

# HOUSE . . . . . No. 4359

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, January 26, 2022.

The committee on Ways and Means, to whom was referred the Senate Bill fostering voter opportunities, trust, equity and security (Senate, No. 2554), reports recommending that the same ought to pass with amendments striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4359; and by inserting before the enacting clause the following emergency preamble:

*“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith voter opportunities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”* [Representatives Elugardo of Boston, Smola of Warren, D’Emilia of Bridgewater, Berthiaume of Spencer, Durant of Spencer, McKenna of Webster, Muratore of Plymouth and Whelan of Brewster dissent].

For the committee,

AARON MICHLEWITZ.

# HOUSE . . . . . No. 4359

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Text of an amendment, recommended by the committee on Ways and Means, to the Senate Bill fostering voter opportunities, trust, equity and security (Senate, No. 2554). January 26, 2022.

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## The Commonwealth of Massachusetts

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

By striking out all after the enacting clause and inserting in place thereof the following:—

1           “SECTION 1. Section 1F of chapter 51 of the General Laws, as appearing in the 2020  
2 Official Edition, is hereby amended by striking out, in line 8, the word “twentieth” and inserting  
3 in place thereof the following word:- tenth.

4           SECTION 2. Section 26 of said chapter 51, as so appearing, is hereby amended by  
5 striking out, in line 10, the word “twentieth” and inserting in place thereof the following word:-  
6 tenth.

7           SECTION 3. Section 42G½ of said chapter 51, as so appearing, is hereby amended by  
8 inserting after the word “vote”, in line 57, the following words:- pursuant to subsection (d) of  
9 section 65.

10           SECTION 4. Said section 42G½ of said chapter 51, as so appearing, is hereby further  
11 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

12           (d) In accordance with the memorandum of understanding required by subsection (b),  
13 each eligible applicant for services at an automatic voter registration agency who meets the

14 qualifications to register to vote and does not decline to register to vote pursuant to subsection  
15 (d) of section 65 shall be registered as a voter pursuant to said section 65 as of the date the  
16 registrar adds the person's name and address to the register of voters, under paragraph (4) of said  
17 subsection (d) of said section 65; provided, however, that an applicant who meets the  
18 qualifications to register to vote, does not decline to register to vote pursuant to said subsection  
19 (d) of said section 65 and completes a qualifying transaction with an automatic voter registration  
20 agency not less than 10 days before an election shall be entitled to vote in that election. If  
21 necessary to comply with federal law, the division of medical assistance and the commonwealth  
22 health insurance connector authority may allow an applicant to decline to register to vote at the  
23 time of application. Otherwise, all automatic voter registration agencies, including the registry of  
24 motor vehicles, shall transmit records of all eligible applicants as provided in subsection (e), and  
25 these applicants may decline to register to vote only after receiving notice from the registrars  
26 under paragraph (3) of said subsection (d) of said section 65.

27 SECTION 5. Chapter 54 of the General Laws is hereby amended by striking out section  
28 25B and inserting in place thereof the following section:-

29 Section 25B. (a) As used in this section, the following words shall, unless the context  
30 clearly requires otherwise, have the following meanings:

31 "Application", an application to vote early by mail.

32 "Central registry", the central registry of voters established under section 47C of chapter  
33 51.

34 "Qualified voter", a voter qualified pursuant to section 1 of chapter 51.

35 “Voter affidavit”, an affidavit to be completed by a voter at the time of early voting in  
36 person or by mail, in compliance with regulations promulgated under this chapter, and a notice  
37 of penalties under section 26 of chapter 56.

38 (b)(1) The election officers and registrars of every city or town shall allow any qualified  
39 voter to cast a ballot early in person for any presidential or state primary, state special election or  
40 biennial state election, or any election held under section 140 to fill a vacancy in the United  
41 States Congress; provided, that the select board, board of selectmen, town council or city council  
42 of each town and city may vote to authorize early in person voting for any other city or town  
43 preliminary, primary or election.

44 (2) At least 21 days prior to each presidential or state primary and biennial state election,  
45 the state secretary shall deliver to each city or town, in quantities as the state secretary  
46 determines necessary, all of the following papers: (i) official early voting ballots, similar to the  
47 official ballot to be used at the election; and (ii) envelopes of sufficient size to contain the ballots  
48 specified in clause (i) bearing on their reverse the voter affidavit.

49 (3)(i) The voting period for in person early voting for the biennial state election shall run  
50 from the third Saturday preceding the election through the close of the business on the Friday  
51 immediately preceding the election.

52 (ii) The voting period for in person early voting for any presidential or state primary, state  
53 special election or any election held pursuant to section 140 to fill a vacancy in the United States  
54 Congress shall run from the second Saturday preceding the election through the close of the  
55 business on the Friday immediately preceding the election.

56 (4)(i) Early voting in person shall be conducted during the usual business hours of each  
57 city or town clerk. A city or town may, in its discretion, provide for additional early voting hours  
58 beyond the hours required by this paragraph.

59 (ii) Early voting in person for the state biennial election shall, in addition to usual  
60 business hours pursuant to subparagraph (i), be conducted on all weekend dates during the early  
61 voting period as follows: (i) for municipalities with fewer than 5,000 registered voters, for a  
62 period of not less than 2 hours each day; (ii) for municipalities with 5,000 or more registered  
63 voters but fewer than 20,000 registered voters, for a period of not less than 4 hours each day; (iii)  
64 for municipalities with 20,000 or more registered voters but fewer than 40,000 registered voters,  
65 for a period of not less than 5 hours each day; (iv) for municipalities with 40,000 or more  
66 registered voters but fewer than 75,000 registered voters, for a period of not less than 6 hours  
67 each day; and (v) for municipalities with 75,000 or more registered voters, for a period of not  
68 less than 8 hours each day. A city or town may, in its discretion, provide for additional early  
69 voting hours beyond the hours required by this paragraph.

70 (5) Each city and town shall establish an early voting site that shall include the election  
71 office for the city or town; provided, however, that if the city or town determines that the office  
72 is unavailable or unsuitable for early voting, the registrars of each city or town shall identify and  
73 provide for an alternative centrally-located, suitable and convenient public building within each  
74 city or town as an early voting site; and provided further, that a city or town shall consider  
75 diverse geographic locations in designating early voting sites, including, but not limited to,  
76 accessibility of early voting sites for minority communities. A city or town may also provide for  
77 additional early voting sites at the discretion of the registrars for that city or town. Each early  
78 voting site shall be accessible to persons with disabilities in accordance with federal law.

79 (6) The designation of an early voting site shall be made not less than 14 days prior to the  
80 beginning of the voting period established in paragraph (3). Not less than 7 days prior to the  
81 beginning of the early voting period, and at least once during the voting period, the registrars for  
82 each city or town shall post the location of the early voting sites as well as the applicable dates  
83 and hours. Notice shall be conspicuously posted: (i) in the office of the city or town clerk or on  
84 the principal official bulletin board of each city or town; (ii) on any other public building  
85 considered necessary; (iii) on the city or town’s website, if any; and (iv) on the website of the  
86 state secretary.

87 (7) A qualified voter voting early in person shall be provided with a ballot and an  
88 envelope where the ballot is to be placed after voting which shall contain a voter affidavit to be  
89 filled out by the voter. A qualified voter voting early in person shall complete the voter affidavit.

90 (8) Prior to the beginning of in person early voting, the registrars for each city or town  
91 shall prepare a list for the early voting sites, containing the names and residences of all persons  
92 qualified to vote at each voting site, as the names and residences appear upon the annual register,  
93 and shall reasonably transmit the applicable list to the election officers at each early voting site  
94 designated by the registrars.

95 (9) The registrar or presiding official at the early voting site shall cause to be placed on  
96 the voting lists opposite the name of a qualified voter who participates in early voting the letters  
97 “EV” designating an early voter.

98 (10) Section 72 shall not apply to this section; provided, however, that a city or town may  
99 opt to detail a sufficient number of police officers or constables for each early voting site for an  
100 election at the expense of the city or town to preserve order, protect the election officers and

101 supervisors from any interference with their duties and aid in enforcing the laws relating to  
102 elections.

103 (11) Notwithstanding section 29 of chapter 53 and sections 11, 11B, 12 and 13 or any  
104 other general or special law to the contrary, if the city or town clerk determines in writing that  
105 there is a deficiency in the number of required election officers, the appointing authority may  
106 appoint election officers without regard to political party membership, voter status, residence in  
107 the city or town or inclusion on a list filed by a political party committee pursuant to said  
108 sections 11B and 12. If the position of the warden, clerk or inspector, or the deputy of any such  
109 officer, if any, is vacant within the 3 weeks preceding the early voting period, the city or town  
110 clerk may fill the vacancy by appointing a competent person willing to serve, without regard to  
111 political party membership, voter status, residence in the city or town or inclusion on a list filed  
112 by a political party committee pursuant to said sections 11B and 12.

113 (12) Upon marking the early voting ballot, enclosing it in the secrecy envelope and  
114 executing the voter affidavit, a voter shall return the ballot envelope to a local election officer at  
115 the early voting site who shall review the envelope to ensure the voter affidavit has been signed  
116 by the voter. After a ballot envelope has been accepted, it shall be securely stored at the early  
117 voting site until such time as it is transported to the office of the local election official, but not  
118 later than at the end of early voting hours for that day.

119 (c)(1) The election officers and registrars of every city or town shall allow any qualified  
120 voter to cast an early ballot by mail for any presidential or state primary, state special election or  
121 biennial state election or any election held pursuant to section 140 to fill a vacancy in the United  
122 States Congress; provided, that the select board, board of selectmen, town council or city council

123 of each town and city may vote to authorize early voting by mail for any other town or city  
124 primary, preliminary or election; provided, however, that this section shall not apply to an annual  
125 or special town meeting.

126 (2)(i) The state secretary shall, not later than 45 days before a presidential or state  
127 primary or biennial state election, mail to all registered voters at their residential addresses or  
128 mailing addresses if different from their residential addresses listed in the central registry an  
129 application for said voter to be permitted to vote early by mail; provided, that the application  
130 shall authorize said voter to vote early by mail in other primaries or elections authorized under  
131 this subsection held within the year; provided, however, that the state secretary shall not send an  
132 application to any voter whose previous application for an absent or early ballot has been  
133 accepted.

134 (ii) The election officers and registrars of every city or town shall include an application  
135 with the acknowledgement notice sent to any person registering to vote or changing their voter  
136 registration address.

137 (iii) The applications required pursuant to this subsection shall be in a form prescribed by  
138 the state secretary in accordance with state and federal law; provided, however, that said  
139 applications shall: (i) include clear instructions for completing and returning the application; (ii)  
140 allow a voter to designate the mailing address to which the ballot shall be sent; and (iii) be pre-  
141 addressed to the local election official with postage guaranteed.

142 (iv) Each application mailed pursuant to this subsection shall be provided in any language  
143 required by the bilingual election requirements of the federal Voting Rights Act, 52 U.S.C.  
144 section 10503.



145 (v) Each application mailed to a voter in the city of Boston pursuant to this subsection  
146 shall include an option, which shall appear prominently on the application, to request a ballot  
147 printed in any language available at the voter's polling location pursuant to chapter 166 of the  
148 acts of 2014.

149 (vi) The applications required pursuant to this subsection shall be made available on the  
150 websites of the state secretary and the elections officers and registrars of every city or town.

151 (3)(i) A voter wishing to vote early by mail in an election shall complete the application  
152 and shall return said application to the appropriate city or town clerk. Any form of written  
153 communication evidencing a desire to have an early voting ballot be sent for use for voting for  
154 an election shall be given the same effect as an application made in the form prescribed by the  
155 state secretary. Applications for an election shall be acceptable if they are signed or submitted  
156 electronically; provided, however, that any electronic signature shall be written in substantially  
157 the same manner as a handwritten signature.

158 (ii) No application shall be deemed to be seasonably filed unless it is received in the  
159 office of the local election official before 5 P.M. on the 4th business day prior to the primary or  
160 election.

161 (iii) A voter wishing to apply to vote early by mail for a presidential or state primary,  
162 biennial state election or any election held pursuant to section 140 to fill a vacancy in the United  
163 States Congress and who needs accommodation by reason of disability and is unable to  
164 independently mark a paper ballot may apply for such accommodation in a form and manner  
165 prescribed by the state secretary. Accommodations shall include, but not be limited to: (i) clear  
166 and electronically accessible instructions for completion, printing and returning of the ballot; (ii)

167 an accessible blank electronic application that can be: (A) completed by the voter electronically;  
168 (B) signed with a wet signature, a hand-drawn electronic signature or the voter's typewritten  
169 name as a signature if the voter is unable to independently insert a hand-drawn signature on the  
170 application due to a disability; and (C) submitted electronically, by mail or delivering it to the  
171 office of the appropriate city or town clerk; (iii) an authorized accessible blank electronic ballot  
172 that can be filled out electronically, printed and signed; provided, however, that the accessible  
173 electronic ballot marking system the voter utilizes to access their blank electronic ballot shall not  
174 collect or store any personally identifying information obtained in the process of filling out the  
175 ballot; (iv) an accessible electronic voter affidavit that may be used for certification of an  
176 accessible electronic ballot and signed with a wet signature, a hand-drawn electronic signature,  
177 or the voter's typewritten name as a signature if the voter is unable to independently insert a  
178 hand-drawn signature on the ballot due to a disability; (v) an envelope to return the ballot to the  
179 voter's town or city clerk with postage guaranteed; and (vi) hole punched markers in place of a  
180 wet signature required for certification if an electronic voter affidavit of certification is not  
181 utilized; provided, however, that the electronic instructions and accommodations in this section  
182 shall comply with requirements contained in Title II of the federal Americans with Disabilities  
183 Act and shall conform to the Web Content Accessibility Guidelines (WCAG) 2.1 AA and the  
184 National Institute of Standards and Technology report titled "Principles and guidelines for  
185 remote ballot marking systems". Upon printing the ballot, the voter shall place the ballot in the  
186 envelope provided by the state secretary. A voter with accommodations in receipt of an early  
187 voting ballot for an election pursuant to this section may complete and return the ballot by any of  
188 the following: (i) submitting it electronically; (ii) delivering it to the office of the appropriate city

189 or town clerk or a secured municipal drop box; or (iii) mailing it to the appropriate city or town  
190 clerk.

191 (iv) A voter wishing to apply to vote early by mail under this subsection for any city or  
192 town primary or election for which the city or town has authorized early voting by mail and who  
193 needs accommodation by reason of disability and is unable to independently mark a paper ballot  
194 may request an accommodation in a form and manner prescribed by their local election official.  
195 The request shall be received by the local election official not later than the seventh business day  
196 preceding the primary or election. Upon receiving such a request from a registered voter, by  
197 phone or electronically, the local election official shall grant such request for reasonable  
198 accommodations.

199 (4) The voting period for early voting by mail shall begin as soon as all necessary early  
200 voting materials have been received by the local election official pursuant to paragraph (5).

201 (5) Not later than 30 days prior to an election under this subsection, the state secretary  
202 shall deliver to each city or town, in quantities as the state secretary determines necessary, the  
203 following papers: (i) official early ballots for voting early by mail for the election, similar to the  
204 official ballot to be used at said election; provided, however, that a sufficient quantity of such  
205 ballots are printed in the languages necessary to accommodate the selection of a bilingual ballot  
206 by voters pursuant to subparagraphs (iv) and (v) of paragraph (2); (ii) envelopes of sufficient size  
207 to contain the ballots specified in clause (i) bearing on their reverse the voter affidavit; (iii) return  
208 envelopes for any ballot requested for voting by mail pre-addressed to the local election official  
209 with postage guaranteed; and (iv) instructions for voting by mail to be sent to each voter who  
210 requests to cast a ballot by mail.

211 (6)(i) Early voting ballots shall be mailed by the city or town clerks to voters as soon as  
212 such materials are available; provided, however, that said mailing shall include: (i) instructions  
213 for early voting; (ii) instructions for completing the ballot; (iii) an inner envelope where the  
214 ballot is placed after voting which contains a voter affidavit to be filled out by the voter; and (iv)  
215 an outer envelope that is pre-addressed to the local official with postage guaranteed; provided,  
216 however, that a voter who has seasonably filed an application may receive an early voting ballot  
217 in person at the office of the city or town clerk. The state secretary shall include on the outer  
218 envelope with postage guaranteed required by this section a system which generates a postmark  
219 for determining the date upon which the envelope was mailed.

220 (ii) Each early voting ballot authorized pursuant to this subsection shall be provided to  
221 the voter in the language required pursuant to subparagraphs (iv) and (v) of paragraph (2).

222 (7)(i) A voter in receipt of an early voting ballot pursuant to this subsection may  
223 complete and return the ballot by: (i) delivering it in person to the office of the appropriate city  
224 or town clerk; (ii) dropping it in a secured municipal drop box; (iii) mailing it to the appropriate  
225 city or town clerk; or (iv) submitting electronically pursuant to accommodations granted to a  
226 voter by reason of disability as provided by subparagraph (iii) of paragraph (3).

227 (ii) All early voting ballots submitted by mail, delivered in person to the office of the city  
228 or town clerk, returned to a secured municipal drop box or returned electronically pursuant to  
229 accommodations granted to a voter by reason of disability as provided by subparagraph (iii) of  
230 paragraph (3) shall be received by the city or town clerk before the hour fixed for closing the  
231 polls on the day of the primary, special election or state election under this subsection; provided,  
232 however, that an early voting ballot cast for a presidential election that is received not later than

233 5 P.M. on the third day following said election and mailed on or before the day of said election  
234 shall be processed in accordance with the second paragraph of section 95. A postmark, if legible,  
235 shall be evidence of the time of mailing.

236 (8) Upon receipt of a completed early voting ballot, the local election official shall open  
237 the outer mailing envelope and examine the inner secrecy envelope without opening it, compare  
238 the signature thereon with the signature on the application therefor, except if the voter received  
239 assistance in signing the application or the envelope, or the voter applied for the ballot under  
240 paragraph (3), and shall examine the voter affidavit on each such envelope. If the voter affidavit  
241 has been improperly executed or does not sufficiently indicate that the ballot was marked and  
242 mailed or delivered as required by this section, the local election official shall mark across the  
243 face thereof "Rejected as defective" and shall notify the voter and send the voter a new ballot. If  
244 the early voting ballot is accepted, the local election official shall record the date and secure the  
245 ballot in its envelope until processing in accordance with law.

246 (d) The registrars shall prepare lists of all voters casting ballots during the early voting  
247 period pursuant to this section and update the voter list in a manner prescribed by the state  
248 secretary.

249 (e) The early voting ballot of any voter who was eligible to vote at the time the ballot was  
250 cast shall not be deemed invalid solely because the voter became ineligible to vote by reason of  
251 death after casting the ballot. For the purposes of this subsection, the term "cast" shall mean that  
252 the voter has: (i) deposited the early voting by mail ballot in the mail for ballots mailed; (ii)  
253 returned the early voting ballot to the appropriate election official either by hand or by depositing  
254 in the municipal drop box; (iii) completed voting in person at the clerk's office or an early voting

255 location; or (iv) submitted a ballot electronically pursuant to accommodation granted to a voter  
256 by reason of disability as provided by subparagraph (iii) of paragraph (3) of subsection (c).

257 (f) Sections 37 and 38 of chapter 53 shall apply to unenrolled voters and voters enrolled  
258 in political designations voting early. The registrar or the presiding official at an early voting site  
259 shall cause the name of the party of the ballot being voted to be recorded on the voting list. Once  
260 the party selection has been recorded on the voting list, a voter shall not request or vote on the  
261 ballot of another party.

262 (g) 950 C.M.R. 47.00 or any successor thereto shall apply to early voting to the extent  
263 feasible; provided, however, that the state secretary shall promulgate regulations to implement  
264 this section, as necessary.

265 (h) Any early voting ballot cast pursuant to this section or section 86 may be deposited  
266 into a tabulator or a ballot box in a municipality or precinct that uses paper ballots, in advance of  
267 the date of the election. All ballots received pursuant to this section or section 86 may be opened  
268 in advance of the date of the election, in accordance with regulations promulgated by the state  
269 secretary; provided, however, that such ballots shall be kept secured, locked and unexamined,  
270 and that no results shall be determined or announced until after the time polls close on the date of  
271 the election. Disclosing any such result before such time shall be punished as a violation of  
272 section 14 of chapter 56.

273 (i) The counting of early voting ballots including, but not limited to, informing election  
274 officers and any challengers present under section 85A shall be set by 950 C.M.R. 47.00 or any  
275 successor thereto, so far as applicable. All envelopes referred to in this section shall be retained

276 with the ballots cast at the election and shall be preserved and destroyed in the manner provided  
277 by law for the retention, preservation or destruction of official ballots.

278 (j) The registrar or presiding official shall cause to be placed on the voting lists opposite  
279 the name of a qualified voter who participates in early voting the letters “EV” designating an  
280 early voter.

281 SECTION 6. Paragraph (2) of subsection (c) of section 25B of said chapter 54 is hereby  
282 amended by striking out subparagraph (iii), as appearing in section 5, and inserting in place  
283 thereof the following subparagraph:-

284 (iii) The applications required pursuant to this subsection shall be in a form prescribed by  
285 the state secretary in accordance with state and federal law; provided, however, that said  
286 applications shall: (i) include clear instructions for completing and returning the application; (ii)  
287 allow a voter to designate the mailing address to which the ballot shall be sent; and (iii) be pre-  
288 addressed to the local election official.

289 SECTION 7. Paragraph (3) of said subsection (c) of said section 25B of said chapter 54 is  
290 hereby amended by striking out subparagraph (iii), as appearing in said section 5, and inserting  
291 in place thereof the following subparagraph:-

292 (iii) A voter wishing to apply to vote early by mail for a presidential or state primary,  
293 biennial state election or any election held pursuant to section 140 to fill a vacancy in the United  
294 States Congress and who needs accommodation by reason of disability and is unable to  
295 independently mark a paper ballot may apply for such accommodation in a form and manner  
296 prescribed by the state secretary. Accommodations shall include, but not be limited to: (i) clear  
297 and electronically accessible instructions for completion, printing and returning of the ballot; (ii)

298 an accessible blank electronic application that can be: (A) completed by the voter electronically;  
299 (B) signed with a wet signature, a hand-drawn electronic signature or the voter's typewritten  
300 name as a signature if the voter is unable to independently insert a hand-drawn signature on the  
301 application due to a disability; and (C) submitted electronically, by mail or delivering it to the  
302 office of the appropriate city or town clerk; (iii) an authorized accessible blank electronic ballot  
303 that can be filled out electronically, printed and signed; provided, however, that the accessible  
304 electronic ballot marking system the voter utilizes to access their blank electronic ballot shall not  
305 collect or store any personally identifying information obtained in the process of filling out the  
306 ballot; (iv) an accessible electronic voter affidavit that may be used for certification of an  
307 accessible electronic ballot and signed with a wet signature, a hand-drawn electronic signature,  
308 or the voter's typewritten name as a signature if the voter is unable to independently insert a  
309 hand-drawn signature on the ballot due to a disability; (v) an envelope to return the ballot to the  
310 voter's town or city clerk; and (vi) hole punched markers in place of a wet signature required for  
311 certification if an electronic voter affidavit of certification is not utilized; provided, however, that  
312 the electronic instructions and accommodations in this section shall comply with requirements  
313 contained in Title II of the federal Americans with Disabilities Act and shall conform to the Web  
314 Content Accessibility Guidelines (WCAG) 2.1 AA and the National Institute of Standards and  
315 Technology report titled "Principles and guidelines for remote ballot marking systems". Upon  
316 printing the ballot, the voter shall place the ballot in the envelope provided by the state secretary.  
317 A voter with accommodations in receipt of an early voting ballot for an election pursuant to this  
318 section may complete and return the ballot by any of the following: (i) submitting it  
319 electronically; (ii) delivering it to the office of the appropriate city or town clerk or a secured  
320 municipal drop box; or (iii) mailing it to the appropriate city or town clerk.



321 SECTION 8. Said subsection (c) of said section 25B of said chapter 54 is hereby  
322 amended by striking out paragraph (5), as appearing in said section 5, and inserting in place  
323 thereof the following paragraph:-

324 (5) Not later than 30 days prior to an election under this subsection, the state secretary  
325 shall deliver to each city or town, in quantities as the state secretary determines necessary, the  
326 following papers: (i) official early ballots for voting early by mail for the election, similar to the  
327 official ballot to be used at said election; provided, however, that a sufficient quantity of such  
328 ballots are printed in the languages necessary to accommodate the selection of a bilingual ballot  
329 by voters pursuant to subparagraphs (iv) and (v) of paragraph (2); (ii) envelopes of sufficient size  
330 to contain the ballots specified in clause (i) bearing on their reverse the voter affidavit; (iii) return  
331 envelopes for any ballot requested for voting by mail pre-addressed to the local election official;  
332 and (iv) instructions for voting by mail to be sent to each voter who requests to cast a ballot by  
333 mail.

334 SECTION 9. Paragraph (6) of said subsection (c) of said section 25B of said chapter 54 is  
335 hereby amended by striking out subparagraph (i), as appearing in said section 5, and inserting in  
336 place thereof the following subparagraph:-

337 (i) Early voting ballots shall be mailed by the city or town clerks to voters as soon as such  
338 materials are available; provided, however, that said mailing shall include: (i) instructions for  
339 early voting; (ii) instructions for completing the ballot; (iii) an inner envelope where the ballot is  
340 placed after voting which contains a voter affidavit to be filled out by the voter; and (iv) an outer  
341 envelope that is pre-addressed to the local official; provided, however, that a voter who has  
342 seasonably filed an application may receive an early voting ballot in person at the office of the

343 city or town clerk. The state secretary shall include on the outer envelope a system which  
344 generates a postmark for determining the date upon which the envelope was mailed.

345 SECTION 10. Said chapter 54 is hereby further amended by inserting after section 25B  
346 the following section:-

347 Section 25C. Each correctional facility, house of correction, jail or department of youth  
348 services shall, not less than 45 days prior to a presidential or state primary or biennial state  
349 election, assist an incarcerated individual in registering to vote, and not less than 30 days prior to  
350 a presidential or state primary or biennial state election, provide to each incarcerated individual  
351 who may be eligible to vote an application to vote early by mail pursuant to subsection (c) of  
352 section 25B and the means to complete the application; provided, that each correctional facility,  
353 house of correction, jail or department of youth services shall ensure an application for an  
354 eligible voter to be permitted to vote early by mail be returned in a timely manner for each  
355 presidential or state primary or biennial state election.

356 SECTION 11. Not later than July 1, 2022, the state secretary shall enter into the  
357 agreement with the Electronic Registration Information Center, Inc. as required by section 47C  
358 of chapter 51 of the General Laws.

359 SECTION 12. Notwithstanding any general or special law to the contrary, the state  
360 secretary shall implement and maintain a system to allow a qualified voter to request an early or  
361 absent ballot on the state secretary's website, to be mailed to the qualified voter's home address  
362 or a different mailing address as designated by the voter. The system shall not require the voter's  
363 signature.

364 SECTION 13. The state secretary shall conduct a public awareness campaign to inform  
365 voters throughout the commonwealth of the provisions of section 25B of chapter 54 of the  
366 General Laws, including, but not limited to: (i) measures to promote public awareness of  
367 expanded early voting options in primaries and elections; (ii) the requirements and procedures  
368 for early voting by mail, including, but not limited to, information related to the ability of a voter  
369 who requests but does not return an early voting by mail ballot to vote in person on election day;  
370 and (iii) availability of accommodations for voters with disabilities. The public awareness  
371 campaign shall: (i) ensure outreach to minority communities in the commonwealth; (ii) be  
372 linguistically diverse and culturally competent; and (iii) be provided in multiple formats for  
373 viewing.

374 SECTION 14. Sections 6, 7, 8 and 9 shall take effect on December 31, 2022.”; and by  
375 inserting before the enacting clause the following emergency preamble:

376 “*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to  
377 authorize forthwith voter opportunities, therefore it is hereby declared to be an emergency law,  
378 necessary for the immediate preservation of the public convenience.”.