

SENATE No. 450

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

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 to increase voter registration, participation, and to help prevent recidivism.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/24/2021</i>

SENATE No. 450

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 450) of Sonia Chang-Diaz and Jack Patrick Lewis for legislation to increase voter registration, participation, and to help prevent recidivism. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 392 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act to increase voter registration, participation, and to help prevent recidivism.

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 50 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the definition of “Municipal party” the
3 following definition: -

4 “Offices of correction”, offices of the department of correction and offices of the houses
5 of correction.

6

7 SECTION 2. Said section 1 of said chapter 50, as so appearing, is hereby further
8 amended by inserting after the word “vehicles”, in line 124, the following words: -, offices of
9 correction.

10

11 SECTION 3. Subsection (d) of section 42G½ of chapter 51 of the General Laws, as
12 appearing in section 4 of chapter 205 of the acts of 2018, is hereby amended by striking the
13 subsection and inserting in the place thereof the following: -

14 (d) In accordance with the memorandum of understanding required by subsection (b), any
15 applicant for services at an automatic voter registration agency who otherwise meets the
16 qualifications to register to vote, and who does not decline to register to vote, but who is
17 currently serving time for a felony conviction, shall be pre-registered as a voter.

18 In accordance with the memorandum of understanding required by subsection (b), each
19 eligible applicant for services at an automatic voter registration agency who meets the
20 qualifications to register or pre-register to vote and does not decline to register to vote shall be
21 registered as a voter or pre-registrant under section 65 as of the date the registrar adds the
22 person's name and address to the register of voters, pursuant to clause (4) of subsection (d) of
23 said section 65; provided, however, that an applicant who meets the qualifications to register to
24 vote, does not decline to register to vote and completes a qualifying transaction with an
25 automatic voter registration agency not less than 21 days prior to an election shall be entitled to
26 vote in that election.

27 SECTION 4. Said chapter 51 is hereby further amended by inserting after section 47C the
28 following section: -

29 Section 47D. If after examination of an affidavit of registration it appears to the registrars
30 that the person has all the qualifications to be registered as a voter except that such person is
31 currently incarcerated for a felony conviction and the person has obtained the age of 16, then the

32 registrar shall enter the person's name in the current annual register of voters with the designation
33 “pre-registrant” or such other term or code as may be specified by the state secretary. The
34 designation shall be removed when the person is released from incarceration for such felony
35 conviction. No person preregistered under this section shall be allowed to vote until such person
36 is no longer incarcerated for such felony conviction unless otherwise permitted by law.

37 SECTION 5. Section 64 of said chapter 51, as so appearing, is hereby amended by
38 striking out, in line 3, the word “section 47A” and inserting in place thereof the following words:
39 - sections 47A and 47D.

40 SECTION 6. Notwithstanding any general or special law to the contrary, the chief justice
41 of the supreme judicial court shall develop form language relative to voter registration status on
42 conviction and such language shall be included in sentencing instructions read by a judge to a
43 defendant. Such language shall be disseminated to district and superior court judges sitting in
44 criminal sessions.

45

46 SECTION 7. The offices of correction shall submit implementation plans detailing
47 compliance as a voter registration agency to the executive office of public safety and security
48 pursuant to this act not later than January 1, 2022 which shall include, but not be limited to: (i)
49 defining which staff members in each correctional facility shall be responsible for providing
50 voter information to incarcerated persons; (ii) incorporating voter registration procedures in
51 accordance with intake processes and reentry programming; (iii) methods for notifying persons
52 incarcerated for misdemeanors of their right to continue voting while incarcerated; (iv) ensuring

53 access to absentee ballot requests and submissions for individuals incarcerated for
54 misdemeanors; and (v) methods of providing access to online voter registration.

55

56 SECTION 8. The state secretary shall develop and implement a program to educate
57 attorneys, judges, election officials, correction officials, including parole and probation officers,
58 and members of the public on the requirements of this act. Such program shall include, but not
59 be limited to: (i) informing judges of their obligation to notify defendants of the potential loss
60 and restoration of their voting rights, in accordance with section 6; (ii) informing probation and
61 parole officers of their responsibility to notify probationers that their right to vote has been
62 restored; (iii) developing a single publication which provides accurate and complete information
63 to be shared publicly regarding the voting rights of persons who have been convicted of a felony
64 or a misdemeanor.