

**HOUSE . . . . . No. 714**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Lindsay N. Sabadosa and Joanne M. Comerford*

*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 ranked choice voting in the city of Northampton.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/4/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/5/2023</i>

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By Representative Sabadosa of Northampton and Senator Comerford, a joint petition (accompanied by bill, House, No. 714) of Lindsay N. Sabadosa and Joanne M. Comerford (with the approval of the mayor and city council) relative to ranked choice voting in the city of Northampton. Election Laws. [Local Approval Received.]

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The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Third General Court  
(2023-2024)  
\_\_\_\_\_

An Act relative to ranked choice voting in the city of Northampton.

*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 1 of chapter 277 of the acts of 2012, as amended by chapter 40 of  
2 the acts of 2021, is hereby further amended by striking out article 8 and inserting in place thereof  
3 the following article:

4 ARTICLE 8

5 ELECTIONS

6 SECTION 8-1 REGULAR CITY ELECTION

7 The regular city election shall be held on the first Tuesday following the first Monday in  
8 November in each odd-numbered year.

9 SECTION 8-2: BALLOT POSITION, REGULAR CITY ELECTION

10           The order in which names of candidates for each office appear on the ballot shall be  
11 determined by a drawing, by lot, conducted by the city clerk on the fourth Tuesday in September  
12 prior to the regular city election. In the event that there is no preliminary election in advance of a  
13 special city election, the drawing shall be conducted on the sixth Tuesday prior to the special city  
14 election. The drawing shall be open to the public.

15           SECTION 8-3: NON-PARTISAN ELECTIONS

16           All elections for city offices shall be non-partisan and election ballots shall be printed  
17 without any party mark, emblem or other political designation.

18           SECTION 8-4: WARDS

19           The territory of the city shall be divided into 7 wards by the city clerk to consist of nearly  
20 an equal number of inhabitants as it is possible to achieve based on compact and contiguous  
21 territory, bounded as far as possible by the center line of known streets or ways or by other well-  
22 defined limits. Each ward shall be composed of voting precincts established under the General  
23 Laws. The city council shall review these wards to ensure uniformity in the number of  
24 inhabitants at least once every 10 years.

25           SECTION 8-5: RANKED CHOICE VOTING

26           (a) For the purposes of this section, the following terms shall have the following  
27 meanings, unless the context clearly requires otherwise:

28           "Batch elimination," is the simultaneous defeat of multiple candidates.

29           "Concluded ballot," a ballot that does not rank any continuing candidate.

30 "Continuing candidate," a candidate who has not been defeated or elected.

31 "Election threshold," the number of votes sufficient for a candidate to be elected in a  
32 multi-seat election. It is calculated by dividing the total number of votes counting for the  
33 continuing candidates in the first round by the sum of the number of seats to be elected and 1,  
34 disregarding any fractions, and then adding 1.

35 "Highest-ranked continuing candidate," the continuing candidate with the highest ranking  
36 on a voter's ballot. Where a ballot omits 1 or more ranks, the next highest ranking shall be used  
37 for determining the highest-ranked continuing candidate.

38 "Ranked choice voting," a method of casting and tabulating ballots in which voters rank  
39 candidates for office in order of preference.

40 "Last-place candidate," (i) the candidate with the lowest vote total in a round of the  
41 ranked-choice voting tabulation; or (ii) a candidate that is defeated in batch elimination.

42 "Overvote," a circumstance in which a voter ranks more than 1 candidate at the same  
43 ranking.

44 "Ranking," means the number assigned on a ballot by a voter to a candidate to express  
45 the voter's preference for that candidate. Ranking number 1 shall be the highest ranking, ranking  
46 number 2 shall be the next-highest ranking, and so on.

47 "Surplus fraction," the number equal to the difference between an elected candidate's vote  
48 total and the election threshold, divided by the candidate's vote total.

49 "Transfer value," the proportion of the vote that a ballot will count to its highest-ranked  
50 continuing candidate. Each ballot shall begin with a transfer value of 1. If a ballot counts to the  
51 election of a candidate under subsection (d)(1), it receives a lower transfer value.

52 (b) All city offices shall be elected by ranked choice voting. No candidate shall have the  
53 words "candidate for reelection" printed next to that candidate's name on the election ballot.  
54 Ranked choice voting elections shall be tabulated in rounds pursuant to this section.

55 (c) In any single-seat election, each round shall begin by counting the number of votes for  
56 each continuing candidate. Each ballot shall count as 1 vote for its highest-ranked continuing  
57 candidate. Concluded ballots shall not be counted for any continuing candidate. Each round shall  
58 end with 1 of the following 2 outcomes:

59 (1) If there are more than 2 continuing candidates, the last-place candidate shall be  
60 defeated or the last-place candidates shall be defeated in batch elimination, and a new round shall  
61 begin; or

62 (2) If there are 2 continuing candidates, the candidate with the fewest votes shall be  
63 defeated, the candidate with the most votes shall be elected, and tabulation shall be complete.

64 (d) In any multi-seat election, each round shall begin by counting the number of votes for  
65 each continuing candidate. Each ballot shall count, at its current transfer value, for its highest-  
66 ranked continuing candidate. Concluded ballots shall not count for any continuing candidate. In  
67 the first round only, the election threshold shall then be calculated. Each round shall end with 1  
68 of the following 3 outcomes:

69 (1) If at least 1 candidate has more votes than the election threshold, then all such  
70 candidates shall be elected. Each ballot counting for an elected candidate shall be assigned a new  
71 transfer value by multiplying the ballot's current transfer value by the surplus fraction for the  
72 candidate. Each elected candidate shall be deemed to have a number of votes equal to the  
73 election threshold in all future rounds, and a new round shall begin;

74 (2) If no candidate has more votes than the election threshold and the sum of the number  
75 of elected candidates and continuing candidates is more than the sum of seats to be elected and 1,  
76 the last-place candidate shall be defeated or the last-place candidates shall be defeated in batch  
77 elimination, and a new round shall begin; or

78 (3) Otherwise, the continuing candidate with the fewest votes shall be defeated, all other  
79 continuing candidates shall be elected, and tabulation is complete.

80 (e) Batch elimination shall apply to the largest possible group of continuing candidates  
81 such that the sum of the votes of candidates in the group is less than the individual number of  
82 votes of every continuing candidate not in the group, and provided that the number of continuing  
83 candidates not in the group is at least 1 more than the remaining number of positions to elect.

84 (f) If 2 or more last-place candidates are tied and batch elimination does not apply, the  
85 candidate with the fewest votes in the prior round shall be defeated. If 2 or more such tied  
86 candidates were tied in the prior round, the second tie shall be decided by referring similarly to  
87 the standing of the candidates, in terms of votes, in the second-prior round. This process shall be  
88 applied successively as many times as necessary, a tie shown in any prior round shall be decided  
89 by referring to the standing of the candidates in the round immediately preceding the tie.

90 (g) The city clerk, subject to the approval of the city council, shall establish and maintain  
91 procedures for ranked choice voting ballot and tabulation processes necessary to ensure the  
92 integrity and smooth functioning of the election, provided that ranked choice voting shall still be  
93 used and the fewest number of changes are made to achieve such purpose.

94 SECTION 8-6: APPLICATION OF STATE GENERAL LAWS

95 Except as otherwise expressly provided in this charter and authorized by law, all city  
96 elections shall be governed by the laws of the commonwealth relating to the right to vote, the  
97 registration of voters, the nomination of candidates, voting places, the conduct of regular and  
98 special city elections, the submission of charters, charter amendments and other propositions to  
99 the voters, the counting of votes, the recounting of votes and the determination of results.

100 SECTION 2. The following question shall be placed on the ballot to be used at a regular  
101 state or municipal election or at special election called for the purpose of presenting the question  
102 to the voters: Shall an act entitled "An Act Relative to Ranked Choice Voting in the City of  
103 Northampton" be accepted?

104 The city solicitor shall prepare the summary of the proposed amendment to the special act  
105 charter of the city of Northampton, which shall appear on the ballot along with the question  
106 provided in this section.

107 If a majority of votes cast in answer to the question is in the affirmative, the city shall be  
108 taken to have accepted the amendment to the charter of the city of Northampton, but not  
109 otherwise.