

HOUSE No. 4217

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, December 14, 2023.

The committee on House Ways and Means to whom was referred the Bill protecting the right to time off for voting (House, No. 4153), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4217).

For the committee,

AARON MICHLEWITZ.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act protecting the right to time off for voting.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide time off for voters, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 Chapter 149 of the General Laws is hereby amended by striking out section 178 and
2 inserting in place thereof the following section:-

3 Section 178. (a)(1) Each employer shall allow sufficient time for an employee to exercise
4 their right to vote in person in a state or municipal election in the commonwealth on election day.
5 If a voter does not have sufficient time outside of working hours to vote in person during an
6 election or designated early voting period, the voter may, with paid time off, take off enough
7 working time on election day that, when added to the voting time available outside of working
8 hours, shall enable the employee to vote in person; provided, that the employee shall give the
9 employer not less than 3 business days' notice.

10 (2) No employer shall require an employee to vote by mail or to vote during a designated
11 early voting period.

12 (3) Employee time off for voting shall be at the beginning or end of the employee's
13 regular working hours, whichever allows the most time for voting and the least time off from the
14 regular working hours, unless otherwise mutually agreed between the employer and the
15 employee.

16 (b) Employers shall notify each employee of their rights and responsibilities under this
17 section and shall post notice of said rights and responsibilities in a conspicuous place. Said notice
18 shall be prepared and disseminated by the secretary of the commonwealth, containing such
19 relevant information as the secretary deems necessary pursuant to subsection (a).

20 (c) An employer who fails to comply with subsection (a) shall provide an aggrieved
21 employee who was not given sufficient time off to vote, pursuant to said subsection (a), a full
22 day's pay.

23 (d) The attorney general shall promulgate rules and regulations for the administration and
24 enforcement of this section.