

## INITIATIVE PETITION

*Be it enacted by the People, and by their authority:*

### **An Act to Establish a Nonpartisan Top Five Election System**

SECTION 1: Section 1 of Chapter 50 of the General Laws is hereby amended to include the following additional definitions:

“Instant runoff using ranked-choice voting” means, in the case of elections for the office of United States Senator, United States Representative, Governor, Lieutenant Governor, Councillor, Attorney General, Secretary of State, Treasurer and Receiver-General, Auditor, and State Legislators, a method of casting and tabulating ballots more particularly described in sections 2A and 2B of chapter 50.

“Top five preliminary” means the primary election process to narrow the number of candidates for the office of United States Senator, United States Representative, Governor, Lieutenant Governor, Councillor, Attorney General, Secretary of State, Treasurer and Receiver-General, Auditor, and State Legislators to five candidates who, irrespective of political party preference, receive the highest number of votes cast in the race for the office.

SECTION 2. Section 1 of said chapter 50, definition of “Political Designation” is hereby amended by inserting after the word “represents” in the first sentence thereof the following phrase: “and to the designation requested by a candidate for a top five preliminary or general election determined by instant runoff using ranked choice voting.”.

SECTION 3. Section 2 of said chapter 50 is hereby amended by adding the following sentence to the end of said section: “The determination of the person receiving the highest number of votes

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MS 10. \_\_\_\_\_  
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for an office in a general election determined by instant runoff using ranked-choice voting shall be governed by sections 2A and 2B of chapter 50.”

SECTION 4. Said chapter 50 is hereby further amended by inserting after section 2 the following section 2A:

Section 2A. As used in this section and section 2B, unless the context otherwise indicates, the following terms have the following meanings:

“Active preference” means a vote assigned to the highest continuing ranking on a continuing ballot.

“Batch elimination” means the simultaneous defeat of multiple candidates because, with respect to the candidates, one of the following applies: (a) The candidate cannot be elected because the candidate’s active preference total in a round of ranked-choice voting tabulation plus the total of all continuing ballots that could possibly be transferred to the candidate in future rounds from candidates with fewer active preferences or an equal number of active preferences is not enough to surpass the candidate with the next-higher active preference total in the round; or (b) The candidate has a lower active preference total than a candidate described in subparagraph (a).

“Concluded ballot” means a ballot that does not rank any continuing candidate, contains an overvote at the highest continuing ranking, or contains two or more sequential skipped rankings before its highest continuing ranking.

“Continuing ballot” means a ballot that is not a concluded ballot.

“Continuing candidate” means a candidate who has not been defeated.

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECH 15. ML 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. GO  
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“Highest continuing ranking” means the continuing candidate with the highest ranking on a voter’s ballot.

“Last-place candidate” means (a) the candidate with the lowest active preference total in a round of the ranked-choice voting tabulation, or (b) a candidate that is defeated in batch elimination.

“Overvote” means a circumstance in which a voter ranks more than one candidate at the same ranking.

“Ranking” means the number assigned on a ballot by a voter to a candidate to express the voter’s preference for that candidate. Ranking number one is the highest ranking, ranking number two is the next-highest ranking and so on.

“Round” means an instance of the sequence of voting tabulation steps established in subsection 1 of section 2B.

“Skipped ranking” means a ranking not assigned on a ballot by a voter to any candidate, in the circumstance where a lower ranking is assigned on a ballot by a voter to a candidate.

SECTION 5. Said chapter 50 is hereby further amended by inserting after section 2A the following section 2B:

Section 2B. The following applies for determining the results of general elections determined by instant runoff using ranked-choice voting.

1. Except as provided in subsection 2 below pertaining to ties, the following procedures are used to determine the person receiving the highest number of votes, for purposes of section 2 of

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MSS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECH 15. ME 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. CD  
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chapter 50, in an election determined by instant runoff using ranked-choice voting. Tabulation must proceed in rounds. In a round, the number of active preferences for each continuing candidate must be counted. A continuing ballot counts as one active preference for its highest-ranked continuing candidate for that round. A concluded ballot is not counted for any continuing candidate. The round ends with one of the following:

A. In the first round only, if a candidate receives greater than fifty percent of all active preferences counted in the first round for all candidates, such candidate is determined to be the person receiving the highest number of votes and the tabulation shall end.

B. Otherwise, if there are more than two continuing candidates, the last-place candidate is defeated, or the last-place candidates are defeated in batch elimination, and a new round begins.

C. If there are two or fewer continuing candidates, the candidate with the most active preferences is determined to be the person receiving the highest number of votes and the tabulation shall end.

2. If two or more last-place candidates are tied and batch elimination does not apply, the one with the fewest active preferences in the prior round is defeated. If two or more such tied candidates were tied in the prior round, the second tie shall be decided by referring similarly to the standing of candidates, in terms of active preferences, in the second-prior round. This principle shall be applied successively as many times as may be necessary, a tie shown in any prior round being decided by referring to the standing of the tied candidates in the round immediately preceding the round in which the tie exists.

1. DSB 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MSS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. SCH 15. ML 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAB 19. DS  
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SECTION 6. Section 2 of chapter 53 of the General Laws is hereby amended by striking the first sentence and inserting in place thereof the following sentence: "Except in the case of municipal nominations where a city charter or a law applying to a particular town otherwise provides and in the case of nominations to regional district school committees elected district-wide, candidates of political parties for all elective offices, except presidential elector, shall be nominated and members of political committees, except as provided in sections one and four of chapter fifty-two, shall be elected in conventions or caucuses; provided, however, that the state secretary shall not conduct presidential primaries in any biennial state election year for a political party which has enrolled fewer than five percent of the total number of registered voters in the commonwealth as of the most recent count submitted to the state secretary under section thirty-eight A, and whose state committee files with the state secretary a writing so requesting, not later than August first preceding a year in which a presidential primary is to occur."

SECTION 7. Section 2 of said chapter 53 is hereby further amended by inserting the at the end of that section the following new paragraph: "Notwithstanding any general or special law or the charter, rule or by-law of a political party to the contrary, a top five preliminary shall be held to determine the candidates appearing on the general election ballot for the offices of United States Senator, United States Representative, Governor, Lieutenant Governor, Councillor, Attorney General, Secretary of State, Treasurer and Receiver-General, Auditor, and State Legislators. The top five preliminary shall take the place of a party primary for determining the candidates appearing on the general election ballot for those offices; provided, however, that a political party may nominate a candidate to appear on the top five preliminary ballot at a convention or

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MSS 10. \_\_\_\_\_  
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caucus in accordance with its rules. The top five preliminary shall be held on the date set forth in section 28 of chapter 53.”

SECTION 8. Section 2 of said chapter 53 is further amended by inserting after that section the following section 2A:

Section 2A. Top Five Nonpartisan Open Preliminary.

1. Whenever candidates for the offices of United States Senator, United States Representative, Governor, Lieutenant Governor, Councillor, Attorney General, Secretary of State, Treasurer and Receiver-General, Auditor, or State Legislators are to be elected, the general election must be preceded by a top five preliminary conducted consistent with the provisions of this section. The five candidates who receive the greatest number of votes for each office in a top five preliminary shall be the candidates whose names appear on the official ballot at the next general election.

2. A person may become a candidate at a top five preliminary regardless of the person’s affiliation with a political party, or lack thereof, provided that the person has filed nomination papers in accordance with this chapter and otherwise complies with the provisions of this chapter for nomination.

3. A political party may nominate a candidate to appear on the top five preliminary ballot as the party’s endorsed candidate.

4. Any registered voter may cast a top five preliminary ballot for any candidate regardless of the political party affiliation of the voter or any political party preference indicated by the candidate. The top five preliminary does not serve to determine the nominee of a political party or political

1. DA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECH 15. ML 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAS 19. DC  
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group but serves only to narrow the number of candidates whose names will appear on the ballot at the general election.

5. Only the names of the five candidates receiving the greatest number of votes at the top five preliminary shall advance to the general election. If, however, there are five or fewer candidates for a specific office, the top five preliminary for that office will still be held and the results made public, and all will be declared the candidates for the general election.

6. In the event of a tie for fifth place, the candidate who proceeds to the general election will be decided by lot.

7. If a candidate is registered as affiliated with a political party or political group, the candidate may request that the designation appear after the candidate's name. If a candidate requests designation as nonpartisan, unaffiliated, or undeclared, that designation shall be placed after the name of the candidate. A party's endorsed candidate for the office may request that the designation "Endorsed Candidate of the [PARTY NAME]" appear after the candidate's name.

8. Ballots for a top five preliminary must include a conspicuously placed statement: "A candidate may state a political party that the candidate prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate. A party's endorsed candidate for the office may be identified on the ballot as that party's Endorsed Candidate."

9. If a top five preliminary ballot is combined with a ballot for the election of candidates other than those subject to the top five preliminary, the ballot shall clearly indicate the offices to which the top five preliminary process shall apply.

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MSS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECM 15. MR 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. JS  
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10. If one of the five candidates who receives the greatest number of votes at the preliminary withdraws, is disqualified, dies, or is otherwise deemed ineligible to be elected after the top five preliminary but before the 5 p.m. on the first Friday in October, the candidate receiving the next greatest number of votes at the top five preliminary shall be declared a nominee, and that person's name shall be placed on the ballot at the general election.

11. A top five preliminary shall be conducted in the manner prescribed for primaries under this chapter, except as specifically provided otherwise. Provisions of this chapter governing the nomination of candidates shall apply to the nominations of candidates for a top five preliminary except where otherwise indicated.

SECTION 9: Section 3 of said chapter 53 is hereby amended by striking the first sentence thereof.

SECTION 10. Section 6 of said chapter 53 is hereby amended by inserting at the end of the second paragraph thereof the following sentence: "The provisions of this paragraph shall not apply to candidates for a top five preliminary or a general election determined by instant runoff using ranked-choice voting."

SECTION 11. Section 8 of said chapter 53 is hereby amended by striking the first sentence and inserting in place thereof the following sentence: "All certificates of nomination and nomination papers shall, in addition to the names of candidates, specify as to each, (1) the candidate's residence, with street and number, if any, (2) the office for which the candidate is nominated, and (3) except as otherwise provided in this section and except for elections which are not preceded by primaries or political party caucuses, the political designation, if any, which the candidate

1. DSB 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MS 10. \_\_\_\_\_  
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represents, expressed in not more than three words; provided, however, that the certificates of nomination and nomination papers of a candidate for a top five preliminary may include, at the candidate's request, a political designation of the political party or political group of which the candidate is registered or a designation that the candidate is nonpartisan, unaffiliated, or undeclared."

SECTION 12. Section 8 of said chapter 53 is hereby further amended by inserting after the last word of the first sentence of the second paragraph the following phrase: "; provided, however, if a candidate for a top five preliminary or a general election determined by instant runoff using ranked-choice voting is registered as affiliated with a political party or political group, the name of that political party or political group may be used in the candidate's designation".

SECTION 13: Section 9 of said chapter 53 is hereby amended by striking the phrase "state primary" from the last sentence and inserting in place thereof the words "top five preliminary".

SECTION 14: Section 28 of said chapter 53 is hereby amended by striking the first three sentences and inserting in place thereof the following sentences: "Top five preliminaries and special state primaries shall be held on the seventh Tuesday preceding biennial state elections and on the fourth Tuesday preceding special state elections, except that primaries before special elections for senator or representative in congress shall be held on the sixth Tuesday preceding said elections. If a religious holiday falls on or immediately before the second Tuesday in September in an even-numbered year, the top five preliminary shall be held on a date set by the state secretary within 7 days of the second Tuesday in September. The state secretary shall publish the date change of the top five preliminary not later than February 1 of that year by: (i) providing notice of the change to the state parties; (ii) filing notice with the state publications and

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MS 10. \_\_\_\_\_  
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regulations division; (iii) posting the information on the website of the state secretary; and (iv) any other means necessary to ensure proper notification.”

SECTION 15: Section 32 of said chapter 53 is hereby amended by striking the first two sentences and inserting in place thereof the following sentences: “Ballots shall be prepared and provided, and the number thereof determined, in top five preliminaries and presidential primaries by the state secretary, in city and town primaries by the city or town clerk. Notwithstanding the provisions of section forty-five of chapter fifty-four or any other general or special law to the contrary, the state secretary may provide only paper ballots for a top five preliminary or presidential primary in a city or town where a political party has enrolled fewer than five percent of the total number of registered voters, as of the most recent count submitted to the state secretary under section thirty-eight A before the decision to prepare said ballots must be made.”

SECTION 16: Section 33 of said chapter 53 is hereby amended by inserting at the end thereof the following sentence: “Ballots for a top five preliminary shall be printed on white paper.”

SECTION 17: Section 34 of said chapter 53 is hereby amended by striking the first sentence and inserting in place thereof the following sentence: “At the top of each ballot, except for the ballot for a top five preliminary, shall be printed the words “Official ballot of the (here shall follow the party name)”.”

SECTION 18: Section 34 of said chapter 53 is further hereby amended by striking the second paragraph thereof.

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11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECU 15. ML 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAB 19. CO  
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SECTION 19: Section 34A of said chapter 53 is hereby amended by inserting after the word “parties” in the first sentence in subsection (a) the following phrase: “and on white paper for a top five preliminary ballot”.

SECTION 20: Section 34A of said chapter 53 is hereby further amended by striking subsection (b) and inserting in place thereof the following subsection: “(b) Blank forms of application for such ballots, worded substantially as provided by section eighty-seven of chapter fifty-four, except that the application shall indicate that the ballot is to be used at the primary, and where applicable shall also indicate the party whose ballot the voter desires to obtain.

Any form of written communication evidencing a desire that an absent voting ballot be sent to him for use of voting at any special state primary, top five preliminary, or any presidential primary, and, where applicable, specifying the party whose ballot he desires to obtain, shall be given the same effect as an application for an absent voting ballot made in the form prescribed by law.”

SECTION 21: Section 37 of said chapter 53 is hereby amended by inserting after the second paragraph thereof the following paragraph: “The provisions of the preceding two paragraphs shall not apply to a top five preliminary or to voters at a top five preliminary.”

SECTION 22: Section 37A of said chapter 53 is hereby amended by inserting at the end of that section the following sentence: “This section shall not apply to voters desiring to vote by absentee ballot in a top five preliminary.”

SECTION 23: Section 38 of said chapter 53 is hereby amended by inserting at the end of that section the following paragraph: “The provisions of this section shall not apply with respect to a

1. DSH 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECH 15. ML 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. De  
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top five preliminary. A voter qualified to vote under section 1 of chapter 51 may cast a vote for any candidate in a top five preliminary without limitations based on the political party or political group affiliation of either the voter or the candidate.”

SECTION 24: Section 39 of said chapter 53 is hereby amended by inserting at the end thereof the following sentence: “This section shall not apply to a top five preliminary.”

SECTION 25: Section 41 of said chapter 53 is hereby amended by striking the phrase “of political parties” from the first sentence thereof.

SECTION 26: Section 44 of said chapter 53 is hereby amended by striking the phrase “state primaries” in the first sentence and inserting in place thereof the phrase “top five preliminaries”.

SECTION 27: Section 45 of said chapter 53 is hereby amended by striking the first sentence and inserting in place thereof the following sentence: “Every nomination paper shall state, in addition to the name of the candidate, (1) the candidates’ residence, with street and number thereof, if any, (2) the office for which the candidate seeks to be nominated, and, except with respect to a nomination paper for use in the nomination of a candidate for a top five preliminary, (3) the political party whose nomination the candidate seeks.”

SECTION 28: Section 45 of said chapter 53 is hereby further amended by striking the phrase “state primaries” in the sentence “No nomination paper for use in the nomination of candidates to be voted for at state primaries shall contain the name of more than one candidate” and inserting in place thereof the phrase “top five preliminaries”.

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SECTION 29: Section 46 of said chapter 53 is hereby amended by inserting after the last word of the fifth sentence of the first paragraph thereof the following phrase: “; provided, however, that for the purpose of nomination of a candidate for an office in a top five preliminary, the political party in which a voter is enrolled, or the fact that a voter is not enrolled in any party, shall not be considered in determining whether a name shall be deemed the name of a qualified voter”.

SECTION 30: Section 47 of said chapter 53 is hereby amended by striking the phrase “state primaries” in the first sentence and inserting in place thereof the phrase: “top five preliminaries”.

SECTION 31: Section 48 of said chapter 53 is hereby amended by striking from the first sentence of the fourth paragraph thereof the following phrase: “any office to be filled by all the voters of the commonwealth, or for representative in congress, governor’s councillor, senator in the general court, representative in the general court,”.

SECTION 32: Section 48 of said chapter 53 is hereby further amended by striking the phrase “state primary” in the first sentence of the fifth paragraph and inserting in place thereof the following phrase: “top five preliminary”.

SECTION 33: Section 49 of said chapter 53 is hereby amended by striking the phrase “state primary” from the first sentence and inserting in place thereof the phrase “primary other than a top five preliminary”.

SECTION 34: Section 51 of said chapter 53 is hereby amended by striking the phrase “state primary” and inserting in place thereof the following phrase: “top five preliminary”.

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SECTION 35: Section 52 of said chapter 53 is hereby amended by striking the phrase “state primaries” from the first sentence and inserting in place thereof the following phrase: “top five preliminaries”.

SECTION 36: Section 53A of said chapter 53 is hereby amended by striking the phrase “state primaries” from the first sentence and inserting in place thereof the following phrase: “top five preliminaries”.

SECTION 37: Section 55 of said chapter 53 is hereby amended by striking the phrase “state primaries” from the first sentence of the second paragraph and inserting in place thereof the following phrase: “top five preliminaries”.

SECTION 38: Section 41 of chapter 54 of the General Laws is hereby amended by inserting after the word “primaries” in the first sentence of the third paragraph thereof the following phrase: “, and except as provided by section 43B of this chapter”.

SECTION 39: Chapter 54 is hereby further amended by striking section 41A.

SECTION 40: Section 42 of said chapter 54 is hereby further amended by inserting after the last word of the first sentence of the first paragraph thereof the following phrase: “; provided, however, that on a ballot for a general election determined by instant runoff using ranked-choice voting, under the designation of the office, the names of the candidates shall be placed on the ballot in alphabetical order according to their surnames”.

SECTION 41: Section 42 of said chapter 54 is hereby further amended by inserting after the phrase “his answer to such question” in the first sentence of the last paragraph thereof the

1. DA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MSS 10. \_\_\_\_\_  
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following phrase: “; provided however, that a ballot for a general election determined by instant runoff using ranked-choice voting shall be printed in accordance with section 43B of this chapter;”.

SECTION 42. Chapter 54 of the General Laws is hereby further amended by inserting after section 43A the following section 43B:

Section 43B. Instant Runoff Using Ranked-Choice Voting.

1. All general elections for the office of United States Senator, United States Representative, Governor, Lieutenant Governor, Councillor, Attorney General, Secretary of State, Treasurer and Receiver-General, Auditor, and State Legislators shall use ranked-choice voting to determine the person receiving the highest number of votes for an office for purposes of section 2 of chapter 50, except that ranked-choice voting shall not be used in an election for offices in which there are two or fewer candidates, as reported by the state secretary pursuant to section 49 of chapter 54.

2. Notwithstanding any general or special law to the contrary, if a candidate is registered as affiliated with a political party or political group, the candidate may request that the designation appear after the candidate’s name. If a candidate requests designation as nonpartisan, unaffiliated, or undeclared, that designation shall be placed after the name of the candidate. A candidate designated as a party’s endorsed candidate for the office at that party’s convention may request that the designation “Endorsed Candidate of the [PARTY NAME]” appear after the candidate’s name.

3. Ballots for a general election determined by instant runoff using ranked-choice voting must include a conspicuously placed statement: “A candidate may state a political party that the candidate prefers. A candidate’s preference does not imply that the candidate is nominated or

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MISS 10. \_\_\_\_\_  
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endorsed by the party, or that the party approves of or associates with that candidate. A party's endorsed candidate for the office may be identified on the ballot as that party's Endorsed Candidate."

4. Ballots for a general election determined by instant runoff using ranked-choice voting shall direct the voter to mark candidates in order of preference and to mark as many choices as the voter wishes, but not to assign the same ranking to more than one candidate for the same office.

5. If a ballot for a general election determined by instant runoff using ranked-choice voting is combined with a ballot for the election of candidates other than those subject to ranked-choice voting, the ballot shall clearly indicate the offices to which ranked-choice voting shall apply.

SECTION 39. Section 77 of chapter 54 of the General Laws is hereby amended by striking the phrase "marking a cross (X) in the square at the right of the name of each candidate for whom he intends to vote" and inserting in place thereof the following phrase: "marking the ballot in a manner prescribed by the state secretary by regulation".

SECTION 43. Section 78 of chapter 54 of the General Laws is hereby amended by striking the phrase "mark a cross (X) in the square at the right of the names of the group of candidates for said offices for whom he desires to vote" in the third sentence and inserting in place thereof the following phrase: "mark the ballot in a manner prescribed by the state secretary by regulation".

SECTION 44: Section 86 of said chapter 54 is hereby amended by striking the phrase "special or regular state primary" in the first sentence and inserting in place thereof the phrase "top five preliminary or special state primary".

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MSS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. EC 15. MC 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. PR  
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SECTION 45: Chapter 54 of the General Laws is hereby further amended by inserting after section 105A the following section 105B:

Section 105B. For all elections determined by instant runoff using ranked-choice voting under section 43B of this chapter, the state secretary shall establish a central tabulation facility for the purpose of tabulating active preferences after the first round of counting is completed pursuant to sections 33H and 105. Notwithstanding any provision of any general or special law to the contrary, the record of all ballots cast in a general election determined by instant runoff using ranked-choice voting shall be delivered to the central tabulation facility established under this section as follows:

A. For ballots counted under section 33H, the city or town clerk shall deliver the cast vote records, meaning a data record of each ranking marked of each ballot cast, whether in electronic, paper or other form, by secure means as established and approved by the state secretary by regulation, or otherwise as described in section 105A. For ballots that are not included in the cast vote records, such as a ballot that is rejected by a computer or counting unit, or that is mutilated so that it cannot be inserted in a computer or counting unit, the ballots shall be entered into the cast vote records in a manner that can be observed by two inspectors of different political parties, so as to be delivered in the full cast vote record.

B. For ballots counted under section 105, notwithstanding the requirements to place all election material in a locked facility, the city or town clerk shall deliver all cast ballots including absentee ballots by secure means as established and approved by the state secretary by regulation, or otherwise as described in section 105A. For the central tabulation facility designated under this section, the state secretary shall appoint the following election officers: a warden, a deputy

1. DA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. EC 15. MS 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. MS  
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warden, a clerk and deputy clerk and as many inspectors and deputy inspectors as the state secretary determines are necessary. Each chair of a state committee may appoint in writing a person the chair considers to be a computer expert to monitor the electronic counting of ballots at the central tabulation facility. The expert shall be assigned by the presiding officer to a position within the center that will enable the expert to observe all operations. The state secretary shall be the presiding officer at the central tabulation facility and shall assign to the election officers such duties as will ensure the accurate and complete tabulation of the ballots in accordance with rules and regulations for the operation of such tabulation center promulgated by the state secretary. Through means established by the state secretary, the rankings shown on each ballot for each election subject to tabulation under this section shall be converted into a machine-readable form. The converted ballots shall then be entered in a computer the state secretary has determined is capable of conducting the tabulation process described in section 2B of chapter 50. Upon completion of all rounds of tabulation, the state secretary, or an election officer designated by the state secretary, shall publicly and in the presence of the other election officers, audibly and distinctly, announce the number of active preferences cast for each continuing candidate in each round for each office being tabulated at the central tabulation facility. The state secretary shall further examine all original and all additional copies of the records and make them part of the records of such election, and shall certify and attest copies of the records of votes for the several candidates in each round of tabulation.

SECTION 46. Section 135 of said chapter 54 is hereby amended by adding the following paragraph after the seventh paragraph of said section: "In the case of state-wide or district-wide recounts, as described in the preceding two paragraphs, in elections subject to ranked-choice

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MSS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECH 15. ML 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. CC  
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voting and where ballots are to be or have been tabulated in a central tabulation facility pursuant to section 105B, the time for filing a petition for a recount shall be extended to on or before five o'clock post meridian on the third day following the announcement of the results of tabulation conducted pursuant to section 105B if the time for filing otherwise provided in this section would have otherwise already expired by such extended date."

SECTION 47. The state secretary shall promulgate regulations consistent with this Act.

SECTION 48: The provisions of this Act are severable, such that, if any clause, sentence, paragraph or section of the Act, or an application thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair, or invalidate the remainder of any clause, sentence, paragraph or section thereof and shall be confined in its operation to such clause, sentence, paragraph, section or application adjudged invalid.

SECTION 49. This Act applies to all elections and primaries held on or after August 1, 2025.

1. DSA 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_ 7. \_\_\_\_\_ 8. \_\_\_\_\_ 9. MISS 10. \_\_\_\_\_  
11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_ 14. ECV 15. MZ 16. \_\_\_\_\_ 17. \_\_\_\_\_ 18. CAG 19. de  
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*The undersigned qualified voters of the Commonwealth of Massachusetts have personally reviewed the final text of this initiative petition, fully subscribe to its contents, agree to be one of its original signers and have signaled that agreement by initialing each page, and hereby submit the measure for approval by the people pursuant to Article 48 of the articles of amendment of the Constitution of the Commonwealth of Massachusetts, as amended by Article 74 of said articles of amendment*

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15. Melissa Lucette

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