

**HOUSE . . . . . No. 4262**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Samantha Montaño***

*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 to implement ranked choice voting in Boston.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>5/28/2025</i>

**HOUSE . . . . . No. 4262**

By Representative Montañó of Boston, a petition (accompanied by bill, House, No. 4262) of Samantha Montañó (with the approval of the mayor and city council) relative to ranked choice voting in the city of Boston. Election Laws. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act to implement ranked choice voting in Boston.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 ORDERED:

2 That a petition to the General Court, accompanied by a bill for a special law relating to  
3 the City of Boston b olse with ange copy of tis tivo be and hereby is, Amended undo the  
4 Constitution of the Commonwealth of Massachusetts, that this legislation be adopted precisely as  
5 follows, except for clerical or non-substantive changes of form only:

6 PETITION FOR A SPECIAL LAW RE: AN ACT TO IMPLEMENT RANKED  
7 CHOICE VOTING IN BOSTON

8 SECTION 1. Definitions.

9 For the purposes of this Act, the following terms have the following meanings:

10 1. "Active candidate," any candidate who has not been eliminated or elected, and is not a  
11 withdrawn or deceased candidate.

12           2. "Election threshold," the number of votes sufficient for a candidate to be elected in a  
13 multi-winner election.

14           "Highest-ranked active candidate," the active candidate assigned to a higher ranking than  
15 any other active candidate.

16           4. "Ranking," the number available to be assigned by a voter to a candidate to express the  
17 voter's preference for that candidate. The number "J" is the highest ranking, followed by "2" and  
18 then "3" and so on.

19           "Round," an instance of the sequence of voting tabulation described in section 3(a) for  
20 single-winner contests or section 3(b) for multi-winner contests.

21           6. "Withdrawn candidate," a candidate who has filed (or had an authorized designee file)  
22 a signed letter of withdrawal prior to election day according to Massachusetts law, and where a  
23 certificate of substitution has not been filed according to Massachusetts law to fill the vacancy.

24           7. "Deceased candidate" means a candidate who has died after five o'clock in the  
25 afternoon on the twelfth Tuesday preceding the preliminary election, and where a certificate of  
26 substitution has not been filed according to Massachusetts law to fill the vacancy.

27           8. "Regular election" means the biennial election held in the City of Boston in odd-  
28 numbered years, as provided in Section 21 of Chapter 452 of the Acts of 1948, as amended by  
29 Chapter 376 of the Acts of 1951, excluding preliminary elections.

30           9. "Special election" means an election held outside the regular biennial cycle to fill a  
31 vacancy or for any other municipal electoral purpose, as provided in Chapter 452 of the Acts of  
32 1948, Sections 13 and 13A, and Chapter 233 of the Acts of 1993.

33           10. "Write-in" means ballots for Mayor and District City Councilor must have one blank  
34 space. Ballots for City Councilor At-Large must have four blank spaces, or blank spaces equal to  
35 the number of seats to be elected to such office.

36           SECTION 2. General Provisions.

37           (a) Notwithstanding the provisions of chapter 452 of the Acts of 1948, or any other  
38 general or special law, rule, or regulation to the contrary, all regular and special elections in the  
39 city of Boston for the positions of mayor and district city councillor involving three or more  
40 qualified candidates, and all regular elections for the position of city councillor-at-large, shall be  
41 conducted by ranked choice voting. In any contest using ranked choice voting, the general  
42 election ballot shall allow voters to rank four candidates, including write-in lines, in order of  
43 preference.

44           (b) Section 64 of chapter 452 of the Acts of 1948, as so appearing in Section 2.64 of  
45 chapter 376 of the Acts of 1951, is hereby amended by striking out, in line 4, the words "blank  
46 spaces equal to the number for which a voter may vote for such office" and inserting in place  
47 thereof the following words: blank spaces equal to the number of seats to be elected to such  
48 office

49           (c) Section 16 of chapter 452 of the Acts of 1948, as inserted by Section 2.15 of Chapter  
50 376 of the Acts of 1951, so appearing in Section 1.15 of chapter 233 of the Acts of 1993, is  
51 hereby amended by adding between the first sentence and the second sentence the following  
52 sentence: The number of votes a defeated candidate received shall be the number of votes the  
53 candidate had in the last round of tabulation before the candidate was eliminated, as described by  
54 Section 3(b) of this Act and any implementing regulations.

55 (d) Section 60 of chapter 452 of the Acts of 1948, as so appearing in Section 2.59 of  
56 Chapter 376 of the Acts of 1951, as so amended by section 9 of chapter 342 of the Acts of 1983,  
57 is hereby amended by deleting the first two sentences in their entirety and by replacing them with  
58 the following sentences:

59 At every election conducted by ranked choice voting, each voter shall be entitled to  
60 submit one vote with up to four rankings for each office. At every municipal election not  
61 conducted by ranked choice voting, each voter shall be entitled to vote for not more than one  
62 candidate for the office of mayor and district city councillor and not more than four candidates  
63 for the office of city councillor-at-large. The elections commission shall establish rules for what  
64 instructions shall be printed on the ballot to inform voters how to fill out the ballot.

65 SECTION 3. Preliminary Elections.

66 (a) Section 58 of chapter 452 of the Acts of 1948, as appearing in Section 2.57C of  
67 Chapter 376 of the Acts of 1951, as so appearing in section 7 of chapter 342 of the Acts of 1983,  
68 is hereby amended by striking out, in line 22, the word "two" and inserting in place thereof the  
69 following word: four.

70 (b) Section 60 of chapter 452 of the Acts of 1948, as so appearing in Section 2.61 of  
71 chapter 376 of the Acts of 1951, is hereby amended by striking out, in line 1, the word "two",  
72 and inserting in place thereof the following word: four.

73 (c) Said Section 60 of Chapter 452 of the Acts of 1948, as so appearing in Section 2.61 of  
74 Chapter 376 of the Acts of 1951, is hereby further amended by striking out, in line 19, the words  
75 "twice the number to be elected", and by inserting in place thereof the following words: the  
76 number of names that would have been printed in the event of no tie vote.

77 (d) Section 16 of chapter 452 of the Acts of 1948, as inserted by Section 2.15 of Chapter  
78 376 of the Acts of 1951, as so appearing in section 1.15A, of chapter 233 of the Acts of 1993, is  
79 hereby amended by striking out, in line 7 the word "two", and inserting in place thereof the  
80 following word: four.

81 SECTION 4. Tabulation of Ranked Choice Ballots.

82 Notwithstanding the provisions of Chapter 452 of the Acts of 1948, or any other general  
83 or special law, rule, or regulation to the contrary, votes in ranked choice voting contests shall be  
84 tabulated as follows:

85 (a) Single-Winner Tabulation. In all contests for mayor and district city councillor  
86 conducted by ranked choice voting, each ballot shall count as one vote for the highest-ranked  
87 active candidate on that ballot. The candidate with the greatest number of votes at the end of  
88 tabulation is elected. Tabulation shall proceed in rounds as follows:

89 11.

90 If there are more than two active candidates, the active candidate with the fewest votes is  
91 eliminated, and votes for the eliminated candidate are counted for each ballot's next-ranked  
92 active candidate. If there are two or fewer active candidates, tabulation is complete.

93 (b) Multi-Winner Tabulation. In all contests for City Councilor At-Large conducted by  
94 ranked choice voting, each ballot shall count in whole or in part for the highest-ranked active  
95 candidate on that ballot. In the first round, each ballot shall count as one vote for its highest-  
96 ranked active candidate, and the election threshold shall be determined by dividing the number

97 of votes cast by five, rounding down to the nearest whole number, and adding one. Tabulation  
98 shall proceed in rounds as follows:

99 1 1 .

100 If the number of active candidates is equal to the remaining number of seats to be elected,  
101 all active candidates shall be elected, and tabulation shall be complete.

102 i. If an active candidate has a number of votes that equals or exceeds the election  
103 threshold, the active candidate with the most votes shall be elected. If the elected candidate has a  
104 number of votes that exceeds the threshold, the excess part of each vote received by that  
105 candidate shall count in the next round for the ballot's next-ranked active candidate (i.e., the  
106 voter's second, third, etc. ranked-candidate on the ballot).

107 iii. If no active candidate equals or exceeds the election threshold, the candidate with the  
108 fewest votes shall be defeated and a new round shall begin. The excess part of each vote received  
109 by that candidate shall count in the next round for the ballot's next-ranked active candidate (i.e.,  
110 the voter's second, third, etc. ranked-candidate on the ballot).

111 iv.

112 Once the tabulation process has proceeded through successive rounds such that either the  
113 number of active candidates equals the remaining number of seats to be filled, or no further vote  
114 transfers are possible due to exhausted ballots or the absence of additional ranked candidates, the  
115 contest shall be concluded.

116 (c) Treatment of Ballots.

117 An undervote is a ballot that does not rank any candidates in a particular contest. An  
118 undervote does not count as an active or inactive ballot in any round of tabulation of that contest.

119 i

120 An inactive ballot is a ballot that ceases in a round of tabulation to count for any  
121 candidate for the remainder of the tabulation of the contest because either:

122 (A) All candidates ranked on the ballot have become inactive; or

123 (B) The ballot includes an overvote and any candidates ranked higher than the overvote  
124 have become inactive. An overvote occurs when a voter ranks more than one candidate at the  
125 same ranking.

126 iii. During tabulation, a ballot shall remain active and continue to count for its highest-  
127 ranked active candidate notwithstanding any skipped or repeated rankings on the ballot. A  
128 skipped ranking occurs when a voter leaves a ranking unassigned but ranks a candidate at a  
129 subsequent ranking. A repeated ranking occurs when a voter ranks the same candidate at  
130 multiple rankings.

131 (d) Ties. If two or more candidates are tied with the fewest votes, and tabulation cannot  
132 continue until the candidate with the fewest votes is eliminated, then the candidate with the  
133 fewest votes in the prior round shall be defeated. If two or more such tied candidates were tied in  
134 the prior round, the second tie shall be decided by referring similarly to the number of votes for  
135 each candidate in the second-prior round. This

136 process shall be applied successively as many times as necessary. If otherwise not  
137 provided herein, the election commission shall establish a method of tiebreaking to be used.

138 SECTION 5. Results Reporting.

139 Notwithstanding the provisions of section 60 of chapter 452 of the Acts of 1948, as so  
140 appearing in section 2 of chapter 376 of the Acts of 1951; or any other general or special law,  
141 rule, or regulation to the contrary, votes in ranked choice voting contests shall be reported as  
142 follows:

143 (a) Unofficial Results. The election commission shall promulgate rules or guidance to  
144 ensure the release of unofficial election results on election night, including round-by-round  
145 results for each ranked choice contest. The commission shall make best efforts to publish initial  
146 unofficial results on election night, as soon as they become available. Unofficial results shall be  
147 clearly marked as preliminary and subject to revision.

148 (b) Final Results. In addition to any other information required by law to be reported with  
149 official final results, the election commission shall make public:

150 the number and percentage of votes that each candidate received in each round of the  
151 official tabulation; and the number of ballots that became inactive in each round for the reasons  
152 set out in section 4(c)(2), reported as separate figures.

153 iii. The election commission shall make final anonymized results and data available in  
154 both human-readable and machine-readable formats to allow for independent verification,  
155 consistent with applicable law.

156 SECTION 6. Regulatory Authority.

157 The election commission shall have the authority to promulgate whatever rules are  
158 necessary to implement this Act.

159           The election commission shall ensure that an appropriate ranked choice voter  
160 candidates. The election commission shall ensure that an appropriate ranked choice voter  
161 education campaign is conducted before each municipal election, and shall include outreach in  
162 multiple languages and is consistent with the City's language access and disability policies.

163           SECTION 7. Severability.

164           If any provision of this Act, or the application of any provision of this Act to any person,  
165 office, or circumstance, is held to be unconstitutional, the remainder of this Act and the  
166 application of its provision to any person, office, or circumstance, shall not be affected by the  
167 holding.

168           SECTION 8, Voter Acceptance and Effective Date.

169           Upon passage of this Home Rule Petition by the Massachusetts legislature, the following  
170 question shall be placed on the ballot to be used at a regular state or municipal election or a  
171 special election called for the purpose of presenting the question to the voters, as hereby stated  
172 Shall an act entitled "An Act to Implement Ranked Choice Voting for the City of Boston" be  
173 accepted?

174           The city law department shall prepare the summary of the question, which shall appear  
175 on the ballot along with the question provided in this section subject to any necessary changes  
176 required by law.

177           If a majority of votes cast in answer to the question is in the affirmative, the city shall be  
178 taken to have accepted the Act, but not otherwise. The Act shall take effect immediately upon  
179 approval of said question; provided, however, that it shall be applicable only to municipal

180 elections in which the regular or special election for that contest is 365 days or more after the day  
181 the Act is accepted.