

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman

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 passage of the accompanying bill:

An Act to ensure secure voting equipment.

PETITION OF:

NAME: Jay R. Kaufman	DISTRICT/ADDRESS: 15th Middlesex
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[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 670 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO ENSURE SECURE VOTING EQUIPMENT..

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 50 of the General Laws, as appearing in the 2004 Official Edition, is
2 hereby amended by inserting, in line 65, before the word "ballot" the word:- paper.

3

4 SECTION 2. Said section 1 of chapter 50 is hereby amended by striking out, in lines 66 and 67, the words
5 "and where voting machines are used shall include ballot labels," and inserting in place thereof the
6 following words:- and shall be the sole record of the vote used for counting and tallying purposes.

7

8 SECTION 3. Section 33 of chapter 54 of the General Laws, as appearing in the 2004 Official Edition, is
9 hereby amended by inserting before the first paragraph the following paragraph: -

10

11 All voting systems shall allow voters to directly mark an official paper ballot, either by hand or, in the
12 case of voters with disabilities, by way of a marking device. All voting systems shall allow the voter to
13 verify his vote on the official ballot before the vote is cast. No voting system shall be approved if the
14 recording and tallying of the votes take place electronically in one machine or in machines electronically
15 connected to each other, even if such machines provide a paper receipt. The official ballot marked,
16 verified, and cast by the voter shall be the official record of the vote. Only votes on official ballots may
17 be counted.

18

19 SECTION 4. Said section 33 of chapter 54 is hereby amended by striking out, in line 6, the words “but no
20 machine shall be approved which does not secure to the voter as much secrecy in voting as is afforded
21 by the use of the official ballot”, and inserting in place thereof the following words:- but no machine
22 shall be approved which does not allow the voter to directly mark and verify his own official paper
23 ballot, and does not secure to the voter as much secrecy in voting as marking the official ballot by hand.

24

25 SECTION 5. Said section 33 of chapter 54 is hereby amended by deleting the second paragraph.

26

27 SECTION 6. Said section 33 of chapter 54 is hereby amended by striking out, in lines 35 to 37, the words
28 “but no machine shall be approved which does not secure to the voter as much secrecy in voting as is
29 afforded by the use of the official ballot” and inserting in place thereof the following words:- but no
30 machine shall be approved which does not allow the voter to directly mark and verify his own official
31 paper ballot, and does not secure to the voter as much secrecy in voting as marking the official ballot by
32 hand.

33

34 SECTION 7. Section 33 of chapter 54 is hereby amended by deleting fifth paragraph.

35

36 SECTION 8. Chapter 54 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended
37 by deleting Section 33A.

38

39 SECTION 9. Section 37 of chapter 54 of the General Laws, as appearing in the 2004 Official Edition, is
40 hereby amended by inserting, in line 4, after the words “kinds of ballots,” the words:- provided that no
41 ballot shall be an electronic ballot.

42

43 SECTION 10. Said section 37 of chapter 54 is hereby amended by amended by striking, in line 4, the
44 words “ballot labels.”

45

46 SECTION 11. Said section 37 of chapter 54 is hereby amended by inserting, in line 7, after the word
47 “thirty-two,” the words:- and thirty-three.

48

49 SECTION 12. Paragraph 2 of section 44 of chapter 54 of the General Laws, as appearing in the 2004
50 Official Edition, is hereby amended by striking the first sentence and adding in place thereof the
51 following sentence:- The official ballots shall be of ordinary white printing paper, of two or more pages,
52 and shall, except as otherwise provided in this chapter, be so folded before distribution as to measure
53 not less than four and one half nor more than five inches in width and not less than six nor more than
54 thirteen and one half inches in length.

55

56 SECTION 13. Section 66 of chapter 54 of the General Laws, as appearing in the 2004 Official Edition, is
57 hereby amended by striking, in lines 2 and 3, the words "where official ballots are used," and inserting in
58 place thereof the following words:- except as otherwise provided in this chapter.