

**HOUSE . . . . . No. 652**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Shawn Dooley*

*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 adoption of the accompanying bill:

An Act authorizing the establishment of a special election guarantee fund.

PETITION OF:

| NAME:                   | DISTRICT/ADDRESS:    | DATE ADDED:      |
|-------------------------|----------------------|------------------|
| <i>Shawn Dooley</i>     | <i>9th Norfolk</i>   | <i>1/18/2019</i> |
| <i>Michael J. Soter</i> | <i>8th Worcester</i> | <i>1/27/2019</i> |
| <i>Todd M. Smola</i>    | <i>1st Hampden</i>   | <i>1/31/2019</i> |

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By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 652) of Shawn Dooley, Michael J. Soter and Todd M. Smola for legislation to establish a fund for special elections to fill vacancies in the offices of senator or representative in the General Court. Election Laws.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 356 OF 2017-2018.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act authorizing the establishment of a special election guarantee fund.

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

1           SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after  
2 section 35AAA the following section:-

3           Section 35BBB. There shall be established a Special Election Guarantee Fund to be  
4 used, without further appropriation, for the reimbursement of cities and towns for the costs  
5 associated with any special primary or special election held pursuant to sections 140 or 141 of  
6 chapter 54. There shall be credited to the fund any unused compensation from any vacant office  
7 of a senator or representative in the general court. The fund shall accept additional funding by  
8 any other method or vehicle including direct funding, an insurance policy or any method deemed  
9 appropriate by the general court. Any balance in the fund at the end of a fiscal year shall not  
10 revert to the General Fund but shall remain available for expenditure in subsequent fiscal years.

11 No expenditure made from the fund shall cause the fund to become deficient at any point during  
12 a fiscal year.

13 SECTION 2. Section 140 of chapter 54 of the General Laws, as appearing in the 2012  
14 Official Edition, is hereby amended by adding the following subsection:-

15 A city or town holding a special primary or special election pursuant to this section shall  
16 be reimbursed for the costs associated with the special primary and special general election from  
17 funds available to such city or town from the return of the vacant office of representative or  
18 senator's unused compensation as provided by law from the Special Election Guarantee Fund  
19 established in section 35BBB of chapter 10.

20 SECTION 2. Section 141 of said chapter 54 of the General Laws, as so appearing, is  
21 hereby amended by adding the following paragraph:-

22 A city or town holding such election shall be reimbursed for the costs associated with the  
23 special primary and special general election from funds available to such city or town from the  
24 return of the vacant office of representative or senator's unused compensation as provided by law  
25 from the Special Election Guarantee Fund established in section 35BBB of chapter 10.