

**HOUSE . . . . . No. 390**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***William M. Straus and Michael F. Rush***

*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 relative to certain county elections for certain vacancies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>1/10/2017</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>1/10/2017</i>

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By Representative Straus of Mattapoisett and Senator Rush, a joint petition (accompanied by bill, House, No. 390) of William M. Straus and Michael F. Rush relative to elections to fill vacancies in certain county positions. Election Laws.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 612 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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

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:*

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

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

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

13           Upon a vacancy in the office of clerk of the courts in any county, or of the clerk of the  
14 supreme judicial court in Suffolk county, the justices of said court may appoint a clerk to hold  
15 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.