

**OFFERED BY COUNCILORS ERIN J. MURPHY, ED FLYNN, BAKER,
BOK, COLETTA, FLAHERTY, LARA, MEJIA, BREADON, WORRELL,
MURPHY AND ARROYO**



CITY OF BOSTON

IN THE YEAR TWO THOUSAND TWENTY TWO

HOME RULE PETITION

AUTHORIZING ELECTRONIC APPLICATION & TRANSMISSION OF ABSENTEE BALLOT FOR ABSENT UNIFORMED SERVICES VOTERS

- WHEREAS:** Massachusetts citizens have a right to vote in all elections, even if deployed or stationed overseas. The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) is a federal law that guarantees voting rights for the United States military, who are known as uniformed services voters; *and*
- WHEREAS:** Eligible uniformed services voters strictly include those on active duty in the Army, Navy, Air Force, Marine Corps, Coast Guard (including reservists), Space Force, and merchant marine members, as well as their spouse or dependents. Absent uniformed services voters are located outside of their voting district; *and*
- WHEREAS:** In Massachusetts, absent uniformed services voters are exempt from voter registration requirements, but instead must mail an absentee ballot application to their local election office to obtain a ballot; *and*
- WHEREAS:** For municipal elections in Massachusetts, a blank ballot will only be delivered through the mail and must also be returned by mail; *and*
- WHEREAS:** However, for federal elections, a ballot can be emailed, faxed, or mailed based on preference, and the voted ballot may be mailed back or electronic returned through email or fax; *and*
- WHEREAS:** Mail-in ballots have already caused problems in some elections: In Wisconsin, 9,000 requested ballots were never sent, and thousands were postmarked too late to count. In New Jersey, 9.6% of mail ballots cast in that state's local elections were rejected because signatures didn't match the ones on file or arrived too late. In Pennsylvania, tens of thousands of votes were either not cast or not counted due to deadline confusion; *and*
- WHEREAS:** Electronic application for an absentee ballot for municipal elections will streamline the application absentee ballot process for absent uniformed services voters by eliminating the mailing time to receive and deliver an application; *and*

WHEREAS: Electronic deliverance and return of the ballots itself will help better guarantee voting rights for absent uniformed services voters by also streamlining the voting process, ensuring each ballot is counted, and reducing the number of rejected ballots; ***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 One (1) of Section Eight (8) of Article Two (2), as amended, of the Amendments 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 THE AUTHORIZATION OF ELECTRONIC APPLICATION AND ELECTRONIC TRANSMISSION OF BALLOTS FOR ABSENT UNIFORMED SERVICES VOTERS

SECTION 1:

Notwithstanding any law, rule, or regulation to the contrary, absent uniformed services voters shall be allowed to apply for absentee ballots electronically. Absent uniformed services voters shall be entitled to receive and return their ballots electronically, through email or fax, for local elections. The Board of Election Commissioners for the City of Boston shall be authorized to implement procedures to comply with this act.

SECTION 2:

This act shall take effect upon its passage.

Filed on: May 25, 2022