

Fact Sheet: Majority Winners, Runoffs, and Montana's Constitutional Initiative 127

Majority winners already predominate and are easy to guarantee in remaining cases through instant or delayed runoffs.

If approved by voters, Montana's proposed [Constitutional Initiative 127](#) would require majority winners in the state's general elections but leave the details to the state legislature. For the legislature, implementing the initiative would be straightforward—a modest upgrade to current election methods.

In Montana, majority winners already emerge naturally in most elections. To ensure them in the remaining races, Montana's legislature would have only two realistic, proven choices: delayed runoffs or instant runoffs. Both are easy, off-the-shelf methods, employed by many states and localities.

Majority winners are already the norm

In Montana elections, majority winners are already the norm. In 72 of Montana's 86 federal and statewide general and primary races from 2012–2022—84 percent of races—the winner commanded a majority. In only 16 percent did the winner prevail with a plurality (i.e., less than 50 percent of votes but still more votes than other candidates). Even if Montana adopts Constitutional Initiative 126 (requiring unified, all-party, top-four primaries), the share of elections without a majority winner will likely remain modest.

Alaska began using top-four primaries and instant runoff general elections in 2022. In 81 percent of races that year, a majority winner emerged without a need for an instant runoff. In 40 percent of 2022 Alaska races, only one or two candidates ran for office, virtually guaranteeing a majority winner.

And when they're not, the legislature can ensure them through runoff elections, instant or delayed

If CI-127 (majority winner general elections) passes, the legislature's task will be to make modest upgrades to election methods that guarantee a majority winner in the small share of elections that lack one. Lawmakers will have two established and legally sound options: delayed or instant runoffs.¹

How delayed runoffs work

Delayed runoffs are **follow-up elections held weeks after** any general election in which no candidate receives a majority of votes.² Voters pick from only the top two vote-getters in the preceding general election.

1. CI-126 (top four) and CI-127 (majority winner) are proposed and supported as a package by a single campaign and seem likely to pass or fail together, so this memo mostly considers the scenario where they both pass. However, in the unlikely event that CI-126 (top four) failed and CI-127 (majority winner) passed, the legislature would have an additional option. It could replace the state's partisan primaries with unified, all-party, all-candidate, top-two primaries, as used in California and Washington and in nonpartisan local elections in hundreds of localities across the United States. Because such primaries limit the general election to two candidates per race, they mathematically guarantee majority winners. If voters passed CI-126 (top four) and reject CI-127 (majority winner), the legislature would not have to take any action. Most general elections would probably still generate majority winners, because that's the norm, but in the minority of cases, candidates who secured pluralities would win.

2. Strictly speaking, the majority-winner rule specifies that a majority of ballots validly cast in that particular race constitutes a win. It does not require a majority of all ballots cast in the entire election (and certainly not of all registered voters). A small share of voters mark their ballots in some but not all races.

> Other jurisdictions that use delayed runoffs

Such runoffs occur in **ten US states and scores of other countries**. In general elections, Georgia, Louisiana, and Mississippi, for example, [use](#) delayed runoffs to ensure majority winners for certain offices. In partisan primary elections, [seven states](#) in the American South use delayed runoffs if no one wins a majority to secure the party's nomination.³ And [more than 40 countries](#) use delayed runoffs to elect their heads of state.

Delayed runoffs are also **commonplace in US cities**. In a [dataset Sightline assembled](#) covering municipal elections in the five largest cities in each state, plus all other US cities of more than 100,000 residents, some 87 of 420 cities (21 percent of the total) employ delayed runoffs when no candidate wins a majority in a general election.⁴ Delayed runoff cities include Chicago, Phoenix, Dallas and most other Texas cities; Atlanta and most other Georgia cities; Miami and many other Florida cities; and cities scattered across a dozen other states.⁵

> Zooming in on Louisiana and Georgia examples

In **Louisiana**, delayed runoffs are routine, because the state has no primary elections. Louisiana general elections are open to all comers. In fact, the general election in Louisiana is like a unified, all-party, all-candidate primary election elsewhere, except it's held on the first Tuesday in November and any candidate who gains a majority wins automatically. In cases where no one wins a majority, the two candidates who get the most votes go to a delayed runoff in December. And even with all that, because majority winners usually emerge in elections across the United States, Louisiana still [held only 10 delayed runoffs](#) between 2011 and 2022 over all 43 of its elections for governor, US House, and US Senate.

In **Georgia**, delayed runoffs are less common than in Louisiana, because the state holds primary elections (and often primary runoffs) to winnow the field for the general election to one candidate per party. More populous than Louisiana, Georgia held almost twice as many elections for its larger US House delegation as did Louisiana. Still, the state had only five delayed general election runoffs between 2011 and 2022, half as many as Louisiana. Employing delayed, top two runoffs in Montana, where most races already produce a majority winner, would likely also yield few runoffs.

How instant runoffs work

Instant runoffs are **like delayed runoffs, except they do not require voters to complete a new ballot on a subsequent date**. Instead, voters' general-election ballots invite them to indicate their second and subsequent choices, effectively allowing a runoff to be held "instantly" should no candidate win a majority. In such a scenario, election officials eliminate the candidate who is in last place and reprocess that candidate's ballots, transferring votes to the voters' second choices. Officials repeat this process until one candidate has a majority.⁶

3. Two other states use partisan primary runoffs if no candidate reaches a lower threshold: 30 percent in North Dakota and 35 percent in South Dakota.

4. In another 20 cities, delayed runoffs occur if there is a tie for first place—a special type of outcome without a majority.

5. Alabama, Arkansas, California, Iowa, Louisiana, Mississippi, New Jersey, New Mexico, North Carolina, Oklahoma, South Carolina, and Tennessee.

6. More precisely stated, the process continues until a candidate has a majority of the still-active ballots—ballots that are marked for a candidate not already eliminated. Because some voters do not rank all candidates, their ballots can become "exhausted" when all the candidates they ranked have been eliminated. This phenomenon is similar to, but smaller than, the slump in turnout that usually happens between a general election and a delayed runoff.

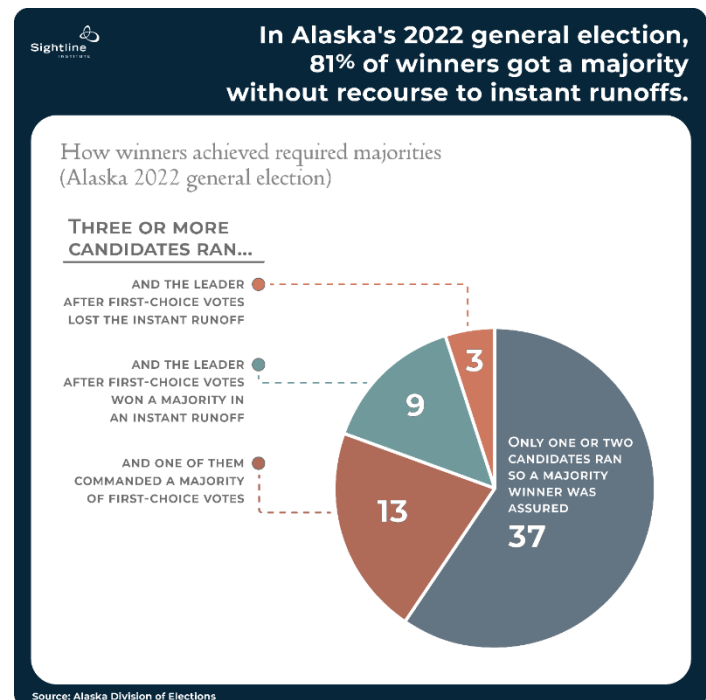
> Other jurisdictions that use delayed runoffs

Instant runoffs [are now used](#) for **statewide general elections** in Alaska and Maine. In November 2024, voters in Colorado, Idaho, Nevada, Oregon, and Washington, DC, will consider ballot measures to adopt instant runoffs. [Six southern states](#) stretching from Louisiana to South Carolina already use the method for overseas and military voters. [Forty-five cities](#) use instant runoffs for electing nonpartisan mayors and city councilors.

> Zooming in on the Alaska example

For voters, filling in **back-up choices on a ballot is precautionary and not mandatory. Most races never go beyond voters' first choice.** In Alaska's 2022 general election, for example, among 62 races covered by the state's new electoral method of unified, top four primaries and instant-runoff general elections, only 12 employed the instant runoff to identify the majority winner. (See figure to the right.)

- Some 37 races only attracted one or two candidates, which all but guaranteed that one candidate would receive a majority of first-choice votes.⁷
- Another 13 Alaska races that year attracted three or four candidates, but one candidate still commanded a majority of first-choice votes in each race. Consequently, election administrators never activated the instant runoff.
- Among the remaining 12 races, where officials did initiate the instant runoff, 9 of the races went to whoever led after the tally of first choices.



Proven election methods options for Montana's legislature

Though majority-winner races are the norm in Montana and the rest of the United States, a small but important fraction of candidates currently win office without the support of a majority of voters in their districts. If the state adopts CI-126 (top four) and CI-127 (majority winners), Montana state legislators will have two proven ways to implement the new constitutional provision: delayed runoffs or instant runoffs. Whichever option they choose, they will be able to draw on the laws of many other states, cities, and even countries as models to replicate across Big Sky Country.

7. Write-ins could push a candidate below 50 percent, but none did in 2022.

Appendix: Majority-vote alternatives

Although delayed and instant runoffs are the only realistic methods of ensuring one candidate emerges with majority support, other election systems can also produce a majority, in theory. However, unlike runoffs, these systems (listed below) are almost never used, because they are flawed in important aspects of legality or design. Some have not been tested in actual elections.

Supplementary-vote

In a [supplementary-vote system](#), used in London mayoral elections, voters indicate their top two candidates on the ballot. If no candidate wins a majority of first-place votes, election officials discard all ballots not marked for either the first or second-place finisher in the first round. Affirmative votes for the top two candidates from all remaining ballots then determine a winner.

This method results in voters who do not support either of the candidates with the highest tallies effectively losing their votes. It produces a majority winner among still-active ballots, but it's manifestly inferior to instant runoff voting in capturing public preferences, considering that voters are still ranking their preferred candidates. It also discourages voters from voting for a low-polling candidate they actually support since only frontrunners have a real chance at winning—unlike instant runoff voting.

Bucklin voting

Under the [Bucklin system](#), used in some US cities in the early 20th century, voters rank candidates according to preference on their ballots. If no candidate wins a majority of first-place votes, election officials add every candidate's second-place votes to the initial tallies. If no candidate clears 50 percent after the second round, officials then add voters' third-place votes to each candidate's total, after which the person with the most votes is declared the winner.

Bucklin voting differs from instant runoff voting in that it is purely additive. In other words, candidates are not eliminated from the running; officials just add voters' second- and third-place votes to a candidate's count in the second and third rounds, as needed. Multiple majority winners can emerge as officials add up the results, so in an election for a single office, the candidate with the largest majority wins. However, Bucklin voting does not always guarantee a majority winner, because at the end of the third and final round of counting, the person with the most votes wins the election, regardless of whether they cleared 50 percent.

All states that used Bucklin voting ultimately repealed it by law or by court order: some state courts found it unconstitutional.

Coombs' method

[Coombs' method](#) is like instant runoff voting but with a negative twist, since last-place votes can count against candidates. If no candidate wins a majority in the first count, officials eliminate the candidate with the most last-place votes. In the second round of counting, officials transfer the first-round loser's votes to those ballots' marked second choice.

Technically, this system can produce a majority winner, but it also encourages strategic voting and negative campaigning, the very things majority-vote requirements are intended to reduce. No jurisdiction currently uses it for public elections, though the reality television series *Survivor* uses a variation of it, perhaps because it encourages conflict and might thereby juice ratings.