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## **A comprehensive approach to the study of electoral reform: An analysis of Chile's road to electoral reform (1989-2015)**

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## Annex

**Article 109 bis from “Ley Orgánica Constitucional Sobre Votaciones Populares y Escrutinios” (“Constitutional Organic Law on Popular Voting and Vote Counts”)  
N° 18.700, 6 May 1988**

**Artículo 109 bis.** En el caso de elecciones de Parlamentarios, el Tribunal proclamará elegidos Senadores o Diputados a los dos candidatos de una misma lista, cuando esta alcanzare el mayor número de sufragios y tuviere un total de votos que excediere el doble de los que alcanzare la lista o nómina que le siguiere en número de sufragios. Si ninguna lista obtuviere los dos cargos, elegirá un cargo cada una de las listas o nóminas que obtengan las dos más altas mayorías de votos totales de lista o nómina, debiendo el Tribunal proclamar elegidos Senadores o Diputados a aquellos candidatos que, dentro de cada lista o nómina, hubieren obtenido las más altas mayorías. Si el segundo cargo por llenar correspondiere con igual derecho a dos o más listas o nóminas, el Tribunal proclamará electo al candidato que hubiere reunido mayor cantidad de preferencias individuales. En caso de empate entre candidatos de una misma lista o entre candidatos de distintas listas o nóminas, que a su vez estuviesen empatadas, el Tribunal procederá, en audiencia pública, a efectuar un sorteo entre ellos, y proclamará electo al que salga favorecido.

**Article 109 bis.** In the case of Parliamentary elections, the Tribunal will proclaim as elected Senators or Deputies two candidates of the same list, when the list obtains the largest number of votes and if the total number of votes obtained by the candidates exceeds twice the amount of the second most voted list. If no list obtains the two seats, two of the lists that obtains the highest majorities will each receive a seat. In this case, the Tribunal will proclaim elected as Senators or Deputies those candidates who, within their lists, obtained the highest number of individual preferences. If the second available seat corresponded with equal right to two or more lists, the Tribunal will proclaim elected the candidate who collected the largest number of individual preferences. In case of a tied vote between candidates from the same or different lists that are also tied, the Tribunal in public audience, will proceed with a draw among them and will proclaim elected the one favoured by it.