

HOUSE No. 768

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 requiring a residency affidavit by a candidate.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>2/19/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>3/2/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/2/2021</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>3/2/2021</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>3/3/2021</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>	<i>3/4/2021</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>3/5/2021</i>

HOUSE No. 768

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 768) of Tackey Chan and others relative to requiring residency affidavits for candidates for public office. Election Laws.

The Commonwealth of Massachusetts

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

An Act requiring a residency affidavit by a candidate.

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 53 of the general laws is hereby amended by inserting after section
2 11 the following new section:-

3 Section 11A. A person seeking to be a candidate to hold a state, county or municipal
4 office shall be required, by the deadline for filing nomination papers, to submit an affidavit
5 affirming that they satisfy the residency requirement pursuant to the State Constitution, general
6 laws, special laws, city charter, town charter and municipal laws. Any person seeking to
7 challenge a candidate’s residency shall do so in writing with the city or town clerk for municipal
8 elections or the Secretary of State for state and county elections; provided that said challenge
9 must take place no less than 10 days prior to the date when a candidate can withdraw their
10 candidacy. The person seeking to challenge may include documentation to support the lack of
11 residency claim. Upon receipt of the challenge, the city clerk, town clerk or the Secretary of
12 State shall require the candidate provide proof of residency and issue a written decision within 5
13 days after the initial challenge; and if the challenge is upheld, the candidate’s nomination shall be

14 withdrawn. The Secretary of State shall establish rules and regulations on what is required for
15 proof of residency, the form of the affidavit, process of initiating challenges and process of
16 review and implementation of this section.