SENATE DOCKET, NO. 2321 FILED ON: 1/17/2025

SENATE . . . . . No. 533

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 to ensure a complete, accurate, and equitable census count.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*

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SENATE . . . . . No. 533

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 533) of Rebecca L. Rausch for legislation relative to ensure a complete, accurate, and equitable census count. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *432* OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act to ensure a complete, accurate, and equitable census count.

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

The General Laws, as appearing in the 2022 Official Edition, are hereby amended by inserting after chapter 57 the following new chapter:-

Chapter 57A – Census Equity and Accuracy

Section 1. For purposes of this chapter, the following words shall have the following meanings:

"Census day", the day by which residents in the United States must be counted, as set forth in title 13 of the United States Code.

"Commission", the Massachusetts census equity commission.

"Persons experiencing homelessness", individuals who lack, or are perceived to lack, a fixed, regular, and adequate nighttime residence. Persons experiencing homelessness includes, but is not limited to, persons who: (1) share the housing of other persons due to loss of housing, economic hardship or a similar reason; (2) live in motels, hotels, trailer parks or campgrounds due to the lack of fixed, regular, and adequate nighttime residence; (3) live in emergency or transitional shelters; (4) are abandoned in hospitals; (5) are awaiting foster care placement; (6) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; (7) live in cars, parks, public spaces, abandoned buildings, bus or train stations or similar settings; or (8) are transient and otherwise experiencing homelessness as described in this subsection.

"Undercounted communities", groups of residents of the commonwealth who are traditionally undercounted in census implementations, including but not limited to: (1) communities of color; (2) immigrants, regardless of documentation; (3) individuals of all gender identities, gender presentations, and sexual orientations; (4) individuals with incomes under 200% of the federal poverty line; (5) persons experiencing homeless; (6) individuals with disabilities; (7) individuals who are veterans; (8) individuals under the age of 16 years; (9) individuals for whom English is not their first language; (10) residents of rural communities; and (11) residents of subsidized housing.

Section 2. (a) There is hereby established, within the office of the state secretary, the Massachusetts census equity commission. The purpose of the commission shall be to ensure that Massachusetts censuses accurately and completely count all residents of the commonwealth, including but not limited to undercounted communities.

(b) The commission shall consist of 29 members, as follows: the secretary of state, or designee, who shall serve as chair; the attorney general, or designee; the Senate chair of the committee on election laws; the House chair of the committee on redistricting; the Senate minority leader, or designee; the House minority leader, or designee; a Senate member of the Black and Latino Legislative Caucus; a House member of the Asian Legislative Caucus; the commissioner of the department of elementary and secondary education, or designee; the commissioner of the office of refugees and immigrants, or designee; a member of the Boston city council, selected by majority vote of the council; a member of the Worcester city council, selected by majority vote of the council; a member of the Springfield city council, selected by majority vote of the council; a member of the Lowell city council, selected by majority vote of the council; a member of the New Bedford city council, selected by majority vote of the council; a member of the Barnstable town council, selected by majority vote of the council; a member of the Greenfield town council, selected by majority vote of the council; the executive director of the Massachusetts Immigrant and Refugee Advocacy Coalition; a representative of the Grove Hall Safe Neighborhood Initiative; the executive director of the Massachusetts Coalition for the Homeless; 4 members appointed by the speaker of the house of representatives who shall be residents of the Commonwealth, 2 of whom shall represent faith communities of color in the commonwealth, 1 of whom shall represent minority and women-owned businesses in the commonwealth, and 1 of whom shall be a member of the Wampanoag tribe; and 5 members appointed by the president of the senate who shall be residents of the Commonwealth, 1 of whom shall represent youth residents of the commonwealth, 1 of whom shall represent older adult residents of the commonwealth, 1 of whom shall be a veteran, 1 of whom shall represent individuals with disabilities, and 1 of whom shall represent tenants and renters. Appointments

shall promote diverse geographic, cultural, ethnic, racial, and gender representation on the commission.

Section 3. (a) The commission shall develop and implement census outreach programs to: increase awareness of the census, focusing efforts in undercounted communities; educate residents of the commonwealth about the importance of an accurate census count; alleviate concerns about perceived repercussions for participating in the census count; and engage undercounted communities in the census counting process.

(b) The census outreach programs shall take into account barriers to proper counting of all residents of the commonwealth.

(c) The census outreach programs shall include communications to residents of the commonwealth through school-based programs, partnerships with non-profit and community-based programs, and a multi-lingual, multi-media, multi-platform campaign.

(d) For purposes of implementing the census outreach programs, the commission shall solicit participation from relevant experts and practitioners as necessary to achieve the goals set forth in subsection (a) of this section; and may create and appoint working groups as it deems appropriate.

Section 4. The commission shall be coordinated through the office of the secretary of state which shall provide administrative support to the commission and coordinate with state agencies and constitutional officers, as well as units of local government, to identify effective methods of outreach and to provide resources to ensure that outreach programs are successful and all residents are counted.

Section 5. (a) Members of the commission shall serve four-year terms, provided that no term shall terminate within the 24-month period prior to a census day or the 6-month period subsequent to a census day.

(b) Members of the commission shall receive no compensation for their services but may be reimbursed for expenses incurred in the course of their service on the commission.

(c) The commission may employ a director and assistant director upon a simple majority vote of the full membership of the commission. The director and assistant director may be compensated from moneys appropriated or available for that purpose.

Section 6. Vacancies on the commission shall be filled in like manner as the original appointment.

Section 7. (a) During the 24-month period prior to a census day, the commission shall meet at least monthly, or more frequently at the call of the chair or by majority vote of the members.

(b) At all times other than the period set forth in subsection (a) of this section, the commission shall meet at least quarterly, or more frequently at the call of the chair or by majority vote of the members.

(c) To the extent practicable, the commission shall rotate meeting locations throughout every region of the commonwealth.

Section 8. The secretary of the commonwealth shall use all reasonable efforts to secure federal funding for implementation of the census outreach programs. At least forty percent of the

funds spent implementing the census outreach programs must be spent on undercounted communities.

Section 9. (a) Not later than June 1 in the odd-numbered year immediately preceding a census day, the commission shall file with the governor, the secretary of the commonwealth, the attorney general, and the general court joint committees on election laws and redistricting, an interim report containing: (1) its proposed census outreach programs to encourage full participation and avoid an undercount in the upcoming decennial census; and (2) any recommendations for regulatory or legislative action necessary to ensure an accurate count of all Massachusetts residents in the upcoming decennial census.

(b) The general court joint committees on election laws and redistricting may, separately or collectively, issue to the commission suggestions for improvements to the proposed census outreach programs contained in the interim report. The committees may, separately or collectively, hold public hearings in advance of preparing and issuing said suggestions. Any suggestions must be issued to the commission by November 1 in the odd-numbered year immediately preceding a census day.

(c) Not later than December 10 in the odd-numbered year immediately preceding a census day, the committee shall file with the governor, the secretary of the commonwealth, the attorney general, and the general court joint committees on election laws and redistricting, a final report containing the census outreach programs to be implemented throughout the commonwealth.

(d) Not later than February 1 in the odd-numbered year immediately subsequent to a census day, the committee shall file with the governor, the secretary of the commonwealth, the

attorney general, and the legislative committees on election laws and redistricting, a post-implementation report containing: (1) a detailed accounting of the census outreach programs implemented for the immediately prior decennial census; (2) an assessment of the perceived levels of success of the components of the census outreach programs; (3) recommendations for improvements in the next census outreach programs, including in the commission's discretion appropriate recommended legislative or regulatory action; and (4) other notable outcomes of the commission's work.

(e) The commission may update its post-implementation report as appropriate, in its discretion, until December 31 in the second odd-numbered year subsequent to a census day.