



BOSTON CITY COUNCIL

Committee on Government Operations
Ricardo Arroyo, Chair

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REPORT OF COMMITTEE CHAIR

August 10, 2022

Dear Councilors:

Docket #0682, Petition for a Special Law Re: Electronic Application and Transmission of Absentee Ballots for Absent Uniformed Services Voters, was sponsored by Councilors Erin Murphy and Ed Flynn and referred to the Committee on May 25, 2022. The Committee held a working session on July 14, 2022.

Summary of Legislation As Filed:

This proposal would authorize the City of Boston to allow absent uniformed services voters to apply for and return absentee ballots electronically for municipal elections. The Chair explained that in order to be eligible to apply for and return the ballots, the absent uniformed services voters must be located outside of their voting district and include those on active duty in the Army, Navy, Airforce, Marine Corps, and Coast Guard, including those on reserve, Space Force, merchant marine members, as well as their spouse or dependents. Passage of this home rule petition will allow for electronic transmission through email or fax. The Board of Election Commissioners would also be authorized to implement procedures to comply with this act.

Information Gathered at the Working Session:

Chair Arroyo provided opening remarks and reviewed the provisions of the home rule petition. The Chair reviewed a change to the docket submitted by the City's law department which would add the phrase "a secure electronic voting system" in the second sentence of Section 1 before the word "email".

The following individuals participated from the Administration: Commissioner Eneida Tavares, Boston Election Department; Sabino Piemonte, Head Assistant Registrar of Voters; Commissioner Robert Santiago, Mayor's Office of Veterans' Services. Commissioner Santiago testified in support of the legislation and discussed the limitations of "snail" mail when sending ballots to uniformed services voters including the amount of time and the potential changes in assignments and locations. Commissioner Santiago suggested including the Army and the Air Force National Guard in the second Whereas clause. Commissioner Tavares suggested also including overseas citizens to the proposal so as not to exclude similarly situated individuals that are protected under federal law. *See The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. Commissioner Tavares was supportive of the proposal.

The Committee reviewed the changes which included the following: adding the phrase "a secure electronic voting system" in the second sentence of Section 1 before the word "email"; including

overseas citizens to the proposal to have consistency with similarly situated individuals; and, including the Army and Air force national Guard in the second whereas clause.

Summary of Amendments:

The amendments to the docket are as follows: adding the Air National Guard and the Army National Guard to the second whereas clause; including overseas citizens; and, changing the title to reflect the inclusion of overseas citizens.

Rationale and Recommended Action:

Passage of this docket in a new draft will ensure access to elections for those serving in the military and their families as well as overseas citizens. This is significant because oftentimes ballots through the mail are not received in time and military personnel may be deployed to another location prior to receiving the ballot via regular mail. Allowing uniformed services voters and overseas citizens to apply for and return absentee ballots electronically for municipal elections will ensure full participation in our local elections.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket #0682, Petition for a Special Law Re: Electronic Application and Transmission of Absentee Ballots for Absent Uniformed Services Voters,

submits a report recommending that this docket **ought to pass in a new draft**.

For the Chair:

A handwritten signature in blue ink, appearing to read 'Ra', followed by a horizontal line.

Ricardo Arroyo, Chair
Committee on Government Operations