

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael D. Brady

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 relative to Election Day registration at polling places.

PETITION OF:

NAME:

Michael D. Brady

DISTRICT/ADDRESS:

Second Plymouth and Norfolk

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to Election Day registration at polling places.

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

1 SECTION 1. Section 1 of chapter 51 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out the last sentence in lines 15 to 20, inclusive,
3 and inserting in place thereof the following sentence:- A person otherwise qualified to vote for
4 national or state officers, but who has not registered in accordance with the provisions of section
5 26 of this chapter shall be eligible to register under section 34A.

6 SECTION 2. Section 1F of chapter 51 of the General Laws is hereby repealed.

7 SECTION 3. Said chapter 51, as so appearing in the 2022 Official Edition, is hereby
8 amended, by striking out section 3, as so appearing, and inserting in place thereof the following
9 section:-

10 Section 3. For all elections and primaries, a person shall be registered and may vote in the
11 ward or voting precinct where he resides; provided, however, that any registered voter of a city
12 or town who moves to any other precinct in said city or town or to another city or town may
13 register to vote at his new address by making written application to the city or town clerk no later

14 than the close of registration or in accordance with the provisions of section 34A. A new resident
15 of the city or town may also, upon like application, be registered at the new address by making
16 written application to the city or town clerk no later than the close of registration or in
17 accordance with the provisions of section 34A. The city or town clerk shall forthwith notify each
18 voter making any such written application that the same has been received and that he may vote,
19 subject to the provision of this section regarding the close of registration, in the ward or precinct
20 into which he has moved or in accordance with provisions of section 34A.

21 SECTION 4. Section 26 of said chapter 51, as so appearing in the 2022 Official Edition,
22 is hereby amended by striking out, in line 10, the words “eight o’clock in the evening” and
23 inserting in place thereof, in each instance, the following figure:- 5:00 pm.

24 SECTION 5. Section 26 of said chapter 51, as so appearing in the 2022 Official Edition,
25 is hereby further amended by striking the last sentence contained in lines 22 to 28, inclusive.

26 SECTION 6. Said chapter 51 is hereby further amended by striking out section 28, as so
27 appearing in the 2020 Official Edition, and inserting in place thereof the following section:-

28 Section 28. Registrars shall hold a continuous session from 9:00 am until 5:00 pm on the
29 last day for registration prescribed under section 26. For those towns having less than 1,500
30 voters, such session shall be sufficient if it includes the time from 9:00 until 11:00 am and from
31 2:00 until 5:00 pm.

32 SECTION 7. Said chapter 51 is hereby further amended by striking out section 34, as
33 appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

34 Section 34. Except as otherwise provided in section 34A, after 5:00 pm of a day on which
35 registration is to cease, the registrars shall not register any person to vote in the next election,
36 except that they shall furnish, or cause to be furnished, to each person waiting in line at the hour
37 of 5:00 pm for the purpose of being registered, a card or slip of identification bearing such
38 person's name and shall, before registration ceases, permit such person to register.

39 SECTION 8. Said chapter 51 is hereby further amended by inserting after section 34 the
40 following section:-

41 Section 34A. (a) An individual who is eligible to vote may register on the day of an
42 election by appearing in person at the polling place, during the hours it is open for voting, for the
43 precinct in which the individual maintains residence, by completing a registration application in
44 a form prescribed by the state secretary which complies with identity requirements of 52 U.S.C.
45 section 21083, by presenting to the appropriate election official proof of residency and by
46 making a written oath which shall be as follows: I certify that I: am a citizen of the United States;
47 am at least 18 years old; am not under guardianship that prohibits me from registering and/or
48 voting or otherwise prohibited from voting; am not temporarily or permanently disqualified by
49 law because of corrupt practices in respect to elections; have not and will not vote in any other
50 location within the Commonwealth or elsewhere; have read and understand this statement: I
51 further understand that giving false information is a felony punishable by not more than 5 years
52 imprisonment or a fine of not more than \$10,000, or both.

53 (b) For purposes of this section, the term "proof of residence" shall mean 1 of the
54 following, so long as it includes the name of the applicant and the address from which he or she
55 is registering:

56 (i) a valid photo identification including, but not limited to, a Massachusetts driver's
57 license or other state-issued identification card; or

58 (ii) other documentation demonstrating the name and address where the applicant
59 maintains residence and seeks to register including, but not limited to, a copy of a current utility
60 bill, bank statement, government check, residential lease agreement, wireless telephone
61 statement, paycheck, other government document or correspondence, a current student fee
62 statement or other document from a post-secondary educational institution that verifies the
63 student's current address.

64 (c) Upon meeting the identity requirements of subsection (a), production of proof of
65 residence, and the making of an oath sufficient to support registration, the ballot clerk or his
66 designee shall permit the applicant to vote at that election. Any person

67 who registers to vote on the day of an election in accordance with this section shall,
68 absent disqualification, be registered to vote at all subsequent primaries and elections.

69 (d) A registrant who fails to present suitable identification shall be permitted to deposit a
70 provisional ballot pursuant to the provisions of section 76C of chapter 54, but shall be required to
71 return within two business days after a state primary or municipal election or within six days
72 following a state election to present sufficient identification to the local election officials in order
73 for the local election officials to determine that the registrant is qualified to vote in such election
74 and has deposited an eligible provisional ballot.

75 (e) The state secretary shall make available to the election officers at each polling place,
76 to the extent possible, access to the statewide list of registered voters as contained in the central
77 registry of voters set forth in section 47C. For the purposes of this section, an electronic or

78 printed copy of all voters registered to vote in that precinct as of the last day of the registration
79 period, as required by sections 55 and 60, shall be sufficient.

80 (f) The local election officials may correct information supplied by the registrant to the
81 extent necessary to maintain the integrity of their records. If an affidavit is incomplete or if it
82 appears from the facts set forth in the affidavit that the registrant is not qualified to register as a
83 voter, the local election officials shall proceed in accordance with the provisions of section forty-
84 seven.

85 (g) As soon as practicable after the election, the registrars shall add the registrant's name,
86 address and effective date of registration to the annual register of voters.

87 (h) This section shall not apply to an individual seeking to register to vote in any town for
88 the purposes of voting at annual town meeting or special town meeting.

89 (i) A registered voter shall not re-register on the day of a primary or election for the
90 exclusive purpose of altering his party affiliation.

91 (j) The state secretary shall adopt regulations to implement the relevant provisions of this
92 chapter.

93 (k) Upon credible information or allegation of illegal voter registration, or credible
94 information or allegation of illegal multiple voting, there shall be an investigation upon the
95 merits of said information or allegation by the attorney general, or by the district attorney having
96 jurisdiction over the municipality in which the alleged illegal registration or illegal multiple
97 voting occurred. Nothing in this subsection shall be construed as excluding enforcement of this
98 section by any means otherwise provided by law.

99 (l) Violations of this section shall be punishable under sections 8, 26 and 27, of chapter
100 56.

101 SECTION 9. Said chapter 51 is hereby further amended by striking out section 47C, as so
102 appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

103 Section 47C. Subject to appropriation, the state secretary shall maintain a central registry
104 of voters which shall contain the names, addresses and effective dates of registration of all
105 registered voters in the commonwealth and which shall contain the name, date of birth,
106 occupation, veteran status, nationality, if not a citizen of the United States, for street list purposes
107 only, and residence on January first in the preceding year and in the current year, of every person
108 three years of age or older in the commonwealth as provided by registrars. The registrars shall
109 enter and maintain all the information required. The secretary of the commonwealth shall adopt
110 regulations governing the operation of said central registry. The names and addresses of voters
111 and any other information contained in said central registry shall not be a matter of public record;
112 provided however, that such information shall be available upon execution of a license
113 agreement to state party committees, official political designation committees, statewide
114 candidate committees, state ballot question committees, the jury commissioner, adjutant general
115 and any other individual, agency or entity that the state secretary shall designate by regulation
116 consistent with the purposes of this section, at a fair and reasonable cost not to exceed the cost of
117 printing or preparing computer readable documents.

118 SECTION 10. Said chapter 51 is hereby further amended by inserting after section 47C
119 the following section:-

120 Section 47D. The registry of motor vehicles, and any other state agency permitted by law,
121 shall provide data, as deemed necessary by the state secretary, for the purposes of maintaining
122 accurate and complete voter lists. At least every 2 months, the registry of motor vehicles, and
123 any other state agency the secretary designates, shall electronically transmit to the secretary all
124 data as directed by the secretary and relevant to the purposes of voter registration, including, if
125 available, the following record fields: (i) name, current residential address, mailing address, date
126 of birth, driver’s license number and/or last 4 digits of the social security number, and telephone
127 number; (ii) date, time, and nature of the last change to the information; and (iii) any additional
128 information designated by the state secretary for such purposes and reasonably related to
129 maintaining accurate and complete voter lists.

130 The secretary shall provide the names and addresses and other data contained in said
131 central registry, as well as information received from the registry of motor vehicles and any other
132 agency received for the purpose of maintaining accurate and complete voting lists, to the
133 Electronic Registration Information Center (“ERIC”) after entering into a binding legal
134 agreement with ERIC specifying the terms and conditions of Massachusetts’s membership in the
135 Center.

136 The secretary shall implement, if practicable, a centralized system to manage and
137 evaluate data received from ERIC to send required mailings to voters and residents

138 identified as eligible but not registered centrally rather than from the local level. The
139 secretary shall provide information to the registrars in electronic form and in a manner
140 minimizing data management at the local level for any action necessary to be taken by the local
141 election officials.

142 The information sent to and received from ERIC shall not be a public record.

143 SECTION 11. There shall be an advisory committee on the implementation of Election
144 Day registration. Among other issues it may consider, the advisory committee shall study the
145 resources necessary for, costs associated with, and feasibility of providing every polling location
146 with real-time electronic access to the statewide database of registered voters. The advisory
147 committee shall be comprised of the secretary of state, or a designee, who shall chair the
148 advisory committee, the attorney general, or a designee, the house and senate chairs of the joint
149 committee on election laws, or their designees, 2 representatives of the Massachusetts Town
150 Clerks Association, at least 1 of whom shall be a town clerk from a town of under 5,000
151 residents, and 2 representatives of the Massachusetts City Clerks Association. The advisory
152 committee shall complete its study on the implementation of election day registration and submit
153 an interim report and recommendations for improving administration of election day registration,
154 in writing, to the joint committee on election laws and the senate and house committees on ways
155 and means on or before June 30, 2025, and the advisory committee shall submit its final report in
156 writing to the joint committee on election laws and the senate and house committees on ways and
157 means on or before June 30, 2025.

158 SECTION 12. Sections 1 through 8 of this act shall take effect on July 1, 2025.

159 SECTION 13. Sections 9 through 11 shall take effect within 60 days of passage.