

HOUSE No. 654

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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
2 amended by inserting after Chapter54A the following chapter:-

3 Chapter 54B

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

6 SECTION 2. Vote by Mail in Selected General Municipal Elections. Notwithstanding
7 the provisions of General Law Chapter 54, the Secretary of State shall by regulation prescribe a
8 method for choosing twenty city or town elections to be conducted by voluntary balloting to be
9 conducted by a voluntary vote by mail demonstration in twenty separate cities or town in the
10 Commonwealth, under supervision of the Secretary of State and at polling places for the next
11 city or town election following the promulgation of regulations by the Secretary of State. This
12 voluntary vote by mailing balloting shall be the sole method of voting in the community for the
13 said election in accordance with this act. The Secretary of State shall also prescribe by

14 regulation a method for the selection of voluntary participants up to twenty by mail balloting in
15 voluntary cities or towns. The Secretary of State shall adopt rules within 180 days following the
16 effective date of this act to provide for the selection and conduct of city or town elections in the
17 twenty voluntary cities or towns by mail in the next city or town elections and to achieve and
18 maintain the maximum degree of accuracy, impartially and efficiency on the procedures of
19 voting and of counting, tabulating and recording votes by mail in accordance with this act.

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

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

36 mailing. The Secretary of State shall specify the date on which all ballots shall be mailed for any
37 town election conducted by mail under this act.

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