

SENATE No. 451

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

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 adoption of the accompanying bill:

An Act relative to voting options for inclusive and comprehensive elections.

PETITION OF:

NAME:

Sonia Chang-Diaz

DISTRICT/ADDRESS:

Second Suffolk

SENATE No. 451

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 451) of Sonia Chang-Diaz for legislation relative to voting options for inclusive and comprehensive elections. Election Laws.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to voting options for inclusive and comprehensive elections.

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 2018
2 Official Edition, is hereby amended by inserting after the definition of “Municipal party” the
3 following definition:-

4 “Offices of correction”, offices of the department of correction and offices of the houses
5 of correction.

6 SECTION 2. Said section 1 of said chapter 50, as so appearing, is hereby further
7 amended by inserting after the word “vehicles”, in line 124, the following words:-, offices of
8 correction.

9 SECTION 3. Section 1 of chapter 51 of the General Laws, as so appearing, is hereby
10 amended by striking out the last sentence and inserting in place thereof the following sentence:-
11 A person otherwise qualified to vote for national or state officers, but who has not registered in

12 accordance with the provisions of section 26 of this chapter, shall be eligible to register under
13 Section 34A.

14 SECTION 4. Section 1F of said chapter 51 is hereby repealed.

15 SECTION 5. Said Chapter 51 is hereby further amended by striking out section 3, as
16 appearing in the 2018 Official Edition, and inserting in place thereof the following section:-

17 Section 3. For all elections and primaries, a person shall be registered and may vote in the
18 ward or voting precinct where he resides; provided, however, that any registered voter of a city
19 or town who moves to any other precinct in said city or town or to another city or town may
20 register to vote at his new address by making written application to the city or town clerk no later
21 than the close of registration or in accordance with the provisions of section 34A. A new resident
22 of the city or town may also, upon like application, be registered at the new address by making
23 written application to the city or town clerk no later than the close of registration or in
24 accordance with the provisions of section 34A. The city or town clerk shall forthwith notify each
25 voter making any such written application that the same has been received and that he may vote,
26 subject to the provision of this section regarding the close of registration, in the ward or precinct
27 into which he has moved or in accordance with provisions of section 34A.

28 SECTION 6. Said Chapter 51 is hereby further amended by striking out Section 28, as so
29 appearing, and inserting in place thereof the following section:-

30 Section 28. Registrars shall hold a continuous session from 7:00 AM until 8:00 PM on
31 the last day for registration prescribed under section 26. For those towns having less than 1,500
32 voters, such session shall be sufficient if it includes the time from 7:00 until 9:00 AM and from
33 5:00 until 7:00 PM.

34 SECTION 7. Said Chapter 51 is hereby further amended by striking out Section 34, as so
35 appearing, and inserting in place thereof the following section:-

36 Section 34. Except as otherwise provided in section 34A, after 8:00 PM of a day on
37 which registration is to cease, the registrars shall not register any person to vote in the next
38 election, except that they shall furnish, or cause to be furnished, to each person waiting in line at
39 the hour of 8:00 pm for the purpose of being registered, a card or slip of identification bearing
40 such person's name and shall, before registration ceases, permit such person to register.

41 SECTION 8. Said Chapter 51 is hereby further amended by inserting after Section 34 the
42 following section:-

43 Section 34A. (a) An individual who is eligible to vote may register on the day of an
44 election by appearing in person at the polling place, during the hours it is open for voting, for the
45 precinct in which the individual maintains residence on election day or, during the early voting
46 period, by appearing in person at an early voting site for the city or town in which the individual
47 maintains residence during the hours it is open for voting, by completing a registration
48 application in a form prescribed by the state secretary which complies with identity requirements
49 of 52 U.S.C. section 21083, by presenting to the appropriate election official proof of residency
50 and by making a written oath which shall be as follows: I certify that I: am a citizen of the United
51 States; am at least 18 years old; am not under guardianship that prohibits me from registering
52 and/or voting or otherwise prohibited from voting; am not temporarily or permanently
53 disqualified by law because of corrupt practices in respect to elections; have not and will not vote
54 in any other location within the Commonwealth or elsewhere; have read and understand this

55 statement; I further understand that giving false information is a felony punishable by not more
56 than 5 years imprisonment or a fine of not more than \$5,000, or both.

57 (b) For purposes of this section, the term “proof of residence” shall mean one of the
58 following, so long as it includes the name of the applicant and the address from which he or she
59 is registering:

60 (i) a valid photo identification including, but not limited to, a Massachusetts driver’s
61 license or other state-issued identification card; or

62 (ii) other documentation demonstrating the name and address where the applicant
63 maintains residence and seeks to register including, but not limited to, a copy of a current utility
64 bill, bank statement, government check, residential lease agreement, wireless telephone
65 statement, paycheck, other government document or correspondence, a current student fee
66 statement or other document from a post- secondary educational institution that verifies the
67 student’s current address.

68 (c) Upon meeting the identity requirements of subsection (a), production of proof of
69 residence, and the making of an oath sufficient to support registration, the ballot clerk or his
70 designee shall permit the applicant to vote at that election. Any person who registers to vote on
71 the day of an election in accordance with this section shall, absent disqualification, be registered
72 to vote at all subsequent primaries and elections.

73 (d) A registrant who fails to present suitable identification shall be permitted to deposit a
74 provisional ballot pursuant to the provisions of section 76C of chapter 54, but shall be required to
75 return within two business days after a state primary or municipal election or within six days
76 following a state election to present sufficient identification to the local election officials in order

77 for the local election officials to determine that the registrant is qualified to vote in such election
78 and has deposited an eligible provisional ballot.

79 (e) The state secretary shall make available to the election officers at each polling place,
80 to the extent possible, access to the statewide list of registered voters as contained in the central
81 registry of voters set forth in section 47C. For the purposes of this section, an electronic or
82 printed copy of all voters registered to vote in that precinct as of the last day of the registration
83 period, as required by sections 55 and 60, shall be sufficient.

84 (f) The local election officials may correct information supplied by the registrant to the
85 extent necessary to maintain the integrity of their records. If an affidavit is incomplete or if it
86 appears from the facts set forth in the affidavit that the registrant is not qualified to register as a
87 voter, the local election officials shall proceed in accordance with the provisions of section forty-
88 seven.

89 (g) As soon as practicable after the election, the registrars shall add the registrant's name,
90 address and effective date of registration to the annual register of voters.

91 (h) This section shall not apply to an individual seeking to register to vote in any town for
92 the purposes of voting at annual town meeting or special town meeting.

93 (i) A registered voter shall not re-register on the day of a primary or election for the
94 exclusive purpose of altering his party affiliation.

95 (j) The state secretary shall adopt regulations to implement the relevant provisions of this
96 chapter.

97 (k) Upon credible information or allegation of illegal voter registration, or credible
98 information or allegation of illegal multiple voting, there shall be an investigation upon the
99 merits of said information or allegation by the attorney general, or by the district attorney having
100 jurisdiction over the municipality in which the alleged illegal registration or illegal multiple
101 voting occurred. Nothing in this subsection shall be construed as excluding enforcement of this
102 section by any means otherwise provided by law.

103 (l) Violations of this section shall be punishable under sections 8, 26 and 27, of chapter
104 56.

105 SECTION 9. Section 42G½ of said chapter 51 is hereby amended by striking out
106 subsection (d), as appearing in the 2018 Official Edition, and inserting in the place thereof the
107 following subsection:-

108 (d) In accordance with the memorandum of understanding required by subsection (b), any
109 applicant for services at an automatic voter registration agency who otherwise meets the
110 qualifications to register to vote, and who does not decline to register to vote, but who is
111 currently serving time for a felony conviction, shall be pre-registered as a voter.

112 In accordance with the memorandum of understanding required by subsection (b), each
113 eligible applicant for services at an automatic voter registration agency who meets the
114 qualifications to register or pre-register to vote and does not decline to register to vote shall be
115 registered as a voter or pre-registrant under section 65 as of the date the registrar adds the
116 person's name and address to the register of voters, pursuant to clause (4) of subsection (d) of
117 said section 65; provided, however, that an applicant who meets the qualifications to register to
118 vote, does not decline to register to vote and completes a qualifying transaction with an

119 automatic voter registration agency not less than 21 days prior to an election shall be entitled to
120 vote in that election.

121 SECTION 10. Section 47A of said chapter 51, as so appearing, is hereby amended by
122 striking out the last sentence and inserting in place thereof the following sentence:- Subsequent
123 to such pre-registration, a pre-registrant who is not yet 18 years of age, when pre-registered as
124 provided in this section, shall be eligible to vote at any preliminary or primary election to be held
125 if he or she shall be the age of 18 years at the time of the subsequent special or general election
126 and no other pre-registrant shall be allowed to vote until the pre-registrant obtains full age unless
127 otherwise permitted by law.

128 SECTION 11. Said chapter 51 is hereby further amended by inserting after section 47C
129 the following section:-

130 Section 47D. If after examination of an affidavit of registration it appears to the registrars
131 that the person has all the qualifications to be registered as a voter except that such person is
132 currently incarcerated for a felony conviction and the person has obtained the age of 16, then the
133 registrar shall enter the person's name in the current annual register of voters with the designation
134 “pre-registrant” or such other term or code as may be specified by the state secretary. The
135 designation shall be removed when the person is released from incarceration for such felony
136 conviction. No person preregistered under this section shall be allowed to vote until such person
137 is no longer incarcerated for such felony conviction unless otherwise permitted by law.

138 SECTION 12. Section 64 of said chapter 51, as appearing in the 2018 Official Edition, is
139 hereby amended by striking out, in line 3, the words “section 47A” and inserting in place thereof
140 the following words:- sections 47A and 47D.

141 SECTION 13. Said section 64 of said chapter 51, as so appearing, is hereby further
142 amended by adding the following paragraph:-

143 The state secretary shall maintain an online portal with the necessary system to allow a
144 qualified voter to request an early or absentee ballot on the state secretary's website, to be mailed
145 to the qualified voter's home address or a different mailing address as designated by the voter.
146 The system shall not require the voter's signature. This online portal shall also provide updates
147 of (i) current status of the early or absentee ballot application, and (ii) current status of a mailed
148 ballot for any annual or special municipal or state election. The requirements in this paragraph
149 shall apply for any annual or special municipal or state election

150 SECTION 14. Section 25B of chapter 54 of the General Laws, as so appearing, is hereby
151 amended by striking out subsections (b) to (q), inclusive, and inserting in place thereof the
152 following subsections: -

153 (b) Any qualified voter wanting to vote early by mail may file with his or her local
154 election official an application for an early voting ballot. Any form of written communication
155 evidencing a desire to have an early voting ballot be sent for use for voting at an election shall be
156 given the same effect as an application made in the form prescribed by the state secretary. No
157 application shall be deemed to be seasonably filed unless it is received in the office of the city or
158 town clerk or registrars of voters before 5 P.M. on the fourth business day preceding any annual
159 or special municipal or state election.

160 (c)(1) The state secretary shall, not later than the sixtieth day preceding any annual or
161 special municipal or state election, mail to all registered voters at their residential addresses or
162 mailing addresses if different from their residential addresses listed in the central registry of

163 voters set forth in section 47C of chapter 51 an application for said voter to be permitted to vote
164 early by mail for any annual or special municipal or state election; provided, however, that the
165 state secretary shall not send an application to any voter whose application for an absent or early
166 ballot has already been accepted for any annual or special municipal or state election in a
167 calendar year.

168 (2) If the sixtieth day preceding any annual or special municipal or state election, falls on
169 a legal holiday or a non-business day, the state secretary shall begin the proceedings in
170 subsection (1) on the preceding business day.

171 (3) The election officers and registrars of every city or town shall include an application
172 for a voter to be permitted to vote early by mail with the acknowledgement notice sent to any
173 person registering to vote or changing their voter registration address on or after the sixtieth day
174 preceding any annual or special municipal or state election and on or before the tenth day
175 preceding the same election.

176 (4) The applications required pursuant to this subsection shall be in a form prescribed by
177 the state secretary in accordance with state and federal law; provided, however, that said
178 applications shall: (i) include clear instructions for completing and returning the application; (ii)
179 allow a voter to designate the mailing address to which the ballot shall be sent; and (iii) be pre-
180 addressed to the local election official with postage guaranteed.

181 (5)(i) Each application mailed pursuant to this subsection shall be provided in any
182 language required by the bilingual election requirements of the federal Voting Rights Act, 52
183 U.S.C. § 10503.

184 (ii) Each application mailed to a voter in the city of Boston pursuant to this subsection
185 shall include an option, which shall appear prominently on the application, to request a ballot
186 printed in any language available at the voter's polling location pursuant to chapter 166 of the
187 acts of 2014.

188 (6) The applications required pursuant to this subsection shall be made available on the
189 websites of the state secretary and the election officers and registrars of every city or town.

190 (d)(1) A voter wishing to vote early by mail in any annual or special municipal or state
191 election shall complete the application to vote early by mail and shall return said application to
192 the appropriate city or town clerk. Any form of written communication evidencing a desire to
193 have an early voting ballot be sent for use for voting for the primary election shall be given the
194 same effect as an application made in the form prescribed by the state secretary. Applications to
195 vote early by mail for any annual or special municipal or state election shall be acceptable if they
196 are signed or submitted electronically; provided, however, that any electronic signature shall be
197 written in substantially the same manner as a handwritten signature.

198 (2) No application to vote early by mail in any annual or special municipal or state
199 election shall be deemed to be seasonably filed unless it is received in the office of the local
200 election official before 5 P.M. on the sixth day preceding any annual or special municipal or state
201 election.

202 (3) A voter wishing to vote early by mail at any annual or special municipal or state
203 election shall complete the application and shall return said application to the appropriate city or
204 town clerk. Applications to vote early by mail for any annual or special municipal or state
205 election shall be acceptable if they are signed or submitted electronically; provided, however,

206 that any electronic signature shall be written in substantially the same manner as a handwritten
207 signature.

208 (e)(1) Early voting ballots authorized pursuant to this section shall be mailed by the city
209 or town clerk to voters as soon as such materials are available; provided, however, that said
210 mailing shall include: (i) instructions for early voting; (ii) instructions for completing the ballot;
211 (iii) an inner envelope where the ballot is placed after voting which contains an affidavit of
212 compliance to be filled out by the voter; and (iv) an outer envelope that is pre-addressed to the
213 local election official with postage guaranteed; provided, however, that a voter who has
214 seasonably filed an application may receive an early voting ballot in person at the office of the
215 city or town clerk. The state secretary shall seek to have included on the outer envelope with
216 postage guaranteed required by this section a system which generates a postmark for determining
217 the date upon which the envelope was mailed and, if such a postmark system cannot be
218 implemented, the state secretary shall inform the clerks of the senate and house of
219 representatives of efforts undertaken and impediments to developing such a system.

220 (2) Each early voting ballot authorized pursuant to this section shall be provided to the
221 voter in the language required pursuant to paragraph (5) of subsection (d).

222 (3) A voter in receipt of an early voting ballot for any annual or special municipal or state
223 election pursuant to this section may complete and return the ballot by: (i) delivering it in person
224 to the office of the appropriate city or town clerk; (ii) dropping it in a secured municipal drop
225 box; or (iii) mailing it to the appropriate city or town clerk.

226 (4) Each municipality shall maintain at least one secured municipal ballot drop box in a
227 public location that is accessible to voters for not less than twelve hours each day, including

228 business hours. A municipality with more than fifteen thousand registered voters shall maintain
229 at least one secured municipal ballot drop box for each fifteen thousand registered voters during
230 any voting by mail period. Locations for municipal ballot drop boxes shall be selected by the
231 select board, town council or city council to prioritize places: (i)

232 Proximity no further than twenty-five hundredths (0.25) of a mile to public transportation
233 and availability of parking; (ii) equitable distribution across population centers; (iii) access for
234 persons with disabilities; and (iv) use of public buildings. A municipality shall maintain such
235 ballot drop boxes from the beginning of early voting period on any annual or special municipal
236 or state election through the hour fixed for the closing of the polls for any annual or special
237 municipal or state election. If a municipality registers a voter increment of ten thousand new
238 voters, it may apply to the state secretary for waiver of the requirement to maintain an additional
239 secured municipal ballot drop box for such population. The state secretary shall grant a waiver
240 application made under this paragraph upon a determination that such waiver would serve the
241 public interest.

242 (f)(1) All early voting ballots submitted by mail, delivered in person to the office of the
243 city or town clerk or returned to a secured municipal drop box as provided in paragraph (4) of
244 subsection (e) shall be received by the city or town clerk before the hour fixed for closing the
245 polls on the day of any annual or special municipal or state election; provided, however, that an
246 early voting ballot cast for the general election that is received not later than 5 P.M. the third day
247 following the election day and mailed on or before three days preceding the same election shall
248 be processed in accordance with the second paragraph of section 95 of chapter 54 of the General
249 Laws. A postmark, if legible, shall be evidence of the time of mailing.

250 (2) A voter wishing to apply to vote early by mail in any annual or special municipal or
251 state election, and who needs accommodation by reason of disability, may request such
252 accommodation from the state secretary. Upon receiving information from the voter pursuant to
253 the application in this section either by phone or electronically, the state secretary shall grant
254 accommodations to the voter. Accommodations shall include, but not be limited to: (i) clear and
255 electronic accessible instructions for completion, printing and returning of the ballot; (ii) an
256 authorized accessible blank electronic ballot that can be filled out electronically, printed and
257 signed; provided, however, that the accessible electronic ballot marking system the voter utilizes
258 to access their blank electronic ballot shall not collect or store any personally identifying
259 information obtained in the process of filling out the ballot; (iii) an envelope to return the ballot
260 to the voter's town or city clerk; and (iv) hole punched markers in place of a wet signature
261 required for certification. The electronic instructions and accommodations in this section shall
262 comply with requirements contained in Title II of the federal Americans with Disabilities Act
263 and shall conform to the Web Content Accessibility Guidelines (WCAG) 2.1 AA and the
264 National Institute of Standards and Technology report titled "Principles and guidelines for
265 remote ballot marking systems." Upon printing the ballot, the voter shall place the ballot in the
266 envelope provided by the state secretary. A voter with accommodations in receipt of an early
267 voting ballot for any annual or special municipal or state election pursuant to this section may
268 complete and return the ballot by: (i) delivering it in person to the office of the appropriate city
269 or town clerk; (ii) dropping it in a secured municipal drop box; or (iii) mailing it to the
270 appropriate city or town clerk.

271 (3) The election officers and registrars of every city or town shall allow any qualified
272 voter to cast an early ballot by mail for any annual or special municipal or state election held at

273 the same time, manner, and location prescribed in this section based on the residential address of
274 any eligible voter.

275 (4) At least 26 days prior to any annual or special municipal or state election, the state
276 secretary shall deliver to each city or town, in quantities as the state secretary determines
277 necessary, the following papers: (1) official early voting ballots, similar to the official ballot to
278 be used at the election; and (2) envelopes of sufficient size to contain the ballots specified in
279 clause (1) bearing on their reverse the voter's affidavit in compliance with the requirements of
280 paragraph (1) of subsection (e).

281 (6) The voting period for in-person early voting shall run from the eleventh business day
282 preceding to any annual or special municipal or state election, until the close of business on the
283 business day preceding the business day before the election; provided, however, that if the
284 eleventh business day before the election falls on a legal holiday the early voting period shall
285 begin on the first business day prior to the legal holiday. The voting period for early voting by
286 mail shall begin as soon as all necessary early voting materials have been received by the local
287 election official pursuant to paragraph (4) of subsection (f).

288 (g)(1) For Saturdays and Sundays during an early voting period held pursuant to
289 paragraph (f)(5) early voting facilities shall be open to the public at least as follows: (i) for
290 municipalities with fewer than 5,000 registered voters, for a period of a minimum of 2 hours
291 each day; (ii) for municipalities with 5,000 or more registered voters but fewer than 20,000
292 registered voters, for a period of a minimum of 4 hours each day; (iii) for municipalities with
293 20,000 or more registered voters but fewer than 40,000 registered voters, for a period of a
294 minimum of 5 hours each day; (iv) for municipalities with 40,000 or more registered voters but

295 fewer than 75,000 registered voters, for a period of a minimum of 6 hours each day; and (v) for
296 municipalities with 75,000 or more registered voters, for a period of a minimum of 8 hours each
297 day. For each other day during the early voting period, early voting shall be conducted during the
298 usual business hours of each city or town clerk. A city or town may, in its discretion, provide for
299 additional early voting hours beyond the hours required by this paragraph.

300 (2) Each city and town shall establish an early voting site for any annual or special
301 municipal or state election that shall include the election office for the city or town; provided,
302 however, that if the city or town determines that the office is unavailable or unsuitable for early
303 voting in either the primary election or general election, the registrars of each city or town shall
304 identify and provide for an alternative centrally-located, suitable and convenient public building
305 within that city or town as an early voting site. A city or town may also provide for additional
306 early voting sites for the primary election or general election at the discretion of the registrars for
307 that city or town. Each early voting site shall be accessible to persons with disabilities in
308 accordance with federal law.

309 (3) In towns or cities with 30,000 residents or more, the municipal legislative body, in
310 consultation with the city or town clerk, shall place at least one early voting site within twenty-
311 five hundredths (0.25) of a mile of a Massachusetts Bay Transportation Authority or regional
312 transit authority stop for any annual or special municipal or state election. Each early voting site
313 shall be accessible to persons with disabilities in accordance with federal law.

314 (h)(1) The registrars for each city or town shall prepare a list for the early voting sites,
315 containing the names and residences of all persons qualified to vote at each voting site, as the

316 names and residences appear upon the annual register, and shall reasonably transmit the
317 applicable list to the election officers at each early voting site designated by the registrars.

318 (2) The designation of early voting sites for any annual or special municipal or state
319 election shall be made not later than twenty-five days before the early voting period, and the
320 registrars for each city or town shall, within a week of such designation, publish the location of
321 the early voting sites as well as the applicable dates and hours. Notice shall be conspicuously
322 posted: (i) in the office of the city or town clerk or on the principal official bulletin board of each
323 city or town; (ii) on any other public building considered necessary; (iii) on the city or town's
324 website, if any; and (iv) on the website of the state secretary.

325 (i) Notwithstanding any general or special law to the contrary, any absent ballot cast
326 pursuant to section 86 of chapter 54 of the General Laws or any early voting ballot cast pursuant
327 to this section may be deposited into a tabulator or a ballot box in a municipality or precinct that
328 uses paper ballots, in advance of the date of annual or special municipal or state election. All
329 ballots received pursuant to this section may be opened in advance of the date annual or special
330 municipal or state election, in accordance with regulations promulgated by the state secretary;
331 provided, however, that such ballots shall be kept secured, locked and unexamined, and that no
332 results shall be determined or announced until after the time polls close on the date of any annual
333 or special municipal or state election. Disclosing any such result before such time shall be
334 punished as a violation of section 14 of chapter 56 of the General Laws.

335 SECTION 15. Section 86 of said chapter 54, as so appearing, is hereby amended by
336 adding the following 2 paragraphs:-

337 A voter in any city or town within the Commonwealth that requires bilingual ballots shall
338 be entitled to apply for and receive papers, explanatory matter, and instructions in bilingual form
339 as provided in section eight-seven. For all translated ballots in languages that do not use the
340 Roman alphabet, including but not limited to Chinese and Khmer, the state secretary shall
341 provide for the transliteration of all candidates' names as part of the bilingual ballot in
342 consultation with language-minority community groups and media. Transliteration means the
343 representation of a candidate's name with non-alphabetic characters, in a language that does not
344 use the Roman alphabet, according to the same standards used to transliterate city, county or
345 state names on the bilingual ballot: 1) Standard representations of common names shall be used
346 as can be found in dictionaries; 2) Less common names shall be represented by characters that
347 approximate the phonetics of a name in consultation with language-minority civic organizations
348 or the media.

349 All candidates shall be provided with a written copy of the proposed transliteration of
350 such candidate's name. Within seven days of receiving the proposed transliterations of such
351 candidate's name, that candidate may provide written notice to the state secretary of a
352 modification of the proposed transliteration of candidate's own name or decline to have
353 candidate's own name transliterated on the ballot. If a candidate does not respond, the state
354 secretary shall proceed to use the transliterated name assigned. The state secretary shall have
355 final approval of the transliteration and provide public notice of official transliterated names as
356 soon as practicable to relevant civic organizations and ethnic media to ensure consistency

357 SECTION 16. Section 87 of said Chapter 54, as so appearing, is hereby amended by
358 adding the following paragraph:-

359 Upon application by a voter who resides in any city or town within the Commonwealth
360 that requires bilingual ballots, the state secretary shall prepare and furnish all papers, explanatory
361 matter, and instruction required by this section in bilingual form. Transliteration of all
362 candidates' names shall be completed as provided for in section eighty-six.

363 SECTION 17. Section 89 of said chapter 54, as so appearing, is hereby amended by
364 striking out the first paragraph and inserting in place thereof the following paragraph:-

365 Any form of written communication evidencing a desire to have an absent voting ballot
366 be sent for use for voting at an any annual or special municipal or state election shall be given
367 the same effect as an application made in the form prescribed by the state secretary. No
368 application for an absent voting ballot to be sent by mail shall be deemed to be seasonably filed
369 unless it is received in the office of the city or town clerk or registrars of voters on or before the
370 fourth business day preceding any annual or special municipal or state election for which the
371 ballot is being requested. No application for an absent voting ballot to be voted in person shall be
372 deemed to be seasonably filed unless it is received in the office of the city or town clerk or
373 registrars of voters on or before noon on the day preceding the election for which such absent
374 voting ballot is requested; provided, however, that if the day preceding such election is a Sunday
375 or legal holiday, then it shall be received by such clerk or registrars before 5 P.M. on the last
376 previous day on which such office is open. An application by a voter admitted to a health care
377 facility after noon of the seventh day before any annual or special municipal or state election, as
378 provided in subsection (c) of section 91B, may be received up until the time the polls close.

379 SECTION 18. Section 91B of said chapter 54, as so appearing, is hereby amended by
380 striking out, in line 21, the words “after noon of the fifth” and inserting in place thereof the
381 following words:- on or after the seventh.

382 SECTION 19. Section 92 of said chapter 54, as so appearing, is hereby amended by
383 striking out, in line 11, the words “eighty-seven, or” and inserting in place thereof the following
384 words:- 87; via a secured municipal drop box, where provided; or.

385 SECTION 20. Chapter 149 of the General Laws is hereby amended by striking out
386 section 178, as so appearing, and inserting in place thereof the following section:-

387 Section 178. (a) For purposes of this section, the terms "employer" and “employee” shall
388 be defined as in section 1 of chapter 175M.

389 (b) If an employee who is a registered voter does not have sufficient time outside of a
390 working hour, within which to vote during any annual or special municipal or state election, the
391 employee may, without loss of pay for up to two hours, take off as much working time as will,
392 when added to voting time outside the employee’s working hours, enable the employee to vote at
393 any annual or special municipal or state election.

394 (c)(1) If an employee has four consecutive hours either between the opening of the polls
395 and the beginning of a working shift, or between the end of the employee's working shift and the
396 closing of the polls, the employee shall be deemed to have sufficient time outside his or her
397 working hours within which to vote. If the employee has less than four consecutive hours the
398 employee may take off as much working time as will, when added to the employee’s voting time
399 outside of working hours, enable the employee to vote, but not more than two hours of which
400 shall be without loss of pay; provided, however, that the employee shall be allowed time off for

401 voting only at the beginning or end of a working shift, as the employer may designate, unless
402 otherwise mutually agreed.

403 (2) If the employee requires working time off to vote the employee shall notify the
404 employer not more than ten nor less than two working days before the day of any annual or
405 special municipal or state election that the employee requires time off to vote in accordance with
406 the provisions of this section.

407 (3) Not less than ten working days before every any annual or special municipal or state
408 election, every employer shall post conspicuously in the place of work where it can be seen as
409 employees come or go to their place of work, a notice setting forth the provisions of this section.
410 Such notice shall be kept posted until the close of the polls on election day.

411 SECTION 21. Notwithstanding any general or special law to the contrary, the chief
412 justice of the supreme judicial court shall develop form language relative to voter registration
413 status on conviction, and such language shall be included in sentencing instructions read by a
414 judge to a defendant. Such language shall be disseminated to district and superior court judges
415 sitting in criminal sessions.

416 SECTION 22. The offices of correction shall submit implementation plans, detailing
417 compliance as a voter registration agency pursuant to this act, to the executive office of public
418 safety and security not later than January 1, 2022. Such plans shall include, but not be limited to:
419 (i) defining which staff members in each correctional facility shall be responsible for providing
420 voter information to incarcerated persons; (ii) incorporating voter registration procedures in
421 accordance with intake processes and reentry programming; (iii) methods for notifying persons
422 incarcerated for misdemeanors of their right to continue voting while incarcerated; (iv) ensuring

423 access to absentee ballot requests and submissions for individuals incarcerated for
424 misdemeanors; and (v) methods of providing access to online voter registration.

425 SECTION 23. The state secretary shall develop and implement a program to educate
426 attorneys, judges, election officials, correction officials, including parole and probation officers,
427 and members of the public on the requirements of this act. Such program shall include, but not
428 be limited to: (i) informing judges of their obligation to notify defendants of the potential loss
429 and restoration of their voting rights, in accordance with section 6; (ii) informing probation and
430 parole officers of their responsibility to notify probationers that their right to vote has been
431 restored; (iii) developing a single publication which provides accurate and complete information
432 to be shared publicly regarding the voting rights of persons who have been convicted of a felony
433 or a misdemeanor.

434 SECTION 24. There shall be an advisory committee regarding the implementation of
435 Election Day registration. Among other issues it may consider, the advisory committee shall
436 study the resources necessary and recommended procedures for implementation of the policy.
437 The advisory committee shall be comprised of the secretary of state, or a designee, who shall
438 chair the advisory committee; the attorney general, or a designee; the house and senate chairs of
439 the joint committee on election laws, or their designees; 2 representatives of the Massachusetts
440 Town Clerks Association, at least 1 of whom shall be a town clerk from a town of under 5,000
441 residents, and 2 representatives of the Massachusetts City Clerks Association and 3 citizen
442 representatives designated by the nonpartisan voter education organizations Massachusetts Voter
443 Education Network (Mass VOTE), Common Cause, and the League of Women Voters of
444 Massachusetts. The advisory committee shall complete its study on the implementation of
445 election day registration and submit an interim report and recommendations for improving

446 administration of election day registration, in writing, to the joint committee on election laws and
447 the senate and house committees on ways and means on or before June 30, 2022, and the
448 advisory committee shall submit its final report in writing to the joint committee on election laws
449 and the senate and house committees on ways and means on or before June 30, 2023.

450 SECTION 25. Sections 3 through 8, inclusive, of this act shall take effect on July 1st,
451 2023.

452 SECTION 26. Sections 24 shall take effect within 60 days of passage.