HOUSE DOCKET, NO. 4704 FILED ON: 5/13/2025

HOUSE . . . . . No. 4202

The Commonwealth of Massachusetts

PRESENTED BY:

Shirley B. Arriaga

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 the recall of any holder of elective office in the city of Chicopee.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Shirley B. Arriaga	*8th Hampden*	*5/13/2025*

HOUSE DOCKET, NO. 4704 FILED ON: 5/13/2025

HOUSE . . . . . No. 4202

By Representative Arriaga of Chicopee, a petition (accompanied by bill, House, No. 4202) of Shirley B. Arriaga (with the approval of the mayor and city council) relative to the recall of any holder of elective office in the city of Chicopee. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act relative to the recall of any holder of elective office in the city of Chicopee.

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 city office in the City of Chicopee may be recalled from office for any reason by the registered voters of the city as provided in this act.

1. Office Elected by Voters at Large - Two Thousand or more voters may file with the board of registrars of voters an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall.

2. Office Elected by Voters by Ward - Five hundred or more voters may file with the board of registrars of voters an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. The signatures on such affidavit shall contain the names only of voters in the ward from which the officer was elected.

At Large or by Ward - The City Clerk shall immediately forward the recall affidavit to the Registrar of Voters for verification of signatures, The Registrar of Voters shall verify the signatures on the initial recall affidavit within 14 calendar days of receipt of the initial recall

affidavit. If the initial recall affidavit is found to contain a sufficient number of verified signatures, the City Clerk shall deliver to the first 10 registered voters who signed the affidavit a formal numbered and printed recall petition sheet with the City Clerk's official seal and addressed to the City Council demanding the recall and the election of a successor to the office.

The 10 registered voters of the city to whom the City Clerk delivered recall petition sheets shall have 30 days from the date of delivery of the recall petition sheets in which to file their signed recall petition sheets with the City Clerk.

To proceed with the recall election, the City Clerk shall receive within 30 days from the date of delivery of the recall petition sheets, the required number of signed recall petition sheets containing the signatures, names and street addresses of at least 25 percent of the registered voters of the Ward or the City, as is appropriate, as of the date the signed recall petition sheets are delivered to the City Clerk.

Within 5 working days of receipt of the recall petition sheets, the City Clerk shall submit the recall petition sheets to the Registrar of Voters and the Registrar of Voters shall verify the number of signatures which are names of registered voters of the City.

If the total recall petition sheets shall be found and certified by the Registrar of Voters to be sufficient, the certified petition shall be submitted with the certificate of the City Clerk to the City Council without delay. The City Council shall give written notice of the receipt of the certified petition to the officer sought to be recalled. If the officer does not resign within 5 calendar days of the date notice, then the City Council shall promptly order an election to be held on a date fixed by them not more than 90 days after receipt of the certified petition.

If any other city election is scheduled to occur within 100 days after the date of receipt of the certified petition, the City Council may postpone the holding of the recall election to the date of the other election and may include the question of recall on the ballot for that other election. If a vacancy occurs in the office after a recall election has been ordered, the election shall nevertheless proceed as provided in this act.

An officer sought to be recalled may be a candidate to succeed the officer in an election to be held to fill the vacancy. Unless the officer requests otherwise in writing, the City Clerk shall place the officer's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.

Recall of One or more Office Holders: The question of recalling any number of officers may be submitted at the same election. For each officer whose recall is sought there shall be a separate ballot. The nomination of candidates to succeed an officer whose recall is sought, the publication of the warrant for said recall election, and the conduct of such election, shall all be in accordance with the provisions of the General Laws.

The incumbent shall continue to perform the duties of the office until the recall election. If the incumbent is not recalled, the incumbent shall continue in office for the remainder of the unexpired term. If not re-elected in the recall election, the incumbent shall be considered removed from office immediately and the office vacant.

An initial recall affidavit shall not be filed against an officer within 6 months after the officer takes office or within the last 6 months of the term. In the case of an officer subjected to a

recall election and not recalled, a new recall affidavit shall not be filed against that officer until at least 3 months have elapsed after the election at which the previous recall was submitted to the voters of the Ward or the City.

Recall Election Ballots

Ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer)

Against the recall of (name of officer)

Immediately to the right of each proposition there shall be a square in which the voter, by making a cross mark (x), may vote for either of such propositions. Under the proposition shall appear the word "Candidates" and the direction "Vote for One" and beneath the names of the candidates nominated as hereinbefore provided.

SECTION 2. So much of the charter of said City and of the amendments thereto as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its acceptance by a majority of the qualified voters of the City of Chicopee, present and voting therein at the municipal election in the current year and shall be known as Article VIII Section 66 of the Charter of the City of Chicopee.