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HOUSE BILL NO. 630

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Governor
on April 11, 2026)

(Patron Prior to Substitute—Delegate Callsen)

A BILL to amend and reenact § 24.2-673.1 of the Code of Virginia and to repeal the fourth enactment of Chapter 1054 of the Acts of Assembly of 2020, relating to elections; conduct of election; ranked choice voting; locally elected offices; report.

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-673.1 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-673.1. (Expires July 1, 2031) Ranked choice voting.

A. For purposes of this section:

"Ranked choice voting" means a method of casting and tabulating votes in which (i) voters rank candidates in order of preference, (ii) tabulation proceeds in rounds such that in each of round either a candidate or candidates are elected or the last-place candidate is defeated, (iii) votes for voters' next-ranked candidates are transferred from elected or defeated candidates, and (iv) tabulation ends when the number of candidates elected equals the number of offices to be filled. "Ranked choice voting" is known as "instant runoff voting" when electing a single office and "single transferable vote" when electing multiple offices.

"Ranking" means the ordinal number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. ~~Ranking number one~~ *The first ranking* is the highest ranking, *the second* ranking ~~number two~~ is the next-highest ranking, and so on, consecutively, up to the number of candidates indicated *by the voter* on the ballot.

B. Elections of members of a ~~county board of supervisors or a city council~~ *local governing body* may be conducted by ranked choice voting pursuant to this section. The decision to conduct an election by ranked choice voting shall be made, in consultation with the local electoral board and general registrar, by a majority vote of the ~~board of supervisors or city council~~ *local governing body* that the office being elected serves. *Any decision to conduct an election by ranked choice voting made by a local governing body shall be transmitted to the State Board, which shall provide an assessment of technical feasibility within 10 days of receipt of the decision. If the State Board assesses that implementation of the local governing body's decision is not technically feasible, the State Board's assessment shall include an explanation of those steps necessary to proceed with implementation.*

If a majority of the members of a town council vote to conduct an election for town council by ranked choice voting, the board of supervisors of the county in which the town is located may require the town to reimburse the county for costs associated with conducting the election by ranked choice voting that would not have been incurred by the county absent the town council's decision to conduct the election by ranked choice voting.

C. *The State Board shall provide standards for vote tabulating software for use with existing voting systems in elections conducted by ranked choice voting. Any person manufacturing, owning, or offering for sale any vote tabulation software designed to be used with existing voting systems may apply to the State Board, in the manner prescribed by the State Board, to have examined a production version of such software. A local governing body that makes the decision to conduct elections by ranked choice voting shall provide for the use of vote tabulating software approved by the State Board in any such elections.*

D. The State Board ~~may~~ *shall* promulgate regulations for the proper and efficient administration of elections determined by ranked choice voting, including (i) procedures for tabulating *and reporting* votes in rounds, (ii) procedures for determining winners in elections for offices to which only one candidate is being elected and to which more than one candidate is being elected, and (iii) standards for ballots pursuant to § 24.2-613, notwithstanding the provisions of subsection E of that section.

~~D.~~ *E. In any election conducted by ranked choice voting, final tabulation of votes shall be conducted at the meeting of the electoral board held pursuant to § 24.2-671.*

F. If, in the process of tabulating final results for an election conducted by ranked choice voting, any machine readable ballot is damaged or defective so that it cannot properly be counted by the electronic voting systems, a true duplicate copy shall be made of the damaged ballot by a team of election officials representing both parties. The duplicate ballot shall be substituted for the damaged ballot. Every duplicate ballot shall be clearly labeled as such and shall bear an identifier that shall be recorded on the damaged ballot.

G. The Department shall make public the total number and percentage of votes each candidate received in each round of the official tabulation, including votes for candidates who have withdrawn pursuant to § 24.2-612.2, and ballot-level ranking data on an election-by-election basis to the extent feasible and consistent with the need to maintain voter privacy.

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H. The State Board may administer or prescribe standards for a voter outreach and public information program for use by any locality conducting ranked choice voting pursuant to this section. *The State Board shall produce generalized voter education materials on ranked choice voting that shall be published on its website and shall assist any locality that has made the decision to conduct elections by ranked choice voting in developing voter education materials specific to that locality upon request.*

I. A local electoral board may request a risk-limiting audit, pursuant to subsection D of § 24.2-671.2, of an election conducted by ranked choice voting. An election conducted by ranked choice voting shall not be included in any random drawing required by subsection C of § 24.2-671.2.

J. For the purposes of conducting a recount pursuant to Article 1 (§ 24.2-800 et seq.) of Chapter 8, the State Board shall have the authority to create and modify recount procedures to the extent necessary to accommodate a recount of an election conducted by ranked choice voting. Any such risk-limiting audit shall be limited to an audit of first rankings reported by voting systems.

2. That the Department of Elections (the Department) shall review the testing and approval framework for voting equipment in the Commonwealth. In conducting its review, the Department shall (i) review the types of voting equipment covered by state law; (ii) review emerging forms of technology, such as risk-limiting audit tools and tabulation software, including such technology that can be purchased and operated separate from existing voting systems; (iii) review the roles and responsibilities of state and local election officials in the testing and approval of voting equipment; (iv) review any existing testing and approval frameworks for emerging forms of voting equipment; (v) develop recommendations for objective methods of evaluating the performance of emerging forms of voting equipment to determine if they are appropriately executing the elections tasks for which they are intended; and (vi) make other recommendations as necessary and review other issues as warranted. The Department shall submit to the Division of Legislative Automated Systems and the State Board of Elections an executive summary and report of its review no later than the first day of the 2027 Regular Session of the General Assembly. The executive summary and report shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the websites of the General Assembly and the Board of Elections.

3. That the fourth enactment of Chapter 1054 of the Acts of Assembly of 2020 is repealed.