

HOUSE No. 2101

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo M. Scaccia and William F. Galvin

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 relative to election emergency.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Angelo M. Scaccia

14th Suffolk

William F. Galvin

Secretary of the Commonwealth

HOUSE No. 2101

By Representative Scaccia of Boston and Galvin, a petition (accompanied by bill, House, No. 2101) of Angelo M. Scaccia and William F. Galvin relative to the duties of the State Secretary for elections held during emergencies situations. Election Laws.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to election emergency.

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, is
2 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.