SENATE No. 2059

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 establishing Election Day as a holiday and providing paid voting leave.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Rebecca L. Rausch	Norfolk, Worcester and Middlesex	
Lydia Edwards	Third Suffolk	2/3/2023
James B. Eldridge	Middlesex and Worcester	2/14/2023

SENATE No. 2059

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 2059) of Rebecca L. Rausch, Lydia Edwards and James B. Eldridge for legislation to establish Election Day as a holiday and providing paid voting leave. State Administration and Regulatory Oversight.

The Commonwealth of Alassachusetts

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

An Act establishing Election Day as a holiday and providing paid voting leave.

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

- SECTION 1. The eighteenth clause of section 7 of chapter 4 of the General Laws is
- 2 hereby amended by adding the following sentence:- "Legal holiday" shall also include Election
- 3 Day, the first Tuesday in November in even-numbered years; provided, however, that
- 4 observance of said holiday shall not apply to public employees whose jobs pertain to the
- 5 operation and administration of elections.
- 6 SECTION 2. Chapter 149 of the General Laws is hereby amended by striking out section
- 7 178 and inserting in place thereof the following section:-
- 8 Section 178. Paid leave of absence from work for voting.
- 9 (a) For purposes of this section, the terms "employer" and "employee" shall be defined as
- in section 1 of chapter 175M.

(b) An employee who is eligible to vote shall be entitled, upon request, to take two hours of paid leave to be used for the purpose of casting a ballot in any annual or special municipal or state primary or election. An employee may elect to take paid voting leave at any point during the early voting or mail voting period provided by law, or on the date of a primary or election. Employees eligible to observe Election Day as a holiday, as defined in the eighteenth clause of section 7 of chapter 4, shall not be entitled to take additional paid leave pursuant to this paragraph for biennial general elections.

(c) It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, the right to take paid voting leave under this section as a negative factor in any employment action such as evaluation, promotion, disciplinary action or termination, or otherwise subjecting an employee to discipline for the use of paid voting leave under this section.