

107TH CONGRESS
1ST SESSION

H. R. 1189

To provide that a State may use a proportional voting system for multiseat congressional districts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2001

Ms. MCKINNEY introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide that a State may use a proportional voting system for multiseat congressional districts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Voters’ Choice Act”.

5 **SEC. 2. MULTISEAT DISTRICTS PERMITTED FOR ELECTION**
6 **OF REPRESENTATIVES FOR STATES WITH A**
7 **PROPORTIONAL VOTING SYSTEM.**

8 (a) IN GENERAL.—Notwithstanding the Act entitled
9 “An Act for the relief of Doctor Ricardo Vallejo Samala

1 and to provide for congressional redistricting”, approved
2 December 14, 1967 (Public Law 90–196; 2 U.S.C. 2c),
3 a State that is entitled to more than one Representative
4 in Congress may establish a number of districts for elec-
5 tion of Representatives that is less than the number of
6 Representatives to which the State is entitled, if and only
7 if, that State uses a system that meets the following condi-
8 tions:

9 (1) It meets the constitutional standard of ma-
10 jority rule and of individuals having equal voting
11 power.

12 (2) It ensures the election of any candidate who
13 receives a share of votes cast that is at least one
14 vote greater than one-third of the total votes cast in
15 the multiseat district.

16 (b) NO RESTRICTION ON SELECTION.—A State is not
17 restricted to selecting systems that require candidates to
18 obtain at least one vote more than one-third of the elec-
19 torate in order to be elected. As long as the conditions
20 specified in subsection (a) are met, a State may use sys-
21 tems that allow a smaller group of voters to elect Rep-
22 resentatives.

23 (c) EQUALITY REQUIREMENT.—In a State that uses
24 multiseat districts, the number of residents per Represent-

1 ative in a district shall be equal for all Representatives
2 elected.

3 (d) ONE-SEAT DISTRICTS ALLOWED.—A State may
4 use one-seat districts alone or in combination with
5 multiseat districts.

6 **SEC. 3. RELATION TO VOTING RIGHTS ACT OF 1965.**

7 The rights and remedies established by this Act are
8 in addition to all other rights and remedies provided by
9 law, and the rights and remedies established by this Act
10 shall not supersede, restrict, or limit the application of the
11 Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.). Noth-
12 ing in this Act authorizes or requires conduct that is pro-
13 hibited by the Voting Rights Act of 1965 (42 U.S.C. 1973
14 et seq.).

15 **SEC. 4. SENSE OF CONGRESS REGARDING USE OF INSTANT**
16 **RUNOFF VOTING IN PRESIDENTIAL ELEC-**
17 **TIONS.**

18 It is the sense of Congress that:

19 (1) A State should award its electoral votes for
20 President and Vice President to the candidates who
21 receive a majority of the votes cast in the State for
22 such offices.

23 (2) An instant runoff voting system is an effec-
24 tive and appropriate method for ensuring that one
25 set of candidates will receive a majority of the votes

1 cast in the State. Under instant runoff voting, voters
2 rank their favorite and subsequent choice can-
3 didates, and if a majority has not voted for one can-
4 didate, the candidate with least number of votes is
5 eliminated and another round of counting occurs. In
6 the next round and each subsequent round, ballots
7 are counted for the highest remaining candidate
8 ranked on each ballot, and rounds continue until a
9 candidate has received a majority of the votes cast.

10 (3) Each State should adopt an instant runoff
11 voting system for the election of electors for Presi-
12 dent and Vice President.

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