

# **HOUSE . . . . . No. 3863**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 9, 2021.

The committee on Ways and Means, to whom was referred the Bill relative to reprecincting (House, No. 820), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 3863).

For the committee,

AARON MICHLEWITZ.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act relative to reprecincting.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith reprecincting, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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. (a) Notwithstanding any general or special law to the contrary, the  
2 division of each city into convenient voting wards and precincts pursuant to section 1 and section  
3 2 of chapter 54 of the General Laws shall be completed, approved locally and submitted through  
4 the state secretary to the local election districts review commission, as established by section 9A  
5 of chapter 9 of the General Laws, within 30 days after the enactment of legislation dividing the  
6 commonwealth into: (i) congressional districts pursuant to the United States Constitution; (ii) 40  
7 senatorial districts pursuant to section 2 of Article CI of the Articles of Amendment to the  
8 Constitution of the Commonwealth; (iii) 160 representative districts pursuant to section 1 of said  
9 Article CI; and (iv) 8 councillor districts pursuant to said section 2 of said Article CI and Article  
10 XVI of the Articles of Amendment to the Constitution of the Commonwealth.

11 (b) Notwithstanding any general law or special law to the contrary, the division  
12 of each town into convenient voting precincts pursuant to said section 1 and section 6 of said  
13 chapter 54, shall be completed, approved locally and submitted through the state secretary to the  
14 local election districts review commission within 30 days after the enactment of legislation  
15 dividing the commonwealth into: (i) congressional districts pursuant to the United States  
16 Constitution; (ii) 40 senatorial districts pursuant to section 2 of Article CI of the Articles of  
17 Amendment to the Constitution of the Commonwealth; (iii) 160 representative districts pursuant  
18 to section 1 of said Article CI; and (iv) 8 councillor districts pursuant to said section 2 of said  
19 Article CI and Article XVI of the Articles of Amendment to the Constitution of the  
20 Commonwealth.

21 (c) Notwithstanding any general law or special law to the contrary, the division  
22 of each city and town into convenient voting wards or precincts pursuant to subsections (a) and  
23 (b) shall be completed, approved locally, and be submitted through the state secretary to the local  
24 election districts review commission not later than December 15, 2021.

25 **SECTION 2.** Notwithstanding any general law or special law to the contrary,  
26 subsection (b) of section 1 shall apply to any town with a population greater than 2,500  
27 inhabitants based on the 2020 decennial federal census . No town with a population greater than  
28 2,500 inhabitants based on the 2020 decennial federal census may change or alter any precinct  
29 established pursuant to said subsection (b) of said section 1 for the purpose of forming  
30 congressional, councillor, senatorial and representative districts until the next division following  
31 the formation of congressional, councillor, senatorial and representative districts after the next  
32 decennial federal census.

33                   **SECTION 3.** Notwithstanding any general law or special law to the contrary, if a  
34 city fails to timely complete, approve and submit a new division of voting wards and precincts  
35 through the state secretary to the local election districts review commission pursuant to section 1  
36 or if a town fails to timely complete, approve and submit a new division of voting precincts  
37 through the state secretary to the local election districts review commission pursuant to section 1,  
38 or if the local election districts review commission finds that any such proposed division of  
39 voting wards and precincts submitted by a city or any such proposed division of precincts  
40 submitted by a town is deficient, the commission shall, within 7 days: (i) make such division of  
41 the city into wards and precincts or the town into precincts; or (ii) appoint a special master to  
42 make such division, subject to approval and amendment by the commission. The cost of the  
43 special master shall be paid by the city or town.

44                   **SECTION 4.** Notwithstanding any general law or special law to the contrary, the  
45 local election districts review commission shall, within 14 days of receipt of the division of each  
46 city and town into convenient voting wards or precincts pursuant to of section 1, deliver to the  
47 president of the senate and speaker of the house of representatives an electronic geographic  
48 information system shapefile, or equivalent, containing every city and town ward and precinct  
49 within the boundaries of the approved congressional, councillor, senatorial and representative  
50 districts and an American Standard Code for Information Interchange, also known as ASCII,  
51 compatible file containing a written description of all changes in municipal ward or precinct  
52 descriptions for each approved congressional, councillor, senatorial and representative districts.

53                   **SECTION 5.** Notwithstanding any general law or special law to the contrary, the  
54 local election districts review commission, in consultation with the state secretary, may  
55 promulgate rules and regulations necessary for the orderly administration and enforcement of

56 this act by filing notice of the change with the rules and regulations division of the state secretary  
57 who shall post such notice on the state secretary's website.

58                   **SECTION 6.** Sections 1, 3, 4 and 5 are hereby repealed.

59                   **SECTION 7.** Section 6 shall take effect on January 1, 2022.