

HOUSE No. 208

Accompanying the twelfth recommendation of the Secretary of the Commonwealth (House, No. 196): Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Five.

AN ACT AUTHORIZING ABSENT VOTING BY PERSONS WHO ARE UNABLE BY REASON OF PHYSICAL DISABILITY TO VOTE IN PERSON.

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 eighty-six of chapter fifty-
2 four of the General Laws, as appearing in the Ter-
3 centenary Edition, is hereby amended by inserting
4 after the word "registered" in the second line the
5 words:— or who is unable by reason of physical
6 disability to cast his vote in person at the polling
7 place.

1 SECTION 2. Subsection (b) of section eighty-
2 seven of chapter fifty-four of the General Laws, as
3 amended by section one of chapter four hundred
4 and four of the acts of nineteen hundred and thirty-
5 six, is hereby further amended by inserting before
6 the certificate of the registrars of voters the follow-
7 ing:—

(If unable by reason of physical disability to cast his vote in person at the polling place the applicant will sign the following:)

I hereby certify under the penalties of perjury that I will be unable by reason of physical disability to cast my vote in person at the polling place on the day of the election.

(Signature)

(Date)

1 SECTION 3. Subsection (c) of section eighty-seven
2 of chapter fifty-four of the General Laws, as most
3 recently amended by section nine of chapter one of
4 the acts of nineteen hundred and forty-four, is hereby
5 further amended by striking out the first paragraph
6 of the first affidavit, as appearing in section two of
7 chapter two hundred and seventy-nine of the acts
8 of nineteen hundred and forty-one, and inserting in
9 place thereof the following:—

State of _____,

County of _____, ss.

I, _____, do solemnly swear that I am a registered voter in the city or town of _____, Massachusetts, in precinct _____, ward _____, that the place where I now am is not the municipality in which I am a registered voter, or that I am unable by reason of physical disability to cast my vote in person at the polling place on the day of the election; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I have marked, enclosed and sealed the within ballot as stated hereon by the person taking my oath.

(Signature)

1 SECTION 4. Section ninety-two of chapter fifty-
2 four of the General Laws, as most recently amended
3 by section one of chapter two hundred and seventy-
4 nine of the acts of nineteen hundred and forty-one, is
5 hereby further amended by inserting after the second
6 sentence the following new sentence:— If the voter

7 states that he will be unable by reason of physical
8 disability to cast his vote in person at the polling
9 place on election day, such oath may be administered
10 in the municipality in which he is a registered voter, —
11 and by adding at the end thereof the following:—
12 If the voter certifies in his application that he will be
13 unable by reason of physical disability to cast his
14 vote in person at the polling place on election day
15 such ballot may be mailed to the clerk of the munic-
16 ipality wherein he is a registered voter.

