

Offered by City Councilor Ricardo Arroyo, Breadon, Bok, Essaibi-George, Wu, Mejia,
Flynn, O'Malley and Campbell



**CITY OF BOSTON
IN CITY COUNCIL**

IN THE YEAR TWO THOUSAND TWENTY ONE

HOME RULE PETITION

WHEREAS: In the United States, 20 states and the District of Columbia currently use same-day registration, which allows any qualified resident of a state to register to vote and cast a ballot in the same day; *and*

WHEREAS: In Massachusetts, voters must register to vote at least twenty days before the date of the election; *and*

WHEREAS: Same-day voter registration is essential to protecting democracy in the City of Boston and would result in increased voter turnout and resident engagement, as well as decrease barriers to historically disenfranchised groups like Black, Latinx, Asian, low-income, immigrants, and non-English speakers; *and*

WHEREAS: Same-day voter registration would prevent individuals from being unable to vote due to purging of voter registration rolls by state officials, which disproportionately impacts Black Americans; *and*

WHEREAS: No eligible voter should be turned away at the polls and prevented from voting on election day when they have spent time and resources to travel to the polling site and exercise their democratic right to elect their representatives; *NOW THEREFORE BE IT*

ORDERED, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**PETITION FOR A SPECIAL LAW RE:
AN ACT RELATIVE TO SAME-DAY VOTER REGISTRATION FOR CITY OF
BOSTON MUNICIPAL ELECTIONS**

Section 1.

1. Notwithstanding any other general or special law, an individual who is eligible to vote may register on any day during a voting period, including the day of an election and the early voting period set forth in Section 25B of Chapter 54 of the Massachusetts General Laws, by appearing in person at the polling place for the precinct in which the individual maintains residence on election day, or by appearing in person at an early voting site in the City of Boston, during the hours it is open for voting, by completing a registration application in a form prescribed by the state secretary which complies with identity requirements of 42 U.S.C. section 15483, by presenting to the appropriate election official proof of residency and by making a written oath which shall be as follows: I certify that I: am a citizen of the United States; am at least 18 years old; am not under guardianship or otherwise prohibited from voting; am not temporarily or permanently disqualified by law because of corrupt practices in respect to elections; and have read and understand this statement: I further understand that giving false information is a felony punishable by not more than 5 years imprisonment or a fine of not more than \$10,000, or both.

2. For purposes of this section, the term “proof of residence” shall mean one of the following, so long as it includes the name of the applicant and the address from which the applicant is registering:
 - a. a valid photo identification including, but not limited to, a Massachusetts’ driver’s license or other state-issued identification card; or
 - b. other documentation confirming the name and address where the applicant maintains residence and seeks to register including, but not limited to, a copy of a current utility bill; bank statement; government check; residential lease agreement; mortgage statement; wireless telephone statement; paycheck; other government document or correspondence; or a current student fee statement or other document from a post-secondary educational institution that verifies the student’s current address.

3. Upon meeting the identity requirements of subsection (2) hereof, production of proof of residence, and the making of the oath in subsection (1) hereof, the ballot clerk or designee of the ballot clerk shall permit the applicant to vote on the day of an election or the early voting period and the registrar or designee of the registrar shall place the applicant’s name and address on the annual register of voters as soon as reasonably practicable following the date of the election or the early voting period as prescribed by the state secretary. Any person who registers to vote on the day of an election or during the early voting period in accordance with this section shall, absent disqualification, be registered to vote at all subsequent primaries and elections.

4. A registrant who fails to present suitable identification shall be permitted to cast a provisional ballot pursuant to the provisions of Section 76C of Chapter 54 of the Massachusetts General Laws, but shall be required to return within two business days after a state primary or municipal election or within six days following a state election to present sufficient identification to the local election officials in order for the local election officials to determine that the registrant is qualified to vote in such election and whether to count the provisional ballot.
5. Election officials may correct information supplied by the registrant to the extent necessary to maintain the integrity of their records. If an affidavit is incomplete or if it appears from the facts set forth in the affidavit that the registrant is not qualified to register as a voter, election officials shall proceed in accordance with the provisions of Section 47 of Chapter 51 of the Massachusetts General Laws.
6. As soon as practicable after the election, but not more than thirty days after the election, the registrars shall add the registrant's name, address and effective date of registration to the annual register of voters.
7. A registered voter shall not re-register on the day of an election or the early voting period for the exclusive purpose of altering the party affiliation of that voter.
8. Upon credible information or allegation of illegal voter registration, or credible information or allegation of illegal multiple voting, there shall be an investigation upon the merits of said information or allegation by the attorney general, or by the district attorney having jurisdiction over the City of Boston. Nothing in this subsection shall be construed as excluding enforcement of this section by any means otherwise provided by law.
9. Violations of this section shall be punishable under Sections 8, 26 and 27, of chapter 56 of the Massachusetts General Laws.

Section 2.

The provisions of this act shall take effect immediately upon passage.

Filed in Council: April 28, 2021