HOUSE DOCKET, NO. 973 FILED ON: 1/15/2013

HOUSE . . . . . No. 571

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

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 relative to the distribution of personal information.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mark J. Cusack	*5th Norfolk*

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HOUSE . . . . . No. 571

By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 571) of Mark J. Cusack relative to the distribution of personal information by registrars or boards of election. Election Laws.

The Commonwealth of Massachusetts

An Act relative to the distribution of personal information.

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 4 of chapter 51 of the General Laws, as most recently amended by section 11 of chapter 384 of the acts of 2000, is hereby amended by striking out said section 4 and inserting in place thereof the following section:-

Section 4. (a) Registrars, assistant registrars, or boards having similar duties under any general or special law, except in the city of Boston, shall annually in January or February visit or communicate with the residents of each building in their respective cities and towns and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, date of birth, occupation, veteran status, nationality, if not a citizen of the United States, and residence on January 1 of the preceding year, and the current year, of each person residing in their respective cities and towns. Said lists and the information contained therein shall not be a matter of public record, provided however, that said lists shall, upon written request, be available for federal, state and local governmental use. A list of all persons under 18 years of age, shall be transmitted by the board of registrars to the respective school committee not later than April 1 of each year. The list shall contain the name, residence and age or date of birth of each such person, but said names shall not be disclosed to any person other than the respective school committee or board of trustees of a county agricultural school or their designated representatives. That proportion of any expenses incurred by the registrars under this section, equal to the proportion that the number of persons under 17 years of age bears to the total number of persons listed thereunder, shall be carried as an item in the school committee budget.

(b) In the city of Boston, the registrars, assistant registrars or boards having similar duties under any general or special law, shall annually in January or February visit or communicate with the residents of each building in said city and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, date of birth, occupation, veterans status, nationality if not a citizen of the United States, and residence on January 1 of the preceding year

25 and the current year, of each person residing in said city. Said lists and the information contained
26 therein shall not be a matter of public record, provided however, that said lists shall, upon written
27 request, be available for federal, state and local governmental use.

28 (c) In any city or town which communicates with residents by mail for the purposes of
29 obtaining such information, the communication shall state in boldface type on the postcard,
30 envelope and printed material contained in such communication the following statement:
31 "Warning: Failure to respond to this mailing shall result in removal from the active voting list
32 and may result in removal from the voter registrations rolls." Registrars, assistant registrars or
33 boards in such cities or towns communicating with residents by mail for the purposes of
34 obtaining such information may require a response under the penalties of perjury.

35 (d) The name and address of any person who provides the registrars with a copy of a
36 court order granting protection, or evidence of residence in a protective shelter, or an affidavit
37 signed by a chief of police or his designee that said person is entitled to have certain information
38 withheld from the public under section 24C of chapter 265, shall not appear on the street list and
39 such names shall not be disclosed to any person. The information collected under this section
40 regarding a person's status as a veteran shall not be a public record and shall only be disclosed to
41 the adjutant general and commissioner of veterans' services.

42 (e) The name and address of any law enforcement or public safety personnel who so
43 requests shall not appear on the street list and such names shall not be disclosed to any person.

44 SECTION 2. Chapter 51 of the General Laws, as appearing in the 2002 Official Edition,
45 is hereby amended by striking out section 6 in its entirety

46 SECTION 3. Chapter 51 of the General Laws, as so appearing, is hereby amended by
47 striking out section out 7 in its entirety.

48 SECTION 4. Chapter 51 of the General Laws is hereby amended by adding to the end of
49 section 11, as so appearing, the following sentence:- Said book and the information contained
50 therein shall not be a matter of public record, provided however, that said book shall, upon
51 written request, be available for federal, state and local governmental use.

52 SECTION 5. Chapter 51 of the General Laws is hereby amended by striking out section
53 47C, as so appearing, and inserting in place hereof the following:- Section 47C, Subject to
54 appropriation, the state secretary shall maintain a central registry of voters which shall contain, if
55 provided by the registrars, the names, addresses and effective dates of registration of all
56 registered voters in the commonwealth and which shall contain the name, date of birth,
57 occupation, nationality, if not a citizen of the United States, for street list purposes only, and
58 residence on January first in the preceding year and the current year, of every person in the
59 commonwealth, and shall adopt regulations governing the operation of said central registry. All
60 information contained in said central registry shall not be a matter of public record, provided

61 however, that all such information shall be available to the jury commissioner; that veteran status
62 information shall be available to the adjutant general and the commissioner of veterans' services;
63 and that information regarding the names, addresses, political designations and effective dates of
64 registration of registered voters shall be available to state party committees, statewide candidate
65 committees, state ballot question committees, and any other individual, agency or entity that the
66 state secretary shall designate by regulation consistent with the purposes of this section, at fair
67 and reasonable cost not to exceed the cost of printing or preparing computer readable documents.

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