

HOUSE No. 649

By Messrs. Curtiss of Sheffield and Armstrong of Plymouth, petition of Sidney Q. Curtiss and John A. Armstrong for repeal of the law prohibiting the opening of ballot boxes and the counting of votes in towns until the polls are closed. Election Laws.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

AN ACT REPEALING THE LAW PROHIBITING THE OPENING OF BALLOT BOXES AND THE COUNTING OF VOTES IN TOWNS UNTIL THE POLLS ARE CLOSED.

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. Chapter 53 of the General Laws is hereby amended
2 by striking out section 51, as most recently amended by sec-
3 tion 2 of chapter 434 of the acts of 1960, and inserting in place
4 thereof the following section:—

5 *Section 51.* The provisions of section one hundred and five of
6 chapter fifty-four authorizing the opening of the ballot box at
7 elections in towns, the taking therefrom of the ballots and count-
8 ing thereof, prior to the closing of the polls, shall apply to state
9 primaries in towns. No ballots cast at a state primary in cities
10 shall be counted until the close of the polls.

1 SECTION 2. Section 105 of chapter 54 of the General Laws is
2 hereby amended by inserting after the third paragraph the
3 following paragraph:—

4 In towns, except at town elections where members of boards
5 or officers are to be elected under the provisions of chapter fifty-
6 four A, the ballot box at any polling place may be opened and
7 ballots taken therefrom for counting when all the selectmen and
8 the town clerk, or, where the moderator is in charge of the elec-

9 tion, the moderator and the town clerk, or all the election officers
10 at the voting precinct shall so order. When the ballots have
11 been thus removed the presiding officer shall select from the
12 election officers an equal number from each of the two leading
13 political parties, who shall canvass such ballots, in accordance
14 with this section; but no announcement of the result of such
15 canvass shall be made by any election officer until the total re-
16 sult of the canvass of ballots has been ascertained.