

HOUSE No. 696

By Mr. Rushing of Boston, petition 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.

The Commonwealth of Massachusetts

PETITION OF:

Byron Rushing
Alice K. Wolf

Ellen Story
Denise Provost

In the Year Two Thousand and Seven.

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 Chapter 51 of the General Laws is hereby amended by inserting
- 2 after section 1F the following section:—
- 3 Section 1G. (a) Sections 1G, inclusive, shall take effect in any city
- 4 or town upon the approval by the legislative body and acceptance by
- 5 the voters of a ballot question as set forth in this section.
- 6 (b)(1) Notwithstanding the provisions of section one of chapter
- 7 fifty-one of the general laws or any other general or special law to
- 8 the contrary, non-citizens, 18 years of age or older, residing in a city
- 9 or town that accepts section 1G, inclusive, may upon application
- 10 have their names entered on a list of voters established by the
- 11 municipal election officials, and may thereafter vote in any munic-
- 12 ipal election for school committee, school committee questions, city
- 13 council and board of selectmen for so long as they remain domiciled
- 14 in the municipality.
- 15 (2) The election officers of a municipality that accepts the provi-
- 16 sions of section 1G, inclusive, are authorized to formulate regula-
- 17 tions, guidelines, and registration forms to implement the purpose of

18 this act. The voter registration forms shall include a declaration to
19 be signed under pains and penalties of perjury by the non-citizen
20 voter that: 1) s/he is residing in the municipality; 2) s/he intends in
21 good faith to become a U.S. citizen and intends to begin that
22 process, if eligible.

23 (3) Nothing in this act shall be construed to confer upon non-citi-
24 zens the right to vote for any state or federal office or any state or
25 federal ballot questions.

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

31 “Shall (city or town) accept section 1G, inclusive, of chapter 51 of
32 the General Laws, as approved by its legislative body, a summary of
33 which appears below”.

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

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

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