

**HOUSE . . . . . No. 615**

**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 creating access to early voting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>	<i>1/15/2013</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Robert M. Koczera</i>	<i>11th Bristol</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Michael J. Finn</i>	<i>6th Hampden</i>	
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>1/16/2013</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>Cory Atkins</i>	<i>14th Middlesex</i>	

<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>	
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	
<i>Denise Andrews</i>	<i>2nd Franklin</i>	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>	
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>	
<i>David M. Rogers</i>	<i>24th Middlesex</i>	
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	
<i>Carlos Henriquez</i>	<i>5th Suffolk</i>	
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>	
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>	

**HOUSE . . . . . No. 615**

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 615) of Aaron Michlewitz and others for legislation to establish procedures for early voting in elections in cities and towns. Election Laws.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to creating access to early voting.

*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 4A of chapter 51 of the General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended by adding the following sentence:- In any municipality or  
3 districts that chooses to adopt the provisions of section 163 of chapter 54, the registrars shall  
4 notify all registered voters of the opportunity to vote prior to the election.

5 SECTION 2. Section 17 of chapter 54 of the General Laws, as appearing in the 2010  
6 Official Edition, is hereby amended by inserting after the word "At" the following words:- early  
7 voting locations,

8 SECTION 3. Section 33H of chapter 54 of the General Laws, as appearing in the 2010  
9 Official Edition, is hereby amended by adding the following paragraph:- In any municipality or  
10 district that accepts the provisions of section 163, election officers at early voting locations shall  
11 consist of a warden, a deputy warden, a clerk and deputy clerk and as many inspectors and  
12 deputy inspectors as the city or town clerk determines to be necessary.

13 SECTION 4. Chapter 54 is hereby amended by adding the following section:-  
14 Section 163. Early voting shall be permitted in any municipality or district which accepts  
15 the provisions of this section. Early voting shall begin no earlier than the fourteenth day prior to  
16 any biennial state election, special state election, any state primary preceding a biennial state  
17 election, or special state primary preceding a special state election and no later than the Saturday  
18 preceding the election. Any municipality that accepts the provisions of this section may choose  
19 to conduct early voting on any combination of days within the timeframe established in this  
20 section. The early voting period shall end at the close of polls on the day preceding the day

21 before the election. Cities and towns may also provide for early voting in elections not held in  
22 conjunction with State elections.

23 The registrars of each city or town shall identify and provide for at least one centrally-  
24 located and convenient polling location within each city or town for use during the early voting  
25 period. In a city with a population of at least 100,000 residents according to the most recent  
26 enumerated federal census, the registrars of each city or town shall identify and provide for at  
27 least one centrally-located and convenient polling location within each ward of said city. The  
28 designation of an early voting polling location must be made 30 days in advance of the voting  
29 period. The location and hours of the polling location are within the discretion of the registrars  
30 of each city or town. However, each early voting polling location must be open for an aggregate  
31 of eight hours each day during the early voting period. Further, the polling location shall be  
32 accessible to persons with disabilities and suitable voting machines shall be made available to all  
33 qualifies voters.

34 The secretary of state must provide a sufficient number of early voting ballots and Early  
35 Voting Certificates to the registrars of each city or town for use during the early voting period.  
36 The

37 ballots and Early Voting Certificates must be delivered to the registrars of each city or  
38 town 14 days in advance of the early voting period.

39 Early voting ballots shall be provided to each qualified voter who participates in early  
40 voting.

41 Prior to the commencement of early voting, the registrars for each city or town shall  
42 prepare a list for the early voting polling place, containing the names and residences of all  
43 persons qualified to vote therein, as the same appear upon the annual register, and shall  
44 reasonably transmit the same to the election officers at every polling place designated by the  
45 registrars.

46 The presiding election officer at the early voting polling location shall cause to be placed  
47 on the voting lists opposite the name of any qualified voter who participates in early voting the  
48 letters "EV" designating an early vote.

49 At the end of each day during the early voting period, the presiding election officer shall  
50 separate, compile, and record early ballots cast at each polling location into the appropriate ward  
51 and precinct. The resulting list of early voters shall be updated daily and saved electronically by  
52 5:00 P.M. on the day before election day, the list shall be forwarded to the appropriate ward and  
53 precinct location.

54 Sections 24, 25, 25A, 65, 66, 72, 73, and 75 shall apply to polling places during early  
55 elections.

56           The ballot boxes for early voting shall be sealed and locked and maintained securely by  
57 the election officers.

58           The registrars for each city or town shall designate a location for the counting of early  
59 ballots. The early voting ballots shall be opened at the close of all polling locations on election  
60 day. All totals shall be added to the totals at the relevant wards and precincts.

61           locations on Election Day. All totals shall be added to the totals at the relevant wards and  
62 precincts.