HOUSE DOCKET, NO. 63 FILED ON: 1/6/2011

HOUSE . . . . . No. 211

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to certain county elections for certain vacancies..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William M. Straus	*10th Bristol*
Cory Atkins	*14th Middlesex*

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HOUSE . . . . . No. 211

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 211) of William M. Straus and Cory Atkins relative to elections to fill vacancies in certain county positions. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *686* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to certain county elections for certain vacancies..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 54 of the General Laws is hereby amended by striking out Section 142 and inserting in place thereof the following section:

Section 142. Notwithstanding any general or special law or rule or regulation to the contrary, upon failure to elect or upon a vacancy in the office of district attorney, register of probate, sheriff, clerk of the courts or in Suffolk county, of the supreme judicial or superior court, at any time preceding the last nine calendar months of the term, the governor shall cause precepts to be issued to the proper officers directing them to call an election within 120 days for the election of said officer.

Upon a vacancy in the office of district attorney, registrar of probate or sheriff, the first assistant district attorney, the first assist ant registrar of probate or the special sheriff, as the case may be, shall assume the duties of the office until a district attorney, registrar of probate or sheriff is elected and qualified.

Upon a vacancy in the office of clerk of the courts in any county, or of the clerk of the supreme judicial court in Suffolk county, the justices of said court may appoint a clerk to hold the office until a clerk is qualified.

16 Upon a vacancy in the office of a clerk of the superior court in Suffolk county, the
17 justices of said court may appoint a clerk to hold the office until a clerk is qualified.