

SENATE No. 433

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 adoption of the accompanying bill:

An Act providing a local option for ranked choice voting in municipal elections.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|--------------------------|---|------------------|
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Worcester and Middlesex</i> | |
| <i>Lydia Edwards</i> | <i>Third Suffolk</i> | <i>2/3/2023</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>2/7/2023</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>2/14/2023</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>2/28/2023</i> |

SENATE No. 433

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 433) of Rebecca L. Rausch, Lydia Edwards, James K. Hawkins, James B. Eldridge and others for legislation to provide a local option for ranked choice voting in municipal elections. Election Laws.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act providing a local option for ranked choice voting in municipal elections.

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. Section 44A of chapter 43 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended, in line 7, by inserting after the word “inclusive,” the
3 following words:- and section 103R of chapter 54.

4 SECTION 2: Section 77 of chapter 54 of the General Laws, as so appearing, is hereby
5 amended by striking out the phrase “marking a cross (X) in the square at the right of the name of
6 each candidate for whom he intends to vote” and inserting in place thereof the following phrase:-
7 “marking the ballot in a manner prescribed by the state secretary”.

8 SECTION 3: Said chapter 54, as so appearing, is hereby further amended by inserting
9 after section 103Q the following section:-

10 Section 103R. (a) Notwithstanding any other general or special law to the contrary, in any
11 city or town that accepts this section, a local election may be conducted using ranked choice
12 voting in which voters rank the candidates for an office in order of preference. Ranked choice

13 voting elections may be used for elections with a single winning candidate or multiple winning
14 candidates. Ranked choice voting elections shall be tabulated in rounds using the single
15 transferable vote method. Winning thresholds shall be calculated based on the number of
16 countable votes and the number of seats to be filled.

17 General provisions for a single-winner election and a multiple-winner election shall be
18 specified by ordinance or by-law; provided, however, that a voter's lower ranked choice shall not
19 impact the likelihood of a voter's higher ranked choice of being elected. The ordinance or by-law
20 shall be enacted by the municipality's legislative body and the body shall request the input of the
21 registrar of voters and town clerk or city election commissioners. The ordinance shall specify, at
22 a minimum: (i) the method of calculating the winning threshold; (ii) how candidates with the
23 fewest votes shall be eliminated before a subsequent round of the tally; (iii) how a vote for
24 eliminated candidates shall be transferred to the voter's next valid choice; (iv) how a tie shall be
25 resolved; (v) how a ballot that skipped a ranking or is otherwise mismarked shall be counted; and
26 (vi) how a vote above the winning threshold for a candidate shall be transferred to an alternate
27 choices in a multiple-winner election. Preliminary elections for local offices shall not be held in a
28 city or town that has accepted this section.

29 (b) This section may be accepted by: (i) approval of a ballot measure submitted to the
30 voters by the governing body of the city or town at a regular or special election; (ii) ordinance or
31 by-law; or (iii) charter amendment.

32 (c) A city or town that accepts this section shall conduct a voter education and outreach
33 campaign to familiarize voters with ranked choice voting.

34 (d) The ballot shall not interfere with a voter's ability to rank at least 1 write-in candidate.

35 (e) Not sooner than 4 years after acceptance of this section, a city or town that has
36 accepted this section may return to its prior voting method by: (i) approval of a ballot measure
37 submitted to the voters by the governing body of the city or town at a regular or special election;
38 (ii) ordinance or by-law; or (iii) charter amendment.