

**SENATE . . . . . No. 487**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Rebecca L. Rausch***

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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 adoption of the accompanying bill:

An Act moving the state primary to June..

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PETITION OF:

NAME:

*Rebecca L. Rausch*

DISTRICT/ADDRESS:

*Norfolk, Bristol and Middlesex*

**SENATE . . . . . No. 487**

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By Ms. Rausch, a petition (accompanied by bill, Senate, No. 487) of Rebecca L. Rausch for legislation to promote good democracy in primary elections. Election Laws.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 419 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act moving the state primary to June..

*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 53 of the General Laws is hereby amended by striking out Section  
2 28 and inserting in place thereof the following Section:

3 Section 28: Primary election dates and locations

4 (1) Primary Dates.

5 (a) State primaries shall be held on the second Tuesday in June in even-numbered  
6 years and on the fourth Tuesday preceding special state elections, except that primaries before  
7 special elections for senator or representative in congress shall be held on the sixth Tuesday  
8 preceding said elections.

9           (b)     If a religious holiday falls on or immediately before the second Tuesday in June in  
10 an even-numbered year, the state primary shall be held on a date set by the state secretary within  
11 7 days of the second Tuesday in June.

12           (2)     Publication. The state secretary shall publish the date of the state primary not later  
13 than February 1 of each even-numbered year by: (i) providing notice of the date to the state  
14 parties; (ii) filing notice with the state publications and regulations division; (iii) posting the  
15 information on the website of the state secretary; and (iv) any other means necessary to ensure  
16 proper notification.

17           (3)     Presidential Primaries.

18           (a)     Presidential primaries shall be held on the first Tuesday in March in any year in  
19 which presidential electors are to be elected.

20           (b)     In any year in which presidential electors are to be elected, provided that such  
21 election is by a ballot independent of the ballot used at a presidential primary. City and town  
22 primaries before all city and town elections shall be held on the twenty-eighth Notwithstanding  
23 any provision of law to the contrary, any town may hold its preliminary or regular town elections  
24 on the same date designated as the date to hold a presidential primary, in any year in which  
25 presidential electors are to be elected, provided that such election is by a ballot independent of  
26 the ballot used at a presidential primary. City and town primaries before all city and town  
27 elections shall be held on the twenty-eighth day preceding such elections.

28           (4)     Except in Boston, primaries shall be held wholly or partly by wards, precincts or  
29 towns, as the city or town executive body may designate.

30           (5)     Notwithstanding the provisions of any general or special law, town charter or by-  
31 law to the contrary, if the date for holding a preliminary, primary, or town election or annual  
32 town meeting falls within thirty days before or after the presidential primary, the town executive  
33 body, after consulting the town clerk may, by majority vote, establish a date between February  
34 first and May thirty-first for holding such preliminary, primary or town election or annual town  
35 meeting. Any preliminary, primary or town election or annual meeting shall be held on the date  
36 or dates established and shall be called as provided by sections nine A and ten of chapter thirty-  
37 nine.

38           (6)     Notwithstanding the provisions of any general or special law to the contrary, if the  
39 date for holding a district election falls within thirty days before or after the presidential primary,  
40 the prudential committee, if any, otherwise the commissioners, of the district may, by majority  
41 vote, establish a date between February first and May thirty-first for holding such district  
42 election. Any district election shall be held on the date established and shall be called as  
43 provided by section one hundred and nineteen of chapter forty-one. For the purposes of this  
44 section, district shall mean a district created by special law or established under the provisions of  
45 a general law.

46           SECTION 2. This act shall take effect on May 1, 2022.