HOUSE DOCKET, NO. 2673 FILED ON: 1/16/2025

HOUSE . . . . . No. 799

The Commonwealth of Massachusetts

PRESENTED BY:

Shirley B. Arriaga

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 decoupling the municipal census from voter registration.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Shirley B. Arriaga	*8th Hampden*	*1/16/2025*
Lindsay N. Sabadosa	*1st Hampshire*	*3/4/2025*
Erika Uyterhoeven	*27th Middlesex*	*3/4/2025*
Carmine Lawrence Gentile	*13th Middlesex*	*3/4/2025*
James B. Eldridge	*Middlesex and Worcester*	*3/4/2025*
Steven Owens	*29th Middlesex*	*3/4/2025*
Samantha Montaño	*15th Suffolk*	*3/4/2025*
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*3/4/2025*
James C. Arena-DeRosa	*8th Middlesex*	*3/4/2025*
Marjorie C. Decker	*25th Middlesex*	*3/4/2025*
Christine P. Barber	*34th Middlesex*	*3/4/2025*
Bruce E. Tarr	*First Essex and Middlesex*	*3/4/2025*
Adrianne Pusateri Ramos	*14th Essex*	*3/13/2025*
Manny Cruz	*7th Essex*	*3/13/2025*
Tara T. Hong	*18th Middlesex*	*3/13/2025*
Natalie M. Higgins	*4th Worcester*	*3/20/2025*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*3/24/2025*
Amy Mah Sangiolo	*11th Middlesex*	*3/28/2025*

Mike Connolly	*26th Middlesex*	*3/28/2025*
Orlando Ramos	*9th Hampden*	*4/9/2025*
Danillo A. Sena	*37th Middlesex*	*4/14/2025*
Christopher Hendricks	*11th Bristol*	*6/13/2025*
Angelo J. Puppolo, Jr.	*12th Hampden*	*10/8/2025*
Lisa Field	*3rd Bristol*	*10/8/2025*
Rodney M. Elliott	*16th Middlesex*	*1/25/2026*
Nick Collins	*First Suffolk*	*1/28/2026*

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By Representative Arriaga of Chicopee, a petition (accompanied by bill, House, No. 799) of Shirley B. Arriaga and others for legislation to further regulate voter registration rolls. Election Laws.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act decoupling the municipal census from voter registration.

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

SECTION A. Subsection (c) of section 4 of chapter 51 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out the words "for 2 consecutive years shall result in removal from the active voting list and may result in removal from the voter registration rolls" and inserting in place thereof the following words:- may result in a fine.

SECTION B. Chapter 51 of the General Laws is hereby amended by striking out sections 37, 37A and 38, as so appearing, and inserting in place thereof the following 2 sections:-

Section 37. (a) The registrars shall maintain a register of voters, in this chapter sometimes called the register or the annual register, which shall contain the names and residential addresses of all registered voters in their city or town and reflect the names and residential addresses contained in the central registry of voters maintained by the state secretary under section 47C. The registrars shall add to the register the name and residential address of every person

13 registering to vote under section 33A or 42 or automatically registered under sections 42G½ and
14 65. The registrars shall correct any error in the register after due investigation; provided,
15 however, that the registrars shall only remove a name from the register in a manner consistent
16 with the requirements of subsection (c).

17 (b) The register shall not include the name of a voter who provides the registrars with a
18 copy of a court order granting protection, evidence of residence in a protective shelter or an
19 affidavit signed by a chief of police or designee that the voter is entitled to have certain
20 information withheld from the public inspection under section 24C of chapter 265.

21 (c) The registrars shall remove a voter's name and address from the register if and only if:

22 (i) the voter so requests in writing;

23 (ii) the registrars receive notice from the city or town clerk under section 14, or a death
24 record from the department of public health, indicating that the voter has died;

25 (iii) the registrars receive official written notice that the voter is: (a) incarcerated for a
26 felony conviction; (b) disqualified by law because of corrupt practices in respect to elections; or
27 (c) under guardianship that prohibits voting;

28 (iv) the registrars receive official written notice that the voter is registered to vote in
29 another jurisdiction;

30 (v) the registrars determine that the voter is illegally or incorrectly registered after
31 complaint, notice and hearing under sections 48 and 49; or

32 (vi) the registrars determine that that voter no longer resides in their city or town under
33 section 38.

34 (d) The state secretary shall adopt regulations to implement this section. To the extent
35 feasible, the state secretary shall automate processes using the central registry of voters under
36 section 47C.

37 Section 38. (a) The registrars shall maintain an inactive voters list. The registrars shall
38 remove a voter's name and address from the register of voters and add it to the inactive voters
39 list the registrars receive information that the voter no longer resides in their city or town from:
40 (i) permanent change-of-address information supplied by the United States Postal Service or its
41 licensee; or (ii) the Electronic Registration Information Center, Inc. under section 47C.

42 (b) Registrars receiving information under subsection (a) showing that the voter has
43 changed residence within their city or town shall update the voter's address in the register
44 accordingly and notify the voter in writing.

45 (c) Whenever the registrars remove a voter's name and address from the register of voters
46 and add it to the inactive voters list under subsection (a), the registrars shall mail to the voter at
47 the address in the register a notice that the name of the voter may be removed from the voting list
48 if the voter fails to respond to such notice and does not vote during the period ending with the
49 second biennial state election following the mailing of the notice. The notice shall: (i) be postage
50 prepaid; (ii) contain a return card preaddressed to the city or town clerk with return postage
51 guaranteed; (iii) be sent by forwardable mail; (iv) instruct the voter to return the card before the
52 last day to register if the voter did not change residence from the city or town; and (v) contain
53 additional information about remaining eligible to vote, as prescribed by the state secretary.

54 (d) A voter whose name is on the inactive voters list may vote in the voter's assigned
55 precinct on a regular ballot upon the voter's written affirmation of continued residence in the city
56 or town.

57 (e) The registrars shall restore to the register of voters the name and address of a voter on
58 the inactive voters list who notifies the registrars in writing of continued residence in the city or
59 town or who votes in any primary or election, applies for a mail ballot, signs a nomination paper
60 or petition for a ballot question using an address in their city of town or performs acts governed
61 by this chapter or chapters 52, 53 or 54 that require such use of an address in their city or town.

62 (f) The registrars shall remove from the inactive voters list the name of a voter that has
63 not been restored to the register under subsection (e) after 2 biennial state elections following the
64 mailing of the notice under subsection (c). The registrars shall mail forwardable notice to the
65 voter that the voter's name has been removed from the inactive voters list; provided, however,
66 that such notice shall also include information about remaining eligible to vote, as prescribed by
67 the state secretary.

68 (g) The state secretary shall adopt regulations to implement this section. To the extent
69 feasible, the state secretary shall automate processes using the central registry of voters under
70 section 47C.

71 SECTION C. Section 42 of said chapter 51, as so appearing, is hereby amended by
72 striking out the second sentence.

73 SECTION D. Whenever the term "annual register of voters" or "annual register,"
74 meaning the annual register of voters, appears in any statute, charter, regulation, contract, or

75 other document, that term means the register of voters established in section 37 of chapter 51 of

76 the General Laws.