

MASSACHUSETTS

VOTER REGISTRATION

These resources are current as of 4/21/2016. We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law. Please email us at advocacy@afj.org.

This guide summarizes key aspects of laws governing voter registration on the state level. It is not intended to provide legal advice or to serve as a substitute for legal advice.

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.

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ELIGIBILITY FOR REGISTRATION

- Massachusetts residency (any length of time)
- US Citizen
- 16 years or older (see below)
- Not under guardianship
- Not imprisoned on a felony conviction
- Not disqualified because of corrupt practices in elections
Mass. Gen. Laws (“G.L.”) § 51-1

DEADLINES FOR REGISTRATION

Online and Mail-In Voter Registration Permitted

- Individuals with a Massachusetts driver's license may use the [online voter registration application](#) to register, update one's address, or change one's party affiliation. Those without a driver's license may still use the online registration tool, but will have to print out a form to mail or hand-deliver. G.L. §§ 51-36, 51-44; 970 CMR 57, 07.
- A mail-in voter registration application is available at <http://www.sec.state.ma.us/ele/elepdf/Voter-reg-mail-in.pdf>.
- Individuals may register in person at a city or town registrar.

Registration Deadlines

- Voter registration deadline is 8:00 p.m. 20 days prior to the date of an election. G.L. § 51-1F. If this deadline falls on a Sunday or holiday, the deadline is the preceding day. G.L. § 51-31.
- Voter registration forms submitted online must be submitted by midnight on the date of the voter registration deadline.
- Mail-in voter registration must be postmarked by midnight on the date of the voter registration deadline. G.L. § 51-26.
- The registration deadline for the September 8, 2016 primary is August 19.
- The registration deadline for the November 8, 2016 general election is October 19.

No same-day voter registration

- Massachusetts does not permit voter registration after its deadline, except for those who are waiting *in* line (not on-line) at 8:00 p.m. on the deadline day. G.L. § 51-34. Also, an individual who became a U.S. citizen after the deadline may register until 4:00 p.m. the day before election at the local City Election Department.

Voter Registration for Persons Under 18 Permitted

- A person may pre-register to vote at 16, although only persons 18 years of age or older may actually vote. G.L. §§ 51-42, 51-47A.

VOTER ID REQUIREMENTS

ID Required for Online Voter Registration, Recommended for Mail-In

- Online registration requires a state driver's license or state ID. G.L. § 51-33A.
- It is recommended that a copy of one's ID be included with a mail-in voter registration, although it is not strictly required.
- There is no separate proof of citizenship requirement.

ID or Proof of Identity May Be Required for First-Time Voters

- A voter may be asked to show identification when checking in to vote for any of the following reasons:
 - Requested by mail since 2003 and voting for the first time in Massachusetts in a federal election;
 - Inactive voter;
 - Casting a provisional or challenged ballot;
 - Poll worker has a reasonable suspicion that leads them to request identification.
- Acceptable identification must include one's name and the address listed on one's voter registration. Examples of acceptable identification include: a driver's license, state-issued ID card, recent utility bill, rent receipt, lease, a copy of a voter registration affidavit, or any other printed identification which contains the voter's name and address.
- If the voter is unable to present identification upon check-in, he or she may cast a provisional ballot and return later with identification. If that voter does not return with acceptable identification by the close of polls, the ballot must be verified by the third day after a primary or the 12th day after a general election in order to be counted.
- There is no proof of citizenship requirement.
- However, no such identification is required if the voter registered by mail and they submitted either a driver's license number or last 4 digits of SSN, that matches an existing state identification record; or, submitted a copy of a current valid photo ID or utility bill, bank statement, government check, paycheck or government document showing the voter's name and address.
- G.L. §§ 54-76B, 76C.

VOTER REGISTRATION DRIVES

- **Does Massachusetts accept National Voter Registration Act (NVRA) registration forms?**
 - Yes, the federal mail-in [voter registration application](#) is accepted in Massachusetts. 950 CMR 57.04. However, there should not be any additions to the official form (for example, an organization's logo) or the form may be rejected.
- **May groups "cage" completed registration forms (i.e. ask voters to mail them back to the group, which will then send them to the appropriate elections registrar(s))? If so, may they copy the forms or any of data included on them? If so, any deadlines for sending the completed forms to the state or to local officials?**
 - Yes, Massachusetts does not restrict on who may collect voter registration forms, how they may be collected, or when they must be submitted to local officials. Groups may obtain quantities of

forms from the state. G.L. § 51-36, 950 C.M.R. 57.04. The exception is for state offices that are designated “registration agencies” which must mail collected forms within five calendar days. G.L. §§ 51-36, 51-42G. Regardless, completed applications must be postmarked no later than 20 days before an election for a voter to be registered.

- Massachusetts also does not prohibit the copying of a completed voter registration application, although it is recommended that a voter’s signature, full or partial social security number, and date of birth be redacted on any copies made.
- **May a group “pre-fill” some or all of the form (e.g. name, address) before sending/giving it to a would-be registrant?**
 - Yes, Massachusetts does not restrict on pre-filling voter registration forms.
- **May voter registration drive workers assist a voter in completing their registration form?**
 - Yes, Massachusetts does not restrict assisting voters in completing a voter registration application.
- **Does state require training of voter registration workers?**
 - No, Massachusetts does not restrict on who may help register voters.
- **Does state require registration of voter registration drives?**
 - No, Massachusetts does not require registration of voter registration drives.
- **Any requirement that group must provide information to voters about how they may contact the group to determine the status of their registration?**
 - No.
- **May group pay voter registration drive workers? If so, is it permissible to pay on a per-voter-registered basis?**
 - Yes; Massachusetts does not regulate compensation of voter registration drive workers. While there is no restriction against payment per registered voter, although this is not considered a best practice.

CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES

Massachusetts Secretary of the
Commonwealth
Elections Division
McCormack Building
One Ashburton Place, Room 1705
Boston, MA 02108

Toll-Free: 1-800-462-VOTE (8683)
617-727-2828
Fax: 617-742-3238
Email: elections@sec.state.ma.us

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FOR FURTHER ASSISTANCE

For assistance regarding these resources or for more information about federal law, please contact our attorney one-on-one counseling service:

Email: Advocacy@afj.org
Telephone: 1-866-NPLOBBY
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For assistance regarding state law in Massachusetts, please contact:

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