HOUSE DOCKET, NO. 3137 FILED ON: 1/18/2013

HOUSE . . . . . No. 637

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo M. Scaccia

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 passage of the accompanying:

An Act relative to election emergencies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Angelo M. Scaccia	*14th Suffolk*
William F. Galvin	*Secretary of the Commonwealth*

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By Mr. Scaccia of Boston, a petition (accompanied by bill, House, No. 637) of Angelo M. Scaccia and William F. Galvin for legislation to authorize the Secretary of the Commonwealth to postpone or otherwise regulate elections during emergency situations. Election Laws.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to election emergencies.

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. Chapter 54 of the General Laws, as appearing in the 2002 official edition, is amended by adding the following language for newly created Section 62A:

Postponement and extension of qualifying periods for elections for public office during state of emergency; limitation-

Section 62A. The state secretary shall have the authority to regulate elections in emergency situations, including when the governor declares a state of emergency or a federal agency declares a state of emergency or disaster exists. Such authorization shall include, but not be limited to:

(a) Postponing or extending the qualifying periods provided in this chapter for the qualification of candidates seeking municipal, county, or state-wide office; and

(b) Postponing the date of any primary, special primary, election, or special election in the affected area; and

(c) Providing for procedures for the orderly conduct elections; and

(d) In the case of municipal elections, postponing or suspending such local election after consultation with local election officials.

Any such postponement or extension shall not exceed 45 days. The Secretary of State shall adopt by rule or regulation an election emergency contingency plan.

18 (b) The secretary of the commonwealth shall adopt, by rule or regulation, an elections
19 emergency contingency plan, which shall contain goals and policies that give specific direction
20 to state and local elections officials when an election has been suspended or delayed due to an
21 emergency or alternate voting procedures are necessary. The contingency plan shall address, but
22 not be limited to, the following concerns:

23 (1) Providing a procedure for state and local elections officials to follow when an
24 election has been suspended or delayed to ensure notice of the suspension or delay to the proper
25 authorities, the electorate, the communications media, poll workers, and the custodians of polling
26 places.

27 (2) Providing a procedure for the release and certification of election returns to
28 the department for elections suspended or delayed and subsequently rescheduled under the
29 provisions this chapter.