

The Voting ACCESS Act

SD.1458 - Senator Cindy Creem

All eligible citizens who want to vote should be able and encouraged to participate. However, barriers to the ballot and unequal voter participation keep us from being a truly representative democracy. Building on the success from 2022, the Voting ACCESS Act will remove remaining barriers, protect the right to vote, and further modernize our elections.

Many barriers to voting are administrative: the 10 day voter registration cutoff, the inactive voter list, seemingly duplicate application forms for vote by mail and absentee voting. Other barriers are more logistical like ensuring polling locations are compliant with the ADA. These barriers can be removed with the priorities elements of the Voting ACCESS act which includes:

Same Day Voter Registration

Uniform Mail Voting / Absentee Voting Forms

Decouple Municipal Census from Inactive Voter List

Polling Location Disability Access Oversight

SAME DAY REGISTRATION

No eligible voter should be turned away at the polls due to an error in or out- of-date voter registration. Same Day Voter Registration allows all eligible voters to register or update their registration in-person on Election Day or early voting days.

Filed as HD.2537 - Rep Carmine Gentile

- SDR is now used in 22 states and D.C. (Delaware passed in 2022)
- Maine, Minnesota, Wisconsin, and New Hampshire have used SDR for decades.
- SDR is mostly used by voters who need to update their registration, who would otherwise be excluded from participating on Election Day.

Decoupling Voter Registration from Municipal Census

Not responding to the municipal census should no longer result in being dropped from the voting register. This change will maintain the municipal census for data collection and jury selection but no longer to change a voter's status. Instead, voters' names will go on the inactive list if information that they have moved from the city or town is received from the U.S. Postal Service's national change of address program, from the multistate Electronic Registration Information Center, or from official notice by another jurisdiction. Voters' names will then continue to be removed from the inactive list if they fail to vote (or take other voting-related action) after two federal general elections.

Filed as HD.3498 - Rep Frank Moran

- Every year, thousands of Massachusetts voters go to vote in person, only to realize they're classified as "in-active voters." The primary reason is because they didn't fill out and return their annual municipal census, an unnecessary punitive measure.
- Massachusetts is an outlier. All states are required under federal law to have a process for keeping voter rolls up to date. MA is one of few to connect the inactive voter list to those who fail to fill out the municipal census. Most states just use the USPS Change of Address form and ERIC States.
- This bill will keep the inactive voter list and the municipal census, both which have value. It simply decouples them ensuring better access to voters on election day and less work for local election officials.

Uniform Mail and Absentee Voting Forms & Ballots

The VOTES Act enshrined permanent no-excuse vote by mail while leaving in place the existing absentee voting system. As a result of the Lyons v Secretary of Commonwealth decision in 2022, the legislature has plenary authority to align those systems. An easier fix is to enshrine in statute the ability for election administrators to use the same form and ballots for both no-excuse vote by mail and absentee voting. This quick fix will make voting by mail or absentee voting seamless, reduce confusion for the public and local election officials, and reduce workload and costs for election materials.

Filed as HD.3437 - Rep Shirley Arriaga

Strengthening Accessible Polling Location Oversight

Requires the Secretary to arrange inspection of all polling places and early voting sites at least once every four years, to ensure compliance with federal and state disability accessibility laws. Cities and towns not in compliance must take immediate action to comply and file a compliance plan, and the Attorney General can enforce compliance in court.

Filed as HD.3551 - Rep Kay Khan

- No-excuse vote by mail and absentee voting are two separate systems, but the forms, ballots, and other paperwork don't have to be.
- Allowing uniform vote by mail and absentee voting forms, ballots and other paperwork will reduce costs and workload for local election officials, and reduce confusion by voters.
- No constitutional amendment needed as a result of the Lyons v Secretary of Commonwealth decision in 2022.

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- Every year, voters with disability encounter various barriers to voting on Election Day. Automatic doors that don't work, AutoMARK machines that aren't set up, inadequate signage, and more.
 - Annual reporting will ensure accountability, accuracy, and further the public's trust in election administration.