

**HOUSE . . . . . No. 4885**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Lindsay N. Sabadosa and Joanne M. Comerford***

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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 relative to ranked choice voting in the city of Northampton.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>6/8/2022</i>

**HOUSE . . . . . No. 4885**

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By Representative Sabadosa of Northampton and Senator Comerford, a joint petition (accompanied by bill, House, No. 4885) of Lindsay N. Sabadosa (with the approval of the mayor and city council) relative to ranked choice voting in the city of Northampton. Election Laws. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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

An Act relative to ranked choice voting in the city of Northampton.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 277 of the Acts of 2012, shall be amended as follows:

2 SECTION 1. Article 8 is hereby amended by deleting section 8-1 and section 8-2 in their  
3 entirety, and by renumbering section 8-3 to section 8-1, section 8-4 to section 8-2. section 8-5 to  
4 section 8-3, section 8-6 to 8-4, section 8-7 to section 8-5, and section 8-8 to section 8-6.

5 SECTION 2. Article 8 is hereby amended by deleting in section 8-2, as amended by  
6 SECTION 1, the first two sentences in their entirety and replacing them with the following  
7 sentence:

8 The order in which names of candidates for each office appear on the ballot shall be  
9 determined by a drawing, by lot, conducted by the city clerk on the fourth Tuesday in September  
10 prior to the regular city election.

11 SECTION 3. Article 8 is hereby amended by deleting in section 8-6, as amended in  
12 SECTION 1, the word "preliminary."

13 SECTION 4. Article 8, as amended by SECTION 1, is hereby further amended by  
14 deleting section 8-5 in its entirety and by replacing it with the following:

15 SECTION 8-5. RANKED CHOICE VOTING

16 (a) For the purposes of this section, the following terms shall have the following  
17 meanings, unless the context clearly requires otherwise:

18 "Batch elimination" is the simultaneous defeat of multiple candidates.

19 "Concluded ballot," a ballot that does not rank any continuing candidate.

20 "Continuing candidate," a candidate who has not been defeated or elected.

21 "Election threshold," the number of votes sufficient for a candidate to be elected in a  
22 multi-seat election. It is calculated by dividing the total number of votes counting for the  
23 continuing candidates in the first round by the sum of the number of seats to be elected and 1,  
24 disregarding any fractions, and then adding 1.

25 "Highest-ranked continuing candidate," the continuing candidate with the highest ranking  
26 on a voter's ballot. Where a ballot omits one or more ranks, the next highest ranking shall be  
27 used for determining the highest-ranked continuing candidate.

28 "Ranked choice voting," a method of casting and tabulating ballots in which voters rank  
29 candidates for office in order of preference.

30 "Last-place candidate," (i) the candidate with the lowest vote total in a round of the  
31 ranked-choice voting tabulation; or (ii) a candidate that is defeated in batch elimination.

32 "Overvote," a circumstance in which a voter ranks more than 1 candidate at the same  
33 ranking.

34 "Ranking" means the number assigned on a ballot by a voter to a candidate to express the  
35 voter's preference for that candidate. Ranking number 1 shall be the highest ranking, ranking  
36 number 2 shall be the next-highest ranking, and so on.

37 "Surplus fraction," the number equal to the difference between an elected candidate's vote  
38 total and the election threshold, divided by the candidate's vote total.

39 "Transfer value," the proportion of the vote that a ballot will count to its highest-ranked  
40 continuing candidate. Each ballot shall begin with a transfer value of 1. If a ballot counts to the  
41 election of a candidate under subsection (d)(1), it receives a lower transfer value.

42 (b) All city offices shall be elected by ranked choice voting. Ranked choice voting  
43 elections shall be tabulated in rounds pursuant to this section.

44 (c) In any single-seat election, each round shall begin by counting the number of votes for  
45 each continuing candidate. Each ballot shall count as 1 vote for its highest-ranked continuing  
46 candidate. Concluded ballots shall not be counted for any continuing candidate. Each round shall  
47 end with 1 of the following 2 outcomes:

48 (1) If there are more than 2 continuing candidates, the last-place candidate shall be  
49 defeated or the last-place candidates shall be defeated in batch elimination, and a new round shall  
50 begin; or

51 (2) If there are 2 continuing candidates, the candidate with the fewest votes shall be  
52 defeated, the candidate with the most votes shall be elected, and tabulation shall be complete.

53 (d) In any multi-seat election, each round shall begin by counting the number of votes for  
54 each continuing candidate. Each ballot shall count, at its current transfer value, for its highest-  
55 ranked continuing candidate. Concluded ballots shall not count for any continuing candidate. In  
56 the first round only, the election threshold shall then be calculated. Each round shall end with 1  
57 of the following 3 outcomes:

58 (1) If at least one candidate has more votes than the election threshold, then all such  
59 candidates shall be elected. Each ballot counting for an elected candidate shall be assigned a new  
60 transfer value by multiplying the ballot's current transfer value by the surplus fraction for the  
61 candidate. Each elected candidate shall be deemed to have a number of votes equal to the  
62 election threshold in all future rounds, and a new round shall begin;

63 (2) If no candidate has more votes than the election threshold and the sum of the number  
64 of elected candidates and continuing candidates is more than the sum of seats to be elected and 1,  
65 the last-place candidate shall be defeated or the last-place candidates shall be defeated in batch  
66 elimination, and a new round shall begin; or

67 (3) Otherwise, the continuing candidate with the fewest votes shall be defeated, all other  
68 continuing candidates shall be elected, and tabulation is complete.

69 (e) Batch elimination shall apply to the largest possible group of continuing candidates  
70 such that the sum of the votes of candidates in the group is less than the individual number of  
71 votes of every continuing candidate not in the group, and provided that the number of continuing  
72 candidates not in the group is at least 1 more than the remaining number of positions to elect.

73 (f) If 2 or more last-place candidates are tied and batch elimination does not apply, the  
74 candidate with the fewest votes in the prior round shall be defeated. If 2 or more such tied  
75 candidates were tied in the prior round, the second tie shall be defeated. If 2 or more such tied  
76 candidates were tied in the prior round, the second tie shall be decided by referring similarly to  
77 the standing of the candidates, in terms of votes, in the second-prior round. This process shall be  
78 applied successively as many times as necessary, a tie shown in any prior round shall be decided  
79 by referring to the standing of the candidates in the round immediately preceding the tie.

80 (g) The City Clerk, subject to the approval of the City Council, shall establish and  
81 maintain procedures for ranked choice voting ballot and tabulation processes necessary to ensure  
82 the integrity and smooth functioning of the election, providing that ranked choice voting shall  
83 still be used and the fewest number of changes are made to achieve such purpose.

84 SECTION 5. The following question shall be placed on the ballot to be used at a regular  
85 state or municipal election or at special election called for the purpose of presenting the question  
86 to the voters: Shall an act entitled "An Act Relative to Ranked Choice Voting in the City of  
87 Northampton" be accepted?

88 The city solicitor shall prepare the summary of the proposed amendment to the special act  
89 charter of the city of Northampton which shall appear on the ballot along with the question  
90 provided in this section.

91 If a majority of votes cast in answer to the question is in the affirmative, the city shall be  
92 taken to have accepted the amendment to the charter of the city of Northampton, but not  
93 otherwise.