HOUSE DOCKET, NO. 3205 FILED ON: 1/20/2017

HOUSE . . . . . No. 2903

The Commonwealth of Massachusetts

PRESENTED BY:

Jack Lewis

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 to ensure elected representation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jack Lewis	*7th Middlesex*	*1/20/2017*
Natalie Higgins	*4th Worcester*	*1/31/2017*

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HOUSE . . . . . No. 2903

By Mr. Lewis of Framingham, a petition (accompanied by bill, House, No. 2903) of Jack Lewis and Natalie Higgins relative to the filing of vacancies of certain nominated candidates for public office. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *599* OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act to ensure elected representation.

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

SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 47, as appearing in the 2010 Official Edition, and inserting in place thereof the following:-

Section 47. If a vacancy occurs or is declared in the list of nominations, by reason of ineligibility, the name of the candidate nominated to fill such vacancy shall, if the ballots have not been printed, be placed on them or, if the ballots have been printed, ballots containing the new nomination shall, when practicable, be substituted.

Where a vacancy would otherwise occur or be declared in the list of nominations, by reason of the death of a candidate, if the candidate won the nomination at a primary election for the office of governor, councilor, state secretary, state treasurer, state auditor, attorney general,

senators in the general court, representatives in the general court, senator in congress, representative in congress, clerk of the courts, register of probate, sheriff or district attorney, the deceased candidate's name shall remain on the ballot and any votes cast for the deceased candidate shall be counted in the regular manner. If the deceased candidate receives sufficient votes to elect him or her to office, the office shall be filled as in the case of a vacancy.

SECTION 2. Section 116 of said chapter 54 of the General Laws, as so appearing, is hereby amended by inserting after the word "offices", in lines 6 and 7, the following:-

; provided, however, that if any such persons as appear to be chosen to said offices are deceased, the office shall be filled as in the case of a vacancy.

SECTION 3. Said section 116 of said chapter 54 of the General Laws, as so appearing, is hereby further amended by inserting after the word "secretary", in lines 10 and 11, the following:-

; provided, however, that if any such persons as appear to be chosen to said offices are deceased, the office shall be filled as in the case of a vacancy.