



BOSTON CITY COUNCIL

Committee on City Services and Innovation Technology
Kenzie Bok, Chair

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REPORT OF COMMITTEE CHAIR

February 24, 2023

Dear Councilors:

The Committee on City Services and Innovation Technology was referred the following docket for consideration:

Docket #0407, Message and order for your approval an order at the recommendation of the Chair of the Board of Election Commissioners, I hereby transmit for the approval of your Honorable Body an Order Fixing the date of the Preliminary Election for this Municipal Year as September 12, 2023.

This matter was sponsored by Mayor Michelle Wu and was referred to the Committee on February 15, 2023.

Summary of Legislation

Docket #0407 is an Order fixing the date of the 2023 Preliminary Election as Tuesday, September 12, 2023. All deadlines relating to filing nomination papers and certifying names thereon related to the 2023 Municipal Election shall remain unchanged.

Information Received at Hearing

A public hearing was held on this docket on Friday, February 24, 2023. Enedia Tavares, Commissioner of the Election Department, and Sabino Piemonte, Head Assistant Registrar of Voters at the Election Department testified on behalf of the Administration.

Commissioner Tavares stated that according to the City Charter, the preliminary municipal election would fall on Tuesday, September 26, 2023, and the general election would take place six weeks later on Tuesday, November 7, 2023. In 2022, legislation was passed to make vote-by-mail a permanent measure in the Commonwealth and provide municipalities with the option to provide in-person early voting in municipal elections. Commissioner Tavares stated that the City of Boston will be making both of these options available to voters in the Fall 2023 elections.

Commissioner Tavares stated that if the preliminary election is held on September 26, ballot preparation for the November election can not begin until after the certification of election results, which would take place on October 3, 2023. This would then be followed by a ballot position drawing before the City can submit names to a vendor to begin printing ballots. Given

this, it is estimated that the earliest the City would receive ballots would be during the week of October 16, 2023. This would only leave three weeks before the November election.

Commissioner Tavares stated that once the City receives the ballots they still need to be examined and time is needed to prepare the ballot mail-kits. She added that moving the Preliminary Election to an earlier date would ensure that the Department has ample time in between elections to make these preparations.

The Chair put forward language amending the Order. The current Order states that all deadlines relating to filing nomination papers and certifying names will remain unchanged, so as not to force potential candidates to have to submit these documents earlier than usual. However, there could be confusion based on the original order language as to the true dates of these deadlines, since the statutes that form the Charter describe those deadlines only by virtue of their relationship to the date of the preliminary election.

The Chair proposed adding clarifying language which emphasizes that all deadlines relating to submitting statements of candidacy, distributing and filing nomination papers, certifying names, and withdrawing or substituting nominations related to the 2023 Municipal Election shall remain unchanged as though the preliminary election date were still on the sixth Tuesday preceding the regular election.

Commissioner Tavares, Mr. Piemonte, the Chair, and other Councilors present discussed the need to amend the statute in the future to better permanently accommodate mail-in voting and to update several outdated aspects of the filing process. They also discussed the two upcoming special elections for state representative, and expressed the hope that they would be scheduled on the same date for ease of administration by the Elections Department.

Summary of Amendments

Based upon information gathered at the hearing, the Committee is recommending language changes to provide clarity. The Committee is amending the second sentence of the Order as follows:

“All deadlines relating to submitting statements of candidacy, distributing and filing nomination papers, certifying names thereon, and withdrawing or substituting nominations related to the 2023 Municipal Election shall remain unchanged as though the preliminary election date were still on the sixth Tuesday preceding the regular election.”

Committee Chair Recommended Action

As Chair of the Committee on City Services and Innovation Technology, I recommend moving the listed docket from the Committee to the full Council for discussion and formal action. At that time, my recommendation to the full Council will be that the matter **OUGHT TO PASS IN A NEW DRAFT**.



Kenzie Bok, Chair
Committee on City Services and Innovation Technology