HOUSE . . . . No. 677

The Commonwealth of Massachusetts

_____

PRESENTED BY:

Angelo M. Scaccia

_____

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 regarding bilingual ballots.

_____

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Angelo M. Scaccia	14th Suffolk
William F. Galvin	Secretary of the Commonwealth

AN ACT REGARDING BILINGUAL BALLOTS.

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. Chapter 54 of the General Laws is hereby amended by striking out section 40, as
2   appearing in the 2006 Official Edition, and inserting in place thereof the following section:

3   Section 40. All ballots for use in elections of state and federal officers shall be prepared and furnished
4   by the state secretary, and all ballots for use in elections of city or town officers shall be prepared and
5   furnished by the city or town clerk. Ballots for use in an electronic voting system shall be in a form
6   approved by the state secretary under sections thirty-two and thirty-seven.

7   All ballots shall be printed in English, except in those municipalities in which bilingual ballots are
8   required by federal law and section 40A of this chapter where all ballots shall be printed bilingually with
9   the language in which the jurisdiction is covered.

10 SECTION 2. Said chapter 54 is hereby further amended by inserting after section 40, the following
11 section:

12 Section 40A: Bilingual Ballots

13 Bilingual ballots shall be used in elections as provided by this section.

14   (a) As used in chapter 54, bilingual ballots shall mean a ballot printed in English and with a printed
15   translation from English into the applicable minority language.
16   (b) The state secretary may require the use of bilingual ballots in one or more election precincts or a
17   city or town may request authorization from the state secretary to provide bilingual ballots in one
18   or more election precincts. If the state secretary requires the use of bilingual ballots in any part
19   of a city or town, the state secretary shall furnish such bilingual ballots for state and federal
20   elections and the city or town clerk shall furnish such bilingual ballots for municipal elections.
21   Bilingual ballots shall be limited to those language minorities set forth in Section 203(e) of the
22   Voting Rights Act, 42 U.S.C. 1973aa-1a.
23   (c) The state secretary may require the use of bilingual ballots and a request for authorization to use
24   bilingual ballots will only be considered for a precinct(s) and/or municipality in which 5 percent

25   or more of the U.S. citizens are persons of the same language minority according to the most
26   recent federal decennial census.

27 (d) A request for authorization to print and furnish bilingual ballots must include a written
28   certification from the local election official, with approval of the governing body, that the
29   municipality qualifies for bilingual ballots and that the municipality fully understands their
30   responsibilities, including expenses, associated with the request, a written summary of the official
31   census information and a certified copy of the resolution or other official action showing the
32   governing body's approval of the request.

33 (e) A precinct or municipality which receives authorization under this section to print and furnish
34   bilingual ballots shall continue to print and furnish bilingual ballots until the municipality files a
35   written request with the state secretary to discontinue printing and furnishing bilingual ballots or
36   until such time as the precinct boundaries change, in which case the municipality would have to
37   request authorization once again. Any request for discontinuance is subject to the approval of the
38   state secretary.

39 (f) The state secretary shall promulgate regulations to implement this section.