

Initials

Initiative Petition for a Law to Implement All-Party State Primaries

(1) DSA

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

(2) _____

An Act to Implement All-Party State Primaries

(3) _____

SECTION 1.

(4) _____

Section 1 of Chapter 50 of the General Laws is hereby amended by amending the definition of "Political party" therein by inserting after the phrase "to a party which at" in the first sentence thereof the phrase "the latest state primary held prior to", and by striking the second sentence thereof in its entirety.

(5) _____

(6) CSJ

(7) _____

SECTION 2.

(8) _____

Chapter 50 of the General laws is hereby amended by inserting after Section 2 the following Section 2A:-

(9) _____

(10) _____

Section 2A. In state primaries held in accordance with sections forty-one to fifty-three A, inclusive, of chapter fifty-three, the two persons receiving the highest number of votes for an office shall be deemed nominated for election to such office and shall be the only persons whose names shall be printed on the ballot for such office at the next proceeding state election.

(11) MSS

(12) DSJ

(13) _____

SECTION 3.

(14) CAG

Section 2 of Chapter 53 of the General Laws is hereby amended by inserting the phrase "Except as provided in section two-A of chapter fifty," at the beginning of the second sentence thereof.

(15) _____

SECTION 4.

Section 6 of Chapter 53 of the General Laws is hereby amended by striking from said Section 6 the first two sentences of the first paragraph thereof, and the second and third paragraphs thereof in their entirety.

SECTION 5.

Section 8 of Chapter 53 of the General Laws is hereby amended by striking from said Section 8 the first three sentences of the first paragraph thereof, and the first and fourth sentences of the second paragraph thereof.

SECTION 6.

Initials

(1) DSA

Section 10 of Chapter 53 of the General Laws is hereby amended by striking the first four sentences from the first paragraph of said Section 10 and inserting in place thereof the following: -

(2) _____

All certificates of nomination and nomination papers of candidates for offices for which state primaries are held in accordance with section forty-one, shall be filed in accordance with section forty-six.

(3) _____

(4) _____

(5) _____

SECTION 7.

(6) CID

Section 14 of Chapter 53 of the General Laws is hereby amended by inserting after the word "otherwise" in the first sentence thereof the following: -

(7) _____

(8) _____

shall first be filled by the candidate who received the next highest number of votes for such office in the applicable state primary, and if there is no such candidate,

(9) _____

(10) _____

SECTION 8.

(11) MS

Section 33 of Chapter 53 of the General Laws is hereby amended by striking said Section 33 and inserting in place thereof the following: -

(12) DE

Section 33. At least three facsimile copies of the ballot shall be provided for each polling place as specimen ballots.

(13) _____

(14) CAG

SECTION 9.

(15) _____

Section 34 of Chapter 53 of the General Laws is hereby amended by striking from the first sentence thereof the phrase "Official ballot of the (here shall follow the party name)" and inserting in place thereof the phrase "Official primary ballot", and by inserting following the first paragraph thereof the following: -

Against the name of each such candidate there shall be printed the political party or designation reflected on their nomination papers, as provided in section forty-five and, upon the joint request of the general or executive committee representing a political party or designation and such candidate, the words "Endorsed by the [name of political party or designation]". In the latter case, the request must be filed with the state secretary not less than fifteen days prior to the latest date by which ballots must be printed.

SECTION 10.

Initials

(1) DSA

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(6) C 12

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(10) _____

(11) MSS

(12) DS

(13) _____

(14) CAG

(15) _____

Section 37 of Chapter 53 of the General Laws is hereby amended by striking from the first paragraph thereof the first sentence in its entirety, the phrases "Except as provided by section thirty-seven A," and ", and, if the party enrolment of such voter is shown on the voting list, the name of the party in which he is enrolled" from the second sentence thereof, the third sentence in its entirety, the phrase "of the political party so requested" from the fourth sentence thereof, and the fifth sentence in its entirety, and from the second paragraph thereof the second and third sentences in their entirety.

SECTION 11.

Section 41 of Chapter 53 of the General Laws is hereby amended by striking the phrase "of political parties" from the first sentence thereof.

SECTION 12.

Section 44 of Chapter 53 of the General Laws is hereby amended by striking the last sentence thereof and inserting in place thereof the following:-

In the case of the offices of governor and lieutenant governor, only nomination papers containing the names and addresses of candidates for both offices shall be valid.

SECTION 13.

Section 45 of Chapter 53 of the General Laws is hereby amended by striking the phrase "the political party whose nomination he seeks" in the first sentence thereof, and inserting in place thereof the phrase "the political party or designation that he represents, if any, as determined by his voter registration", and by striking the fourth paragraph thereof and inserting in place thereof the following:-

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, except that nomination papers for candidates for governor and lieutenant governor shall contain the name of one candidate for each office. Such nomination papers for candidates for governor and lieutenant governor shall contain provision for the names and addresses of members of a committee of five

registered voters who shall fill any vacancy caused by death, withdrawal, ineligibility or disqualification of either candidate.

Initials

(1) DSA

(2) _____

(3) _____

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(5) _____

(6) C12

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(8) _____

(9) _____

(10) _____

(11) MSS

(12) DeJ

(13) _____

(14) CAB

(15) _____

SECTION 14.

Section 46 of Chapter 53 of the General Laws is hereby amended by striking the phrase "and who are not enrolled in any other party than that whose nomination the candidate seeks," from the fifth sentence thereof.

SECTION 15.

Section 53 of Chapter 53 of the General Laws is hereby amended by striking said Section 53 and inserting in place thereof the following:-

Section 53. In case of a tie vote where the number of persons receiving equal votes exceeds the number of nominations available, the state secretary shall forthwith summon the candidates who have received the tie votes to appear before them at a time and place to be designated by them. The state secretary shall at that time and place break the tie by lot.

SECTION 16.

Section 33 of Chapter 54 of the General Laws is hereby amended by striking the phrase "and elections and of voting for candidates of more than one political party at a primary" from the first paragraph thereof, striking the final sentence of the second paragraph thereof, and striking the phrase "or of voting for candidates of more than one political party at a primary" from the third paragraph thereof,

SECTION 17.

Section 33E of Chapter 54 of the General Laws is hereby amended by striking the word "nominated" from the fourth sentence of the second paragraph thereof, inserting the phrase "in a state primary" following the word "office" in the fifth sentence of the second paragraph thereof, striking the phrase "or elected thereto" from the sixth sentence of the second paragraph thereof, and inserting the phrase "in a state primary" following the word "office" in the second sentence of the fifth paragraph thereof.

SECTION 18.

Initials

(1) DSA

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(3) _____

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(6) CLM

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(9) _____

(10) _____

(11) MSS

(12) DLJ

(13) _____

(14) CAG

(15) _____

Section 43A of Chapter 54 of the General Laws is hereby amended by striking the phrase "at a state election" from the first sentence thereof.

SECTION 19.

This act shall take effect on January 1, 2028.

SECTION 20.

The provisions of this act are severable, and if any clause, sentence, paragraph or section of this law or an application thereof shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation the clause, sentence, paragraph, section or application adjudged invalid and such clause, sentence, paragraph, section or application shall be reformed and construed so that it would be valid to the maximum extent permitted.

[Signatories begin on the following page]