

SENATE No. 465

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 extending voting rights in municipal elections to noncitizen voters of the commonwealth.

PETITION OF:

NAME:

James B. Eldridge

DISTRICT/ADDRESS:

Middlesex and Worcester

SENATE No. 465

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 465) of James B. Eldridge for legislation to extend voting rights in municipal elections to noncitizen voters of the commonwealth. Election Laws.

The Commonwealth of Massachusetts

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

An Act extending voting rights in municipal elections to noncitizen voters of the commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 51 of the General Laws is hereby amended by inserting after section 1F the
2 following section:–

3 Section 1G. (a) As used in this section the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:

5 “municipal election”, an election for mayor, school committee, city council, town
6 council, board of selectmen, select board elections, a school committee referendum, a local ballot
7 referendum or other municipal elections.

8 “noncitizen voter”, a person 18 years of age or older with legal immigration status who is
9 not a citizen of the United States.

10 “noncitizen voting limitations”, a noncitizen voter’s inability to vote for: (1) the office of
11 President, Vice President, Presidential elector, Member of the Senate or Member of the House of

12 Representatives pursuant to 18 U.S.C. 611; (2) a state office; or (3) initiative petitions authorized
13 under article XLVIII of the constitution.

14 “noncitizen voter registration form”, a voter registration form that only a noncitizen voter
15 uses.

16 “noncitizen voting rights”, a noncitizen voter’s right to: (1) vote in a municipal election;
17 (2) participate in a town meeting; and (3) be a candidate and serve, if duly elected, in a municipal
18 elected office.

19 “town meeting”, an open town meeting or a representative town meeting established
20 pursuant to chapter 43A.

21 (b) Notwithstanding the provisions of section 1 of chapter 51 or any other general or
22 special law to the contrary, a municipal election official shall enter a noncitizen voter’s name on
23 a list of noncitizen voters upon the noncitizen voter’s submission of a noncitizen voter
24 registration form. Within 5 days of entering the noncitizen voter’s name on the list, the municipal
25 election officer shall notify the noncitizen voter: (1) of the noncitizen voting rights; (2) of the
26 noncitizen voting limitations; and (3) that voting in a federal election may jeopardize the
27 noncitizen’s application for United States citizenship.

28 (c) For as long as the noncitizen voter remains a resident of the town in which the
29 noncitizen voter has registered to vote, the noncitizen voter may exercise the noncitizen voting
30 rights. A noncitizen voter shall only remain registered to vote in one municipality at a time.

31 (d) The state secretary shall issue a noncitizen voter registration form. The voter
32 registration form shall include a declaration to be signed under pains and penalties of perjury by

33 the noncitizen voter that the noncitizen is a resident of the municipality in which the noncitizen
34 voter desires to vote.

35 (e) The state secretary and the election officer of a municipality shall disseminate the
36 noncitizen voter registration form at the same places and in the same manner that the state
37 secretary and election officer of a municipality disseminate the voter registration form for a
38 United States citizen.

39 (f) The state secretary shall issue regulations to implement this section.