

SENATE No. 862

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

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 voter registration and jury pool lists.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|--------------------------|---------------------------------------|------------------|
| <i>Sonia Chang-Diaz</i> | <i>Second Suffolk</i> | |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Bristol and Middlesex</i> | <i>1/22/2019</i> |
| <i>Daniel J. Hunt</i> | <i>13th Suffolk</i> | <i>1/28/2019</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | <i>2/1/2019</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | <i>2/1/2019</i> |
| <i>Bud L. Williams</i> | <i>11th Hampden</i> | <i>2/1/2019</i> |

SENATE No. 862

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 862) of Sonia Chang-Diaz, Rebecca L. Rausch, Daniel J. Hunt, Denise Provost and other members of the General Court for legislation to modernize voter registration and jury pool lists. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to modernize voter registration and jury pool lists.

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 4 of chapter 51 of the General Laws, as so appearing in the 2016
2 Official Edition, is hereby amended by striking out, in lines 3, 5, 10, 12 and 14, the word "shall"
3 and inserting in place thereof, in each instance, the following word:- may.

4 SECTION 2. Section 10 of chapter 234A of the General Laws, as so appearing, is hereby
5 amended by striking out, in lines 2, and 10, the word "shall" and inserting in place thereof, in
6 each instance, the following word:- may.

7 SECTION 3. Section 11 of said chapter 234A is hereby amended by striking out, in line 3
8 the word "shall" and inserting in place thereof the following word:- may.

9 SECTION 4. (a) Notwithstanding any special or general law to the contrary, after January
10 1, 2021, the annual listing of residents required by section 4 of chapter 51 of the General Laws,
11 as so appearing, shall no longer be used to maintain the inactive voter list required by section
12 37A of said chapter 51. The secretary of state shall, on or before January 1, 2021, develop an

13 alternative listing to the information provided by the annual listing of residents. The secretary
14 shall file a report with the joint committee on election laws on the alternative listing and file with
15 it any recommended legislation required to fully implement the alternative listing.

16 (b) Notwithstanding any special or general law to the contrary, after January 1, 2021, the
17 annual listing of residents required by section 4 of chapter 51 of the General Laws, as so
18 appearing, the numbered resident list required by section 10 of chapter 234A of the General
19 Laws, as so appearing, and the numbered resident file required by section 11 of said chapter
20 234A shall no longer be used for the selection of jurors required by section 13 of said chapter
21 234A. The commissioner shall, on or before January 1, 2021, develop an alternative to the
22 information provided by the annual listing of residents, the numbered resident list and the
23 numbered resident file. The commissioner shall file a report with the joint committee on election
24 laws on the alternative listing and file with it any recommended legislation required to fully
25 implement the alternative listing; provided however, that any such legislation shall meet the
26 constitutional and statutory requirements regarding jury selection and guarantee a random
27 selection process under which no person shall be exempted or excluded from serving as a juror
28 because of race, color, religion, sex, sexual orientation, gender identity, national origin,
29 handicap, economic status or occupation.

30 (c) All state agencies possessing an electronic database which contains information
31 relative to the development of alternative listings by the secretary and the commissioner,
32 including but not limited to the registry of motor vehicles, department of revenue, board of
33 higher education, department of transitional assistance, office of medicaid, department of public
34 health and division of unemployment assistance shall provide in electronic form a copy of the
35 relevant data from said database in a format acceptable to the secretary and commissioner. In

36 addition, any city or town that conducts an annual census shall provide such data to the secretary
37 and commissioner, and all public and private colleges and universities shall provide such data
38 from enrollment records. To the extent possible, the data shall include the name, residential
39 address, mailing address, race, ethnicity, gender, social security number, and date of birth of each
40 person. In those cases where a federal or state waiver or authorization is necessary to provide this
41 information, each agency or entity shall take all necessary steps to obtain such authorization or
42 waiver, which a state agency may not unreasonably withhold. No information shall be provided
43 to the secretary and commissioner beyond that required to create the alternative listing. Nothing
44 shall be included in a printed administrative records list that would indicate from which source
45 list the information on an individual resident was derived. The secretary and commissioner may
46 secure and use additional lists from nongovernmental institutions and sources in order to create
47 the alternative listing. The secretary, the commissioner and all others who have access to data
48 under this section shall treat all such data confidentially, and such data and any record created,
49 received or maintained from such data under this section, shall not be a public record.

50 SECTION 5: Sections 1, 2, and 3 shall take effect on January 1, 2021. The remainder of
51 this act shall take effect upon its passage.