

Outline

AN ACT TO PROTECT THE VOTING RIGHTS OF ELIGIBLE INCARCERATED PEOPLE

- Section 1: Requires sheriffs and the Department of Correction (DOC) to maintain information on eligible voters -- eligibility, address on file, and location where they are incarcerated and transmit that information to the Secretary of the Commonwealth (SOC) and elections officials at regular intervals.
- Section 2: Requires voter eligibility status and changes are part of the 2018 reporting changes.
- Section 3:
 - Places burden of facilitating voting on sheriffs/DOC officials, and superintendents of Section 35 facilities. Requires they:
 - Develop policies and procedures along with community groups, elections officials, and publish those policies.
 - Distribute know-your rights signs and individual written notices about voting & eligibility
 - Distribute absentee ballot applications to all eligible voters as well as registration forms, documentation of eligible voters' address on-file, and voter information.
 - Ensure the timely return of applications and ballots, including by secure dropbox.
 - Provide opportunity for private voting
 - Appoint a staff person to be responsible for all the above
 - Publish a report on steps taken and participation.
 - Requires Secretary of Commonwealth to:
 - Create materials and know-your rights signs and re-issue regulations on specially qualified incarcerated voters and distribute them to sheriffs and superintendents.
 - Create regulations and instructions on specially qualified incarcerated voters and distribute them to elections officials.
 - Issue a report on the number of ballots applied for, rejected, and cast.
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- Section 4: Ensures postage for ballots is prepaid for incarcerated voters.
- Section 5 and 6: Provides returning citizens the opportunity to register to vote. Requires that returning citizens who may have already requested an absentee ballot or cast a ballot be notified that they maintain the right to vote in-person so long as their mail ballot has not been processed.
- Section 7: Defines Offices of Correction to include the Houses of Correction (HOC), jails and the DOC
- Section 8: Makes offices of correction automatic voter registration agencies.

- Section 9: Holds that proof a citizen is held in a jail sufficient to demonstrate that the voter has established residency in that location for voting purposes, and they may vote using that jail's address. Election officials are required to contact a jail or house of correction before rejecting a ballot application because of a determination that the voter is ineligible because of a disqualifying criminal conviction.
 - Requires elections officials to:
 - Make publicly available and report to the Secretary of Commonwealth any plans and procedures in place for reaching incarcerated eligible voters.
 - Track and report to the Secretary of Commonwealth data on the number of specially-qualified absentee ballot applications received, rejected, and ballots cast, as well as reason for rejected ballots
- Section 9: Requires county jails/HOCs located in counties with a population over 800,000 to have at least one early voting polling location in those county jails/HOCs. The municipality or municipalities with polling locations will be determined by the Secretary of Commonwealth in conjunction with sheriffs with the objective of ensuring that the greatest number of incarcerated voters may be served by that municipal polling location. The polling location will be available during early voting, at least on the last day if not longer. These polling locations are in addition to - not in place of - the other sections of this bill.