HOUSE . . . . No. 2897

The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

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 providing a local option for ranked choice voting in municipal elections.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Mike Connolly	*26th Middlesex*	*1/17/2017*
Jay R. Kaufman	*15th Middlesex*	
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*	*3/17/2017*
Marjorie C. Decker	*25th Middlesex*	
Denise Provost	*27th Middlesex*	
Jennifer E. Benson	*37th Middlesex*	
Carmine L. Gentile	*13th Middlesex*	
Solomon Goldstein-Rose	*3rd Hampshire*	
Dylan Fernandes	*Barnstable, Dukes and Nantucket*	
David M. Rogers	*24th Middlesex*	
Paul R. Heroux	*2nd Bristol*	
Jay D. Livingstone	*8th Suffolk*	
Natalie Higgins	*4th Worcester*	
Patricia D. Jehlen	*Second Middlesex*	
Mary S. Keefe	*15th Worcester*	
Sal N. DiDomenico	*Middlesex and Suffolk*	
Byron Rushing	*9th Suffolk*	

Christine P. Barber	*34th Middlesex*	
Jack Lewis	*7th Middlesex*	
John J. Lawn, Jr.	*10th Middlesex*	
Sean Garballey	*23rd Middlesex*	
Chris Walsh	*6th Middlesex*	
Thomas M. Stanley	*9th Middlesex*	
Jonathan Hecht	*29th Middlesex*	
James B. Eldridge	*Middlesex and Worcester*	
Frank I. Smizik	*15th Norfolk*	
Peter V. Kocot	*1st Hampshire*	
Julian Cyr	*Cape and Islands*	
Jennifer L. Flanagan	*Worcester and Middlesex*	*3/17/2017*
William N. Brownsberger	*Second Suffolk and Middlesex*	*3/17/2017*
Juana B. Matias	*16th Essex*	*3/17/2017*

HOUSE . . . . No. 2897

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 2897) of Mike Connolly and others relative to ranking candidates for office in order of preference in local elections. Election Laws.

The Commonwealth of Massachusetts

_____

In the One Hundred and Ninetieth General Court
(2017-2018)
_____

An Act providing a local option for ranked choice voting in municipal elections.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a ranked choice voting local option, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Section 44A of chapter 43 of the General Laws, as appearing in the 2014

2 Official Edition, is hereby amended by inserting after the word "inclusive,", in line 7, the

3 words:- section 103R of chapter 54.

4   SECTION 2: Section 77 of chapter 54 of the General Laws, as so appearing, is hereby

5 amended by striking out, in line 5, the words "section thirty-three E" and inserting in place

6 thereof the words "sections 33E and 103R".

7   SECTION 3: Said chapter 54 is hereby further amended by inserting after section 103Q

8 the following section:-

9   Section 103R. (a) Notwithstanding any other general or special law to the contrary, in any

10   city or town which accepts this section, a local election may be conducted using ranked choice

11   voting in which voters rank the candidates for an office in order of preference. Ranked choice

12   voting elections may be used for elections with a single winning candidate or multiple winning

13   candidates. Ranked choice voting elections shall be tabulated in rounds using the single

14   transferable vote method. Winning thresholds shall be calculated based on the number of

15   countable votes and the number of seats to be filled.

16   General provisions for a single-winner election and a multiple-winner election shall be

17   specified by ordinance or by-law; provided, however, that a voter's lower ranked choice shall not

18   impact the likelihood of a voter's higher ranked choice of being elected. The ordinance or by-law

19   shall be enacted by the municipality's legislative body and the body shall request the input of the

20   registrar of voters and town clerk or city election commissioners. The ordinance shall specify, at

21   a minimum: (i) the method of calculating the winning threshold; (ii) how candidates with the

22   fewest votes shall be eliminated before a subsequent round of the tally; (iii) how a vote for

23   eliminated candidates shall be transferred to the voter's next valid choice; (iv) how a tie shall be

24   resolved; (v) how a ballot that skipped a ranking or is otherwise mismarked shall be counted;

25   and (vi) how a vote above the winning threshold for a candidate shall be transferred to an

26   alternate choices in a multiple-winner election. Preliminary elections for local offices shall not be

27   held in city or town that has accepted this section

28   (b) This section may be accepted by: (i) approval of a ballot measure submitted to the

29   voters by the governing body of the city or town at a regular or special election; (ii) ordinance or

30   by-law; or (iii) charter amendment.

31   (c) A city or town which accepts this section shall conduct a voter education and outreach

32   campaign to familiarize voters with ranked choice voting.

33   (d) A ranked choice voting ballot shall allow voters to rank as many choices as there are

34   candidates. In the event that the voting equipment cannot accommodate a number of rankings on

35   the ballot equal to the number of candidates, the town registrar of voters or the city election

36   commissioner may limit the number of choices a voter may rank to the maximum number

37   allowed by the equipment. In a single-winner election with three or more candidates, the limit

38   shall not be less than 3. In a multi-winner election, the limit shall not be less than the number of

39   seats to be elected.

40   (e) The ballot shall not interfere with a voter's ability to rank at least 1 write-in candidate.

41   (f) Not sooner than 4 years after acceptance of this section, a city or town which has

42   accepted this section may return to its prior voting method by: (i) approval of a ballot measure

43   submitted to the voters by the governing body of the city or town at a regular or special election;

44   (ii) ordinance or by-law; or (iii) charter amendment.