# **SENATE . . . . . . . . . . . . . . . . No. 392**

## The Commonwealth of Massachusetts

PRESENTED BY:

### Sonia Chang-Diaz

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 adoption of the accompanying bill:

An Act to increase voter registration, participation, and to help prevent recidivism.

#### PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Sonia Chang-Diaz	Second Suffolk	
Jason M. Lewis	Fifth Middlesex	1/25/2019
Adam G. Hinds	Berkshire, Hampshire, Franklin and	1/30/2019
	Hampden	
Patricia D. Jehlen	Second Middlesex	2/1/2019
Denise Provost	27th Middlesex	2/1/2019
Sal N. DiDomenico	Middlesex and Suffolk	2/1/2019
James B. Eldridge	Middlesex and Worcester	2/1/2019
Bud L. Williams	11th Hampden	2/1/2019
Harriette L. Chandler	First Worcester	2/1/2019
Rebecca L. Rausch	Norfolk, Bristol and Middlesex	2/1/2019

## **SENATE . . . . . . . . . . . . . . . . No. 392**

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 392) of Sonia Chang-Diaz, Jason M. Lewis, Adam G. Hinds, Patricia D. Jehlen and other members of the General Court for legislation to increase voter registration, participation, and to help prevent recidivism. Election Laws.

### The Commonwealth of Alassachusetts

In the One Hundred and Ninety-First General Court (2019-2020)

An Act to increase voter registration, participation, and to help prevent recidivism.

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 1 of chapter 50 of the General Laws, as appearing in the 2016
- 2 Official Edition, is hereby amended by inserting after the definition of "Municipal party" the
- 3 following definition:-
- 4 "Offices of correction", offices of the department of correction and offices of the houses
- 5 of correction.
- 6 SECTION 2. Said section 1 of said chapter 50, as so appearing, is hereby further
- 7 amended by inserting after the word "vehicles", in line 124, the following words:-, offices of
- 8 correction.
- 9 SECTION 3. Subsection (d) of section 42G½ of chapter 51 of the General Laws, as
- appearing in section 4 of chapter 205 of the acts of 2018, is hereby amended by adding the
- 11 following paragraph:-

In accordance with the memorandum of understanding required by subsection (b), each eligible applicant for services at an automatic voter registration agency who meets the qualifications to register to vote, except those currently serving time for a felony conviction and those who decline to register to vote, shall be entered onto the list of preregistered voters.

SECTION 4. Said chapter 51 is hereby further amended by inserting after section 47C the following section:-

Section 47D. If after examination of an affidavit of registration it appears to the registrars that the person has all the qualifications to be registered as a voter except that such person is currently incarcerated for a felony conviction and the person has obtained the age of 16, then the registrar shall enter the person's name in the current annual register of voters with the designation of preregistrant or such other term or code as may be specified by the state secretary. The designation shall be removed when the person is released from incarceration for such felony conviction. No person preregistered under this section shall be allowed to vote until such person is no longer incarcerated for such felony conviction unless otherwise permitted by law.

SECTION 5. Section 64 of said chapter 51, as so appearing, is hereby amended by striking out, in line 3, the word "section 47A" and inserting in place thereof the following words:- sections 47A and 47D.

SECTION 6. Notwithstanding any general or special law to the contrary, the chief justice of the supreme judicial court shall develop form language relative to voter registration status on conviction and such language shall be included in sentencing instructions read by a judge to a defendant. Such language shall be disseminated to district and superior court judges sitting in criminal sessions.

SECTION 7. The offices of correction shall submit implementation plans detailing compliance as a voter registration agency to the executive office of public safety and security pursuant to this act not later than January 1, 2021 which shall include, but not be limited to: (i) defining which staff members in each correctional facility shall be responsible for providing voter information to incarcerated persons; (ii) incorporating voter registration procedures in accordance with intake processes and reentry programming; (iii) methods for notifying persons incarcerated for misdemeanors of their right to continue voting while incarcerated; (iv) ensuring access to absentee ballot requests and submissions for individuals incarcerated for misdemeanors; and (v) methods of providing access to online voter registration.

SECTION 8. The state secretary shall develop and implement a program to educate attorneys, judges, election officials, correction officials, including parole and probation officers, and members of the public on the requirements of this act. Such program shall include, but not be limited to: (i) informing judges of their obligation to notify defendants of the potential loss and restoration of their voting rights, in accordance with section 6; (ii) informing probation and parole officers of their responsibility to notify probationers that their right to vote has been restored; (iii) developing a single publication which provides accurate and complete information to be shared publicly regarding the voting rights of persons who have been convicted of a felony or a misdemeanor.