

SENATE No. 392

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 increase voter registration, participation, and to help prevent recidivism.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/25/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/30/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/1/2019</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>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/1/2019</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/1/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/1/2019</i>

SENATE No. 392

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 392) of Sonia Chang-Diaz, Jason M. Lewis, Adam G. Hinds, Patricia D. Jehlen and other members of the General Court for legislation to increase voter registration, participation, and to help prevent recidivism. Election Laws.

The Commonwealth of Massachusetts

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

An Act to increase voter registration, participation, and to help prevent recidivism.

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 2016
2 Official Edition, is hereby amended by inserting after the definition of “Municipal party” the
3 following definition:-

4 “Offices of correction”, offices of the department of correction and offices of the houses
5 of correction.

6 SECTION 2. Said section 1 of said chapter 50, as so appearing, is hereby further
7 amended by inserting after the word “vehicles”, in line 124, the following words:- , offices of
8 correction.

9 SECTION 3. Subsection (d) of section 42G½ of chapter 51 of the General Laws, as
10 appearing in section 4 of chapter 205 of the acts of 2018, is hereby amended by adding the
11 following paragraph:-

12 In accordance with the memorandum of understanding required by subsection (b), each
13 eligible applicant for services at an automatic voter registration agency who meets the
14 qualifications to register to vote, except those currently serving time for a felony conviction and
15 those who decline to register to vote, shall be entered onto the list of preregistered voters.

16 SECTION 4. Said chapter 51 is hereby further amended by inserting after section 47C
17 the following section:-

18 Section 47D. If after examination of an affidavit of registration it appears to the registrars
19 that the person has all the qualifications to be registered as a voter except that such person is
20 currently incarcerated for a felony conviction and the person has obtained the age of 16, then the
21 registrar shall enter the person's name in the current annual register of voters with the designation
22 of preregistrant or such other term or code as may be specified by the state secretary. The
23 designation shall be removed when the person is released from incarceration for such felony
24 conviction. No person preregistered under this section shall be allowed to vote until such person
25 is no longer incarcerated for such felony conviction unless otherwise permitted by law.

26 SECTION 5. Section 64 of said chapter 51, as so appearing, is hereby amended by
27 striking out, in line 3, the word "section 47A" and inserting in place thereof the following
28 words:- sections 47A and 47D.

29 SECTION 6. Notwithstanding any general or special law to the contrary, the chief justice
30 of the supreme judicial court shall develop form language relative to voter registration status on
31 conviction and such language shall be included in sentencing instructions read by a judge to a
32 defendant. Such language shall be disseminated to district and superior court judges sitting in
33 criminal sessions.

34 SECTION 7. The offices of correction shall submit implementation plans detailing
35 compliance as a voter registration agency to the executive office of public safety and security
36 pursuant to this act not later than January 1, 2021 which shall include, but not be limited to: (i)
37 defining which staff members in each correctional facility shall be responsible for providing
38 voter information to incarcerated persons; (ii) incorporating voter registration procedures in
39 accordance with intake processes and reentry programming; (iii) methods for notifying persons
40 incarcerated for misdemeanors of their right to continue voting while incarcerated; (iv) ensuring
41 access to absentee ballot requests and submissions for individuals incarcerated for
42 misdemeanors; and (v) methods of providing access to online voter registration.

43 SECTION 8. The state secretary shall develop and implement a program to educate
44 attorneys, judges, election officials, correction officials, including parole and probation officers,
45 and members of the public on the requirements of this act. Such program shall include, but not
46 be limited to: (i) informing judges of their obligation to notify defendants of the potential loss
47 and restoration of their voting rights, in accordance with section 6; (ii) informing probation and
48 parole officers of their responsibility to notify probationers that their right to vote has been
49 restored; (iii) developing a single publication which provides accurate and complete information
50 to be shared publicly regarding the voting rights of persons who have been convicted of a felony
51 or a misdemeanor.