HOUSE DOCKET, NO. 5148 FILED ON: 9/15/2025

HOUSE . . . . . No. 4713

The Commonwealth of Massachusetts

PRESENTED BY:

Carmine Lawrence Gentile and Simon Cataldo

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 town of Concord.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Carmine Lawrence Gentile	*13th Middlesex*	*9/15/2025*
Simon Cataldo	*14th Middlesex*	*9/15/2025*
Michael J. Barrett	*Third Middlesex*	*10/21/2025*

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By Representatives Gentile of Sudbury and Cataldo of Concord, a petition (accompanied by bill, House, No. 4713) of Carmine Lawrence Gentile, Simon Cataldo and Michael J. Barrett (by vote of the town) relative to ranked choice voting in the town of Concord. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act relative to ranked choice voting in the town of Concord.

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. RANKED CHOICE VOTING

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

"Concluded ballot," a ballot that does not rank any continuing candidate or contains an overvote at the highest-ranked continuing candidate.

"Continuing candidate," a candidate who has not been defeated.

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

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

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

(b) All elected town offices shall be elected by ranked choice voting, except for a single-seat offices when the number of candidates printed on the ballot is less than or equal to 2, or multi-seat offices when the number of candidates printed on the ballot is less than or equal to the number of seats to be elected. Ranked choice voting elections shall be tabulated in rounds pursuant to this section.

(c) In any single-seat election, each round shall begin by counting each ballot as 1 vote for its highest-ranked continuing candidate. Concluded ballots shall not be counted for any continuing candidate. Each round shall proceed sequentially as follows:

(1) If there are 2 continuing candidates, the candidate with the most votes shall be elected, and tabulation shall be complete

(2) If there are more than 2 continuing candidates, the candidate with the fewest votes shall be defeated, and a new round shall begin.

(d) In any multi-seat election, the first seat shall be filled pursuant to the tabulation process established in subsection (c). The remaining seats shall be filled by repeated application of the tabulation process established in subsection (c); provided, however, that all rankings

marked for candidates who have already been elected shall be disregarded and ballots shall be counted as 1 vote for their next highest-ranked continuing candidate.

(e) If 2 or more candidates are tied with the fewest votes such that tabulation cannot continue until the candidate with the fewest votes shall be defeated, the tied candidate with the fewest votes in the prior round shall be defeated. If the continuing candidates remain tied, this process shall be repeated using the votes from the next closest previous round, until either one continuing candidate has fewer votes or there are no more previous rounds to examine. The Town Clerk shall establish a method of tie-breaking that will be used if 2 or more candidates are tied with the fewest votes in the first round of tabulation.

(f) The Town Clerk shall have the authority to promulgate whatever rules are necessary to implement this act.

SECTION 2. This act shall take effect upon its passage, provided there are at least 90 days until the next election, to allow for proper implementation.