

MASSACHUSETTS 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key provisions found within the Massachusetts General Laws and other relevant sections.

- Hindering, delaying, or interfering with a voter is a misdemeanor.
- Interfering with an election official in the performance of their duties is a misdemeanor.
- Tampering with, injuring, or attempting to tamper with or injure a voting machine is a felony.

VOTING HOURS

7 a.m. to 8 p.m.

2024 ELECTION DATES

State Primary Election: September 3

General Election: November 5

For more election dates:

sec.state.ma.us/divisions/elections/recent-updates/upcoming-elections.htm

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:

sec.state.ma.us/divisions/elections/voter-resources/find-my-local-election-office.htm

MA Secretary of State:

1-800-462-8683

For more information:

sec.state.ma.us/divisions/elections/elections-and-voting.htm



Unlawful interference with voter

M.G.L. ch. 56, § 29

Whoever wilfully and without lawful authority hinders, delays or interferes with, or aids in hindering, delaying or interfering with, a voter while on his way to a primary, caucus or election, while within the guard rail, while marking his ballot or while voting or attempting to vote, or endeavors to induce a voter, before depositing his ballot, to disclose how he marks or has marked it, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Interfering with election officials

M.G.L. ch. 56, § 48

Whoever interferes, or aids or abets any person in interfering, with an election commissioner, city or town clerk, election officer, or director of the count or assistant appointed under section six of chapter fifty-four A, in the performance of his duties shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Tampering with voting machine

M.G.L. ch. 56, § 51

Any person who shall tamper with or injure or attempt to tamper with or to injure any voting machine to be used or being used in an election, or who shall prevent or attempt to prevent the correct operation of such machine, or any unauthorized person who shall make or have in his possession a key to a voting machine to be used or being used in an election, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than one nor more than two and one half years or in the state prison for not less than two and one half nor more than five years, or both.

Obstruction of voting

M.G.L. ch. 56, § 30

Whoever wilfully obstructs the voting at a primary, caucus or election shall be punished by a fine of not more than one hundred dollars.

Disorderly conduct at polling places

M.G.L. ch. 56, § 46

Whoever, at a primary, caucus or election, behaves in a disorderly manner, and, after notice from the presiding officer or director of the count, persists in such behavior and refuses to withdraw from the polling place, or from the central counting place, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month.

Disobeying election officer

M.G.L. ch. 56, § 47

Whoever wilfully disobeys any lawful command of an election, caucus or primary officer shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month.

Removing ballots from within guard rail

M.G.L. ch. 56, § 54

Whoever removes a ballot from the space enclosed by the guard rail before the close of the polls shall be punished by imprisonment for not more than one year.

Obstructing transmission of ballots or returns

M.G.L. ch. 56, § 49

Whoever wilfully obstructs or interferes with the transmission of ballots or returns to or from a polling place or a central counting place shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Persons permitted within guard rail

M.G.L. ch. 54, § 69

No persons except the election officers, supervisors, custodians of voting machines when acting in the course of their duties, the city or town clerks, and voters admitted for the purpose of voting, shall, during the progress of an election and until the public declaration of the vote, be permitted within the guard rail, unless authorized by the election officers for the purpose of keeping order and enforcing the law. Children, in the company of a voter, may be admitted within the guardrail unless the election officer in charge deems that the admittance of such child would disrupt the maintenance of order.

Preservation of order by police

M.G.L. ch. 54, § 72

The select board, board of selectmen, town council or city council of each city and town, in consultation with its election officers and registrars, shall detail a sufficient number of police officers or constables for each building that contains the polling place for 1 or more precincts at every election therein to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections.

Activities at polling places; regulations; penalties

M.G.L. ch. 54, § 65

At an election of state or city officers, and of town officers in towns where official ballots are used, the presiding election officer at each polling place shall, before the opening of the polls, post at least three cards of instruction, three cards containing abstracts of the laws imposing penalties upon voters, and at least three specimen ballots within the polling place outside the guard rail, and have available at the

check in area at state elections a number of copies of the information for voters material provided for in section fifty-four at least one for every one hundred voters; and no other poster, card, handbill, placard, picture or circular intended to influence the action of the voter shall be posted, exhibited, circulated or distributed in the polling place, in the building where the polling place is located, on the walls thereof, on the premises on which the building stands, or within one hundred and fifty feet of the building entrance door to such polling place. In polling places in which voting machines or approved electronic voting systems are used, the samples of the ballot posted shall be, substantially, replicas of the ballot labels, cards or ballots upon which the voters must vote in using the particular machine or system. Pastors, commonly called stickers, shall not be posted, circulated or distributed in the polling place, in the building where the polling place is located, on the walls thereof, on the premises on which the building stands, or within one hundred and fifty feet of the building entrance door to such polling place. Such pasters shall be subject to all the restrictions imposed by sections forty-one and forty-four as to names and residences of candidates and the size of the type in which the names shall be printed; but no political or other designation shall appear on such pasters, and no vote by paster shall be counted if such designation appears. The presiding election officer shall, at the opening of the polls, publicly open the packages containing the ballots and deliver them to the ballot clerks. All specimen ballots not posted shall be kept in the custody of the presiding officer until after the closing of the polls.

No rule, regulation or provision of law shall prohibit a person who is a member of a police or fire department of the commonwealth, or any political subdivision thereof, who is not on active duty, from distributing such material one

hundred and fifty feet distant from a building entrance door to a polling place in an election where there appears on the ballot a referendum pertaining to, or affecting, the conditions of employment, including hours of labor and compensation, in the department of which said person is a member subject to the provisions of this section.

No person shall be allowed to collect signatures upon petitions, referendum petitions or nomination papers within one hundred and fifty feet from the building entrance door to a polling place.

Whoever posts, exhibits, circulates or distributes any poster, card, handbill, placard, picture or circular intended to influence the action of a voter, or any paster to be placed upon the official ballot, in violation of any provision of this section, shall be punished by a fine of not more than twenty dollars.

This section shall apply to early voting locations under section 25B while voting is being conducted.

Carrying dangerous weapons

M.G.L. ch. 26g, § 10 (k)

(k)(1) Whoever possesses a firearm, loaded or unloaded, as defined in section 121 of chapter 140, in a prohibited area, and knows or reasonably should know such location is a prohibited area, shall be punished by a fine of not more than \$1,000 or by imprisonment in the house of correction for not more than 2 ½ years, or both such fine and imprisonment.

(2) For the purposes of this subsection, "prohibited area" shall mean any of the following locations:

- (i) a place owned, leased, or under the control of state, county or municipal government and used for the purpose of government administration, judicial or court administrative proceedings, or correctional services,

including in or upon any part of the buildings, grounds, or parking areas thereof; provided, however, that a "prohibited area" shall not include any state-owned public land available to the public for hunting and provided further that a municipality may vote pursuant to section 4 of chapter 4 to exclude its administrative buildings from being a "prohibited area"; or

(ii) a location in use at the time of possession for the storage or tabulation of ballots during the hours in which voting or tabulation is occurring or a polling place or early voting site while open for voting or within 150 feet of the building entrance door to such polling place or early voting site.

(3) A law enforcement officer may arrest without a warrant and detain a person found in violation of this subsection.

(4) It shall be a defense to a violation of this subsection that a person with the necessary license or card issued under sections 129B, 131 or 131F of chapter 140 to possess the firearm securely stored said firearm in a vehicle while within the prohibited area in accordance with sections 131C and 131L of chapter 140.

(5) This subsection shall not apply to a qualified law enforcement officer or a qualified retired law enforcement officer, as defined in the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. sections 926B and 926C, respectively, as amended or to a security guard employed at the prohibited area while at the location of their employment and during the course of their employment. Nothing in this paragraph shall limit the authority of any municipality, county or department, division, commission, board, agency or court of the commonwealth to adopt policies further restricting the possession of firearms in areas under their control.

Presiding officers, powers and duties

M.G.L. ch. 54, § 71

The presiding officer at each polling place shall enforce the performance by election officers of their duties. During an election and the counting of the ballots after the close of the polls, he shall have authority to maintain order and to enforce obedience to his lawful commands, in and about the polling place and to keep the access thereto open and unobstructed, and he may require any police officer, constable or other person to communicate his orders and directions and assist in their enforcement.

Detention of offenders; effect on right to vote M.G.L. ch. 54, § 74

If a person at an election refuses to obey the lawful commands of the presiding officer or, by disorderly conduct interrupts or disturbs the proceedings of an election officer, the presiding officer may require any police officer, constable or other person to take him into custody and detain him until after the election; but the presiding officer may at any time order his release. Such order of detention shall not be so enforced as to prevent such person, if a voter at that polling place, from voting.

