

**HOUSE . . . . . No. 637**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Angelo M. Scaccia*

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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 passage of the accompanying bill:

An Act relative to election emergencies.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Angelo M. Scaccia*

*14th Suffolk*

*William F. Galvin*

*Secretary of the Commonwealth*

**HOUSE . . . . . No. 637**

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:*

1 SECTION 1. Chapter 54 of the General Laws, as appearing in the 2002 official edition,  
2 is amended by adding the following language for newly created Section 62A:

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

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

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

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

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

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

16 Any such postponement or extension shall not exceed 45 days. The Secretary of State  
17 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.