

HOUSE No. 3232

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

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 to modernize election record keeping.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>

HOUSE No. 3232

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 3232) of Shawn Dooley and others relative to election record keeping. Election Laws.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to modernize election record keeping.

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

1 Chapter 54 of the General Laws, as appearing in the 2012 Official Edition, is hereby
2 amended by inserting after section 33H the following section:-

3 Section 33I. (a) A city or town which accepts this section pursuant to section 4 of chapter
4 4 may use electronic poll books at an election in all precincts in which the election is to be
5 conducted. For the purposes of this section the term electronic poll book shall mean hardware or
6 software or a combination of hardware and software that allows election officials to view voter
7 registration records and voting information during an election for an absentee ballot or at a
8 polling site on election day.

9 (b) A city or town accepting this section and conducting an election may use electronic
10 poll books in lieu of printed poll books. The city or town clerk shall immediately take custody of
11 the electronic poll books, which shall remain in his or her custody at all times except when in use
12 at an election or when in the custody of a court or court officers during contested election

13 proceedings. The clerk shall ensure that the electronic poll books are properly protected and
14 preserved from damage or unnecessary deteriorations and the clerk shall not permit any
15 unauthorized person to tamper with the electronic poll books. The clerk shall also keep the
16 electronic poll books in good repair and the clerk shall prepare the electronic poll books for
17 election day.

18 (c) The city or town clerk shall examine the electronic poll books to ascertain whether the
19 poll books are in working order before allowing any voters to enter the polling location. If the
20 electronic poll books are not in working order, the clerk shall contact the state secretary who
21 shall immediately authorize a printed poll book to serve in place of the electronic poll book for
22 that election. A printed poll book may accompany the electronic poll book to each precinct.

23 (d) Upon entering a precinct, each voter shall be verified by use of the electronic poll
24 book to be a registered voter. If the voter is not registered according to the electronic poll book
25 within that precinct, the election officer shall inform the voter of the proper precinct in which the
26 voter is registered. Upon verification, the election officer may issue to each voter a printed card
27 or ticket to correspond to the electronic poll book when the voter is checked in manually or
28 electronically via barcode; provided, that in the case of a primary election, the card or ticket
29 shall indicate the party affiliation of the voter. The card or ticket may be presented to the election
30 officer as proof of check-in and may be retained by the voter.