

HOUSE No. 4141

The Commonwealth of Massachusetts

PRESENTED BY:

Sheila C. Harrington, (BY REQUEST)

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 election reform.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Guy Alberghini</i>	<i>215 Main St. Groton, MA 01450</i>	<i>2/18/2021</i>

HOUSE No. 4141

By Mrs. Harrington of Groton (by request), a petition (accompanied by bill, House, No. 4141) of Guy Alberghini relative to election reform and the posting of certain legislative information on the website of the Executive Branch. Election Laws.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to election reform.

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. Chapter 3 of the General Laws is hereby amended by inserting after section
2 22A, as appearing in the 2018 Official Edition, the following section:-

3 Section 22B. The status of all legislation before the general court shall be published by
4 the governor on the executive branch website. The status shall state whether the legislation was
5 passed or was vetoed by the governor. All votes cast by a member of the house of representative
6 or the senate shall be published by the governor on the executive branch website.

7 SECTION 2. Section 1 of chapter 51 of the General Laws, as so appearing, is hereby
8 amended by striking out the first sentence and inserting in place there of the following sentence:-
9 Every United States citizen 18 years of age or older, not being a person under guardianship or
10 incarcerated in a correctional facility due to a felony conviction, and not being temporarily or
11 permanently disqualified by law because of corrupt practices in respect to elections, who is a
12 resident in the city or town where they claim the right to vote at the time they register, and who

has complied with the requirements of this chapter, may have their name entered on the list of voters in such city or town, and may vote therein in any such election, or except insofar as restricted in any town in which a representative town meeting form of government has been established, in any meeting held for the transaction of town affairs.

SECTION 3. Chapter 53 of the General Laws is hereby amended by striking out section 33 and inserting in place thereof the following section:-

Section 33. All candidates for nomination for all offices to be voted for at a state primary shall be printed on the same ballot, including candidates of different political parties. At least 3 facsimile copies of the ballot shall be provided for each polling place as specimen ballots.

SECTION 4. Section 37A of said chapter 53 of the General Laws, as so appearing, is hereby amended by inserting after the first sentence the following sentence:- A voter's application for an absentee ballot shall only be approved by the city or town clerk if: (i) the voter is in the active service of the armed forces of the United States and will be absent from the city or town of residence during the hours that polling places are open on the day of the primary; (ii) the voter is unable by reason of physical disability to cast their vote in person at the polling place; or (iii) the voter is domiciled outside of the United States and their last domicile in the United States was Massachusetts.

SECTION 5. Section 106 of said chapter 53 of the General Laws, as so appearing in the 2018 Official Edition, is hereby amended by adding the following paragraph:-

Each ballot shall be printed with a unique bar code.

SECTION 6. Section 110 of said chapter 53 of the General Laws, as so appearing, is hereby amended by inserting after the first sentence the following 2 sentences:- Each ballot shall have its barcode scanned prior to being counted to ensure no duplication of ballots. If a barcode scan indicates that a duplicate ballot has been cast, the duplicate ballot shall be set aside and shall not be counted toward the final result; provided, however, that all duplicate ballots shall be retained until the time set by law for the destruction of ballots cast.

SECTION 7. Subsection (b) of section 25B of chapter 54 is hereby repealed.

SECTION 8. Subsection (c) of said section 25B of said chapter 54, as appearing in section 2 of chapter 115 of the acts of 2020, is hereby amended by striking out the second sentence.

SECTION 9. Subsection (e) of said section 25B of said chapter 54 is hereby repealed.

SECTION 5. Section 44 of said chapter 54 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following 2 sentences:- All candidates shall be printed on the same ballot, including candidates of different political parties. Each ballot shall be printed with a unique bar code.

SECTION 10. Said chapter 54 of the General Laws is hereby further amended by striking out section 76B and inserting in place thereof the following section:-

Section 76B. Any person who seeks to vote in a federal, state, local or primary election shall establish their qualification to vote by providing a valid, government-issued photo identification card to an election officer prior to voting.

53 SECTION 11. Section 86 of said chapter 54 of the General Laws, as so appearing in the
54 2018 Official Edition, is hereby amended by striking out the first sentence and inserting in place
55 thereof the following sentence:- Any voter who during the hours that polling places are open on
56 the day of a special state election or the biennial state election or of any special or regular state
57 primary or of a presidential primary is absent from the city or town where they are a voter
58 because: (i) the voter is in the active service of the armed forces of the United States and will be
59 absent from their city or town of residence; (ii) the voter is unable by reason of physical
60 disability to cast their vote in person at the polling place; or (iii) the voter is domiciled outside of
61 the United States and their last domicile in the United States was Massachusetts and whose
62 application for an official absent voting ballot has been filed with the city or town clerk as
63 provided in section 89, and certified under section 91, may vote in accordance with sections 87
64 to 103, inclusive.

65 SECTION 12. Section 105 of said chapter 54 of the General Laws, as so appearing, is
66 hereby amended by inserting after the fourth sentence the following 2 sentences:- Each ballot
67 shall have its barcode scanned prior to being counted to ensure no duplication of ballots. If a
68 barcode scan indicates that a duplicate ballot has been cast, the duplicate ballot shall be set aside
69 and shall not be counted toward the final result; provided, however, that all duplicate ballots
70 shall be retained until the time set by law for the destruction of ballots cast.

71 SECTION 13. Said section 105A of said chapter 54 of the General Laws, as so appearing,
72 is hereby further amended by adding the following 3 paragraphs:-

73 The electronic code or programming of all approved electronic voting systems shall be
74 examined and, if necessary, fixed to prevent any errors in the tabulation of cast ballots. The state

secretary shall certify that the examination and any necessary repairs have occurred no later than 90 days before every election in which the electronic voting systems are used.

All data and images produced by electronic voting systems used within the commonwealth shall be owned by the commonwealth.

No electronic voting system shall be connected to the internet.

SECTION 14. Section 115 of said chapter 54 of the General Laws, as so appearing, is hereby amended by adding the following sentence:-

All presidential electors shall be registered to the same political party as the presidential electors who received the plurality of the ballots cast pursuant to said section 78.

SECTION 15. Said chapter 55 of the General Laws is hereby amended by striking out section 6A and inserting in place thereof the following section:-

Section 6A. (a) For the purposes of this section, the term “large financial institution” shall, unless the context clearly requires otherwise, mean a bank or similar financial institution with branches in the United States and assets of \$100 billion or more.

(b) A candidate and a candidate’s committee shall not accept any contribution from a political action committee or a large financial institution. Whoever violates this section shall be punished by imprisonment in the state prison for 3 years and by a fine of \$100,000.

SECTION 16. Said chapter 55 of the General Laws is hereby further amended by inserting after section 7A the following 2 sections:-

95 Section 7B. Notwithstanding any general or special law to the contrary, no candidate or
96 candidate's committee shall receive a contribution from a person with a primary residence
97 located outside of Massachusetts. Whoever violates this section shall be punished by
98 imprisonment in the state prison for 3 years and by a fine of \$100,000.

99 Section 7C. Notwithstanding any general or special law to the contrary, no candidate or
100 candidate's committee shall receive a contribution or gift from an executive agent, legislative
101 agent or lobbyist entity, as defined in section 39 of chapter 3. Whoever violates this section shall
102 be punished by imprisonment in the state prison for 3 years and by a fine of \$100,000.

103 SECTION 17. Chapter 255 of the Acts of 2020 is hereby repealed.

104 SECTION 18. Sections 4 to 8, inclusive, of chapter 5 of the acts of 2021 are hereby
105 repealed.