice voting (RCV), also known as preferential voting, or instant runoff voting, though bolstered as a more effective alternative to the traditional method of electing officeholders, in actuality, disenfranchises voters through ballot exhaustion. While proponents of RCV argue that the system ensures a consensus winner by requiring that a candidate must receive a majority vote of the originally casted votes, the Texas Public Policy Foundation suggests that RCV introduces unnecessary complexity and can result in votes not being considered. Additionally, according to a study conducted by professors at the University of Pennsylvania, states that have adopted RCV, such as Alaska and Maine, have reported higher incidence of mismarked votes, leading to further confusion and ballot rejection. Finally, the Republican Party of Texas platform explicitly opposes RCV, expressing support for the direct prohibition on all types of preferential voting or RCV systems in all elections. S.B. 310 seeks to prohibit preferential voting in certain elections in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 310 amends the Election Code to establish that a candidate in a runoff election requiring a majority vote to be elected to a public or political party office or to receive a political party's nomination must receive more than half of the votes as originally cast. The bill prohibits a majority from being determined by using a preferential voting system to reassign votes. For these purposes, the bill defines "preferential voting system" as a voting system which permits a voter to rank each candidate through a numerical designation from the candidate the voter favors most to the candidate the voter favors least. The bill's provisions expressly supersede a law outside of provisions governing runoff elections to the extent of any conflict.

EFFECTIVE DATE

September 1, 2025.