

# HOUSE . . . . No. 1120

---

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, March 9, 1927.

The committee on Cities, to whom were referred the petition (accompanied by bill, House, No. 827) of John J. Heffernan that the hours of opening and closing the polls at primaries and elections in the city of Boston be regulated, the petition (accompanied by bill, House, No. 828) of Malcolm E. Nichols, mayor, relative to regulating the hours for opening and closing the polls at elections in the city of Boston, and the petition (accompanied by bill, House, No. 829) of Malcolm E. Nichols, mayor of the city of Boston, relative to the power to give notice of and fix the days and hours of holding elections in said city, report the accompanying bill (House, No. 1120).

For the committee,

RICHARD E. JOHNSTON.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Seven.

An Act relative to the Hours for Opening and Closing the Polls in the City of Boston at Elections and to the Powers of the Election Commissioners in Connection therewith.

*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 sixty-four of chapter fifty-four of  
2 the General Laws, as amended by chapter one hundred  
3 and seventy-one of the acts of nineteen hundred and  
4 twenty-four and by chapter four hundred and sixty-eight  
5 of the acts of nineteen hundred and twenty-four, is  
6 hereby further amended by striking out in the third  
7 paragraph of said section the words "In the city of Bos-  
8 ton, the polls shall be opened at six o'clock in the fore-  
9 noon and shall be kept open at least ten hours continu-  
10 ously." and substituting in place thereof the words:—  
11 In the city of Boston the polls shall be kept open ten  
12 hours continuously and the hours for the opening and  
13 closing of said polls shall be fixed by the election com-  
14 missioners of the city of Boston.,— so as to read as  
15 follows:— *Section 64.* Notices or warrants for state and  
16 city elections and for the election of town officers in  
17 towns where official ballots are used shall specify by  
18 name all the offices to be voted for, and state, in the form  
19 in which it will appear upon the ballot, any question

20 submitted to the voters. They shall specify the time  
21 when the polls will be opened, and in cities and in towns  
22 when voting by precincts, when the polls will be closed,  
23 and in towns when not voting by precincts, when they  
24 may be closed.

25 The polls shall in no case be kept open after eight  
26 o'clock in the evening.

27 In the city of Boston the polls shall be kept open ten  
28 hours continuously, and the hours for the opening and  
29 closing of said polls shall be fixed by the election com-  
30 missioners of the city of Boston. In other cities, the  
31 polls may be opened as early as fifteen minutes before  
32 six o'clock in the forenoon, and shall be opened as early  
33 as ten o'clock in the forenoon and shall be kept open at  
34 least six hours.

35 In towns, at the election of state and town officers, the  
36 polls may be opened as early as fifteen minutes before  
37 six o'clock in the forenoon, and shall be opened as early  
38 as twelve o'clock, noon, and shall be kept open at least  
39 four hours, and until the time specified in the warrant  
40 when they may or will be closed; and in towns not vot-  
41 ing by precincts they may be kept open for such longer  
42 time as the meeting shall direct. At annual town meet-  
43 ings they shall be kept open at least one hour for the  
44 reception of votes upon the question of licensing the sale  
45 of certain non-intoxicating beverages, as defined in section  
46 one of chapter one hundred and thirty-eight. After an  
47 announcement has been made by the presiding officer of  
48 a time so fixed for closing the polls they shall not be  
49 closed at an earlier hour.

1 SECTION 2. Section four of chapter four hundred and  
2 forty-nine of the acts of eighteen hundred and ninety-  
3 five is hereby amended by striking out after the word

4 “city” in the eleventh line of said section the words  
5 “except the power and duty of giving notice of elections  
6 and fixing the days and hours of holding the same, — so  
7 as to read as follows: — *Section 4.* Said board of election  
8 commissioners shall have and exercise all the powers and  
9 duties now conferred by law upon said board of regis-  
10 trars of voters, including the preparation of the jury list,  
11 and also all the powers and duties relating to the selec-  
12 tion of election officers, the preparation of ballots, the  
13 posting and publishing of lists of candidates, the furnish-  
14 ing of places for voting, the care of ballot boxes, the  
15 registration of voters, the determination of the results of  
16 elections, and all other matters relating to elections in  
17 said city, now conferred upon the mayor, board of alder-  
18 men or city clerk of said city. Said board of election  
19 commissioners shall further have and exercise all the  
20 powers and duties now conferred upon the city clerk or  
21 other officers by chapter five hundred and four of the acts  
22 of the year eighteen hundred and ninety-four and acts  
23 in amendment thereof; and all laws relating to the regis-  
24 tration of voters in the city of Boston, not inconsistent  
25 with this act, shall apply to and be observed and carried  
26 out by said board of election commissioners.

1 SECTION 3. This act shall take effect upon its passage.