

**HOUSE . . . . . No. 3914**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Aaron Michlewitz*

*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 the preparation of certain bilingual ballots in the city of Boston.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>	<i>2/18/2014</i>

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By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 3914) of Aaron Michlewitz (with the approval of the mayor and city council) relative to the preparation of certain bilingual ballots in the city of Boston. Election Laws. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Fourteen**  
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An Act relative to the preparation of certain bilingual ballots in the city of Boston.

*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. As used in this act, the following words shall have the following meanings  
2 unless the context requires otherwise:-

3 “board,” the board of election commissioners of the city of Boston.

4 “city,” the city of Boston.

5 “election,” the choice by the voters of any public officer and to the taking of a vote upon  
6 any question by law submitted to the voters.

7 “state election,” an election at which a national, state or county officer or a regional  
8 district school committee member elected districtwide is to be chosen by the voters, whether for  
9 a full term or for the filling of a vacancy.

10 “transliteration,” the translation into the relevant Chinese characters to represent the  
11 phonetic equivalent of the syllables of an English name or a name in a language that is not  
12 traditionally written using Chinese characters.

13 SECTION 2. Notwithstanding section 40 of chapter 54 of the General Laws or any other  
14 general or special law to the contrary, in federal and state elections, the state secretary shall  
15 prepare bilingual ballots in English and Chinese and in English and Vietnamese in addition to  
16 any other bilingual ballots required by law in the designated polling places within the city as  
17 required by section 4.

18 SECTION 3. Notwithstanding the charter of the city or any other general or special law  
19 to the contrary, in all city preliminary and final elections the board shall prepare bilingual ballots  
20 in English and Chinese and in English and Vietnamese in addition to any other bilingual ballots  
21 required by law in the designated polling places within the city as required by section 4.

22 SECTION 4. Bilingual ballots in English and Chinese and in English and Vietnamese  
23 shall be provided in each polling place in the city where more than five percent (5%) of citizens  
24 of voting age in the precinct are members of that language minority and are limited-English  
25 proficient, as determined by the board, or where the substantial need for such ballots is  
26 determined by the board, taking into account objective data obtained from the most recent  
27 federal census, city records concerning utilization of or requests for bilingual ballots, and any  
28 other demographic information available to the board, including the Lauderdale and Kestenbaum  
29 list of surnames. The board's determination must be made in recognition of its duty under this  
30 act to provide the necessary voter assistance to the city's Chinese and Vietnamese speaking  
31 communities. The board shall determine the number of ballots to be provided in each polling  
32 place in the city and shall inform the state secretary of the number of the ballots needed prior to  
33 each federal and state election by a date specified by the state secretary. Thirty (30) days prior to  
34 any primary or election, the board shall inform the city's Election Advisory Committee and any  
35 other bona fide non-profit agency or advocacy organization serving the relevant linguistic  
36 minority community that has registered with the board for notification, of the numbers of  
37 bilingual ballots and the precincts in which they shall be available.

38 SECTION 5. The board in any city preliminary or final election and the state secretary in  
39 any federal or state election shall provide for the transliteration of all candidates' names for  
40 bilingual ballots in English and Chinese. Each candidate shall be provided with a written copy  
41 of the proposed transliteration of that candidate's name. Within seven (7) days after receiving  
42 the proposed transliteration of the candidate's name, the candidate may provide written notice to  
43 the board or the state secretary, as the case may be, of any modification of the proposed  
44 transliteration or a candidate's own name or decline to have the candidate's own name  
45 transliterated on the ballot. The transliteration shall be subject to final approval by the board or  
46 the state secretary, as the case may be. The board or state secretary shall provide public notice of  
47 transliterated names as soon as practicable.

48 SECTION 6. The city shall record the number of bilingual ballots in English and  
49 Chinese and in English and Vietnamese that are printed, requested or used in all elections held in  
50 the city.

51 SECTION 7. Notwithstanding any general or special law to the contrary, the city in any  
52 primary or election shall be responsible for the cost of transliteration and the state secretary shall  
53 be responsible for all other costs resulting from the implementation of this act including, without  
54 limitation, the production of ballots.

SECTION 8. This act shall take effect upon its passage.