



# **Republican Town/City/Ward Committee Manual**

**Documenting Their Rights & Responsibilities  
in All MA Towns & Cities with a Board of Registrars**

*Last revised February 19, 2025 by the MassGOP Election Integrity and  
Registration Committee. This latest version supersedes all prior versions.*

**Republican State Committee**

85 Merrimac Street, Suite 505, Boston, MA 02114  
MassGOP.com • info@MassGOP.com



## MASSACHUSETTS REPUBLICAN PARTY

Dear town, city, and ward committee members,

Thank you for serving as an elected Republican committee member. We appreciate the commitment you have made to the Republican Party to help safeguard the rights of voters and candidates in elections.

You and your committee's registrars and election officers are crucial to election integrity.

This manual is intended to help you learn about your rights under the law to provide nominees for appointment to board of registrars, as election officers, and to represent the interests of the Republican Party and its candidates throughout the electoral process.

Town, city, and ward committees should become familiar with election laws. We include some of the laws for your reference. We also include a brief annual checklist with important dates and deadlines.

This manual supersedes all prior versions.

Here is our Mission Statement:

*The Election Integrity and Registration Committee (EIRC) protects the legitimacy of elections in the Commonwealth of Massachusetts by following sound processes and guidance aimed at reducing the risk of voter fraud. Voter information must be transparent and available for scrutiny and analysis by the public. The EIRC will inspect every aspect of the election process and pursue changes to promote the security and integrity of our elections. The EIRC recognizes above all the vote of a citizen as a right protected by the United States Constitution and it is our duty and honor to defend that right.*

We value your time and commitment towards electoral success.

Julie A. Hall, Chair  
Kathleen Lynch, Vice Chair  
Election Integrity and Registration Committee  
Massachusetts Republican Party

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MassGOP.com • info@MassGOP.com



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## Recommended Secretary of State Resources

- Election Officer Handbook - <https://tinyurl.com/ElectionOfficerHandbook>
- Board of Registrars & Election Commissions - <https://tinyurl.com/RegistrarsManual>

# The Rights of City & Town Committees Under Massachusetts Law

For all Mass. Cities and Towns with a Board of Registrars

This page is a good summary sheet.

Each city and town committee needs to know and assert their authority under the law.

The same sentiment holds true for registrars.

Election Officers (Poll Workers)

- **To nominate party members for appointment as Election Officers<sup>1</sup> thereby safeguarding their party's candidates' rights in the entire electoral process.** Election officers shall equally represent the 2 leading political parties, except that, without disturbing the equal representation of such parties, not more than 1/3 of the election officers may be unenrolled.<sup>2</sup>
  - All town/city committee members and candidates for elective office have a right to the voter registration data ("voter extract") and the adult resident data ("resident extract") free of charge upon request<sup>3</sup> from the local town clerk's office. This data is essential for identifying and reaching out to party members in your town.
- **To appoint a monitor to observe all ballot counting operations after elections<sup>4</sup>** in a city or town's tabulation center. Note that the warden shall be the presiding officer at the tabulation center; provided, however, that the city or town clerk shall be the presiding officer at a central tabulation center.

Registrars

- **To nominate party members for appointment of up to 2 seats on the 4-member Board of Registrars in all towns and some cities in Massachusetts.<sup>5</sup>** The makeup of the Board of Registrars is designated to give the two leading political parties equal representation.
  - The law states that all the actions of one registrar shall be subject to review and acceptance by the entire board of registrars.<sup>6</sup>
  - Each political party is entitled to nominate 3 registrars whenever a registrar's term expires. Submitting fewer than 3 names, allows the appointing authority to appoint any Republican of their choosing without input from the town/city/ward committee.
- If it shall appear, after notice and hearing, that a registrar of voters, other than the city or town clerk, has ceased to act with the political party which he was appointed to represent, the mayor or selectmen, as the case may be, shall remove him from office.<sup>7</sup>

<sup>1,5</sup> MGL Ch 51 Sec 15

<sup>2</sup> MGL Ch 54 Sec 13

<sup>3</sup> MGL Ch 51 Sec 6, 55 and Ch 53 Sec 37

<sup>4</sup> MGL Ch 54 Sec 33H

<sup>6</sup> MGL Ch 51 Sec 33

<sup>7</sup> MGL Ch 51 Sec 19

# First Steps

## Identify and Maintain Republican Voter List

Each Republican town, city, or ward committee needs to know who the registered Republicans are in their community. There are several ways to access and maintain this data.

### Town Clerk

Committee members can request a free list of the complete voter registration data called the “voter extract” from the town clerk.<sup>1</sup> This is the source of the most current voter registration data available. You can open the file in Excel, Access, or another software program for organizing data.

### MassGOP

MassGOP voter data is available in a spreadsheet format with helpful additional fields (e.g., voter history) not tracked by town clerks but will likely not be as recent as your local data. Your Republican State Committee members can help you get access to this data.

### Tips to Managing Data

- Keep data current.
- Update data as frequently as you are able.
- Update voter spreadsheet as soon as new data is obtained.
- Keep it simple.
- Minimize the amount of sorting, filtering, and changing column data types.
- Use hidden columns to filter out data. These can be easily hidden and unhidden after data import.
- When importing data, change the zip code field to a text data type so that the zero in each field is not dropped (numeric fields will drop a leading zero).
- Add useful data-point fields (e.g., election officers, petition signers).
- Capture and add email addresses to voter registration lists as this is one of the easiest ways to connect with Republican voters.
- Capture cell phone numbers since most people no longer answer their landlines.

Keeping current data on Republicans in your town or city is very helpful for when you want to reach out and grow party membership and help Republican candidates win races.

<sup>1</sup> MGL Ch 51 Sec 6, 55, MGL Ch 53 Sec 37

Election officers can help by being the eyes and ears at the polls – political watchdogs.

# Reaching Out

Reach out to Republicans in your town and ask for help.

Local Republicans should be told that without a steady supply of firm and fair-minded Republican Party members working at the polls on election days and as quality registrars, that your committee has the right to provide, there may not be enough protection for our candidates' and voters' interests.

Election integrity is a timely, critical issue that requires active, informed, and engaged Republicans involved in the election process, to ensure election integrity. Republican town/city/ward committees play a key role in identifying and nominating capable Republicans as election officers<sup>1</sup> and registrars.<sup>2</sup>

Find your local Republican Town Committee here:  
<https://massgop.com/our-party/rtc-chairs>

## Outreach Methods

It is critical to have an online presence to reach out and connect with fellow Republicans.

### Website

Software programs such as Wix and Wordpress offer fast, easy, and inexpensive solutions for setting up websites. They are also easy to maintain while giving committees control over content.

### Social Media

Social media (e.g., Facebook, Twitter, Instagram, etc.) is an excellent way to reach out to like-minded people.

Use social media to:

- promote a committee's presence in a community.
- announce upcoming meetings and events.
- introduce new members.
- share committee or community activities.
- post pertinent news articles.
- highlight key issues (e.g., voter integrity, voter advisories, etc.).
- recruit new members, candidates, and registrars.

<sup>1</sup> MGL Ch 54 Sec 11, 11b, 12, 13, 14, 15.

<sup>2</sup> MGL Ch 51 Sec 15.

Well-kept lists are essential tools for reaching out to fellow Republicans.

## Reaching Out (continued)

### Mailing Lists

- Leverage voter registration data to create mailing lists.
- Mailing labels can be easily generated from these lists.
- MassGOP maintains lists of vendors that can produce mailers at reasonable costs.

### Email Lists

- For large lists, use email marketing services like Mailchimp or Constant Contact.
- More economical, widely adopted and easy to maintain.
- Quickly reach massive numbers of voters and other concerned citizens to mobilize, or survey for feedback.
- Regular but not excessive communication drives engagement and fosters feeling of connectedness.

### Community Resources

- Local newspapers, print and online, provide a way to promote existence of committee and highlight focus on election integrity.
- Local groups and organizations, where they exist, provide a face-to-face forum for election integrity issues that affect everyone.
- Online community forums, where they exist, provide an avenue to discuss issues relevant to Republicans such as election integrity, economy, taxes, and other issues that have an impact on everyone.



# Nomination of Election Officers

By law, the two leading political parties in all cities and towns in Massachusetts with a board of registrars are entitled to equal representation as Election Officers working at the polls on election days. Note, too, that the warden shall be of a different political party from the clerk at each precinct at the polls.<sup>1</sup>

Your Republican town or ward Committee may find it helpful to form a subcommittee to:

- determine how many Republicans are currently scheduled to work at the polls and at early voting locations.
- recruit as necessary to have Republican representation in all precincts.
- keep records of who worked during past elections, in what roles, and where.
- provide reports at town/city/ward committee meetings.

Your Republican town/city/ward committee or designated subcommittee for this purpose, should:

## Assess

Obtain records of who worked during past elections, in what roles and where. This starts with a public record request for the election officer assignments in each precinct on the prior election day and early voting days. These are public records of who worked in each position at the polls and their party affiliation.

## Recruit

Determine how many Republicans are needed at the next election. You are likely to find that mostly retirees are available to work all day at the polling places. Focusing your recruitment efforts for election officers at the senior center or in a senior bulletin is likely to be productive. But, do encourage Republicans of all ages to work at the polls to help ensure election integrity. Recruit as necessary to have equal representation at all precincts.

## Nominate for Appointment

By April 15<sup>th</sup> each year, the board of registrars or selectmen are required by law to request from the chairs of the local political committees a list of party members for appointment as election officers by the town or city's appointing authority. It is an important function of the town/city/ward committee to provide their chair with the names of existing election officers who still want to serve and qualified new recruits with the goal of filling half of all positions for election officers.<sup>2</sup> The list of party member nominees must be submitted by the political party chair to the board of registrars by June 1<sup>st</sup>.

## Keep Records for Reporting

Periodically provide reports at town/city/ward committee meetings. After each election, repeat the process described above for tracking numbers and positions of election officers to ensure equal representation was attained. You are likely to find the Secretary of State's booklet, *Election Officers*, as well as the election laws listed in the Table of Contents, very helpful.

By June 1st each year, the chair of the Republican town or city committee should submit a long list of qualified Republicans to be appointed as election officers.

<sup>1</sup> MGL Ch 54 Sec 11b, 12, 13, 14,

<sup>2</sup> MGL Ch 54 Sec 11b, 12.



# Nomination of Registrars

All 351 cities and towns in Massachusetts have either a board of registrars or an election commission. A sampling of board of registrars' responsibilities are listed on the next page. The board of registrars is made up of four members who "as nearly as possible ... shall represent the two leading political parties ... provided, that a city or town clerk need not be enrolled in a political party."<sup>1</sup>

In February or March of an expiring term of a political party's appointee for Registrar, the appointing authority in most towns and some cities (except Cambridge and Boston) shall send a letter by certified mail to the chairs of the political committees requesting a list of three party-member nominees. If a town or city does not have a political committee, the request for nominees shall go to the state's political party chair.

Town committees are urged to submit a complete list of 3 names to the appointing authority to ensure their nominees are not bypassed. Submitting fewer than 3 names, allows the appointing authority to appoint any Republican of their choosing without input from the town/city/ward committee.

Nominees must maintain enrollment in their political party continuously for two years immediately preceding appointment.<sup>2</sup>

Within 45 days, the committee chair must submit the town committee's three nominees to the appointing authority who must then choose an appointee from that list for the next term of office.

Each registrar serves a 3-year term (and sometimes 4-year terms in certain cities). Registrars who do not maintain party affiliation throughout their term can be removed.<sup>3</sup>

The Republican town/city/ward committee should cast a wide net to find capable Republican nominees for appointment to registrar, have a process in place to educate them about the job requirements, and introduce them to the republican town/city/ward committee members who will ultimately vote to nominate them for the position.

Note that "No person appointed as a registrar or assistant registrar shall hold an office in the city or town for which he is appointed either by election or by direct appointment. The acceptance by a registrar or assistant registrar of any such office shall vacate his appointment as registrar or assistant registrar."<sup>4</sup>

"Registrars in cities and towns may appoint assistant registrars for the term of one year, beginning with April first, unless sooner removed by the registrars, and they shall equally represent the different political parties."<sup>5</sup>

Town and city committees should keep their eyes out for quality nominees for registrar who have time to perform their duties and are good with data spreadsheets, reading and following our laws.

<sup>1</sup> MGL Ch 51 Sec 15

<sup>2</sup> MGL Ch 4 Sec 12

<sup>3</sup> MGL Ch 51 Sec 19

<sup>4</sup> MGL Ch 51 Sec 25

<sup>5</sup> MGL Ch 51 Sec 22

## Responsibilities of Registrars

Most towns and some cities in Massachusetts have a board of registrars. The board of registrars consists of a city or town clerk and three other registrars. There should be no more than two members of one political party on the board.<sup>1</sup>

Responsibilities of the board of registrars include:

- the entire registration process including automatic voter registrations: maintaining registration records, holding registration sessions, and cleaning voter rolls.<sup>2</sup>
- conducting the annual census and maintaining accurate resident and voter data records.<sup>3</sup>
- conducting any recount required after an election.<sup>4</sup>
- examining signatures on all absentee-voting ballot applications.<sup>5</sup>
- certifying signatures on nomination forms and petitions.<sup>6</sup>
- qualifying voters including those who register using the MA online automatic voter registration system.<sup>7</sup>
- appointing up to two assistant registrars of different political parties.<sup>8</sup>

Note that any registrar may receive affidavits of registration, but all the actions of one registrar shall be subject to review and acceptance by the board.<sup>9</sup>

Republican town/city/ward committees, along with their Republican registrars, should be encouraged to keep close watch for equal placement of election officers in polling places as well as the handling and counting of ballots during and after elections.

Republican town/city/ward committees and their Republican registrars, should also be encouraged to review the following public information:

- Election officer appointment records
- Precinct clerk records from previous elections
- Board of registrars meeting records
- Election advisories from the Secretary of State

Registrars may lawfully facilitate obtaining, via the public records officer (often the town or city clerk), the following:

- Voter extract
- Resident extract
- Removed and deceased voters
- Record of voters in an election
- Record of early, absentee, and mail-in voters in an election

<sup>1</sup> MGL Ch 51 Sec 15.

<sup>2</sup> See *Board of Registrars and Election Commissions*.

<sup>3</sup> MGL Ch 51 Sec 4, 14.

<sup>4</sup> MGL Ch 54 Sec 135.

<sup>5</sup> MGL Ch 54 Sec 91, 94, MGL Ch 51 Sec 33A.

<sup>6</sup> MGL 53 Sec 7.

<sup>7</sup> MGL Ch 51 Sec 42H, 65.

<sup>8</sup> MGL Ch 51, Sec 22, 24.

<sup>9</sup> MGL Ch 51 Sec 33.

Town and city committees should stay in touch with their appointed registrars and keep abreast of new laws and advisories.

## Registrar Removal

One of the fundamental duties of the entire town/city/ward committee, in most towns and some cities is to exercise its right to provide nominees for appointment to their town or city board of registrars.

The local appointing authority must choose to appoint Republicans up to half of the four-member board of registrars.

The local appointing authority must choose to appoint Republicans, up to half of the four-member board of registrars “provided, that a city or town clerk need not be enrolled in a political party.”<sup>1</sup>

The town/city/ward committee should continually verify that the appointed registrars are still acting “with the political party [they were] appointed to represent”<sup>2</sup> or that they meet the qualifications to be an appointed registrar.

If the town/city/ward committee has reason to believe that the registrar is no longer acting with the party that nominated him or her, the committee should document evidence to back up their assertion. The committee, in accordance with state law, can review evidence and then decide whether to bring an official complaint to the appointing authority (mayor or selectmen).

If the town/city/ward committee decides to issue a complaint to the appointing authority, a hearing of the evidence would be conducted by the appointing authority and a decision would be made by the appointing authority as to whether, or not, the registrar would be removed from office.<sup>3</sup>

Examples of complaints that may warrant removal of the registrar:

- Party affiliation is no longer Republican.
- Is not a registered Republican for two (2) years preceding appointment.<sup>4</sup>
- Exceeds the number (2) of acting Republican registrars.<sup>5</sup>
- Moves to a different town or city.<sup>6</sup>
- Holds an office in the city or town of appointment.<sup>7</sup>
- Holds an office of the U.S. or Commonwealth (except for justice of the peace, notary public, or officer of a militia).<sup>8</sup>
- Is a principal officer (e.g., chair) of a political town or city committee
- Is a principal member (e.g., treasurer) of a political campaign.

All members of the town/city/ward committee should become familiar with the Secretary of State booklet, *Boards of Registrars and Election Commissions* listed in the Recommended Resources found in the Table of Contents.

<sup>1</sup> MGL Ch 51 Sec 15  
<sup>2, 3, 5</sup> MGL Ch 51 Sec 19  
<sup>4, 6, 7, 8</sup> MGL Ch 51 Sec 25

## Annual Checklist for Republican Town/City/Ward Committees

This is a handy list of dates that town/city/ward committees should be familiar with. It should prove helpful in keeping track of important deadlines.

- Continually** identify and recruit Republicans for town/city/ward committees, registrars, and election officers.
- Regularly** obtain a free voter list (“voter extract”).<sup>1</sup>
- In **January**, look for annual census in the mail. Voters shall return completed census form to keep active voter status.<sup>1</sup>
- In **February** or **March**, look for notice of any expiring registrar terms.<sup>2</sup>
- By **45 days after above notice**, committee chair shall submit 3 registrar nominees selected at a committee meeting with a quorum.<sup>2</sup>
- By **April 15<sup>th</sup>**, look for notice from board of registrars or selectmen (“select board”), to submit election officer nominees to town or city appointing authority.<sup>3</sup>
- By **June 1<sup>st</sup>** deadline, Republican Town Committee chair shall submit a list of election officer nominees (*even if April 15<sup>th</sup> notification is not received*) to the Board of Registrars. This list is selected at a Republican Town Committee meeting by a quorum of its members.<sup>3</sup>
  - The Board of Registrars may, if they deem necessary, meet with potential election officers after the Town Committee chairs are informed and offered an opportunity to attend the meetings.<sup>3</sup>
- By **June 30<sup>th</sup>**, the registrars shall submit the list of election officer nominees to the appointing authority (“select board” or mayor).<sup>3</sup>
  - Supplemental lists may be submitted at any time before appointments are made, to fill any vacancies occurring in original list. Appointments shall be made from the original list before any names are taken from any supplemental list.<sup>3</sup>
- Between **July 15<sup>th</sup>** and **August 15<sup>th</sup>**, monitor for election officer appointments by select board or other appointing authority.<sup>3</sup>
  - Election officers shall equally represent the 2 leading political parties, except that, without disturbing the equal representation of such parties, not more than 1/3 of the election officers may be unenrolled.<sup>4</sup>
  - For any primary or election, the city or town clerk must notify the appointing authority in writing if there is a deficiency in election officers within 6 weeks preceding the election. The appointing authority may then appoint election officers without regard to political party, voter status, residence, or inclusion on a list filed by the political party.<sup>5</sup>
  - The warden and clerk shall represent the 2 leading political parties<sup>4</sup> unless the position is vacant within 3 weeks of the election. Then the city or town clerk may fill the vacancy by appointing a competent person willing to serve, without regard to political party, voter status, residence, or inclusion on a list filed by a political party.<sup>5</sup>

<sup>1</sup> MGL Ch 51 Sec 6, MGL Ch 53 Sec 37

<sup>2</sup> MGL Ch 51 Sec 15

<sup>3</sup> MGL Ch 54 Sec 11b, 12

<sup>4</sup> MGL Ch 54 Sec 13

<sup>5</sup> MGL Ch 54 Sec 14



# **Addendum of Referenced MA Election Laws**

*Listed in numerical order*

## MGL CHAPTER 4 SECTION 12

### Bi-partisan boards; political affiliations of members

Section 12. Establishment, cancellation or change of enrollment in a political party shall, for the purposes of any law establishing or limiting the number of members of any board, commission or other body who shall or may be members of any political party or the same political party, take effect two years thereafter. Any enrollment required for appointment to such a board, commission, or other body must have been maintained continuously during the two years immediately preceding appointment.

## MGL CHAPTER 51 SECTION 4

### Making of lists by registrars or boards

Section 4. (a) Registrars, assistant registrars, or boards having similar duties under any general or special law, except in the city of Boston, shall annually in January or February visit or communicate with the residents of each building in their respective cities and towns and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, date of birth, occupation, veteran status, nationality, if not a citizen of the United States, and residence on January 1 of the preceding year and the current year, of each person three years of age or older residing in their respective cities and towns. The police department of a city or town shall, upon request, have access to the lists. A list of all persons 3 to 21 years of age, inclusive, shall be transmitted by the board of registrars to the respective school committee not later than April 1 of each year. The list shall contain the name, residence and age or date of birth of each such person; but the names of persons 3 to 16 years of age, inclusive, shall not be disclosed to any person other than the respective school committee or board of trustees of a county agricultural school or a police department. That proportion of any expenses incurred by the registrars under this section, equal to the proportion that the number of persons under 17 years of age bears to the total number of persons listed thereunder, shall be carried as an item in the school committee budget.

(b) In the city of Boston, the registrars, assistant registrars or boards having similar duties under any general or special law, shall annually in January or February visit or communicate with the residents of each building in said city and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, date of birth, occupation, veteran status, nationality if not a citizen of the United States, and residence on January 1 of the preceding year and the current year, of each person 17 years of age or older residing in said city. The Boston police department shall, upon request, have access to the lists.

(c) In any city or town which communicates with residents by mail for the purpose of obtaining such information, the communication shall state in boldface type on the postcard, envelope and printed material contained in such communication the following statement: "Warning - failure to respond to this mailing for 2 consecutive years shall result in removal from the active voting list and may result in removal from the voter registration rolls.". Registrars, assistant registrars or boards in such

cities or towns communicating with residents by mail for the purpose of obtaining such information may require a response under the penalties of perjury.

(d) The name and address of any person who provides the registrars with a copy of a court order granting protection, or evidence of residence in a protective shelter, or an affidavit signed by a chief of police or his designee that said person is entitled to have certain information withheld from the public under section 24C of chapter 265, or a program participant in the address confidentiality program established under section 2 of chapter 9A, shall not appear on the street list and such names shall not be disclosed to any person. The information collected under this section regarding a person's status as a veteran shall not be a public record and shall only be disclosed to the adjutant general, the secretary of veterans' services and local veterans' service officers.

(e) The name and address of any law enforcement or public safety personnel who so requests shall not appear on the street list and such names shall not be disclosed to any person.

## **MGL CHAPTER 51 SECTION 6**

### **Street lists**

Section 6. Except in any city or town as to which it is otherwise provided by special law, the registrars on or before April fifteenth in each year, shall prepare lists containing the names and addresses of all persons seventeen years of age or older listed by them under section four for the current year. Such lists shall be arranged in cities by streets, and in towns by streets or alphabetically by the names of the persons listed, and in cities and in towns of over five thousand inhabitants according to the latest national census, by the smallest subdivision of the city or town for the purpose of voting. On or before June fifteenth in each year, **the registrars in all cities and towns shall** cause a sufficient number of such lists to be printed, typed or mimeographed so as to **furnish, free of charge, such lists, upon request, to all duly organized political committees and to all political candidates of the various districts in which the city or town is located.** Such lists shall be made available by the registrars to business organizations and other nonpolitical committees and organizations at a fee to be determined by said registrars, and any such person or authorized representative of an organization or committee obtaining such list shall sign a log, maintained by the city or town clerk, placing in such log their names and addresses.

## **MGL CHAPTER 51 SECTION 7**

### **Form, contents and distribution of street lists**

Section 7. On the lists prepared under section six for delivery to public officers, the registrars shall name or designate all buildings used as residences, in their order on the street where they are located, by giving the number or other definite description of each building so that it can be readily identified, and shall place opposite to or under each number or other description of a building the name, date of birth, occupation and nationality if not a citizen of the United States, of every person who



is listed under section four, and his residence on January first of the preceding year and of the current year. Every person so listed shall, if he is a registered voter, be so designated by an asterisk or other symbol. A copy of said lists containing the information required by this section shall be made available to the chairman of each city and each town committee. In cities and towns where the information on such lists is compiled on computer tapes, a copy of the tape or a set of mailing labels shall be made available to the chairman of each city or town committee at a reasonable price to be determined by the state secretary.

## MGL CHAPTER 51 SECTION 14

### Death of resident; notice

Section 14. The city or town clerk or other officer having charge of the registration of deaths in each city or town shall, on the first day of every month, and also two days before every election, transmit to the registrars of voters a list of the names of all residents thereof eighteen years of age or older who died in the preceding month or since the date of the list previously transmitted, with a statement of the ward, street and number therein, if any, where such person resided at his death.

## MGL CHAPTER 51 SECTION 15

### Board of registrars in certain cities and towns; appointment; term of office

Section 15. Except as provided in section seventeen, there shall be in every city, other than one having a board of election commissioners or an election commission, and in every town a board of registrars of voters consisting of the city or town clerk and three other persons who shall, in a city, be appointed by the mayor, with the approval of the aldermen, and in a town, by a writing signed by the selectmen and filed with the town clerk. When a board of registrars is first appointed, the registrars shall be appointed in February or March for terms respectively of one, two and three years, beginning with April first following. In February or March in every year after the original appointment, one registrar shall be appointed for the term of three years, beginning with April first following.

As the terms of the several registrars expire, and in case a vacancy occurs in the board of registrars of voters, the selectmen or the appointing authority shall so appoint their successors that as nearly as possible the members of the board shall represent the two leading political parties, as defined in section one of chapter fifty; provided, that a city or town clerk need not be enrolled in a political party; and provided further, that in no case shall an appointment be made as to cause a board to have more than two members, including the city or town clerk, of the same political party. Every such appointment shall be made in a town by the selectmen or the appointing authority from a list to be submitted to them by the town committee of the political party from the members of which the position is to be filled, containing the names of three enrolled members of such party resident in the town, selected by a majority vote at a duly called meeting, at which a quorum is present, of such committee; and every member of a board of registrars of voters shall serve until the expiration of his term and until his successor has qualified; provided, however, if the





chairman of the town committee has not submitted such list to the selectmen or the appointing authority within forty-five days after a **notification to said chairman by certified mail**, the selectmen or the appointing authority shall make said appointment without reference to such a list.

## MGL CHAPTER 51 SECTION 19

### Unequal political representation; notice and hearing

Section 19. **If, upon written complaint to the mayor or to the selectmen**, it shall appear, after notice and hearing, that the city or town clerk, when a member of the board of registrars, and two registrars are of the same political party, the mayor or selectmen, as the case may be, shall remove from office the one of such two registrars having the shorter term remaining. **If, upon like proceedings, it shall appear, after notice and hearing, that a registrar of voters, other than the city or town clerk, has ceased to act with the political party which he was appointed to represent, the mayor or selectmen, as the case may be, shall remove him from office.**

## MGL CHAPTER 51 SECTION 22

### Assistant registrars in cities and towns; appointment; term; political representation

Section 22. **The registrars in cities and towns may appoint assistant registrars for the term of one year**, beginning with April first, unless sooner removed by the registrars, **and they shall equally represent the different political parties**. Assistant registrars shall be subject to the same obligations and penalties as registrars. Registrars may remove an assistant registrar, and may fill a vacancy for the remainder of the term. Registrars may also **appoint temporary assistant registrars from time to time to assist in the listing of persons seventeen** years of age or over and in the registration of voters at registration sessions as provided for in this chapter, and they shall equally represent the different political parties. Except in Boston, persons appointed to serve temporarily as assistant registrars, or as temporary assistant registrars, shall not be subject to chapter thirty-one.

## MGL CHAPTER 51 SECTION 24

### Powers and duties

Section 24. The registrars may cause the duties devolving upon a single registrar to be performed by **one or two assistant registrars, and, if two are designated for such duties, they shall be of different political parties**. The registrars shall make suitable regulations governing the assistant registrars, whose doings shall be subject to their revision and acceptance.

## MGL CHAPTER 51 SECTION 25

### Registrars; assistant registrars; compatibility of offices

Section 25. Every person appointed as a registrar or assistant registrar who is not regularly employed by the registrars shall be a voter of the city or town where he is appointed. No person appointed as a registrar or assistant registrar shall hold an office in the city or town for which he is appointed either by election or by direct appointment of the mayor or of the board of selectmen or of a city manager or town manager or hold an office by election or appointment under the government of the United States or of the commonwealth or of the city or town, except as a justice of the peace, notary public or officer of the state militia; provided, however, that in a town with a population of under two thousand residents, a person may be appointed a registrar or assistant registrar who holds an office in the town for which he is directly appointed by the board of selectmen or town manager, or who holds an office by appointment under the government of the United States or of the commonwealth. The acceptance by a registrar or assistant registrar of any such office shall vacate his appointment as registrar or assistant registrar. Nothing in this section shall prohibit a registrar or assistant registrar from becoming a candidate for election and serving as a member of a home rule charter commission or as a town meeting member.

## MGL CHAPTER 51 SECTION 33

### Affidavits of registration

Section 33. Any registrar, at such places as may be appointed, and on the day and during hours designated for the purpose, may receive affidavits of registration, but all the actions of one registrar shall be subject to review and acceptance by the board.

In cities, and in towns having six hundred or more registered voters, any person shall be registered, as aforesaid, during regular business hours.

## MGL CHAPTER 51 SECTION 33A

### Online completion of affidavit of registration

Section 33A. The state secretary shall create and maintain a secure online portal allowing a person to complete an affidavit of registration online. The registration shall be transmitted by the state secretary to the appropriate local registrar. The online affidavit shall use the person's signature from the registry of motor vehicles records and the registrar of motor vehicles shall make appropriate provisions to facilitate the electronic transfer of the image of the signature to the central voter registry. If the person's signature cannot be found using the online affidavit of registration form, the person shall be so informed and given the option to print the affidavit of registration, append the person's signature and mail or hand deliver the signed affidavit directly to the appropriate registrar of voters. The registrars shall certify the receipt of each completed affidavit of registration and shall notify the

person of the disposition of the affidavit. Nothing in this section shall be construed to change any registration deadline or qualification of voting. The state secretary shall make the online portal accessible in English, Spanish, Portuguese, Chinese and such additional languages as the state secretary deems necessary or required by law.

## **MGL CHAPTER 51 SECTION 42H**

### **Receipt of completed affidavit by registrar**

Section 42H. Registrars of voters in cities and towns shall receive completed affidavits of voter registration from registration agencies, from individuals and organizations conducting voter registration, through the United States mail, through the online portal and by hand delivery. Upon receipt of each completed affidavit, the registrars shall certify the receipt thereof and shall notify the registrant of the disposition of the affidavit. Said registrars shall add the registrant's name, address and effective date of registration to the annual register of voters in accordance with section forty-six, effective at the time set forth in section forty-two G; provided, however, that the state secretary may, by regulation adopted pursuant to section forty-seven C, provide that electronic transmission alone of the information contained in the affidavit of registration shall be sufficient for such purpose. The registrars may correct information supplied by the registrant to the extent necessary to maintain the integrity of their records. If an affidavit is incomplete or if it appears from the facts set forth in the affidavit that the registrant is not qualified to register as a voter, the registrars shall proceed in accordance with the provisions of section forty-seven. If an affidavit is dated by the registration agency or postmarked during the period when registration to qualify as a voter in a particular election is prohibited by section twenty-six, the registrant's name shall be added to the annual register for all subsequent elections and the registrars shall so notify such registrant. All records of voter registration held by registration agencies shall be available for inspection and copying by the registrars of the registrant's city or town or by summons in a legal proceeding.

## **MGL CHAPTER 51 SECTION 47C**

### **Central registry of voters; agreement with Electronic Registration Information Center, Inc. (ERIC)**

Section 47C. Subject to appropriation, the state secretary shall maintain a central registry of voters which shall contain, if provided by the registrars, the names, addresses and effective dates of registration of all registered voters in the commonwealth and which shall contain the name, date of birth, occupation, veteran status, nationality, if not a citizen of the United States, for street list purposes only, and residence on January first in the preceding year and in the current year, of every person three years of age or older in the commonwealth, and shall adopt regulations governing the operation of said central registry. The names and addresses contained in said central registry shall not be a matter of public record; provided however, that they shall be available to state party committees, statewide candidate committees, state ballot question committees, the jury commissioner, adjutant general and any other individual, agency or entity that the state secretary shall designate by regulation consistent with the purposes of this section, at a fair



and reasonable cost not to exceed the cost of printing or preparing computer readable documents.

The state secretary shall enter into an agreement with the Electronic Registration Information Center, Inc. on behalf of the commonwealth that shall specify the terms and conditions of the commonwealth's membership in the Center. The agreement shall include terms providing for the periodic sharing of data between the central registry, the registry of motor vehicles and any other automatic voter registration agency as designated by the secretary, and the Center, including, but not limited to, voter names and addresses.

To the extent feasible, the state secretary shall make the statewide list of registered voters contained in the central registry of voters established in this section available to the local election officers at each polling location.

## **MGL CHAPTER 51 SECTION 55**

### **Preparation of voting lists; contents and arrangement; distribution; revisions**

Section 55. Registrars shall, from the names entered in the annual register and from the names maintained on the inactive voters list, prepare voting lists for use at elections; provided, however, that such registrars shall not enter the names of women voters in separate columns or lists. In such voting lists, such registrars shall place the names of all voters entered on the annual register and those maintained on the inactive voters list and opposite to the name of each his residence and party enrollment. The registrars shall maintain separate voting lists for active and inactive voters or one voting list if inactive voters are designated as such on the voting list. In cities they shall prepare such voting lists by wards, and if a ward or town is divided into voting precincts, they shall prepare the same by precincts. In all such cities and in towns having five thousand or more inhabitants, the voting lists shall be arranged by streets in alphabetical order, and the names of the voters on each street shall be arranged in the numerical order of the street numbers of their residences, so far as possible. All first voting lists shall be printed and available for public distribution not later than the first day of July in state election years. A sufficient number of voting lists shall be printed so that they can be furnished free of charge, upon request, to all duly organized political committees, and to all political candidates for public office in the various districts in which the city or town is located and for a reasonable fee, not to exceed the cost of printing such list, to any person upon request. Names shall be added thereto or taken therefrom as persons are found to be qualified or not qualified to vote. Notwithstanding the foregoing, the voting lists to be used at presidential primaries or any primary or election held prior to July first in any year may be that of the year preceding, revised as aforesaid.

## **MGL CHAPTER 51 SECTION 58**

### **New names added to lists; distribution of copies; posting or publication**

Section 58. If a new name is added to the annual register after the voting lists have been posted, registrars shall cause it to be added to the lists posted in their principal office; provided, however, that all registrars shall maintain lists of new names added

to the annual registers subsequent to the last posting of the voting lists and such lists shall contain in addition to the names, the addresses, wards and precincts, if any, and party designations, if any, of the newly registered voters; and, provided further, that all registrars shall provide copies of such lists to all duly organized political committees, and to all political candidates for public office in the various districts in which the city or town is located, and, for a reasonable fee, not to exceed the cost of printing or copying such list, to any other person upon request. If a city or town shall authorize the registrars to publish the names added to the register, they may, instead of posting them, cause all additional names to be printed in a newspaper published in the city or town, if any, otherwise in a newspaper published in the county.

## MGL CHAPTER 51 SECTION 62

### **Certified copies for use at caucus; party enrollment designations**

Section 62. When a caucus is called, the registrars, on the request of the chairman of the ward or town committee of the party whose caucus is to be held or of the person designated to call the caucus to order, shall furnish him for use in the caucus a certified copy of the last published voting list of the town, or of the ward of the city for which the caucus is to be held, adding thereto the names of voters registered since such publication. Said lists, if intended for use in the caucus of a political party, shall contain the party enrollment of voters whose names appear thereon established as provided in sections thirty-seven and thirty-eight of chapter fifty-three.

## MGL CHAPTER 51 SECTION 65

### **Administration of automatic voter registration; duties of registrars upon receipt of electronic records; electronic interfaces; annual reports; opting out; liability of ineligible persons registered under this section; use of information for purposes other than voter registration**

Section 65. (a) For purposes of this section, the term "automatic voter registration" shall have the meaning assigned to it in section 42G.5 and the term "registrars" or "registrars of voters" shall have the meaning assigned to it in section 1 of chapter 50.

(b) The state secretary shall promulgate regulations relative to the administration of automatic voter registration, which shall be in addition to the regulations otherwise authorized by this chapter, and which shall include, but not be limited to, provisions relative to: (i) promoting greater participation of eligible voters in elections; (ii) increasing the completeness and accuracy of the register of voters; (iii) preventing erroneous disenfranchisement of eligible citizens; (iv) protecting ineligible voters from improperly being registered; (v) determining the extent to which automatic voter registration materials should be provided in languages other than English and Spanish, including, but not limited to, languages required under the federal Voting Rights Act of 1965, as amended; and (vi) specifying the manner of registration for address confidentiality program participants under section 2 of chapter 9A who interact with automatic voter registration agencies; and (vii) preventing voter registration fraud.

(c)(1) Nothing in this section or in section 42G shall be construed to change the substantive qualifications of voters established by this chapter or the constitution.

(2) Nothing in this section shall be construed to interfere with the registrars' duties under sections 37, 38, 47B, 48 and 49 to ensure that the names of persons who are ineligible to vote do not appear on the register of voters.

(3) Nothing in this section shall be construed to interfere with the right of any person to decline to register to vote for any reason.

(d)(1) Upon receiving the electronic records described in section 42G.5, the board of registrars or election commission shall determine whether the names of persons included in the electronic records belong to persons who meet the qualifications of a voter under section 1. The registrars shall notify each qualified person whose name appears in those records of the automatic voter registration process.

(2) If the registrars determine that the person whose name appears in the electronic records does not meet the qualifications of a voter under section 1, the registrars shall notify the person of the determination at the address included in the electronic record, unless that person has already declined to register to vote.

(3) The registrars shall notify each person under paragraph (1) of the person's opportunity to: (i) decline to register to vote; or (ii) adopt a political party affiliation, in which case the person shall also sign an eligibility requirement acknowledgement and attestation. Such notification shall be provided in English and Spanish and any additional languages to be determined by the state secretary.

(4) If a person so notified does not decline to register to vote within 21 calendar days after the registrar issues the notification, the registrars shall add the person's name and address to the register of voters.

(5) The registrars shall not include in the register of voters the name of a person who indicates in a signed writing that the person does not wish to be a registered voter.

(6) If the information transmitted under section 42G.5 is for a person whose name is already included in the register of voters, and if the information indicates a subsequent change to the person's name, address or gender marker, the registrars shall ensure that the register of voters is updated accordingly.

(7) Upon adding the name of a person to the register of voters under paragraph (4), the registrars shall send written notice, which may be sent electronically, in a form approved by the state secretary, to the registrars or equivalent officers of the place where the person was last registered as a voter. Upon receiving this notice, or a similar notice from another state including information from the Electronic Registration Information Center, Inc. under section 47C, the registrars shall immediately remove the person's name from the register of voters.

(8) The state secretary's office shall provide mandatory training for all registrars on the administration of the requirements enumerated in this subsection.

(e) The state secretary shall ensure that information is provided to the registrars in as clear a manner as practicable, and automate the process to the extent practicable. The state secretary may develop electronic interfaces with automatic voter registration agencies under section 42G.5 to carry out this section.

(f) The state secretary shall make an annual report to the joint committee on election laws of the general court, which the secretary shall post on a public website. The annual report shall include the following information: (i) the number of voters newly registered to the statewide voter registration list updated by an automatic voter registration agency, broken down by agency; (ii) the total number of voter records on the statewide voter registration list updated because of records transferred by an automatic voter registration agency; and (iii) the number of persons who opted out of voter registration. The state secretary shall also study and include within the annual report recommendations to strengthen and clarify automatic voting requirements as they pertain to eligibility for voting in municipal, state and federal elections, so as to ensure to the maximum extent possible that the requirements are clear, easily understood and enforceable in an efficient manner. A report produced under this section shall exclude personal identifying information.

(g) Nothing in this section shall preclude a person who has previously declined to register to vote from subsequently registering to vote.

(h) The state secretary shall ensure that election officials shall not provide the record of any person who has opted out of voter registration, in whole or in part, to any third party and shall establish standards and procedures to safeguard the privacy and security of the information used and obtained pursuant to this section.

(i) A person who is not eligible to vote and who becomes registered under this provision shall not be found on that basis to have made a false claim to citizenship or to have committed an act involving moral turpitude, unless such person affirmatively asserts that the person is a citizen of the United States. Where a person who is not eligible to vote becomes registered under this provision without affirmatively accepting registration, that person's voter registration shall be considered to have been effected with official authorization and at no fault of the person so registered.

(j) No person may use the statewide voter registration list to attempt to determine the citizenship status of any person for any purpose other than voter registration, election administration or the enforcement of laws against election crimes. No information relating to a person's declination to supply information for voter registration purposes at a source may be disclosed to the public, used to discriminate against that person or used for any purpose other than voter registration, election administration or the enforcement of laws against election crimes.



## MGL CHAPTER 53 SECTION 7

### **Nomination papers; signatures; addresses; submission; deadlines; correction procedures; certification and checking; special elections**

Section 7. Every voter signing a nomination paper shall sign in person as registered or substantially as registered, and shall state the address where he or she is currently registered, but any voter who is prevented by physical disability from writing may authorize some person to write his or her name and residence in his or her presence.

Every nomination paper of a candidate for a city or town office shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the fourteenth day preceding the day on which it must be filed with the city or town clerk. Every nomination paper of a candidate for a state office shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the twenty-eighth day preceding the day on which it must be filed with the state secretary; and certification of nomination papers of candidates for state office shall be completed no later than the seventh day before the final day for filing said papers with the state secretary.

The registrars shall inform the candidate submitting such papers if the designation of the district only in which he seeks office is incorrect, and shall give said candidate the opportunity to insert the correct designation on such papers before the signatures are certified. The registrars shall, if the candidate so desires, allow a change of district on the nomination papers, in the presence of the candidate whose name appears on the nomination papers, and the registrar and the candidate shall both initial the change of district so made and further shall in writing explain the change of district causing three copies to be made, one of each for the registrar and candidate and one to be attached to the nomination papers. If the correct district designation is not so inserted, the nomination papers shall not be approved. In no case may a correction be made to change the office for which such candidate is nominated.

Every initiative, referendum or other ballot question petition paper, except an application for a public policy question under sections nineteen to twenty-two, inclusive, shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the fourteenth day preceding the day on which it must be filed with the state secretary; and certification of such papers shall be completed no later than the second day before the final day for filing said papers with the state secretary. In the case of special elections, every nomination paper shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian in the afternoon of the seventh day preceding the day on which it must be filed with the state secretary; and certification of nomination papers of candidates shall be completed no later than the twenty-four hours before the final hour for filing said papers with the state secretary, except that, for special elections for senator or representative in congress, every nomination paper shall be submitted to the registrars of the city or town where the signers appear to be voters at or before 5:00 p.m. of the fourteenth day preceding the day on which it must be filed with the state secretary, and certification of nomination papers of candidates shall be completed no later than the





72 weekday hours before the final hour for filing those papers with the state secretary.

Each nomination paper shall be marked with the date and time it was submitted and such papers shall be certified in order of submission. In each case the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars shall place next to each name not checked symbols designated by the state secretary indicating the reason that name was disqualified. The registrars shall certify a number of names that are required to make a nomination, increased by two fifths thereof, if they are submitted in a timely manner for a certification.

The state secretary need not receive nomination papers for a candidate after receiving such papers containing a sufficient number of certified names to make a nomination, increased by two fifths thereof.

For the purposes of this section a registered voter who in signing his name to a nomination paper inserts a middle name or initial in, or omits a middle name or initial from, his name as registered shall be deemed to have signed his name substantially as registered. If the registrars can reasonably determine from the form of the signature the identity of the duly registered voter, the name shall be deemed to have been signed substantially as registered. The provisions of this section shall apply in all cases where any statute, special act, or home rule charter requires the certification of the signature of a voter by boards of registrars of voters. Signatures shall not be certified on nomination papers or initiative and referendum petitions from more than one city or town per sheet.

The state secretary shall promulgate regulations designed to achieve and maintain accuracy, uniformity, and security from forgery and fraud in the procedures for certifying nomination papers and petitions for ballot questions and names thereon pursuant to this section, and to ensure proper delivery of certified nomination papers and petitions by registrars to the person or organization who submitted such papers or petitions.

## **MGL CHAPTER 53 SECTION 37**

### **Party enrollment of voters**

Section 37. The voting lists used at primaries shall contain the party enrollment of the voters whose names appear thereon established as provided in this section, in section thirty-eight, and in section forty-four of chapter fifty-one. Except as provided by section thirty-seven A, a voter desiring to vote in a primary shall give his name, and, if requested, his residence, to one of the ballot clerks, who shall distinctly announce the same, and, if the party enrolment of such voter is shown on the voting list, the name of the party in which he is enrolled. If the party enrollment of the voter is not shown on the voting list the ballot clerk shall ask such voter in which political party's primary he desires to vote, and the ballot clerk, upon reply, shall distinctly announce the name of such political party, and shall record the voter's selection

upon the voting list. The ballot clerk shall then give the voter the ballot of the political party so requested. If the voter was unenrolled before selecting a party ballot, he shall continue to be unenrolled and shall be recorded as unenrolled in the current annual register of voters.

After marking his ballot the voter shall give his name, and, if requested, his residence, to the officer in charge of the voting list at the ballot box, who shall distinctly announce the same. If the party enrolment of the voter is shown on the voting list he shall also make announcement of such enrolment and the officer in charge of the ballot box shall, before the voter's ballot is deposited, ascertain that it is of the political party in which such voter is enrolled. If the enrolment of the voter is not shown on such voting list, the officer in charge of the ballot box shall announce the political party whose ballot the voter is about to deposit, and the officer in charge of the voting list shall repeat the same distinctly and record the same upon such voting list.

The voting lists used at primaries shall be returned to the city or town clerk to be retained in his custody as long as he retains the ballots cast, whereupon such voting lists shall be transmitted to the registrars of voters for preservation for two years, after the expiration of which they may be destroyed. Said officers shall, at any time after the primary, upon receiving a written request therefor signed by any person, furnish a copy of said list to such person upon the payment of a reasonable fee or shall allow such person to examine and copy such list without charge under such supervision as the clerk may reasonably require. The party enrolment of each voter, if any, shall be recorded in the current annual register of voters, and whenever a voter shall establish, cancel or change his enrolment it shall likewise be so recorded. In preparing the current annual register of voters, the party enrolment, if any, of each voter included therein, as shown by the register of voters for the preceding year, shall be transferred thereto. Upon receipt of a written request from a primary candidate or any officer of any ward, town or city committee or duly organized political committee for a copy of the party enrolment list of voters in any city or town, the board of registrars or the election commissioners, as the case may be, shall prepare said list and shall furnish at once the said list, free of charge, to the party requesting the same and they shall also furnish a copy of said list to any person on payment of a reasonable fee, not to exceed the cost of printing such list.

## MGL CHAPTER 54 SECTION 11

### Election officers in certain cities

Section 11. Subject to section eleven B, the mayor of every city, except where city charters provide otherwise and except as provided in sections eleven A and thirty-six, shall annually not earlier than July fifteenth nor later than August fifteenth appoint as election officers for each voting precinct, one warden, one deputy warden, one clerk, one deputy clerk, four inspectors and four deputy inspectors, who shall, at the time of their appointment, be enrolled voters in the commonwealth, except as otherwise provided in section 11B; provided, however, that the state secretary shall establish a waiver system to allow a city to request permission to appoint fewer election officers than specified in this paragraph. The persons so appointed shall be enrolled voters in the commonwealth, except as otherwise provided in section 11B. He may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such additional inspectors as he may deem



necessary, not less than two nor more than four for each three hundred voters, to count and tabulate the votes or to serve at any election. Every such appointment shall be filed in the office of the city clerk of such city within forty-eight hours after it is made, and shall be acted on by the aldermen not less than three days after the filing of such appointment and on or before September first following. After said September first, the mayor, with the approval of the aldermen, may, from time to time, appoint temporary additional inspectors to count and tabulate the votes. Records of appointments made under authority of this section shall be open to public inspection.

## MGL CHAPTER 54 SECTION 11B

### Filing for appointment in cities; procedure; eligibility; examinations

Section 11B. The chairman of the city committee of each political party entitled to representation in the appointment of election officers may, not later than June first in each year, file with the registrars lists of enrolled members of such party who desire appointment as election officers as submitted to him by the several ward committees. The registrars shall, not later than April fifteenth of each year, make written notification to the chairman of record of the city committee of each political party and the chairman of record of the ward committee of each political party that said list must be submitted no later than June first of the same year. Upon the filing of such lists the registrars shall forthwith proceed to the consideration thereof and shall, on or before June thirtieth, submit to the mayor or other appointing authority the names of persons whose names appear on the lists, who in their opinion are qualified to act as election officers. The lists submitted by the several ward committees shall contain not more than eight names for each office to be filled. Supplemental lists for any election district as submitted by the several ward committees therein may be filed by the said chairman at any time before the appointments for such district are made, for the purpose of filling vacancies which may occur in the original lists. No person shall be appointed as an election officer until he is found qualified to act as such as herein provided. Appointments shall be made from the original list before any names are taken from any supplemental list.

If, upon the expiration of fifteen days after notice given in writing prior to June fifteenth, in any year by the mayor or other appointing authority to the chairman of any political committee by whom lists are to be filed hereunder, and to the chairman of the state committee of such political party, neither the state nor city chairman shall have filed original or supplemental lists, the mayor or other appointing authority may appoint as election officers registered voters in the commonwealth, except as otherwise provided in this section recommended by the city clerk or election commission, who, in the opinion of the mayor or other appointing authority, are qualified to act as such.

Not more than 2 such election officers may be appointed who: (1) are 16 or 17 years of age; (2) are residents of the commonwealth; (3) are United States citizens when appointed; (4) are able to speak, read and write the English language; (5) have provided a letter from a parent or guardian giving permission for them to serve as election officers; (6) have provided a letter from their school principal giving permission for them to be absent from school to serve as election officers if the election or a training will take place when school is in session or, if home schooled,

have provided a copy of the document indicating approval to be home schooled; and (7) agree to attend required training sessions. If an election officer under this paragraph attends a school that encourages or requires community service, serving as an election officer may be considered a community service activity. In no case shall a person 16 or 17 years of age serve as an election officer on the day of an election for more than the number of hours permitted for such a person to work pursuant to section 66 of chapter 149.

The registrars may, if they deem it necessary, conduct examinations of persons whose names appear on the lists filed hereunder. Five days' notice shall be given of any such examination. The chairman of each city committee may appear and be heard either in person or by counsel, during the conduct of such examinations.

## MGL CHAPTER 54 SECTION 12

### Election officers in towns; procedure; eligibility; examinations

Section 12. The selectmen of every town shall annually, **not earlier than July fifteenth nor later than August fifteenth**, appoint as election officers for each voting place or precinct, except as provided in section twenty-four, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be enrolled voters in the commonwealth, except as otherwise provided in this section. They may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such number of tellers as may be necessary to count the ballots cast. Said tellers shall be appointed for the counting of said ballots at the close of the polls. **In the event that the selectmen fail to appoint such election officers on or before August fifteenth, the board of registrars of voters shall forthwith appoint said officers.** The state secretary shall establish a waiver system to allow a town to request to appoint fewer election officers than specified in this paragraph.

The chairman of the town committee of each political party may, not later than June first in each year, file with the registrars a list of enrolled members of such party who desire appointment as election officers. The selectmen shall, not later than April fifteenth of each year, make written notification to the chairman of record of the town committee of each political party that said list must be submitted no later than June first of the same year. Upon the filing of such lists the registrars shall forthwith proceed to the consideration thereof, and shall, on or before June thirtieth submit to the selectmen the names of persons whose names appear on the lists who in their opinion are qualified to act as election officers. The lists submitted by town committees shall contain not more than eight names for each office to be filled. Supplemental lists may be filed with the selectmen and registrars by the said chairman at any time before the appointments are made, for the purpose of filling vacancies which may occur in the original lists. No person shall be appointed as an election officer until he is found qualified to act as such as herein provided. **Appointments shall be made from the original list before any names are taken from any supplemental list.** All persons listed on the original list who have not been appointed as election officers shall be notified by certified mail of the appointment of a person listed on the supplemental list at least five days prior to such appointment.

If, upon the expiration of fifteen days after notice given in writing prior to June fifteenth in any year by the selectmen to the chairman of any political committee

who has not filed original or supplemental lists, and to the chairman of the state committee of such political party, neither the state nor town chairman shall have filed such lists, the selectmen may appoint as election officers registered voters in the commonwealth, except as otherwise provided in this section and recommended by the town clerk, who in the opinion of the selectmen, are qualified to act as such.

Not more than 2 such election officers may be appointed who: (1) are 16 or 17 years of age; (2) are residents of the commonwealth; (3) are United States citizens when appointed; (4) are able to speak, read and write the English language; (5) have provided a letter from a parent or guardian giving permission for them to serve as election officers; (6) have provided a letter from their school principal giving permission for them to be absent from school to serve as election officers if the election or a training will take place when school is in session or, if home schooled, have provided a copy of the document indicating approval to be home schooled; and (7) agree to attend required training sessions. If an election officer under this paragraph attends a school that encourages or requires community service, serving as an election officer may be considered a community service activity. In no case shall a person 16 or 17 years of age serve as an election officer on the day of an election for more than the number of hours permitted for such a person to work pursuant to section 66 of chapter 149.

The registrars may, if they deem it necessary, conduct examinations of persons whose names appear on the lists filed hereunder. Five days' notice shall be given of any such examination. The chairman of each town committee may appear and be heard either in person or by counsel, during the conduct of such examinations.

## MGL CHAPTER 54 SECTION 13

### Party representation; term of office; removal

Section 13. Such election officers shall be enrolled voters so appointed as equally to represent the 2 leading political parties, except that, without disturbing the equal representation of such parties, not more than 1/3 of the election officers not representing either of them may be appointed. The warden shall be of a different political party from the clerk, and not more than one half of the inspectors shall be of the same political party. In each case the principal officer and his deputy shall be of the same political party. The preceding party representation requirements of this section apply only if the chairman of the city or town committee of each political party or the chairman of the state committee of such party files with the registrars lists of enrolled members of the party who desire appointment as election officers in accordance with the provisions of sections eleven B and twelve. Except as otherwise provided in sections eleven and twelve, every election officer shall hold office for one year, beginning with September first succeeding his appointment, and until his successor is qualified, or until his removal; provided, that election officers appointed to count and tabulate votes shall serve at such primaries or elections and at such times as shall be designated by the appointing authority. An election officer may be removed by the mayor, with the approval of the aldermen, or by the selectmen, after a hearing, upon written charge of incompetence or official misconduct preferred by the city or town clerk, or by not less than six voters of the ward, or, in a town, of the voting precinct where the officer is appointed to act.

## MGL CHAPTER 54 SECTION 14

### Vacancies; appointment

For any primary or election, if the city or town clerk determines in writing that there is a deficiency in the number of required election officers within the 6 weeks preceding the primary or election, the appointing authority may appoint election officers without regard to political party membership, voter status, residence in the city or town or inclusion on a list filed by a political party committee pursuant to sections 11B and 12. If the position of warden, clerk or inspector, or deputy of any such officer, if any, is vacant within the 3 weeks preceding any primary or election, the city or town clerk may fill the vacancy by appointing a competent person willing to serve, without regard to political party membership, voter status, residence in the city or town or inclusion on a list filed by a political party committee pursuant to said sections 11B and 12.

## MGL CHAPTER 54 SECTION 15

### Eligibility of candidates

Section 15. No person shall, at a state, city or town election, be eligible or act as an election officer in a voting precinct where he is a candidate for election; and if a person appointed an election officer becomes such a candidate, and does not forthwith resign his office, the mayor or selectmen, if he is a candidate at a state election, shall remove him from office before November first, or, if a candidate at a city election, the mayor shall so remove him at least eight days before the day of the election, or if a candidate at a town election the selectmen shall remove him before the election. Neither a town moderator nor any member of a board of selectmen shall be eligible or act as an election officer in a state or presidential primary, or state election.

## MGL CHAPTER 54 SECTION 33H

### Election officers for tabulation center; tabulation of votes

Section 33H. For any tabulation center designated under section thirty-three F, the mayor or the board of selectmen shall appoint, in conformity with sections eleven to twenty-two, inclusive, the following election officers: a warden, a deputy warden, a clerk and deputy clerk and as many inspectors and deputy inspectors as the city or town clerk determines to be necessary.

Each city or town chairman of a political party may appoint in writing a qualified computer expert to monitor the electronic counting of ballots at such tabulating center. He shall be assigned by the presiding officer to a position within the center which will enable him to observe all operations.

The warden shall be the presiding officer at the tabulation center; provided, however, that the city or town clerk shall be the presiding officer at a central tabulation center, and shall assign to the election officers such duties as will insure

the accurate and complete tabulation of the ballots, in accordance with such rules and regulations for the operation of such tabulation center as are promulgated by the office of the state secretary.

Each precinct shall be tabulated separately. The sheet showing the result, as printed by the computer or tabulating unit, shall be fastened to the precinct record for transmittal to the office of the city or town clerk, and the warden and clerk shall be responsible for said sheet and shall each sign it. Each precinct tabulation sheet shall show the total number of names checked on the voting lists, the total number of ballots cast, the names of all persons voted for, the number of votes for each person and the title of the office for which he was a candidate, the number of blank ballots for each office and the number of affirmative and negative votes in answer to any question submitted to the voters. The machine record shall be added to the precinct record sheet showing hand-counted ballot totals, and the precinct record sheet shall then be signed by the precinct warden and clerk. The presiding officer at the tabulation center, or such election officer as he shall designate, shall then publicly and in the presence of the other election officers, audibly and distinctly, announce the number of votes cast for each candidate for each office, and the number of affirmative and negative votes cast upon any question. Such announcement may be made for each precinct, as soon as the precinct record has been completed.

Any ballot or card which is rejected by the computer or counting unit, or which is mutilated so that it cannot be inserted in the computer or counting unit, shall be counted by hand by two inspectors of different political parties, and the result of the count of all such ballots shall be entered separately on the precinct record sheet, and added to the machine tabulated totals and the absentee ballot and other totals thereon. No such rejected or mutilated ballot shall be repunched for inserting into the computer or tabulating unit.

## MGL CHAPTER 54 SECTION 91

### **Applications; filing and certification; notation on voting lists; posting**

Section 91. When an application for an official absent voting ballot is received by the clerk of a city or town, it shall be transmitted by him to the registrars, who shall examine it and, if they believe the signature thereon to be genuine and the person executing the signature to be a duly registered voter or a family member of a duly registered voter, shall execute the certificate thereon and return the application to said clerk. Notwithstanding the provisions of the first sentence, if an application for an official absent voting ballot is received by the registrar, assistant registrar, or clerk of a city or town, from the voter who will be absent from said city or town on the date of the election and who requests to make application for an absent voting ballot and to vote in the presence of the registrar, assistant registrar, or clerk during the same visit, said registrar, assistant registrar, or clerk shall examine said application, and if he believes the signature thereon to be genuine and the person executing the signature to be a duly registered voter, shall execute the certification thereon and remain present while the voter marks the ballot as set forth in paragraph two of section ninety-two. The clerk shall cause to be placed on the voting lists prepared as required by section sixty of chapter fifty-one, opposite the name of each voter on whose application such certificate has been so executed, the

letters in capitals A. V. If the registrars find the person signing the application not to be a duly registered voter, they shall send him written notice to that effect and shall preserve the application during the time fixed by law for the preservation of ballots cast in the coming election, after which time said application shall be destroyed. The clerk shall prepare lists, arranged by voting precincts, of the names and addresses of all voters on whose applications for absent voting ballots the certificate has been executed as provided in this section, and shall post copies of such lists for public inspection. An applicant for an absent voting ballot who has been furnished a certificate of supplementary registration, as authorized by section fifty-one of chapter fifty-one, shall submit such certificate with his application, and the clerk shall cause to be placed on such certificate opposite the name of the applicant the letters in capitals A. V. Every such certificate shall be securely affixed to the voting lists required by section sixty of chapter fifty-one to be transmitted to the polling place for the precinct where such applicant claims the right to vote and shall be considered a part thereof.

Sections fifty-nine and fifty-nine A of chapter fifty-one shall apply to applications for absent voting ballots, but the certificate mentioned in section fifty-nine shall be issued by the city or town clerk.

## MGL CHAPTER 54 SECTION 94

### Examination of ballots; acceptance or rejection

Section 94. The city or town clerk or a person designated by him shall open each envelope purporting to contain an official absent voting ballot as soon as possible after receiving it, in the view of any persons who may be present. He shall remove therefrom the inner envelope provided for in clause (c) of the first paragraph of section eighty-seven and, without opening such inner envelope, compare the signature thereon with the signature on the application therefor, except if a family member signed the application or if the voter received assistance in signing the application or the envelope, and examine the affidavit on each such envelope. If he finds that such affidavit has been improperly executed, or does not sufficiently indicate that the ballot was marked and mailed or delivered as required by sections ninety-two and ninety-three, or except as provided in the preceding sentence was not signed by the person who signed the application therefor, he shall mark across the face thereof "Rejected as defective", and shall place on the absent voting disposition list required by section ninety-one or section ninety-one A, as the case may be, opposite the name of the voter the capital letter R. Each envelope, so marked, all applications for absent voter ballots and all lists referred to in this section shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots. If he does not mark the envelope "Rejected as defective", he shall mark a check against the name of the voter on the absent voting disposition list required by section ninety-one or section ninety-one A, as the case may be. Said clerk, or such person, shall record on tally sheets prepared and furnished by the state secretary all envelopes, as well as accepted or rejected ballots of absent voters; and, in cities and towns divided into voting precincts, a separate record shall be made for each precinct.

Said clerk shall notify, as soon as possible, each voter whose ballot was rejected that such ballot has been rejected. Said notice shall be on a form prescribed by the



state secretary and provided by the clerk. Unless the clerk determines that there is clearly insufficient time for the voter to return another ballot, the clerk shall then proceed as if the voter had requested a substitute ballot under section eighty-nine. If the clerk received the original ballot by mail, the clerk shall enclose the substitute ballot and other papers described in section eighty-seven with the mailed notice of rejection. If the original ballot was delivered to the voter in the office of the clerk or at a health care facility, the clerk shall attempt to communicate to the voter as soon as possible that the substitute ballot is available. If the clerk timely receives an inner envelope purporting to contain such a substitute ballot, and does not mark it "Rejected as Defective" under this section, he shall strike the letter R from any list on which it has been placed under the preceding paragraph.

## **MGL CHAPTER 54 SECTION 135**

### **Petition for recount; filing; contents; examination; recounts; notice; amendment of records**

Section 135. A petition for a recount may be filed with the city or town clerk on or before five o'clock post meridian on the sixth\* day following a primary or preliminary election, or on or before five o'clock post meridian on the tenth day following an election, in a ward of a city or in a town, if ten or more voters of such ward or town, except a town having more than twenty-five hundred voters and voting by precincts and except Boston, and in such a town voting by precincts ten or more voters of each precinct in which a recount is petitioned for and in Boston fifty or more voters of a ward, shall sign in person as registered, or substantially as registered, and shall state the address where he is currently living with the street and number, if any, and his address on January the first preceding. In the case of any petition for a recount hereunder, the registrars need not certify a greater number of names than is required hereby for the holding of the recount, increased by one fifth thereof.

Such petition shall be on a form furnished by the state secretary, shall be accompanied by a written request for a recount signed by the candidate on whose behalf the recount is being conducted, shall be sworn to by one of the subscribers before a notary public, and shall contain a statement that they have reason to believe and do believe that the records, or copies of records, made by the election officers of such ward or town, or of such precinct in a town having more than twenty-five hundred voters and voting by precincts, are erroneous, specifying wherein they deem such records or copies thereof to be in error, or that challenged votes were cast by persons not entitled to vote therein, and that they believe a recount of the ballots cast in such ward, precinct or town will affect the nomination or election of one or more candidates voted for at such primary, preliminary election or election, specifying the office or will affect the decision of a question voted upon at such election, specifying the question. The city or town clerk shall forthwith transmit to the registrars of voters such petition and statement, and the envelopes or containers containing all records of the election, including the sealed envelopes containing the ballots cast, the original tally sheets, the envelopes containing the spoiled and unused ballots, the voting lists used at the election, the certificates issued to voters omitted from the voting list, the precinct clerk's election record, the absentee ballot envelopes and applications for such absentee ballots as were cast at the election, the lists of voters who were sent absentee ballots with the notation as to whether such ballots were cast or rejected or whether such voter voted in person, and the

\* Note that in Acts 2022 Ch 22 Sec 21, for the 9/6/22 primary election, the time for filing recount petitions was shortened from 6 days to 3 days.

sealed envelopes containing the ballots rejected as defective. In the case of a recount of the votes for an office any candidate for such office shall, upon his request, be permitted to obtain and examine the record books and the clerk of the precinct's book, so called, where used, and may require that a count be made of the number of persons checked as having voted on the voting lists used at each precinct, and that an examination be made of the figures on each ballot box register.

The registrars shall first examine the petition and statement and attach thereto a certificate of the number of names of subscribers which are names of registered voters in such ward, precinct or town and shall then, without unnecessary delay, but not before the last hour for filing petitions for recounts as aforesaid, open the envelopes or containers, except envelopes containing absentee ballots rejected as defective, recount the ballots cast and determine the questions raised, and shall examine all ballots cast by or for challenged voters, and all provisional ballots received under section 76C and reject any such ballot cast by or for a person found not to have been entitled to vote. They shall examine the sealed inner ballot envelopes rejected as defective as to the reasons for rejection and shall determine whether each such ballot should have been rejected or accepted. The registrars' determinations shall be subject to protest as said envelopes are examined at the recount. If the registrars determine to accept an inner envelope originally rejected as defective, they shall open such envelope and count the ballot therein, and shall attach such envelope to such ballot. The registrars shall endorse on the back of every cast ballot subsequently rejected and on the back of every inner ballot envelope of absentee ballots originally rejected as defective the reason for such rejection or subsequent acceptance and said statement shall be signed by a majority of said registrars. A member of the board of registrars shall endorse over his signature on the back of each protested ballot the block number of which it is a part and the office for which the vote is protested, together with the name of the candidate for whom the vote is counted.

The registrars at the recount shall determine how protested votes are to be counted and the registrars shall assign tally clerks to count the votes.

In cases of recounts at elections where voting machines have been used the city or town clerk shall transmit to the registrars the records of the election officers, the envelopes or containers containing the total sheets showing the votes recorded by the voting machines, cast by challenged voters and cast by absent voting ballots, respectively, and containing the ballots cast by challenged voters and the absent voting ballots cast, and all other material specified in section one hundred and thirty-five A.

State-wide recounts in cases of offices to be filled or questions to be voted upon at the state election by all the voters of the commonwealth may be requested as provided in the foregoing provisions of this section so far as applicable, except that any petition therefor shall be on a form approved and furnished by the state secretary, shall be signed in the aggregate by at least one thousand voters, and shall be submitted on or before five o'clock post meridian of the tenth day following such election to the registrars of voters of the city or town in which the signers appear to be voters, who shall forthwith certify thereon the number of signatures which are names of registered voters in said city or town, and except that said petitions for recount shall be filed with the state secretary on or before five o'clock

post meridian of the fifteenth day following such election. The state secretary shall hold such petitions for recount until after the official tabulation of votes by the governor and council and if it then appears that the difference in the number of votes cast for the two leading candidates for the office, or in the number of affirmative and negative votes on a question, for which recount is desired is more than one half of one per cent of the total number of votes cast for such office or on such question, the petitions for recount shall be void. If such difference in the votes so cast appears to be one half of one per cent or less of the total votes cast for such office or on such question, he shall forthwith order the clerk of each city and town of the commonwealth to transmit forthwith, and said clerk shall so transmit, the envelopes or containers containing the ballots, sealed except in the case of those containing ballots which have already been recounted in respect to said office or question under authority of this section, to the registrars of the city or town who shall, without unnecessary delay, open the envelopes or containers, recount the ballots cast for said office or on such question and determine the questions raised. The registrars shall examine the sealed inner ballot envelopes originally rejected as defective and shall proceed as provided in the third paragraph. The registrars determinations shall be subject to protest as said envelopes are examined at the recount. If a state-wide recount is petitioned for, all ballots cast at a state election shall be held, except as otherwise provided herein, by the city and town clerks until the expiration of sixty days after said election.

District-wide recounts in cases of offices to be filled or questions to be voted upon at state elections, except by all the voters of the commonwealth, may be requested in the same manner as state-wide recounts, except that the petition shall be signed by one-fourth the number of voters required to sign nomination papers for state primary candidates in the appropriate district under section forty-four of chapter fifty-three and provided that the difference in the numbers of votes cast for any candidate seeking an office or nomination and the candidate who is the apparent winner of that office or nomination, or in the number of affirmative and negative votes on a question, for which the recount is desired is not more than one-half of one per cent of the total number of votes cast for such office or nomination or on such question. State-wide and district-wide recounts may be requested for state primaries, and for presidential primaries except for ward and town committees, in the same manner as for state elections, except that the petition shall be submitted to the registrars of voters on or before the third day following the primary, certification shall be completed on or before the sixth day following the primary, and the petition shall be filed with the state secretary on or before the seventh day following the primary. In the case of such state-wide and district-wide recounts for state primaries, the state secretary shall order the recount conducted as soon after the filing of the petition as it appears to him that the difference in votes is within the margin specified in this paragraph.

The board of registrars of voters in any city or town shall set the date of any recount for an office or question which appeared on a state primary or state election ballot, except for state-wide offices to be filled or on such questions to be voted on at the state election by all the voters of the commonwealth, for a date not more than six days after the last say for filing a recount petition for a primary, and not more than ten days after the last day for filing a recount petition for an election. Said board shall forthwith, upon setting the date of any such recount, notify the state secretary in writing of the office to be recounted, the time and place of the recount and the number of observers to which each candidate is entitled. Said board shall give not

less than three days written notice to each candidate for the office for which a recount was petitioned under authority of this section, or to such person as shall be designated by the petitioners for any recount of ballots cast upon question submitted to the voters, of the time and place of making the recount, and each such candidate or person representing petitioners as aforesaid shall be allowed to be present and to witness such recount at each table where a recount of the ballots affecting such candidate is being held, accompanied by one or more counsel, if he so desires. Each such candidate or person may also be represented by agents, appointed by him or his counsel in writing, sufficient in number to provide one such agent for each officer counting or checking such ballots; provided, that no such candidate or person may have more than one such agent, other than his counsel, witnessing the work of any one officer at any one time. Each such candidate, person, counsel and agent shall have the right to watch and inspect the ballots, tally sheets and all other papers used in the recount, and to watch every individual act performed in connection therewith. In the case of a recount of ballots cast for offices which are filled by all the voters of the commonwealth, such notice may be given to the duly organized state political committees. In the case of a recount of the ballots cast upon a question submitted to all the voters as aforesaid, one representative from any committee organized to favor or to oppose the question so submitted shall be permitted to be present and witness the recount.

All recounts shall be upon the questions designated in the statements or petitions filed, and no other count shall be made, or allowed to be made, or other information taken, or allowed to be taken, from the ballots on such recount, except that in the case of a recount of the ballots cast for an office, the votes cast for all of the candidates for such office, including blanks cast, shall be recounted and all spoiled and unused ballots shall also be counted and determination shall be made whether each sealed absentee ballot envelope rejected as defective should have been rejected or accepted, and the results recorded on the blank forms provided therefor, together with the absentee ballot envelopes and applications for such absent voting ballots. Nothing contained in this section shall be construed to prevent the immediate commencement of the work of actually recounting the ballots at the recount.

If, after a petition for a recount of the votes for an office in any ward, town, or precinct of a town has been filed, a candidate who requested the recount files a written request with the city or town clerk that the recount petitioned for be discontinued, the city or town clerk shall immediately suspend the recount and give written notice to each candidate for the office that, unless written notice of a candidate's objection is received within seventy-two hours after such notice is sent, the recount shall be discontinued. If no such notice of objection is received, the recount shall be discontinued.

If, after a petition for state-wide recount for an office has been filed, the leading candidate, together with every other candidate whose votes therefor are not exceeded in number by the votes of the leading candidate by more than one half of one per cent of the total number of votes cast for such office, shall file a written request with the state secretary that the recount petitioned for be discontinued, the state secretary shall immediately order such recount discontinued whereupon such proceedings shall terminate.

The registrars shall, when the recount is complete, enclose all the ballots in their proper envelopes or containers, seal each envelope or container with a seal provided therefor, and certify upon each envelope or container that it has been opened and again sealed in conformity to law; and shall likewise make and sign a statement of their determination of the questions raised. The registrars shall also enclose all protested ballots in a separate envelope, seal the envelope with a seal provided therefor and certify upon the envelope that it contains all ballots that have been protested. When ballots are summoned to court, only such ballots as have been duly recorded as protested at a recount shall be required to be produced except by express order of the court. The envelopes or containers, with such statement, shall be returned to the city or town clerk, who shall alter and amend, in accordance with such determination, such records as have been found to be erroneous; and the records so amended shall stand as the true records of the election. Copies of such amended records of votes cast at a state election shall be made and transmitted as required by law in the case of copies of original records; provided, that such copies of amended records shall in case of a state-wide recount be transmitted by the city or town clerk to the state secretary within four days of the completion of such recount. If, in case of a recount of votes for town officers, it shall appear that a person was elected other than the person declared to have been elected, the registrars of voters shall forthwith make and sign a certificate of such fact, stating therein the number of votes cast, as determined by the recount, for each candidate for the office the election to which is disputed, and shall file the same with the town clerk. The town clerk shall record the certificate and shall, within twenty-four hours after such filing, cause a copy of such certificate, attested by him, to be delivered to or left at the residence of the person so declared to have been elected, and to the person who by such certificate appears to be elected.

Registrars of voters may employ such clerical assistance as they deem necessary to enable them to carry out this section and in the investigation of challenged votes may summon witnesses and administer oaths.