

# HOUSE . . . . . No. 376

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Jay R. Kaufman***

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*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 ensure secure voting equipment.**

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>	<i>1/12/2017</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>	<i>2/1/2017</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	<i>1/26/2017</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/19/2017</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/20/2017</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>2/2/2017</i>

# HOUSE . . . . . No. 376

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By Mr. Kaufman of Lexington, a petition (accompanied by bill, House, No. 376) of Jay R. Kaufman and others relative to ensuring secure voting equipment. Election Laws.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 574 OF 2015-2016.]

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninetieth General Court  
(2017-2018)  
\_\_\_\_\_

An Act to ensure secure voting equipment.

*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 1 of chapter 50 of the General Laws, as appearing in the 2014  
2   Official Edition, is hereby amended by inserting, in line 65, before the word “ballot” the word:-  
3   paper.

4           SECTION 2. Said section 1 of chapter 50 is hereby amended by striking out, in lines 66  
5   and 67, the words “and where voting machines are used shall include ballot labels,” and inserting  
6   in place thereof the following words:- and shall be the sole record of the vote used for counting  
7   and tallying purposes.

8           SECTION 3. Section 33 of chapter 54 of the General Laws, as so appearing, is hereby  
9   amended by inserting before the first paragraph the following paragraph: -

10 All voting systems shall allow voters to directly mark an official paper ballot, either by  
11 hand or, in the case of voters with disabilities, by way of a marking device. All voting systems  
12 shall allow the voter to verify his vote on the official ballot before the vote is cast. No voting  
13 system shall be approved if the recording and tallying of the votes take place electronically in  
14 one machine or in machines electronically connected to each other, even if such machines  
15 provide a paper receipt. The official ballot marked, verified, and cast by the voter shall be the  
16 official record of the vote. Only votes on official ballots may be counted.

17 SECTION 4. Said section 33 of chapter 54 is hereby amended by striking out, in line 6,  
18 the words “but no machine shall be approved which does not secure to the voter as much secrecy  
19 in voting as is afforded by the use of the official ballot”, and inserting in place thereof the  
20 following words:- but no machine shall be approved which does not allow the voter to directly  
21 mark and verify his own official paper ballot, and does not secure to the voter as much secrecy in  
22 voting as marking the official ballot by hand.

23 SECTION 5. Said section 33 of chapter 54 is hereby amended by deleting the second  
24 paragraph.

25 SECTION 6. Said section 33 of chapter 54 is hereby amended by striking out, in lines 35  
26 to 37, the words “but no machine shall be approved which does not secure to the voter as much  
27 secrecy in voting as is afforded by the use of the official ballot” and inserting in place thereof the  
28 following words:- but no machine shall be approved which does not allow the voter to directly  
29 mark and verify his own official paper ballot, and does not secure to the voter as much secrecy in  
30 voting as marking the official ballot by hand.

31 SECTION 7. Section 33 of chapter 54 is hereby amended by deleting fifth paragraph.

SECTION 8. Chapter 54 of the General Laws, as so appearing, is hereby amended by deleting Section 33A.

SECTION 9. Section 37 of chapter 54 of the General Laws, as so appearing, is hereby amended by inserting, in line 4, after the words “kinds of ballots,” the words:- provided that no ballot shall be an electronic ballot.

SECTION 10. Said section 37 of chapter 54 is hereby amended by striking, in line 4, the words “ballot labels.”

SECTION 11. Said section 37 of chapter 54 is hereby amended by inserting, in line 7, after the word “thirty-two,” the words:- and thirty-three.

SECTION 12. Paragraph 2 of section 44 of chapter 54 of the General Laws, as so appearing, is hereby amended by striking the first sentence and adding in place thereof the following sentence:- The official ballots shall be of ordinary white printing paper, of two or more pages, and shall, except as otherwise provided in this chapter, be so folded before distribution as to measure not less than four and one half nor more than five inches in width and not less than six nor more than thirteen and one half inches in length.

SECTION 13. Section 66 of chapter 54 of the General Laws, as so appearing, is hereby amended by striking, in lines 2 and 3, the words “where official ballots are used,” and inserting in place thereof the following words:- except as otherwise provided in this chapter.