HOUSE . . . . No. 635

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer E. Benson

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:
Jennifer E. Benson	37th Middlesex	1/16/2019
Mike Connolly	26th Middlesex	1/17/2019
Tami L. Gouveia	14th Middlesex	1/20/2019
Tricia Farley-Bouvier	3rd Berkshire	1/23/2019
Steven Ultrino	33rd Middlesex	1/23/2019
Jack Patrick Lewis	7th Middlesex	1/24/2019
Stephan Hay	3rd Worcester	1/24/2019
Natalie M. Higgins	4th Worcester	1/25/2019
Ruth B. Balser	12th Middlesex	1/25/2019
Christine P. Barber	34th Middlesex	1/25/2019
Natalie M. Blais	1st Franklin	1/27/2019
Denise Provost	27th Middlesex	1/28/2019
James B. Eldridge	Middlesex and Worcester	1/28/2019
Thomas M. Stanley	9th Middlesex	1/29/2019
Kenneth I. Gordon	21st Middlesex	1/29/2019
Lindsay N. Sabadosa	1st Hampshire	1/29/2019
John Barrett, III	1st Berkshire	1/29/2019
Sarah K. Peake	4th Barnstable	1/29/2019

Jay D. Livingstone	8th Suffolk	1/30/2019
David M. Rogers	24th Middlesex	1/30/2019
Marjorie C. Decker	25th Middlesex	1/30/2019
Paul McMurtry	11th Norfolk	1/30/2019
Denise C. Garlick	13th Norfolk	1/30/2019
Paul W. Mark	2nd Berkshire	1/30/2019
Michelle M. DuBois	10th Plymouth	1/30/2019
Daniel M. Donahue	16th Worcester	1/30/2019
Sonia Chang-Diaz	Second Suffolk	1/30/2019
Carmine Lawrence Gentile	13th Middlesex	1/31/2019
Tram T. Nguyen	18th Essex	1/31/2019
Daniel R. Carey	2nd Hampshire	1/31/2019
Michael S. Day	31st Middlesex	1/31/2019
Mindy Domb	3rd Hampshire	1/31/2019
Kay Khan	11th Middlesex	2/1/2019
David Henry Argosky LeBoeuf	17th Worcester	2/1/2019
Jonathan Hecht	29th Middlesex	2/1/2019
John C. Velis	4th Hampden	2/1/2019
Adrian C. Madaro	1st Suffolk	2/1/2019
Nika C. Elugardo	15th Suffolk	2/1/2019
Lori A. Ehrlich	8th Essex	2/1/2019
Diana DiZoglio	First Essex	2/1/2019
Sean Garballey	23rd Middlesex	2/1/2019
Smitty Pignatelli	4th Berkshire	2/1/2019
Edward F. Coppinger	10th Suffolk	2/1/2019
Edward F. Coppinger	10th Suffolk	2/1/2019
Patricia D. Jehlen	Second Middlesex	2/1/2019
Jon Santiago	9th Suffolk	2/1/2019
Michelle L. Ciccolo	15th Middlesex	2/1/2019
John J. Lawn, Jr.	10th Middlesex	2/1/2019
Kate Hogan	3rd Middlesex	2/1/2019
James K. Hawkins	2nd Bristol	2/1/2019
Brian W. Murray	10th Worcester	2/1/2019

HOUSE . . . . No. 635

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 635) of Jennifer E. Benson and others relative to providing a local option for ranked choice voting in municipal elections. Election Laws.

The Commonwealth of Massachusetts

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

_____

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

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 words:-

3 section 103R of chapter 54.

4   SECTION 2. Section 77 of chapter 54 of the General Laws is hereby amended by striking

5 the words "marking a cross (X) in the square at the right of the name of each candidate for whom

6 he intends to vote" and inserting in place thereof the following words:- "marking the ballot in a

7 manner prescribed by the state secretary".

8   SECTION 3. Said chapter 54 is hereby further amended by inserting after section 103Q

9 the following section:-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28   city or town that has accepted this section.

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

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

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

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

33   campaign to familiarize voters with ranked choice voting.

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

35   (e) Not sooner than 4 years after acceptance of this section, a city or town that has

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

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

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