

**Massachusetts House of Representatives
Bill Summary**

Bill #: H.5107

Title: An Act relative to the charter and the town clerk in the town of Falmouth

Sponsor: Rep. David Vieira

Committee: Joint Committee on Municipalities and Regional Government

Hearing Date: March 3, 2026

Current Law: The current town charter was adopted in 1990 and has been amended several times, most recently in 2016.
Section C4-3 provides for the town clerk to be elected for a three-year term. Section C5-4 lists the town officials that the town manager may appoint. These include an assistant town manager, town planner, town counsel, finance director, director of personnel and other department and division heads.

Summary: Section 1 of the bill authorizes the town manager, subject to the approval of the select board, to appoint a town clerk, who shall have all of the powers and duties, and be subject to the liability and penalties of other town clerks. The person so appointed would enjoy all of the same benefits, salary (as part of the town non-union salary table), fringe benefits and other conditions of employment.

Section 2 abolishes the elected position of town clerk, but if the current elected clerk is appointed to the new position, they may continue to serve for a time period equivalent to the remaining term of office, or sooner under certain circumstances. After that term expires, the next clerk would be appointed as provided for in section 1 of the bill.

Section 3 amends the town charter by striking references to the elected clerk and making other updates to the language to reflect the change from an elected to an appointed town clerk.

Section 4 provides for this act to take effect upon its passage.

Notes: Approved as Article 11 by the November 1, 2025 Annual Town Meeting; declared passed by majority vote.