HOUSE DOCKET, NO. 3946 FILED ON: 1/20/2023

HOUSE . . . . . No. 671

The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

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:	DISTRICT/ADDRESS:	DATE ADDED:
Mike Connolly	*26th Middlesex*	*1/20/2023*
Samantha Montaño	*15th Suffolk*	*3/21/2023*

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HOUSE . . . . . No. 671

By Representative Connolly of Cambridge, a petition (accompanied by bill, House, No. 671) of Mike Connolly relative to extending voting rights in municipal elections to noncitizen voters. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *770* OF 2021-2022.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

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:

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

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

"municipal election", an election for mayor, school committee, city council, town council, board of selectmen, select board elections, a school committee referendum, a local ballot referendum or other municipal elections.

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

"noncitizen voting limitations", a noncitizen voter's inability to vote for: (1) the office of President, Vice President, Presidential elector, Member of the Senate or Member of the House of Representatives pursuant to 18 U.S.C. 611; (2) a state office; or (3) initiative petitions authorized under article XLVIII of the constitution.

"noncitizen voter registration form", a voter registration form that only a noncitizen voter uses.

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

"town meeting", an open town meeting or a representative town meeting established pursuant to chapter 43A.

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

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

(d) The state secretary shall issue a noncitizen voter registration form. The voter registration form shall include a declaration to be signed under pains and penalties of perjury by the noncitizen voter that the noncitizen is a resident of the municipality in which the noncitizen voter desires to vote.

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

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