

CITY OF BOSTON

IN CITY COUNCIL

WHEREAS: The Charter of the City of Boston Section Twenty-One calls for biennial Municipal Elections in every odd numbered year on the first Tuesday in November; *and*

WHEREAS: Following the 2020 U.S. Census the precincts in the City of Boston were redrawn to more equally distributed to balance the voters of the City of Boston, *and*

WHEREAS: On November 2, 2022 the Boston City Council voted to adopt a map of the redrawn City Council districts under docket 1275 and was signed by the Mayor of the City of Boston; *and*

WHEREAS: On November 2, 2022 plaintiffs filed suit in the Suffolk Superior Court, the case was removed to U.S. District court for the District of Massachusetts on December 5th 2022, and a Preliminary Injunction hearing was held from March 28, 2023 to April 5, 2023; *and*

WHEREAS: On May 8th 2023, Judge Saris of the Massachusetts Federal District Court issued a written order which enjoined the City's use of the November 2, 2022 map and directed that "the City Council is best positioned to redraw the lines in light of traditional districting principles and the Constitution"

WHEREAS: For the Boston City Council to comply with this directive and expeditiously approve a new map to be used for the Fall 2023 municipal elections, an extension of the deadlines dictated by the Charter of the City of Boston is necessary for making application, distribution, filing, and certification of nomination papers and for objections to nominations of candidates or withdrawals or permissible substitutions of candidates; *and*

WHEREAS: All prospective and potential candidates for District City Councilor in the City of Boston deserve assurances that they will be provided adequate time to secure the signatures necessary to comply with this directive; **NOW THEREFORE BE IT**

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this Order be, and hereby is, approved under Clause One 1 of Section Eight 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

**PETITION FOR A SPECIAL LAW RE:
AN ACT RELATIVE TO DISTRICT CITY COUNCIL ELECTIONS IN THE CITY OF
BOSTON**

SECTION 1. Notwithstanding any general or special law to the contrary, in the year two thousand and twenty-three, for the office of District City Councilor in the City of Boston, the last hour and day for making application and distribution of nomination papers at the Boston Election Department shall be 5PM on June 13, 2023; the last hour and day for filing said nomination papers shall be 5PM on June 20, 2023; the last hour and day for registrars to complete certification of signatures shall be 5PM on July 7, 2023; the last hour and day for filing withdrawals or objections to nominations of candidates or permissible substitutions shall be 5PM on July 18, 2023.

SECTION 2. The date of the regular preliminary municipal election in the City of Boston shall remain September 12, 2023, and the date of the regular municipal final election in the City of Boston shall remain November 7, 2023.

SECTION 3. For the office of City Councilor At Large in the City of Boston, all deadlines for making application and distribution and filing and certification of nomination papers and for objections to nominations of candidates or withdrawals or permissible substitutions of candidates shall remain as dictated by the Charter of the City of Boston and shall not be altered by this legislation.

SECTION 4. Any valid signatures gathered for nomination papers and submitted to the Boston Elections Department for review by candidates for District City Councilor prior to any subsequent approval of new Boston City Council districts for the year two thousand and twenty-three shall be deemed valid for purposes of certification of candidacy under the new district lines, insofar as the signature is of a person who is a registered voter within either the new district or the district in which the candidate was initially running pursuant to the now-enjoined November 2, 2022 map, and provided that the candidate in question shall have been an inhabitant of a place within the new district for at least one year immediately preceding the date of the municipal election.

SECTION 5. Effective Date. The provisions of this act shall take effect upon passage.

**I HEREBY CERTIFY
THE FORGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**

BY _____

**ADAM CEDERBAUM
CORPORATION COUNSEL**



City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

May 10, 2023

TO THE CITY COUNCIL

Dear Councilors:

On May 8, 2023, the City of Boston received a decision from the United States District Court for the District of Massachusetts enjoining the City from using the recently approved City Council district map. To ensure a swift and smooth resolution to redistricting and allow all interested candidates to run for the office of District City Council in the 2023 municipal elections, I hereby transmit for your approval a home rule petition to extend timelines for filing nomination papers, provide clear rules for counting previously-submitted signatures, and make other modifications to allow the Elections Department sufficient time to print ballots and prepare for mail-in, early, and overseas military voting.

This home rule petition gives the Elections Department the tools they may need to facilitate the orderly administration of an election that provides potential candidates a full opportunity to run for office after district boundary lines are changed. The timelines reflected in this proposed Home Rule Petition assume that a new map will be passed by the City Council on or before May 30, 2023. This is the latest date possible in order to permit the Elections Department to conduct a signature petition process, certify signatures, and print and mail ballots in time to conduct the September 12th Preliminary Election. The Elections Department, with the support of the Law Department and in cooperation with the Secretary of the Commonwealth, will continue to determine whether the legal changes needed to conduct the election after a new map is approved can be accomplished purely through local action. Should further guidance determine this to be appropriate, the Administration will promptly notify the Council committee to which this matter is assigned of the opportunity to modify this legislation into a city ordinance.

In the coming days, my office will be submitting to your Honorable Body a new proposed redistricting map for consideration that provides a robust opportunity for all voters to see themselves represented and reflected on the City Council and prioritizes placing whole neighborhoods together within individual districts.

We request that the City Council take up this matter with urgency to establish signature collection procedures as quickly as possible, and also approve a new redistricting map on or before May 30, 2023.

Sincerely,



Michelle Wu
Mayor of Boston

RECEIVED
MAY 10 2023

MEMORANDUM
MAY 10 2023
THE COMPTROLLER

CHAIR

ACCEPTED

CITY CLERK