

**SENATE . . . . . No. 468**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Barry R. Finegold***

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*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 expanding voting options in Massachusetts.

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PETITION OF:

NAME:

*Barry R. Finegold*

DISTRICT/ADDRESS:

*Second Essex and Middlesex*

**SENATE . . . . . No. 468**

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By Mr. Finegold, a petition (accompanied by bill, Senate, No. 468) of Barry R. Finegold for legislation to expand voting options in Massachusetts. Election Laws.

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**The Commonwealth of Massachusetts**

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

An Act relative to expanding voting options in Massachusetts.

*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 51 of the General Laws, as appearing in the 2016  
2   Official Edition, is hereby amended by striking out the last sentence and inserting in place  
3   thereof the following sentence:- A person otherwise qualified to vote for national or state  
4   officers, but who has not registered in accordance with the provisions of section 26 of this  
5   chapter shall be eligible to register under section 34A.

6           SECTION 2. Section 1F of chapter 51 of the General Laws is hereby repealed.

7           SECTION 3. Said chapter 51, as so appearing, is hereby amended, by striking out section  
8   3, as so appearing, and inserting in place thereof the following section:-

9           Section 3. For all elections and primaries, a person shall be registered and may vote in the  
10   voting precinct where he resides; provided, however, that any registered voter of a city or town  
11   who moves to any other precinct in said city or town or to another city or town may register to  
12   vote at his new address by making written application to the city or town clerk no later than the

13 close of registration or in accordance with the provisions of section 34A of this chapter. A new  
14 resident of the city or town may also, upon like application, be registered at the new address by  
15 making written application to the city or town clerk no later than the close of registration or in  
16 accordance with the provisions of section 34A. The city or town clerk shall forthwith notify each  
17 voter making any such written application that the same has been received and that he may vote,  
18 subject to the provision of this section regarding the close of registration, in the precinct into  
19 which he has moved or in accordance with provisions of section 34A.

20 SECTION 4. Section 26 of said chapter 51, as so appearing, is hereby amended by  
21 striking out, in lines 9 and 10, the words “eight o’clock in the evening” and inserting in place  
22 thereof, in each instance, the following figure:- 5:00 p.m.

23 SECTION 5. Section 26 of said chapter 51, as so appearing, is hereby further amended by  
24 striking the last sentence.

25 SECTION 6. Said chapter 51 is hereby further amended by striking out section 28, as so  
26 appearing, and inserting in place thereof the following section:-

27 Section 28. Registrars shall hold a continuous session from 9:00 a.m. until 5:00 p.m. on  
28 the last day for registration prescribed under section 26. For those towns having less than 1,500  
29 voters, such session shall be sufficient if it includes the time from 9:00 a.m. until 11:00 a.m. and  
30 from 3:00 p.m. until 5:00 p.m.

31 SECTION 7. Said chapter 51 is hereby further amended by striking out section 34, as  
32 appearing in the 2016 Official Edition, and inserting in place thereof the following section:-

33 Section 34. Except as otherwise provided in section 34A, after 5:00 p.m. of a day on  
34 which registration is to cease, the registrars shall not register any person to vote in the next  
35 election, except that they shall furnish, or cause to be furnished, to each person waiting in line at  
36 the hour of 5:00 pm for the purpose of being registered, a card or slip of identification bearing  
37 such person's name and shall, before registration ceases, permit such person to register.

38 SECTION 8. Said chapter 51 is hereby further amended by inserting after section 34 the  
39 following section:-

40 Section 34A. (a) An individual who is eligible to vote may register on the day of an  
41 election by appearing in person at the appropriate polling place for the precinct in which they  
42 reside, during the hours in which polls are open for voting, by completing a registration  
43 application in a form prescribed by the state secretary which complies with identity requirements  
44 of 52 U.S.C. section 21083, by presenting to the appropriate election official proof of residency  
45 and by making a written oath which shall be as follows: I certify that I: am a citizen of the United  
46 States; am at least 18 years old; am not under guardianship that prohibits me from registering  
47 and/or voting or otherwise prohibited from voting; am not temporarily or permanently  
48 disqualified by law because of corrupt practices in respect to elections; have not and will not vote  
49 in any other location within the Commonwealth or elsewhere; have read and understand this  
50 statement: I further understand that giving false information is a felony punishable by not more  
51 than 5 years imprisonment or a fine of not more than \$10,000, or both.

52 (b) For purposes of this section, the term "proof of residence" shall mean 1 of the  
53 following, so long as it includes the name of the applicant and the address from which he or she  
54 is registering:

55 (i) a valid photo identification including, but not limited to, a Massachusetts driver's  
56 license or other state-issued identification card; or

57 (ii) other documentation demonstrating the name and address where the applicant  
58 maintains residence and seeks to register including, but not limited to, a copy of a current utility  
59 bill, bank statement, government check, residential lease agreement, wireless telephone  
60 statement, paycheck, other government document or correspondence, a current student fee  
61 statement or other document from a post-secondary educational institution that verifies the  
62 student's current address.

63 (c) Upon meeting the identity requirements of subsection (a), production of proof of  
64 residence, and the making of an oath sufficient to support registration, the ballot clerk or his  
65 designee shall permit the applicant to vote in that election. Any person who registers to vote on  
66 the day of an election in accordance with this section shall, absent disqualification, be registered  
67 to vote at all subsequent primaries and elections.

68 (d) A registrant who fails to present suitable identification shall be permitted to cast a  
69 provisional ballot pursuant to the provisions of section 76C of chapter 54, but shall be required to  
70 return within two business days after a state primary or municipal election or within six days  
71 following a state election to present sufficient identification to the local election officials in order  
72 for the local election officials to determine that the registrant is qualified to vote in such election  
73 and whether to count the provisional ballot.

74 (e) Not less than seven days prior to any election, the registrars for each city or town shall  
75 publish all polling locations and the applicable dates and hours. Notice shall be conspicuously  
76 posted in the office of the local election officials or on the principal official bulletin board of

77 each city or town, on any other public building considered necessary, on the city or town's  
78 website, if any, and on the website of the state secretary.

79 (f) The state secretary shall make available to the election officers at each polling  
80 location, to the extent possible, access to the statewide list of registered voters as contained in the  
81 central registry of voters set forth in section 47C.

82 (g) The local election officials may correct information supplied by the registrant to the  
83 extent necessary to maintain the integrity of their records. If an affidavit is incomplete or if it  
84 appears from the facts set forth in the affidavit that the registrant is not qualified to register as a  
85 voter, the local election officials shall proceed in accordance with the provisions of section forty-  
86 seven.

87 (h) As soon as practicable after the election, but not more than thirty days after the  
88 election, the registrars shall add the registrant's name, address and effective date of registration  
89 to the annual register of voters.

90 (i) This section shall not apply to an individual seeking to register to vote in any town for  
91 the purposes of voting at annual town meeting or special town meeting.

92 (j) A registered voter shall not re-register on the day of a primary or election for the  
93 exclusive purpose of altering his party affiliation.

94 (k) The state secretary shall adopt regulations to implement the relevant provisions of this  
95 chapter.

96 (l) Upon credible information or allegation of illegal voter registration, or credible  
97 information or allegation of illegal multiple voting, there shall be an investigation upon the

98 merits of said information or allegation by the attorney general, or by the district attorney having  
99 jurisdiction over the municipality in which the alleged illegal registration or illegal multiple  
100 voting occurred. Nothing in this subsection shall be construed as excluding enforcement of this  
101 section by any means otherwise provided by law.

102 (m) Violations of this section shall be punishable under sections 8, 26 and 27, of chapter  
103 56.

104 SECTION 9. Said chapter 51 is hereby further amended by striking out section 47C, as so  
105 appearing, and inserting in place thereof the following section:-

106 Section 47C. Subject to appropriation, the state secretary shall maintain a central registry  
107 of voters which shall contain the names, addresses and effective dates of registration of all  
108 registered voters in the commonwealth and which shall contain the name, date of birth,  
109 occupation, veteran status, nationality, if not a citizen of the United States, for street list purposes  
110 only, and residence on January first in the preceding year and in the current year, of every person  
111 three years of age or older in the commonwealth as provided by registrars. The registrars shall  
112 enter and maintain all the information required. The secretary of the commonwealth shall adopt  
113 regulations governing the operation of said central registry. The names and addresses of voters  
114 and any other information contained in said central registry shall not be a matter of public record;  
115 provided however, that such information shall be available upon execution of a license  
116 agreement to state party committees, statewide candidate committees, state ballot question  
117 committees, the jury commissioner, adjutant general and any other individual, agency or entity  
118 that the state secretary shall designate by regulation consistent with the purposes of this section,

119 at a fair and reasonable cost not to exceed the cost of printing or preparing computer readable  
120 documents.

121 SECTION 10. Section 28 of chapter 53 of the General Laws, as appearing in the 2018  
122 Official Edition, is hereby amended by striking the first two sentences and inserting in place  
123 thereof the following:-

124 State primaries shall be held on the first Tuesday in September preceding biennial state  
125 elections and on the fourth Tuesday preceding special state elections, except that primaries  
126 before special elections for senator or representative in congress shall be held on the eighth  
127 Tuesday preceding said elections. If a religious holiday falls on or immediately before the first  
128 Tuesday in September in an even-numbered year, the state primary shall be held on a date set by  
129 the state secretary within 7 days of the first Tuesday in September.

130 SECTION 11. Chapter 54 of the General Laws, as appearing in the 2018 Official Edition,  
131 is hereby amended by striking section 14 and inserting in place thereof the following:-

132 Section 14. For any primary or election, if the city or town clerk determines in writing  
133 that there is a deficiency in the number of required election officers within six weeks of the  
134 primary or election, then the appointing authority may appoint election officers without regard to  
135 political party membership, voter status, residence in the city or town or inclusion on a list filed  
136 by a political party committee pursuant to said sections 11B and 12 of said chapter 54. If the  
137 position of the warden, clerk or inspector, or the deputy of any such officer, if any, is vacant  
138 within the 3 weeks preceding any primary or general election, the city or town clerk may fill the  
139 vacancy by appointing a competent person willing to serve, without regard to political party

140 membership, voter status, residence in the city or town or inclusion on a list filed by a political  
141 party committee pursuant to said sections 11B and 12 of said chapter 54.

142 SECTION 12. Section 24 of chapter 54 of the General Laws, as appearing in the 2018  
143 Official Edition, is hereby amended by striking and inserting in place thereof the following:-

144 Section 24. The select board, board of selectmen, town council or city council shall, by  
145 recorded and public vote, except where charters provide otherwise, designate the polling place  
146 for each voting precinct twenty days at least before the biennial state or annual or biennial city  
147 election and ten days at least before any special election of a state or city officer therein and  
148 cause it to be suitably fitted up and prepared therefor. It shall be in a public, orderly, and  
149 convenient portion of the precinct; provided, however that if the aldermen or selectmen  
150 determine that the public convenience would be better served, the city council may designate a  
151 polling place in an adjacent precinct of a city, and the selectmen may designate a polling place in  
152 another precinct of a town or may house all polling places in a single building within the town.

153 In any city or town, if the polling places for two or more precincts are located in the same  
154 building and the total number of registered voters in any such two or more precincts does not  
155 exceed three thousand, only one set of election officers need be appointed for such precincts, but  
156 separate ballot boxes and voting lists for each precinct shall be used. If the select board, board of  
157 selectmen or town council determines that the public convenience or public health would be  
158 better served, they may house all polling places in a single building within the municipality, if  
159 such building is suitably equipped. If, in a town of five precincts or less, all of which are located  
160 in one building, the selectmen so vote, only one warden need be appointed to supervise all such  
161 precincts, and the number of inspectors shall be determined by the selectmen, without disturbing

162 the balance between the political parties. There shall, however, be one clerk appointed for each  
163 such precinct.

164 In cities, the city council may designate polling places in non-adjacent precincts if they  
165 determine the public convenience or public health would be better served.

166 When the polling places have been designated pursuant to this section, the board of  
167 registrars shall post on the municipal website and at other such places as it may determine, a  
168 description of the polling places and shall notify voters by sending notices by mail to each  
169 household effected and using an electronic means, to the extent available, such as via email or  
170 reverse 911 call.

171 Alcoholic beverages shall not be served or consumed in that portion of a building used as  
172 a polling place, during voting hours or while ballots are being counted therein.

173 If an existing polling place becomes unavailable within 20 days of a regular election or  
174 within 10 days of a special election, the select board, board of selectmen, town council or city  
175 council shall make every effort to locate a suitable location as close to the existing location as  
176 possible and shall notify the state secretary as soon as possible. When the polling places have  
177 been changed pursuant to this paragraph, the board of registrars shall post on the municipal  
178 website and at other such places as it may determine, a description of the polling places and shall  
179 notify voters using an electronic means, to the extent available, such as via email or reverse 911  
180 call.

181 SECTION 13. Section 25B of chapter 54 of the General Laws, as appearing in the 2018  
182 Official Edition, is hereby amended by striking and inserting in place thereof the following:

183 Section 25B. (a)(1) The election officers and registrars of every city or town shall allow  
184 any qualified voter, as defined in section 1 of chapter 51, to vote early by mail for any election.

185 (2) Any qualified voter wanting to early vote by mail may file with his or her local  
186 election official an application for an early voting ballot for an election or for all elections during  
187 a calendar year. Any form of written communication evidencing a desire to have an early voting  
188 ballot be sent for use for voting at an election shall be given the same effect as an application  
189 made in the form prescribed by the state secretary. No application shall be deemed to be  
190 seasonably filed unless it is received in the office of the city or town clerk or registrars of voters  
191 before 5 P.M. on the seventh day preceding the election.

192 A family member of a person qualified to vote early by mail may apply in the same  
193 manner on behalf of such person. Such applicant shall state his relationship to the early voter,  
194 shall sign the application under the pains and penalties of perjury, and shall transmit the  
195 application to the clerk of the city or town of the early voter's residence.

196 (3) Upon receipt of an early voting application, the election officers shall verify the  
197 voter's information and, if found, shall record the voter as "EV" on the voting list. If the election  
198 officers find the person signing the application not to be a duly registered voter or the family  
199 member of an voter, they shall send the voter written notice to that effect and shall preserve the  
200 application during the time fixed by law for the preservation of ballots cast in the coming  
201 election, after which time said application shall be destroyed.

202 (3) Early voting ballots authorized pursuant to this section shall be mailed by the city or  
203 town election officer as soon as such materials are available, but in no event later than 28 days  
204 before any election. Said mailing shall include: (i) instructions for early voting; (ii) instructions

205 for completing the ballot; (iii) an inner envelope where the ballot is placed after voting which  
206 contains an affidavit of compliance to be filled out by the voter and notice of the penalties under  
207 section 26 of chapter 56; and (iv) an outer envelope that is pre-addressed to the local election  
208 official.

209 (4) The provisions of section eighty-one relative to spoiled ballots shall apply to early  
210 voting ballots by mail; provided, however, that no request for a substitute ballot from a voter  
211 who has received his ballot by mail shall be valid unless it is accompanied by the spoiled ballot  
212 and received in the office of the city or town clerk or the registrars of voters before 5 P.M. on the  
213 fifth day preceding the election for which such substitute absent voting ballot is requested.

214 (5) An early voting ballot received by mail may be returned by the voter or a family  
215 member by: (i) delivering it in person to the office of the appropriate city or town clerk; (ii)  
216 delivering to an early voting location for the appropriate city or town during the early voting in  
217 person hours; (iii) dropping it in a secured municipal drop box; or (iv) mailing it to the  
218 appropriate city or town clerk.

219 All early voting ballots submitted by mail, delivered in person to the office of the city or  
220 town clerk or returned to a secured municipal drop box shall be received by the city or town  
221 clerk before the hour fixed for closing the polls on the day of a primary or election; provided,  
222 however, that an early voting ballot cast for any federal general election that is received not later  
223 than 5 P.M. on third day after the election and postmarked on or before election day shall be  
224 processed in accordance with section 95 of chapter 54 of the General Laws.

225 (6) Upon receipt of a completed ballot, the election officers shall open the outer mailing  
226 envelope and examine the inner secrecy envelope, without opening it, compare the signature

227 thereon with the signature on the application therefor, except if a family member signed the  
228 application or if the voter received assistance in signing the application or the envelope, and  
229 examine the affidavit on each such envelope. If the affidavit has been improperly executed, or  
230 does not sufficiently indicate that the ballot was marked and mailed or delivered as required by  
231 this section, the election officer shall mark across the face thereof "Rejected as defective," and  
232 shall notify the voter including sending a new ballot. If the early voting ballot is accepted, the  
233 election officer shall record the date and secure the ballot, in its envelope, until processing in  
234 accordance with law.

235 (b)(1) The election officers and registrars of every city or town shall allow any qualified  
236 voter, as defined in section 1 of chapter 51, to vote early in person for any state primary or state  
237 election.

238 (2) Any qualified voter wishing to vote early in person in the primary or general election  
239 may do so at the time, manner and location prescribed in this section.

240 (3) Early voting in person for the primary elections shall be conducted beginning on the  
241 second Saturday preceding the primary until the close of business on the Friday preceding the  
242 primary. Early voting for state elections shall be conducted beginning on the third Saturday  
243 preceding the election until the close of business on the Friday preceding the election. Early  
244 voting weekend hours shall be conducted as follows: (i) for municipalities with fewer than 5,000  
245 registered voters, for a period of a minimum of 2 hours each weekend day; (ii) for municipalities  
246 with 5,000 or more registered voters but fewer than 20,000 registered voters, for a period of a  
247 minimum of 4 hours each weekend day; (iii) for municipalities with 20,000 or more registered  
248 voters but fewer than 40,000 registered voters, for a period of a minimum of 5 hours each

249 weekend day; (iv) for municipalities with 40,000 or more registered voters but fewer than 75,000  
250 registered voters, for a period of a minimum of 6 hours each weekend day; and (v) for  
251 municipalities with 75,000 or more registered voters, for a period of a minimum of 8 hours each  
252 weekend day. For each other day during the early voting period, early voting shall be conducted  
253 during the usual business hours of each city or town clerk. A city or town may, in its discretion,  
254 provide for additional early voting hours beyond the hours required by this paragraph.

255 (4) Each city and town shall establish an early voting site that shall include the election  
256 office for the city or town; provided, however, that if the city or town determines that the office  
257 is unavailable or unsuitable for early voting, the registrars of each city or town shall identify and  
258 provide for an alternative centrally-located, suitable and convenient public building within each  
259 city or town as an early voting site. A city or town may also provide for additional early voting  
260 sites at the discretion of the registrars for that city or town. Each early voting site shall be  
261 accessible to persons with disabilities.

262 (5) The designation of an early voting site shall be made not less than 14 days prior to the  
263 beginning of the voting period established in section. Not less than 7 days prior to the beginning  
264 of the early voting period and at least once during the voting period, the registrars for each city  
265 or town shall publish notice of the location of the early voting sites as well as the applicable  
266 dates and hours in the office of the local election official. Such notice shall also be posted on the  
267 principal official bulletin board of each city or town, on any other public building considered  
268 necessary, on the city or town's website, if any, and on the website of the state secretary.

269 (6) Prior to the beginning of the in person early voting, the local election officials for  
270 each city or town shall prepare a list for the early voting sites, containing the names and

271 residences of all persons qualified to vote at each voting site, as the names and residences appear  
272 upon the annual register, and shall reasonably transmit the applicable list to the election officers  
273 at each early voting site designated by the registrars.

274 (7) A qualified voter seeking to vote in person at an early voting location shall provide  
275 their name and address to the election officer, who shall, upon finding the voter's name and  
276 address upon the list, repeat it loudly and clearly, mark the list and provide the voter with an  
277 early voting ballot and an envelope containing an affidavit under the regulations promulgated  
278 pursuant to this chapter, which shall include a notice of penalties under section 26 of chapter 56.

279 The registrar or presiding official at the early voting site shall cause to be placed on the  
280 voting lists opposite the name of a qualified voter who participates in early voting the letters  
281 "EV" designating an early voter.

282 (8) Upon marking their early ballot and enclosing it in the secrecy envelope and  
283 execution of the affidavit, the voter shall return the ballot envelope to an election officer who  
284 must review the envelope to ensure the affidavit has been signed by the voter. After a ballot  
285 envelope has been accepted, it must be securely stored at the early voting location until such time  
286 as it is transported to the office of the local election official and no later than after the close of  
287 early voting for that day.

288 (c) The registrars shall prepare lists of all voters casting ballots during the early voting  
289 period and update the voter list in a manner prescribed by the state secretary. Once an early  
290 voting ballot cast, the voter may not vote again. For the purposes of this section, the term "cast"  
291 shall mean that the voter has returned the ballot to the local election official and that ballot has  
292 been accepted.

293 (d) Sections 37 and 38 of chapter 53 of the General Laws shall apply to unenrolled voters  
294 and voters enrolled in political designations voting early in primary elections. The registrar or  
295 presiding official at the early voting site shall cause the name of the party of the ballot being  
296 voted to be recorded on the voting list. Once the party selection has been recorded on the voting  
297 list, a voter cannot request or vote on the ballot of another party.

298 (e) At least 30 days prior to each presidential primary, state primary and state election,  
299 the state secretary shall deliver to each city or town, in quantities as the state secretary  
300 determines necessary, the following papers: (1) official early voting ballots, similar to the official  
301 ballot to be used at the election; and (2) envelopes of sufficient size to contain the ballots  
302 specified in clause (1) bearing on their reverse the voter's affidavit in compliance.

303 (f) Any early voting ballot cast pursuant to this section may be opened and deposited into  
304 a tabulator in advance of the date of the primary or the general election, in accordance with  
305 regulations promulgated by the state secretary; provided, however, that such ballots shall be kept  
306 secured, locked and unexamined, and that no results shall be determined or announced until after  
307 the time polls close on the date of the primary or the general election. Disclosing any such result  
308 before such time shall be punished as a violation of section 14 of chapter 56 of the General  
309 Laws.

310 All envelopes referred to in this section shall be retained with the ballots cast at the  
311 election and shall be preserved and destroyed in the manner provided by law for the retention,  
312 preservation or destruction of official ballots

313 (g) The state secretary shall promulgate regulations to implement this section including,  
314 but not limited to, a process for establishing additional early voting locations and a process for

315 applying for, receiving, separating, compiling, recording, securing early voter ballots and  
316 advance depositing.

317 (h) Section 72 shall not apply to this section; provided, however, that a city or town may  
318 opt to detail a sufficient number of police officers or constables for each early voting site at the  
319 expense of the city or town to preserve order, protect the election officers and supervisors from  
320 any interference with their duties and aid in enforcing the laws relating to elections.

321 (i) Upon a recorded and public vote by the select board, board of selectmen, town council  
322 or city council authorizing early in-person voting, any eligible voter of such municipality may  
323 vote early in-person for any annual or special municipal election. Such vote may only be taken  
324 after a request from the city or town clerk or authorized local election official recommending in-  
325 person early voting and provided that such vote occurs not less than five business days prior to  
326 the proposed beginning of early voting election and that such early in-person voting complies  
327 with the following:

328 (i) A city or town, as part of the vote to allow early voting in-person, may set the early  
329 voting period to begin no sooner than 10 days before the election and end no later than the voting  
330 period for in person early voting shall run from the sixth business day preceding the special  
331 election until the close of business on the business day preceding the business day before the  
332 election; provided, however, that if the sixth business day before the election falls on a legal  
333 holiday the early voting period shall begin on the first business day prior to the legal holiday.

334 (ii) Early voting shall be conducted during the usual business hours of the city or town  
335 clerk unless different hours are set as part of the vote, including any weekend hours.

336 (iii) The city or town clerk shall establish an early voting site that is centrally located,  
337 suitable and in a convenient public building. Notice of the early voting location, dates and hours  
338 must be will be posted at least 48 weekday hours before the early voting period begins.

339 (iv) A qualified voter voting early in person shall be provided with a ballot and an  
340 envelope where the ballot is placed after voting which contains an affidavit of compliance to be  
341 filled out by the voter. A qualified voter voting early in person shall complete an affidavit under  
342 the regulations promulgated by the state secretary for the administration of early voting and  
343 appearing at 950 CMR 47.00, as applicable, which shall include a notice of penalties under  
344 section 26 of chapter 56 of the General Laws.

345 SECTION 14. Chapter 54 of the General Laws, as appearing in the 2018 Official  
346 Edition, is hereby amended by striking section 67 and inserting in place thereof the following:-

347 Section 67. One voting list shall be delivered to the ballot clerks and another may be  
348 delivered to the officer in charge of the ballot box; except that, the city or town clerk may opt to  
349 use only one voting list at the check in. When a ballot is delivered to a voter, his name shall be  
350 checked on the voting list and, except where the city or town clerk has opted to not use a check-  
351 out list, it shall be checked on the second when he deposits his ballot. Where a check-out list is  
352 used, the officer in charge of the ballot box and the officer in charge of the voting list shall be of  
353 different political parties. No person shall vote if his name is not on the voting list, nor until the  
354 election officer shall check his name thereon, unless he presents a certificate from the registrars  
355 of voters as provided by section fifty-one or section fifty-nine of chapter fifty-one, or unless he is  
356 voting by provisional ballot under section 76C. A city or town may vote to use electronic poll  
357 books rather than paper voting lists in accordance with section 33I.

358 SECTION 15. Chapter 54 of the General Laws, as appearing in the 2018 Official  
359 Edition, is hereby amended by striking section 83 and inserting in place thereof the following:-

360 In a precinct at which a check-out table is used, a voter after marking his ballot shall give  
361 his name and, if requested, his residence, to one of the officers in charge of the ballot box who  
362 shall distinctly announce the same. If the name is found on the voting list by the election officer,  
363 he shall distinctly repeat the name and check it on the voting list; and the voter may then deposit  
364 his ballot in the ballot box with the official endorsement uppermost and in sight. No ballot  
365 without the official endorsement, except as provided in section sixty-one, shall be deposited in  
366 the ballot box. A city or town clerk may opt to eliminate the use of a voting list at the check-out  
367 table, but shall maintain an officer in charge of the ballot box.

368 SECTION 16. Section 89 of said chapter 54, as so appearing, is hereby amended by  
369 striking out the second sentence and inserting in place thereof the following sentence:-

370 No application for an absent voting ballot to be sent by mail shall be deemed to be  
371 seasonably filed unless it is received in the office of the city or town clerk or registrars of voters  
372 on or before the seventh day preceding the election for which the ballot is being requested.

373 SECTION 17. Chapter 54 of the General Laws, as appearing in the 2018 Official Edition,  
374 is hereby amended by striking section 93 and replacing with the following:-

375 Section 93. All absentee ballots submitted by mail, delivered in person to the office of the  
376 city or town clerk or returned to a secured municipal drop box shall be received by the city or  
377 town clerk before the hour fixed for closing the polls on the day of a primary or election;  
378 provided, however, that an absentee ballot cast for any federal general election that is received

379 not later than 5 P.M. on third day after the election and postmarked on or before election day  
380 shall be processed in accordance with section 95 of chapter 54 of the General Laws.

381 SECTION 18. Section 95 of chapter 54 of the General Laws, as appearing in the 2018  
382 Official Edition, is hereby amended by striking the first paragraph and inserting in place thereof  
383 the following two paragraphs:-

384 Section 95. Any absentee ballots cast pursuant to section 86 may be opened and  
385 deposited into a tabulator in advance of the date of the primary or the general election, in  
386 accordance with regulations promulgated by the state secretary; provided, however, that such  
387 ballots shall be kept secured, locked and unexamined, and that no results shall be determined or  
388 announced until after the time polls close on the date of the primary or the general election.  
389 Disclosing any such result before such time shall be punished as a violation of section 14 of  
390 chapter 56 of the General Laws.

391 If not advance deposited, the city or town clerk, on the day of the election, but no later  
392 than one hour after the hour for the closing of the polls, shall transmit all envelopes purporting to  
393 contain official absent voting ballots received on or before the close of business on the day  
394 preceding the day of the election and which have not been marked "Rejected as Defective," as  
395 provided in section ninety-four, to the election officers in the several precincts where the voters  
396 whose names appear on such envelopes assert the right to vote or to a central tabulation facility  
397 as designated in accordance with regulations promulgated by the state secretary. The election  
398 officer in charge of the polling place or central tabulation facility shall forthwith, after receipt of  
399 any such envelopes, distinctly announce the name and residence of each such voter and check his  
400 name on the voting lists referred to in section sixty of chapter fifty-one, or on his certificate of

401 supplementary registration attached to such lists, as provided in section fifty-one of chapter fifty-  
402 one, or on the copy of the lists of specially qualified voters, disposition list required by section  
403 ninety-one A, as the case may be, if it has not already been so checked. He shall open the  
404 envelopes in which the ballot is enclosed in such a manner as not to destroy the affidavit thereon,  
405 take the ballot therefrom without opening it or permitting it to be examined and deposit it in the  
406 ballot box. All envelopes referred to in this section shall be retained with the ballots cast at the  
407 election and shall be preserved and destroyed in the manner provided by law for the retention,  
408 preservation or destruction of official ballots.

409 SECTION 19. Section 100 of chapter 54 of the General Laws is hereby repealed.

410 SECTION 20. There shall be an advisory committee on the implementation of accessible  
411 vote by mail. Among other issues it may consider, the advisory committee shall study the  
412 resources necessary for, costs associated with, and feasibility of providing an online accessible  
413 vote by mail process, including the application process, electronic delivery and electronic return  
414 of ballots for voters with disabilities who are unable to mark a paper ballot. The advisory  
415 committee shall be comprised of the secretary of state, or a designee, who shall chair the  
416 advisory committee, the attorney general, or a designee, the house and senate chairs of the joint  
417 committee on election laws, or their designees, the director of the Massachusetts Office on  
418 Disability or a designee, the Commissioner for the Blind or a designee, a representative of the  
419 Disability Law Center, 2 local election officials and at least 6 other members of the disability  
420 community. The advisory committee shall complete its study on the implementation of  
421 accessible vote by mail and submit an interim report and recommendations for legislation, in  
422 writing, to the joint committee on election laws and the senate and house committees on ways  
423 and means on or before February 1, 2022.

424 SECTION 21. There shall be an advisory committee on the implementation of Election  
425 Day registration. Among other issues it may consider, the advisory committee shall study the  
426 resources necessary for, costs associated with, and feasibility of providing every polling location  
427 with real-time electronic access to the statewide database of registered voters. The advisory  
428 committee shall be comprised of the secretary of state, or a designee, who shall chair the  
429 advisory committee, the attorney general, or a designee, the house and senate chairs of the joint  
430 committee on election laws, or their designees, 2 representatives of the Massachusetts Town  
431 Clerks Association, at least 1 of whom shall be a town clerk from a town of under 5,000  
432 residents, and 2 representatives of the Massachusetts City Clerks Association. The advisory  
433 committee shall complete its study on the implementation of election day registration and submit  
434 an interim report and recommendations for improving administration of election day registration,  
435 in writing, to the joint committee on election laws and the senate and house committees on ways  
436 and means on or before June 30, 2022, and the advisory committee shall submit its final report in  
437 writing to the joint committee on election laws and the senate and house committees on ways and  
438 means on or before June 30, 2023.

439 SECTION 22. Sections 3, 7 and 8 of this act shall take effect on July 1, 2022.