

# SENATE . . . . . No. 415

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## 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. 415

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 415) of James B. Eldridge for legislation to extend voting rights in municipal elections to noncitizen voters of the commonwealth. Election Laws.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 465 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:*

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.

“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.

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.