HOUSE DOCKET, NO. 564 FILED ON: 1/18/2011

HOUSE . . . . . No. 202

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:

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*
Carl M. Sciortino, Jr.	*34th Middlesex*
Frank I. Smizik	*15th Norfolk*
Alice K. Wolf	*25th Middlesex*
Ellen Story	*3rd Hampshire*
Kay Khan	*11th Middlesex*

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HOUSE . . . . . No. 202

By Mr. Rushing of Boston, a petition (accompanied by bill, House, No. 202) of Byron Rushing and others for legislation to enable cities and towns to extend voting rights in municipal elections to certain non-citizens of the Commonwealth. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *672* OF 2009-2010.]

The Commonwealth of Massachusetts

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:

SECTION 1. Chapter 51 of the General Laws is hereby amended by inserting after section 1F the following section:–

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

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

(2) The election officers of a municipality that accepts the provisions of section 1G, inclusive, are authorized to formulate regulations, guidelines, and registration forms to implement the purpose of this act. The voter registration forms shall include a declaration to be signed under pains and penalties of perjury by the non-citizen voter that: 1) s/he is residing in the

16 municipality; 2) s/he intends in good faith to become a U.S. citizen and intends to begin that
17 process, if eligible.

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

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

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

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

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

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