

# SENATE . . . . No. 251

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To accompany the petition of James W. Bean that the secrecy of party enrolment in primary elections be secured. Election Laws.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

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### AN ACT

To secure the Secrecy of a Voter's Party Enrolment  
in Primaries.

*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 one hundred and ten of  
2 chapter eight hundred and thirty-five of the acts  
3 of the year nineteen hundred and thirteen, as  
4 amended by section seven of chapter seven  
5 hundred and ninety of the acts of the year nine-  
6 teen hundred and fourteen, and by section  
7 seven of chapter one hundred and seventy-nine  
8 of the General Acts of the year nineteen hundred  
9 and sixteen, is hereby further amended by strik-  
10 ing out all of said section after the word "years",  
11 in the eleventh line, and inserting in place thereof  
12 the following:— The party enrolment of voters  
13 on such voting lists, and all subsequent party

14 enrolment of voters, shall be transferred each  
15 year to the voting lists used at subsequent  
16 primaries. All such lists and all records and  
17 papers containing the party enrolment of any  
18 voter shall be retained in the exclusive custody  
19 and control of said election commissioners, or of  
20 said city or town clerk, except when required for  
21 actual use in primaries, and the same shall not  
22 be open to public inspection, — so as to read as  
23 follows:— *Section 110.* When, in a primary, a  
24 voter seeks to pass the guard rail, he shall be  
25 asked by one of the ballot clerks with which  
26 political party he desires to be enrolled, and the  
27 ballot clerk upon reply shall distinctly announce  
28 the name of such political party and give him such  
29 political party ballot. The voter's selection shall  
30 be checked on the voting list used by the ballot  
31 clerk, and such list shall be returned to the elec-  
32 tion commissioners in Boston, or to the city clerk  
33 in any other city, or to the town clerk in towns,  
34 for preservation during the next succeeding three  
35 calendar years. The party enrolment of voters  
36 on such voting lists, and all subsequent party  
37 enrolment of voters, shall be transferred each  
38 year to the voting lists used at subsequent  
39 primaries. All such lists and all records and  
40 papers containing the party enrolment of any  
41 voter shall be retained in the exclusive custody  
42 and control of said election commissioners, or of  
43 said city or town clerk, except when required  
44 for actual use in primaries, and the same shall  
45 not be open to public inspection.

1 SECTION 2. Said chapter eight hundred and  
2 thirty-five is hereby further amended by insert-  
3 ing after section one hundred and ten the follow-  
4 ing new section to be numbered 110a:— *Section*  
5 *110a.* The disclosure of any voting list, paper,  
6 or record containing the party enrolment of any  
7 voter under the provisions of this act, except  
8 in so far as the same may be necessary in the  
9 discharge of their official duties by any election  
10 commissioner, city or town clerk, or by any  
11 assistant or employee thereof, or by any election  
12 officer, shall be a misdemeanor, punishable by a  
13 fine not exceeding five hundred dollars or by  
14 imprisonment not exceeding one year.

