

SENATE No. 2489

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—

SENATE, July 9, 2021.

The committee on Senate Ways and Means to whom was referred the House Bill relative to reprecincting (House, No. 3863); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2489. [Senator Fattman dissents]

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
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1 SECTION 1. (a) Notwithstanding any general law to the contrary, the division of each
2 city into convenient voting wards and precincts pursuant to section 1 and section 2 of chapter 54
3 of the General Laws shall be completed, approved locally and submitted through the state
4 secretary to the local election districts review commission, as established by section 9A of
5 chapter 9 of the General Laws, within 30 days after the enactment of legislation dividing the
6 commonwealth into: (i) congressional districts pursuant to the United States Constitution; (ii) 40
7 senatorial districts pursuant to section 2 of Article CI of the Articles of Amendment to the
8 Constitution of the Commonwealth; (iii) 160 representative districts pursuant to section 1 of said
9 Article CI; and (iv) 8 councillor districts pursuant to said section 2 of said Article CI and Article
10 XVI of the Articles of Amendment to the Constitution of the Commonwealth; provided,
11 however, that this section shall not apply to any city which has a special law to the contrary
12 covering the procedure for the division of wards and precincts.

13 (b) Notwithstanding any general law to the contrary, the division of each town into
14 convenient voting precincts pursuant to said section 1 and section 6 of said chapter 54, shall be
15 completed, approved locally and submitted through the state secretary to the local election
16 districts review commission within 30 days after the enactment of legislation dividing the
17 commonwealth into: (i) congressional districts pursuant to the United States Constitution; (ii) 40

18 senatorial districts pursuant to section 2 of Article CI of the Articles of Amendment to the
19 Constitution of the Commonwealth; (iii) 160 representative districts pursuant to section 1 of said
20 Article CI; and (iv) 8 councillor districts pursuant to said section 2 of said Article CI and Article
21 XVI of the Articles of Amendment to the Constitution of the Commonwealth; provided,
22 however, that this section shall not apply to any town which has a special law to the contrary
23 covering the procedure for the division precincts.

24 (c) Notwithstanding any general law to the contrary, the division of each city and town
25 into convenient voting wards or precincts pursuant to subsections (a) and (b) shall be completed,
26 approved locally and be submitted through the state secretary to the local election districts
27 review commission not later than December 15, 2021. Notwithstanding any general or special
28 law to the contrary, the local election district review commission may consider revisions or
29 amendments submitted to the local election district review commission by a city or town to a
30 division previously approved by the commission pursuant to subsections (a) or (b); provided,
31 however, that such revisions or amendments shall be completed, approved locally and submitted
32 through the state secretary to the local election districts review commission not later than
33 December 15, 2021.

34 SECTION 2. Notwithstanding any general law to the contrary, if a city fails to timely
35 complete, approve and submit a new division of voting wards and precincts through the state
36 secretary to the local election districts review commission pursuant to section 1 or if a town fails
37 to timely complete, approve and submit a new division of voting precincts through the state
38 secretary to the local election districts review commission pursuant to said section 1, or if the
39 local election districts review commission finds that any such proposed division of voting wards
40 and precincts submitted by a city or any such proposed division of precincts submitted by a town

41 is deficient, the commission shall, within 7 days: (i) make such division of the city into wards
42 and precincts or the town into precincts; or (ii) appoint a special master to make such division,
43 subject to approval and amendment by the commission. The cost of the special master shall be
44 paid by the city or town. Notwithstanding the foregoing, if the commission finds a proposed
45 division deficient, it may consult with a city or town on a new division into wards or precincts.

46 SECTION 3. Notwithstanding any general law to the contrary, the local election districts
47 review commission shall, within 14 days of receipt of the division of a city or town into
48 convenient voting wards or precincts pursuant to section 1, or as soon as reasonably practicable
49 thereafter, deliver to the president of the senate and speaker of the house of representatives an
50 electronic geographic information system shapefile, or equivalent, containing said division.

51 SECTION 4. Notwithstanding any general law to the contrary, the local election districts
52 review commission, in consultation with the state secretary, may promulgate rules and
53 regulations necessary for the orderly administration and enforcement of this act by filing notice
54 of the change with the rules and regulations division of the state secretary who shall post such
55 notice on the state secretary's website.

56 SECTION 5. Sections 1 to 4, inclusive, are hereby repealed.

57 SECTION 6. Section 5 shall take effect on January 1, 2022.