

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Byron Rushing

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 enabling cities and towns to extend voting rights in municipal elections to certain noncitizens of the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Byron Rushing	9th Suffolk
Pam Richardson	6th Middlesex
Tom Sannicandro	7th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 696 OF 2007-2008.]

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Nine
—————

AN ACT ENABLING CITIES AND TOWNS TO EXTEND VOTING RIGHTS IN MUNICIPAL ELECTIONS TO CERTAIN NONCITIZENS OF THE COMMONWEALTH.

*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. Chapter 51 of the General Laws is hereby amended by inserting after section
2 1F the following section:—

3 Section 1G. (a) Sections 1G, inclusive, shall take effect in any city or town upon the approval
4 by the legislative body and acceptance by the voters of a ballot question as set forth in this
5 section.

6 (b)(1) Notwithstanding the provisions of section one of chapter fifty-one of
7 the general laws or any other general or special law to the contrary, non-citizens, 18
8 years of age or older, residing in a city or town that accepts section 1G, inclusive, may
9 upon application have their names entered on a list of voters established by the
10 municipal election officials, and may thereafter vote in any municipal election for school
11 committee, school committee questions, city council and board of selectmen for so long
12 as they remain domiciled in the municipality.

13 (2) The election officers of a municipality that accepts the provisions of
14 section 1G, inclusive, are authorized to formulate regulations, guidelines, and
15 registration forms to implement the purpose of this act. The voter registration forms
16 shall include a declaration to be signed under pains and penalties of perjury by the non-

17 citizen voter that: 1) s/he is residing in the municipality; 2) s/he intends in good faith to
18 become a U.S. citizen and intends to begin that process, if eligible.

19 (3) Nothing in this act shall be construed to confer upon non-citizens the
20 right to vote for any state or federal office or any state or federal ballot questions.

21 (c)(1) Upon approval by the legislative body, the action of the body shall be
22 submitted for acceptance to the voters of a city or town at its next regular municipal or
23 state election. The city or town clerk or the state secretary shall place it on the ballot in
24 the form of the following question:

25 1. "Shall (city or town) accept section 1G, inclusive, of chapter 51 of the General Laws, as
26 approved by its legislative body, a summary of which appears below"

27 2. (Set forth here a fair, concise summary and purpose of the law to be acted upon, as
28 determined by the city solicitor or town counsel.)

29 3. (2) If a majority of the voters voting on said question vote in the
30 affirmative, then its provisions shall take effect in the city or town after 90 days, but not
31 otherwise.

32 4. (3) The final date for notifying or filing a petition with the city or town
33 clerk or the state secretary to place such a question on the ballot shall be 35 days before
34 the city or town election or 60 days before the state election.

35

36