

SENATE No. 00307

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 the use of paper ballots.

PETITION OF:

NAME:

James B. Eldridge

DISTRICT/ADDRESS:

Middlesex and Worcester

SENATE No. 00307

By Mr. Eldridge, petition (accompanied by bill, Senate, No. 307) of Eldridge for legislation to require the use of paper ballots [Joint Committee on Election Laws].

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
—————

An Act requiring the use of paper 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 . Section 1 of chapter 50 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by inserting, in line 65, before the word “ballot” the word:-
3 paper.

4 SECTION 2 . Section 33 of chapter 54 of the General Laws, as appearing in the 2004
5 Official Edition, is hereby amended by inserting before the first paragraph the following
6 paragraph:-

7 All voting systems shall allow voters to directly mark an official paper ballot, either by
8 hand or, in the case of voters with disabilities, by way of a marking device. All voting systems
9 shall allow the voter to verify his vote on the official ballot before the vote is cast. No voting
10 system shall be approved if the recording and tallying of the votes take place electronically in
11 one machine or in machines electronically connected to each other, even if such machines

12 provide a paper receipt. The official ballot marked, verified, and cast by the voter shall be the
13 official record of the vote. Only votes on official ballots may be counted.

14 SECTION 3 . Said section 33 of chapter 54 is hereby amended by striking out, in line 6,
15 the words “but no machine shall be approved which does not secure to the voter as much secrecy
16 in voting as is afforded by the use of the official ballot”, and inserting in place thereof the
17 following words:- but no machine shall be approved which does not allow the voter to directly
18 mark and verify his own official paper ballot, and does not secure to the voter as much secrecy in
19 voting as marking the official ballot by hand.

20 SECTION 4 . Said section 33 of chapter 54 is hereby amended by striking out, in lines 35
21 to 37, the words “but no machine shall be approved which does not secure to the voter as much
22 secrecy in voting as is afforded by the use of the official ballot” and inserting in place thereof the
23 following words:- but no machine shall be approved which does not allow the voter to directly
24 mark and verify his own official paper ballot, and does not secure to the voter as much secrecy in
25 voting as marking the official ballot by hand.

26 SECTION 5 . Paragraph 2 of section 44 of chapter 54 of the General Laws, as appearing
27 in the 2004 Official Edition, is hereby amended by striking the first sentence and adding in place
28 thereof the following sentence:- The official ballots shall be of ordinary white printing paper, of
29 two of more pages, and shall, except as otherwise provided in this chapter, be so folded before
30 distribution as to measure not less than four and one half nor more than five inches in width and
31 not less than six nor more than thirteen and one half inches in length.