HOUSE . . . . . No. 4118

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2489) of the House Bill relative to reprecincting (House, No. 3863), reports recommending passage of the accompanying bill (House, No. 4118). September 20, 2021.

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HOUSE . . . . . No. 4118

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

SECTION 1. (a) Notwithstanding any general law to the contrary, the division of each city into convenient voting wards and precincts pursuant to section 1 and section 2 of chapter 54 of the General Laws shall be completed, approved locally and submitted through the state secretary to the local election districts review commission, as established by section 9A of chapter 9 of the General Laws, within 30 days after the enactment of legislation dividing the commonwealth into: (i) congressional districts pursuant to the United States Constitution; (ii) 40 senatorial districts pursuant to section 2 of Article CI of the Articles of Amendment to the Constitution of the Commonwealth; (iii) 160 representative districts pursuant to section 1 of said Article CI; and (iv) 8 councillor districts pursuant to said section 2 of said Article CI and Article XVI of the Articles of Amendment to the Constitution of the Commonwealth; provided, however, that this section shall not apply to any city which has a special law to the contrary covering the procedure for the division of wards and precincts.

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

Article CI; and (iv) 8 councillor districts pursuant to said section 2 of said Article CI and Article XVI of the Articles of Amendment to the Constitution of the Commonwealth; provided, however, that this section shall not apply to any town which has a special law to the contrary covering the procedure for the division precincts.

(c) Notwithstanding any general law to the contrary, the division of each city and town into convenient voting wards or precincts pursuant to subsections (a) and (b) shall be completed, approved locally and be submitted through the state secretary to the local election districts review commission not later than December 15, 2021. Notwithstanding any general or special law to the contrary, the local election district review commission may consider revisions or amendments submitted to the local election district review commission by a city or town to a division previously approved by the commission pursuant to subsections (a) or (b); provided, however, that such revisions or amendments shall be completed, approved locally and submitted through the state secretary to the local election districts review commission not later than December 15, 2021.

SECTION 2. Notwithstanding any general law to the contrary, if a city fails to timely complete, approve and submit a new division of voting wards and precincts through the state secretary to the local election districts review commission pursuant to section 1 or if a town fails to timely complete, approve and submit a new division of voting precincts through the state secretary to the local election districts review commission pursuant to said section 1, or if the local election districts review commission finds that any such proposed division of voting wards and precincts submitted by a city or any such proposed division of precincts submitted by a town is deficient, the commission shall, within 7 days: (i) make such division of the city into wards and precincts or the town into precincts; or (ii) appoint a special master to make such division, subject to approval and amendment by the commission. The cost of the special master shall be paid by the city or town.

SECTION 3. Notwithstanding any general law to the contrary, the local election districts review commission shall, within 14 days of receipt of the division of a city or town into convenient voting wards or precincts pursuant to section 1, deliver to the president of the senate and speaker of the house of representatives an electronic geographic information system shapefile, or equivalent, containing said division.

SECTION 4. Notwithstanding any general law to the contrary, the local election districts review commission, in consultation with the state secretary, may promulgate rules and regulations necessary for the orderly administration and enforcement of this act by filing notice of the change with the rules and regulations division of the state secretary who shall post such notice on the state secretary’s website.

SECTION 5. Sections 1 to 4, inclusive, are hereby repealed.

SECTION 6. Section 5 shall take effect on January 1, 2022.