HOUSE DOCKET, NO. 6417 FILED ON: 10/23/2026

HOUSE . . . . . No. 5715

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral and Christopher Hendricks

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 providing for the recall of elected officers in the city of New Bedford.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Antonio F. D. Cabral	*13th Bristol*	*10/23/2026*
Christopher Hendricks	*11th Bristol*	*10/23/2026*
Mark C. Montigny	*Second Bristol and Plymouth*	*10/26/2026*

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By Representatives Cabral of New Bedford and Hendricks of New Bedford, a petition (accompanied by bill, House, No. 5715) of Antonio F. D. Cabral, Christopher Hendricks and Mark C. Montigny (with the approval of the mayor and city council) relative to the recall of elected officers in the city of New Bedford. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act providing for the recall of elected officers in the city of New Bedford.

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. Any holder of an elective office in the city of New Bedford may be recalled from office by the registered voters of the city as hereinafter provided.

SECTION 2. A recall petition shall not be filed against an officer within 4 months after the officer takes office, nor in the case of an officer subjected to a recall election and not recalled thereby, during the remainder of the officer's term in office. A recall election shall not be held if less than 8 months remain in the officer’s term at the time of the certification of the recall petitions forms.

SECTION 3. (a) Eighteen hundred or more registered voters may initiate a recall petition for an officer elected at large by filing with the board of election commissioners, an affidavit containing the name of the officer whose recall is sought and a statement of the grounds for recall. The signatures on the affidavit shall contain the names and addresses of at least 300 voters

residing in each of the wards into which the city of New Bedford is divided for the purpose of elections.

(b) Three hundred or more registered voters from the ward where an officer is elected from may initiate a recall petition by filing with the board of election commissioners, an affidavit containing the name of the officer whose recall is sought and a statement of the grounds for recall. The signatures on the affidavit shall contain the names and addresses only of voters residing in the ward from which the officer whose recall is sought was elected.

(c) Within 14 days of receipt of an affidavit filed pursuant to subsections (a) or (b), the board of election commissioners shall certify whether the affidavit contains a sufficient number of valid signatures of registered voters. If the board of election commissioners certifies that the affidavit contains a sufficient number of valid signatures of registered voters, then the board of election commissioners shall deliver to the registered voter first named on the affidavit a sufficient number of blanks demanding the recall. The petition blanks shall: (i) be issued by the chair of the board of election commissioners and contain the chair's signature and official city seal; (ii) be dated and addressed to the city council; and (iii) contain the name and office of the elected officer sought to be recalled and the grounds of recall as stated in the affidavit. A copy of the recall petition shall be entered in a record book to be kept in the office of the board of election commissioners.

(d) For purposes of this subsection, “the total number of registered voters" shall mean the total number of registered voters as of the date of the most recent regular city of New Bedford election. The recall petition forms shall be filed with the board of election commissioners within 45 days of the date the recall petition forms are issued and contain the signatures, names and

street addresses of not less than 15 per cent of the total number of registered voters residing in a ward for an officer elected by ward and of not less than 15 per cent of the number of registered voters of the city for an officer elected at large. In addition, not less than 10 per cent of the signatures, names and street addresses on the recall petition forms for an officer elected at large shall be from voters residing in each of the wards into which the city is divided for the purpose of elections. Within 21 days following the date the recall petition forms are filed, the board of election commissioners shall certify the number of valid signatures of registered voters and the percentage that number represents of the total number of registered voters in the applicable ward for an officer elected by ward and of the city for an officer elected at large. The board of election commissioners shall also certify the percentage of the total number of valid signatures from each of the city's wards.

SECTION 4. If the board of election commissioners certifies that the recall petition forms contain a sufficient number of valid signatures of registered voters, it shall, within 5 days, submit the recall petition forms with the board of election commissioners certificate to the city council. Upon receipt of the certified recall petition forms, the city council shall, within 5 days, give written notice to the officer whose recall is sought of the validity of the recall petitions. If the officer whose recall is sought does not resign the office, within 5 days, following the delivery of written notice, or by the leaving of written notice at the officer's last known residence, the city council shall forthwith order a recall election to be held not less than 45 nor more than 70 days after the city council's receipt of the certified recall petition forms. However, if another city of New Bedford election is to occur within 90 days of the city council's receipt of the certified recall petition forms, the city council may postpone the holding of the recall election to the date

of the other city election. If a vacancy occurs in the office after a recall election has been ordered, the recall election shall not proceed.

SECTION 5. Ballots used at the recall election shall state the proposition in substantially the following form:

"Shall [insert name of officer] be recalled from office [insert name of office held]?

YES ___

NO ___".

SECTION 6. If the officer whose recall is sought has not resigned from the office, the officer shall continue to hold and perform the duties of the office until the recall election. If a majority of the votes cast upon the question of the recall is in the affirmative, the officer shall be deemed recalled, and the office shall be vacant upon the certification of the election results. If a majority of the votes cast upon the question of the recall is in the negative, the officer whose recall was sought shall continue in the office until the expiration of the term for which elected. No recall election for an officer elected at large shall be effective unless 15 per cent of the total number of register voters of the city of New Bedford as of the date of the recall election vote in the recall election, and no recall election for an officer elected by ward shall be effective unless 15 per cent of the total number of registered voters of a ward as of the date of the recall election vote in the recall election.

SECTION 7. Vacancies shall be filled in the manner provided by the city of New Bedford's city charter. No officer who has been recalled from an office or who has been recalled from an office while recall proceedings were pending against the officer shall be eligible to be a

candidate in an election to fill any vacancy created by that recall, nor shall such officer be eligible to be appointed to fill any vacancy created by that recall.

SECTION 8. This act shall take effect upon its passage.