



Ranked Choice Voting for Military/Overseas Voters

Background: In 2020, there were approximately 86,000 registered voters in Texas who were either active military personnel, their families, or overseas residents. Both the Uniform and Overseas Citizens Absentee Voting Act (UOCAVA) in 1986 and the Military and Overseas Voter Empowerment Act (MOVE) which amended it in 2009 were designed to preserve the right to vote for military and overseas voters. In order to comply with these laws, the state of Texas mails ballots to these voters at least 45 days before any election.

Problem: While Texas now fully complies with Federal ballot timeline requirements, the process is still not smooth. Being able to cover both the initial election and any potential runoff in a single mailing to UOCAVA voters would be a considerable improvement.

There are several problems with the current system:

1. Military/overseas voters do not always receive runoff ballots in a timely manner due to delivery delays and those ballots don't necessarily get back to Texas in time to be counted. While these voters represent just 0.5% of both registered and voting Texans, this is an important group of voters who should be protected.
2. Just as others who vote early in person or by mail have experienced, military/overseas voters may vote for candidates who drop out before election day, as happened in the Democratic primary in 2020.
3. Mailing a second ballot for a runoff is expensive and the return rate is very low, which is not a good use of taxpayer money.

Solution: Alabama, Arkansas, Mississippi, South Carolina, and Louisiana addressed this problem of potential disenfranchisement of military and overseas voters several years ago by adopting the use of instant runoff voting for them. Georgia implemented this change in 2022. Two ballots are included in the initial mailing to each voter. One is a standard ballot where a single choice for each position should be marked. The second ballot is an instant runoff ballot that allows the voter to rank their choices. Both ballots are returned in a single envelope. The second ballot is only opened in the event of a runoff. Instant runoff voting solves several problems.

1. Sending one mailing eliminates potential delay in receiving the runoff ballot in time.
2. An instant runoff ballot allows military voters to indicate a second or third choice in case the first choice drops out prior to election day, preventing a wasted vote.
3. A single mailing saves taxpayer dollars.
4. The instant runoff ballot ensures that participation does not drop off between the general election and the runoff.
5. Eliminating the need to send runoff ballots overseas would enable Texas to shorten the primary election runoff period and allow voters to know who their candidate is sooner.

Instant runoff voting for military and overseas voters can be implemented by a legislative change to the Texas Election Code.