

HOUSE No. 714

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo M. Scaccia

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 election emergencies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>1/17/2019</i>
<i>William Francis Galvin</i>	<i>Secretary of the Commonwealth</i>	<i>1/17/2019</i>

HOUSE No. 714

By Mr. Scaccia of Boston, a petition (accompanied by bill, House, No. 714) of Angelo M. Scaccia and William Francis Galvin relative to authorizing the State Secretary to regulate elections in emergency situations. Election Laws.

The Commonwealth of Massachusetts

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

An Act relative to election emergencies.

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 54 of the General Laws, as appearing in the 2016 official edition, is
2 amended by adding the following language for newly created Section 62A:

3 62A. Postponement and extension of qualifying periods for elections for public office
4 during state of emergency; Procedures for the Orderly Administration of Elections; Limitations.

5 Section 62A. (a) The state secretary shall have the authority to regulate elections in
6 emergency situations, including when the governor declares a state of emergency or a federal
7 agency declares a state of emergency or disaster exists. Such authorization shall include, but not
8 be limited to:

9 (1) Postponing or extending the qualifying periods provided in this chapter for the
10 qualification of candidates seeking municipal, county, or state-wide office; and

11 (2) Postponing the date of any primary, special primary, preliminary, election, or
12 special election in the affected area; and

13 (3) Providing for procedures for the orderly conduct elections; and

14 (4) In the case of municipal elections, postponing or suspending such local election,
15 including a preliminary, after consultation with local election officials.

16 Any such postponement or extension shall not exceed 45 days.

17 (b) The secretary of the commonwealth shall adopt, by rule or regulation, an elections
18 emergency contingency plan, which shall contain goals and policies that give specific direction
19 to state and local elections officials when an election has been suspended or delayed due to an
20 emergency or alternate voting procedures are necessary. The contingency plan shall address, but
21 not be limited to, the following concerns:

22 (1) Providing a procedure for state and local elections officials to follow when an
23 election has been suspended or delayed to ensure notice of the suspension or delay to the proper
24 authorities, the electorate, the communications media, poll workers, and the custodians of polling
25 places.

26 (2) Providing a procedure for the release and certification of election returns and
27 documents relating to the election to the secretary's office for elections suspended or delayed and
28 subsequently rescheduled under the provisions this section.