

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Rebecca L. Rausch***

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*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 promoting democracy in primary elections.**

\_\_\_\_\_

PETITION OF:

NAME:

*Rebecca L. Rausch*

DISTRICT/ADDRESS:

*Norfolk, Worcester and Middlesex*

**SENATE . . . . . No.**

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 435 OF 2023-2024.]

**The Commonwealth of Massachusetts**

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

An Act promoting democracy in primary elections.

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

1 Chapter 53 of the General Laws, as appearing in the 2022 Official Edition, is hereby  
2 amended by striking out section 28 and inserting in place thereof the following section:-

3 Section 28. (a) (1) State primaries shall be held on the second Tuesday in June in even-  
4 numbered years and on the fourth Tuesday preceding special state elections, except that  
5 primaries before special elections for senator or representative in congress shall be held on the  
6 sixth Tuesday preceding said elections.

7 (2) If a religious holiday falls on or immediately before the second Tuesday in June in an  
8 even-numbered year, the state primary shall be held on a date set by the state secretary within 7  
9 days of the second Tuesday in June.

10 (b) The state secretary shall publish the date of the state primary not later than February 1  
11 of each even-numbered year by: (1) providing notice of the date to the state parties; (2) filing  
12 notice with the state publications and regulations division; (3) posting the information on the  
13 website of the state secretary; and (4) any other means necessary to ensure proper notification.

14 (c) (1) Presidential primaries shall be held on the first Tuesday in March in any year in  
15 which presidential electors are to be elected.

16 (2) Notwithstanding any provision of law to the contrary, any town may hold its  
17 preliminary or regular town elections on the same date designated as the date to hold a  
18 presidential primary, in any year in which presidential electors are to be elected, provided that  
19 such election is by a ballot independent of the ballot used at a presidential primary. City and  
20 town primaries before all city and town elections shall be held on the twenty-eighth day  
21 preceding such elections.

22 (d) Except in Boston, primaries shall be held wholly or partly by wards, precincts or  
23 towns, as the city or town executive body may designate.

24 (e) Notwithstanding the provisions of any general or special law, town charter or by-law  
25 to the contrary, if the date for holding a preliminary, primary, or town election or annual town  
26 meeting falls within thirty days before or after the presidential primary, the town executive body,  
27 after consulting the town clerk may, by majority vote, establish a date between February first and  
28 May thirty-first for holding such preliminary, primary or town election or annual town meeting.  
29 Any preliminary, primary or town election or annual meeting shall be held on the date or dates  
30 established and shall be called as provided by sections 9A and 10 of chapter 39.

31           (f) Notwithstanding the provisions of any general or special law to the contrary, if the  
32 date for holding a district election falls within 30 days before or after the presidential primary,  
33 the prudential committee, if any, otherwise the commissioners, of the district may, by majority  
34 vote, establish a date between February 1 and May 31 for holding such district election. Any  
35 district election shall be held on the date established and shall be called as provided by section  
36 119 of chapter 41. For the purposes of this section, district shall mean a district created by  
37 special law or established under the provisions of a general law.