HOUSE DOCKET, NO. 2704 FILED ON: 1/18/2013

HOUSE . . . . . No. 622

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna O'Connell

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 requiring photo ID when casting provisional ballots.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Shaunna O'Connell	*3rd Bristol*
Geoff Diehl	*7th Plymouth*
Kimberly N. Ferguson	*1st Worcester*
Paul K. Frost	*7th Worcester*
Colleen M. Garry	*36th Middlesex*
Sheila C. Harrington	*1st Middlesex*
Marc T. Lombardo	*22nd Middlesex*
Keiko M. Orrall	*12th Bristol*
Elizabeth A. Poirier	*14th Bristol*
Bruce E. Tarr	*First Essex and Middlesex*

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HOUSE . . . . . No. 622

By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 622) of Shaunna O'Connell and others for legislation to require valid identification when casting provisional ballots. Election Laws.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to requiring photo ID when casting provisional ballots.

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. Section 75 of chapter 54 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, by adding at the end thereof the following language:-

Any election officer who in any way fails to follow the procedures and guidelines enumerated by this chapter or the election day procedures and regulations provided by the Secretary of State shall be subject to a written citation for the first recorded offense, and shall be relieved of duties for any subsequent offense.

SECTION 2. Subsection (c) of section 76C of chapter 54 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the words, "requested to present identification when completing a provisional ballot. Failure to present identification shall not prevent the voter from completing a provisional ballot." and inserting in place thereof the following—required to present valid, photo identification when completing a provisional ballot. Failure to present identification either immediately or under the provisions of Section 4, subsection 1 shall cause such provisional ballot to be discarded.

SECTION 3. Section 76C of chapter 54 of the General Laws, as appearing in the 2010 Official Edition, is herby amended by adding the following language at the end of subsection (c):

"Valid photo identification" shall mean a document that:

(1) shows the name of the individual to whom the document was issued, and the name conforms to the name of the individual's voter registration record;

(2) shows a photograph of the individual to whom the document was issued;

20 (3) includes an expiration date, and the document is not expired or expired after the date
21 of the most recent general election; and

22 (4) was issued by the commonwealth of Massachusetts or the government of the United
23 States.

24 (5) includes the individual's current address within the district for which they are voting.

25 (2) (a) A person seeking to vote that does not provide sufficient valid photo identification
26 as defined in subsection (a) of this section may be challenged under section 85 of this chapter.

27 SECTION 4. Section 76C of chapter 54 of the General Laws, as so appearing, is hereby
28 amended, by adding after subsection (k) the following new subsection:--

29 (l) A voter who fails to provide valid photo identification as defined under section 76C
30 and casts a provisional ballot shall be required to provide such identification in person to the city
31 or town clerk, or elections board or commission, of the municipality in which they reside, within
32 8 business days from the date of the election in which the provisional ballot was cast. A voter
33 who fails to provide such identification in the time specified shall forfeit that vote, and that
34 provisional ballot shall be discarded.