SENATE DOCKET, NO. 485 FILED ON: 1/17/2017

SENATE . . . . . No. 380

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 city or town elections.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
James B. Eldridge	*Middlesex and Worcester*	
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*	*2/3/2017*
Jack Lewis	*7th Middlesex*	*2/3/2017*
Carmine L. Gentile	*13th Middlesex*	*2/3/2017*
Patricia D. Jehlen	*Second Middlesex*	*2/3/2017*
Thomas M. Stanley	*9th Middlesex*	*2/3/2017*
Jennifer L. Flanagan	*Worcester and Middlesex*	*2/14/2017*
William N. Brownsberger	*Second Suffolk and Middlesex*	*2/21/2017*
Mike Connolly	*26th Middlesex*	*3/28/2017*
Steven Ultrino	*33rd Middlesex*	*10/23/2017*

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SENATE . . . . . No. 380

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 380) of James B. Eldridge, Anne M. Gobi, Jack Lewis, Carmine L. Gentile and other members of the General Court for legislation to provide a local option for ranked choice voting in city or town 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 city or town elections.

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: Section 44A of chapter 43 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 7, the words "section forty-four G" and inserting in place thereof the words "sections 44G and 103R".

SECTION 2: Section 77 of chapter 54 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 5, the words "section thirty-three E" and inserting in place thereof the words "sections 33E and 103R".

SECTION 3: Chapter 54 of the General Laws is hereby amended by inserting after section 103Q the following section:-

Section 103R. Ranked Choice Voting in city or town elections

(a) Notwithstanding any other general or special law to the contrary, any city or town may conduct a local election using ranked choice voting in which voters rank the candidates for

an office in order of preference. Ranked choice voting elections may be used for single-winner elections, such as mayor, or for elections that elect multiple candidates to office, such as city council. Ranked choice voting elections are tabulated in rounds using the single transferable vote method. Winning thresholds shall be calculated based on the number of countable votes and the number of seats to be filled. General provisions for either single-winner elections or multiple-winner elections shall be specified by ordinance, provided that a voter's lower ranked choices shall not harm the likelihood of a voter's higher ranked choices becoming elected. Such ordinances shall be enacted by the municipality's legislative body, be it a city council, board of aldermen, board of selectmen, or town meeting, and the body shall request the input of the community's registrars of voters and town clerk or city election commissioners. The ordinance shall specify at a minimum the method of calculating winning thresholds, how candidates with the fewest votes shall be eliminated before a subsequent round of the tally, how votes for eliminated candidates shall be transferred to the voter's next valid choice, how ties shall be dealt with, how ballots that skip a ranking or otherwise are mismarked shall be counted, and in the case of multi-seat contests, how surplus votes above the winning threshold for a candidate shall be transferred to alternate choices. Preliminary elections shall not be held in cities and towns using ranked choice voting for all offices that would otherwise require preliminary elections.

(b) A voting method authorized by this section may be adopted by any of the following:

(1) By approval of a ballot measure submitted to the voters by the governing body of the city or town at a regular or special election; or

(2) By initiative ordinance or charter amendment.

(c) Any city or town using a ranked choice voting method shall conduct a voter education and outreach campaign to familiarize voters with ranked voting.

(d) A ranked choice voting ballot shall allow voters to rank as many choices as there are candidates. In the event that the voting equipment cannot feasibly accommodate a number of rankings on the ballot equal to the number of candidates, town registrars of voters or city election commissioners may limit the number of choices a voter may rank to the maximum number allowed by the equipment. In a single-winner race with 3 or more candidates, this limit shall never be less than 3. In a multi-winner race, this limit shall never be less than the number of seats to be elected.

(e) The ballot shall not interfere with a voter's ability to rank at least 1 write-in candidate. For the purposes of this section, a mark for an unqualified write-in candidate shall not be considered a mark for a candidate.

(f) After 4 years, a city or town which has adopted ranked choice voting may choose to return to its prior voting method by any of the following:

(1) Approval of a ballot measure submitted to the voters by the governing body of the city or town at a regular or special election; or

(2) An initiative ordinance or charter amendment.

SECTION 4: This act shall take effect upon its passage.