HOUSE DOCKET, NO. 1468 FILED ON: 1/16/2013

HOUSE . . . . . No. 623

The Commonwealth of Massachusetts

PRESENTED BY:

Jerald A. Parisella

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:

An Act relative to voting overseas .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jerald A. Parisella	*6th Essex*
Peter V. Kocot	*1st Hampshire*
Marc T. Lombardo	*22nd Middlesex*
James R. Miceli	*19th Middlesex*
James J. Dwyer	*30th Middlesex*
Cory Atkins	*14th Middlesex*
Thomas P. Conroy	*13th Middlesex*
Geoff Diehl	*7th Plymouth*
Sean Garballey	*23rd Middlesex*
Bradley H. Jones, Jr.	*20th Middlesex*
Louis L. Kafka	*8th Norfolk*
John D. Keenan	*7th Essex*
Kay Khan	*11th Middlesex*
Kevin J. Kuros	*8th Worcester*
Keiko M. Orrall	*12th Bristol*
Sarah K. Peake	*4th Barnstable*
Paul A. Schmid, III	*8th Bristol*
David T. Vieira	*3rd Barnstable*

Chris Walsh	*6th Middlesex*
Martin J. Walsh	*13th Suffolk*
Stephen L. DiNatale	*3rd Worcester*
Richard T. Moore	*Worcester and Norfolk*

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HOUSE . . . . . No. 623

By Mr. Parisella of Beverly, a petition (accompanied by bill, House, No. 623) of Jerald A. Parisella and others relative to voting overseas. Election Laws.

The Commonwealth of Massachusetts

An Act relative to voting overseas .

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

Section I: Section 91B of chapter 54 of the General Laws is hereby amended by striking subsection (a) and replacing with the following:

(a) Except as required by subsections (b), (c) and (d), the ballot accompanying papers shall be mailed postage prepaid or, if the voter so request, delivered when called for at the office of the clerk. No ballot shall be mailed to a designated health care facility within the city or town where the voter is registered.

Section II: Section 91B of chapter 54 of the General Laws is hereby amended by inserting after subsection (c) the following subsection:

(d) To any absent uniformed services voter or overseas voter as defined in the Uniformed and Overseas Citizens Absentee Voting Act (USC ss1973ff), the ballot of and accompanying papers may be transmitted electronically by electronic mail or facsimile to the state secretary. The absent uniformed services voter or overseas voter shall designate by the means of communication for receiving voting materials, whether by the way of internet, fax transmittal or other electronic means or by mail, and the local election official shall provide responses and materials in the format designated by the requesting voter. On receipt of an application, the local election official shall determine whether or not the applicant is qualified and if so, the clerk or other officer in charge of elections shall forward to the applicant pursuant to this section. If no means of communication is designated, the ballot shall be transmitted as provided in Section (a), provided however, that if the applicant has provided an electronic mail address, fax number, or other electronic address, then the clerk shall communicate with applicant that they are eligible to receive the ballot electronically. For all request received from absent uniformed services voters or overseas voter on or before the forty eighth day before any federal election, the ballot shall be transmitted no later than the forty-fifth day before the applicable federal election.

24 Section III: Section 92 of chapter 54 of the General Laws is hereby amended by inserting
25 after subsection (c) the following subsection:

26 (d) An absent uniformed services voter or overseas voter as defined in the Uniformed
27 Overseas Citizens Absentee Voting Act (42 USC ss1973ff) may return his or her ballot and
28 accompanying materials to the local official via electronic means regardless of how the ballot
29 and materials were received by the voter.