

**HOUSE . . . . . No. 00196**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Jay Kaufman*

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 passage of the accompanying bill:

An Act to ensure secure voting equipment..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jay Kaufman</i>	<i>15th Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>Martha M. Walz</i>	<i>8th Suffolk</i>

# HOUSE . . . . . No. 00196

By Mr. Jay Kaufman of Lexington, petition (accompanied by bill, House, No. 00196) of Jonathan Hecht and others relative to ensuring secure voting equipment. Joint Committee on Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 649 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act to ensure secure voting equipment..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 SECTION 1. Section 1 of chapter 50 of the General Laws, as appearing in the 2008 Official
- 2 Edition, is hereby amended by inserting, in line 65, before the word “ballot” the word:- paper.
  
- 3 SECTION 2. Said section 1 of chapter 50 is hereby amended by striking out, in lines 66 and 67,
- 4 the words “and where voting machines are used shall include ballot labels,” and inserting in
- 5 place thereof the following words:- and shall be the sole record of the vote used for counting and
- 6 tallying purposes.
  
- 7 SECTION 3. Section 33 of chapter 54 of the General Laws, as appearing in the 2008 Official
- 8 Edition, is hereby amended by inserting before the first paragraph the following paragraph: -

9 All voting systems shall allow voters to directly mark an official paper ballot, either by hand or,  
10 in the case of voters with disabilities, by way of a marking device. All voting systems shall  
11 allow the voter to verify his vote on the official ballot before the vote is cast. No voting system  
12 shall be approved if the recording and tallying of the votes take place electronically in one  
13 machine or in machines electronically connected to each other, even if such machines provide a  
14 paper receipt. The official ballot marked, verified, and cast by the voter shall be the official  
15 record of the vote. Only votes on official ballots may be counted.

16 SECTION 4. Said section 33 of chapter 54 is hereby amended by striking out, in line 6, the  
17 words “but no machine shall be approved which does not secure to the voter as much secrecy in  
18 voting as is afforded by the use of the official ballot”, and inserting in place thereof the following  
19 words:- but no machine shall be approved which does not allow the voter to directly mark and  
20 verify his own official paper ballot, and does not secure to the voter as much secrecy in voting as  
21 marking the official ballot by hand.

22 SECTION 5. Said section 33 of chapter 54 is hereby amended by deleting the second paragraph.

23 SECTION 6. Said section 33 of chapter 54 is hereby amended by striking out, in lines 35 to 37,  
24 the words “but no machine shall be approved which does not secure to the voter as much secrecy  
25 in voting as is afforded by the use of the official ballot” and inserting in place thereof the  
26 following words:- but no machine shall be approved which does not allow the voter to directly  
27 mark and verify his own official paper ballot, and does not secure to the voter as much secrecy in  
28 voting as marking the official ballot by hand.

29 SECTION 7. Section 33 of chapter 54 is hereby amended by deleting fifth paragraph.

30 SECTION 8. Chapter 54 of the General Laws, as appearing in the 2008 Official Edition, is  
31 hereby amended by deleting Section 33A.

32 SECTION 9. Section 37 of chapter 54 of the General Laws, as appearing in the 2008 Official  
33 Edition, is hereby amended by inserting, in line 4, after the words “kinds of ballots,” the words:-  
34 provided that no ballot shall be an electronic ballot.

35 SECTION 10. Said section 37 of chapter 54 is hereby amended by amended by striking, in line  
36 4, the words “ballot labels.”

37 SECTION 11. Said section 37 of chapter 54 is hereby amended by inserting, in line 7, after the  
38 word “thirty-two,” the words:- and thirty-three.

39 SECTION 12. Paragraph 2 of section 44 of chapter 54 of the General Laws, as appearing in the  
40 2008 Official Edition, is hereby amended by striking the first sentence and adding in place  
41 thereof the following sentence:- The official ballots shall be of ordinary white printing paper, of  
42 two of more pages, and shall, except as otherwise provided in this chapter, be so folded before  
43 distribution as to measure not less than four and one half nor more than five inches in width and  
44 not less than six nor more than thirteen and one half inches in length.

45 SECTION 13. Section 66 of chapter 54 of the General Laws, as appearing in the 2008 Official  
46 Edition, is hereby amended by striking, in lines 2 and 3, the words “where official ballots are  
47 used,” and inserting in place thereof the following words:- except as otherwise provided in this  
48 chapter.