

**HOUSE . . . . . No. 654**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Robert M. Koczera**

*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 to implement a voting by mail demonstration project.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Robert M. Koczera	11th Bristol
John V. Fernandes	10th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 674 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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### AN ACT TO IMPLEMENT A VOTING BY MAIL DEMONSTRATION PROJECT.

*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. The General Laws, as appearing in the 2004 Official Edition, are hereby amended by  
2 inserting after Chapter 54A the following chapter:-

3 Chapter 54B

4 CITY/TOWN ELECTIONS TO BE CONDUCTED IN A LIMITED VOLUNTARY DEMONSTRATION  
5 PROJECT

6 SECTION 2. Vote by Mail in Selected General Municipal Elections. Notwithstanding the provisions of General  
7 Law Chapter 54, the Secretary of State shall by regulation prescribe a method for choosing twenty city or town  
8 elections to be conducted by voluntary balloting to be conducted by a voluntary vote by mail demonstration in  
9 twenty separate cities or town in the Commonwealth, under supervision of the Secretary of State and at polling  
10 places for the next city or town election following the promulgation of regulations by the Secretary of State. This  
11 voluntary vote by mailing balloting shall be the sole method of voting in the community for the said election in  
12 accordance with this act. The Secretary of State shall also prescribe by regulation a method for the selection of  
13 voluntary participants up to twenty by mail balloting in voluntary cities or towns. The Secretary of State shall adopt  
14 rules within 180 days following the effective date of this act to provide for the selection and conduct of city or town  
15 elections in the twenty voluntary cities or towns by mail in the next city or town elections and to achieve and  
16 maintain the maximum degree of accuracy, impartially and efficiency on the procedures of voting and of counting,  
17 tabulating and recording votes by mail in accordance with this act.

18 SECTION 3. Procedures for conducting an election by mail. The Secretary of State, by regulation, shall establish  
19 requirements and criteria for the designation of places of deposit for the voluntary by mail ballots cast in the city or  
20 town election. The places designated under this section shall be open on the date of the election for a period of time  
21 as determined by the voluntary city or town participating in such vote by mail demonstration.

22 The clerk of the city or town shall mail by nonforwardable mail an official vote by mail ballot with a return  
23 identification envelope and secrecy envelope not sooner than the 14<sup>th</sup> day before the date of the city or town election

24 conducted by mail and not later than the 10<sup>th</sup> day before the date of the city or town election, to each registered voter  
25 of the city or town as of the 20<sup>th</sup> day before the date of the city or town election. If the clerk of the city or town  
26 determines that a registered voter of the electoral district as of the 20<sup>th</sup> day before the date of the election does not  
27 receive daily mail service from the United States Postal Service, the clerk of the city or town shall mail the  
28 nonforwardable mail an official ballot with a return identification envelope and secrecy envelope to the elector not  
29 sooner than the 19<sup>th</sup> day before the date of the election conducted by mail and not later than the 14<sup>th</sup> day before the  
30 date of the election. If the final day for mailing such ballots falls on a Sunday or holiday the receding day shall be  
31 the final day for mailing. The Secretary of State shall specify the date on which all ballots shall be mailed for any  
32 town election conducted by mail under this act.

33 SECTION 4. The cost associated with this demonstration voting by mail project shall be borne by the  
34 Commonwealth. The Secretary of the Commonwealth will make a report to the Joint committee on Election Laws  
35 and the Ways and Means committees of the Senate and House on the demonstration project.