

**HOUSE . . . . . No. 02731**

The Commonwealth of Massachusetts

PRESENTED BY:

*Bradley H. Jones, Jr.*

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 passage of the accompanying bill:

An Act requiring photo identification for voting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Marc Lombardo</i>	<i>22nd Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Angelo D'Emilia</i>	<i>8th Plymouth</i>
<i>Kimberly Ferguson</i>	<i>1st Worcester</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Donald Wong</i>	<i>9th Essex</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Daniel K. Webster</i>	<i>6th Plymouth</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Kevin Kuros</i>	<i>8th Worcester</i>
<i>Ryan Fattman</i>	<i>18th Worcester</i>

<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Daniel Winslow</i>	<i>9th Norfolk</i>
<i>Matthew Beaton</i>	<i>11th Worcester</i>
<i>Nicholas Boldyga</i>	<i>3rd Hampden</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>David Vieira,</i>	<i>3rd Barnstable</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

# HOUSE . . . . . No. 02731

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2731) of Frost and others for legislation to require photo-identification for persons voting in elections Joint Committee on Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 587 OF 2009-2010.]

## The Commonwealth of Massachusetts

\_\_\_\_\_  
**In the Year Two Thousand Eleven**  
\_\_\_\_\_

An Act requiring photo identification for voting.

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

1 SECTION 1. Section 76 of chapter 54 of the General Laws, as appearing in the 2008 Official  
2 Edition, is hereby amended, by striking out, in line 2, the words “and, if requested,” and inserting  
3 in place thereof the following:-- “, valid photo identification issued by the commonwealth of  
4 Massachusetts or the government of the United States, as defined in section 76B, and”.

5 SECTION 2. Chapter 54 of the General Laws, as so appearing, is hereby amended, by striking  
6 out section 76B in its entirety and inserting in place thereof the following section:--

7 “Section 76B. (a) For the purposes of this chapter, “valid photo identification” shall mean a  
8 document that:

9 (1) shows the name of the individual to whom the document was issued, and the name  
10 conforms to the name of the individual's voter registration record;

11 (2) shows a photograph of the individual to whom the document was issued;

12 (3) includes an expiration date, and the document is not expired or expired after the date of the  
13 most recent general election; and

14 (4) was issued by the commonwealth of Massachusetts or the government of the United States.

15 (b) (1) A person seeking to vote that does not provide sufficient valid photo identification as  
16 defined in subsection (a) of this section may be challenged under section 85 of this chapter.

17 (2) A person seeking to vote that does not provide valid photo identification as defined under  
18 subsection (a) of this section may cast a provisional ballot under section 76C.

19 (c) Nothing in this section shall be construed to deny the rights of any individual who:

20 (1) is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee  
21 Voting Act, 42 U.S.C. sections 1973ff-1 et seq.;

22 (2) is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the  
23 Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. section 1973ee-1(b)(2); or

24 (3) is otherwise entitled by federal law to vote otherwise than in person.”.

25 SECTION 3: Section 76C of Chapter 54 of the General Laws, as so appearing, is hereby  
26 amended, by adding after subsection (k) the following new subsection:--

27 “(l) A voter who fails to provide valid photo identification as defined under section 76B and  
28 casts a provisional ballot shall be required to provide such identification in person to the city or  
29 town clerk, or elections board or commission, of the municipality in which they reside, within 8  
30 business days from the date of the election in which the provisional ballot was cast. A voter who  
31 fails to provide such identification in the time specified shall forfeit that vote, and that  
32 provisional ballot shall be discarded.”.

33 SECTION 4: Section 92 of chapter 54 of the General Laws, as appearing in the 2008 Official  
34 Edition, is hereby amended, by adding in line 5, after the words “eighty-seven,” the following  
35 words:-- “as well as enclosing in the same envelope a copy of a valid photo identification as  
36 defined in section 76B of this chapter,”.