

**JOINT COMMITTEE ON ELECTION LAWS**  
**2025-2026 (194<sup>th</sup>) BILL SUMMARY**

**Bill Number:** H.3908

**Title:** An Act to establish a recall procedure for elective town offices in the town of Monterey

**Sponsor(s):** Rep. Leigh Davis

**Hearing Date:** May 6, 2025

**Reporting Deadline:** July 5, 2025

**Prior History:** New File

**CURRENT LAW:**

Article 8 of the Massachusetts Declarations of Rights states that in order to prevent those, who are vested with authority, from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

**SUMMARY:**

This bill establishes a process for recalling elected officials in a town. It allows registered voters to initiate a recall election by submitting a petition to the Town Clerk, which must be signed by at least 15 percent of the town's registered voters. If the petition is certified, the Select Board must notify the officer and, if they do not resign, order a recall election within 64 to 90 days. If a town election is already scheduled within 100 days, the recall election may be held on the same date. The officer sought for recall may run in the recall election, and a majority vote is required to remove them from office. If the officer is not recalled, they remain in office. If they are recalled but not re-elected, they are removed, and a successor is elected. The bill also includes provisions for the format of the recall election ballot and states that no recall petition can be filed within six months of an officer's term or six months after an unsuccessful recall attempt.