



Memo on Provisional Ballots Cast in 2022 General Election

Why Massachusetts Needs Same-Day Voter Registration

10/24/2023

EXECUTIVE SUMMARY

Data from the 2022 statewide election released to the Massachusetts Election Modernization Coalition by the Secretary of the Commonwealth reveals that two-thirds of provisional ballots cast were rejected and not counted. Analysis reveals that over 99% of these votes might have been counted if same-day voter registration was an option in Massachusetts.

WHAT IS A PROVISIONAL BALLOT?

Provisional ballots are offered to voters if their personal information is incorrect or missing from the voter list when they check in to vote.

According to the Secretary of Commonwealth's [website](#), "provisional ballots are counted only if the local elections office is able to confirm that the voter is, in fact, registered to vote in the city or town. If a voter's registration status cannot be confirmed, then their provisional ballot is destroyed and not counted.

Local election offices must resolve all provisional ballots within three days of state or presidential primary elections. Provisional ballots cast for state and local elections must be resolved within 12 days of the election. If your local election office finds that you are an eligible voter, your ballot will be counted."

Provisional ballots should be a last and final resort to ensure that every eligible voter has the opportunity to cast their vote. Same-day voter registration would eliminate the need for the vast majority of provisional ballots.

THE PROBLEM

Of the 2,491 provisional ballots cast in the 2022 statewide election, 64% of them — a total of 1,600 ballots — were rejected and not counted. This means that **1,600 people thought they were registered to vote, showed up on election day, and cast ballots that were not counted.**

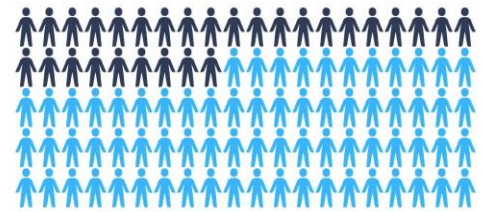
Of the 1,600 rejected ballots, only 1% were rejected because the voter failed to show an appropriate form of identification. **99% of provisional ballots were rejected for administrative reasons that might have been resolved through same-day registration.**

Some of those reasons include:

- The voter moved within the municipality and was registered elsewhere
- The voter moved into the municipality
- The voter did not complete their registration

Cities produce a disproportionate number of rejected provisional ballots compared to towns. Of the 1,600 rejected ballots, 68% were cast in cities, despite the population of cities making up only 55% of the state's population.

29% of rejected provisional ballots were in Boston



Despite Boston representing only 9% of the state's population.

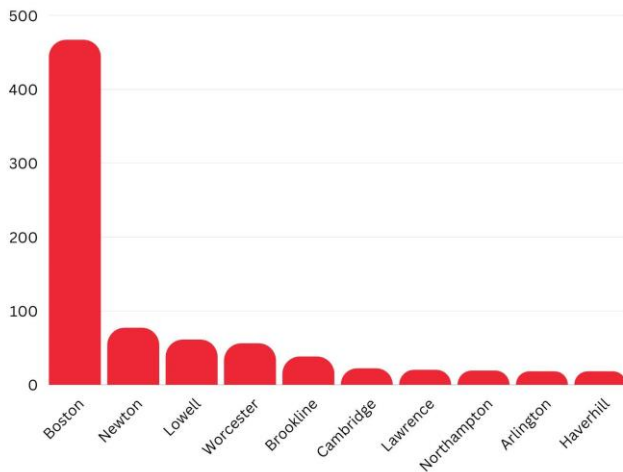
Boston alone accounts for 29% of all rejected ballots, despite having only 9% of the state's population.

Boston rejected 467 of the 606 provisional ballots cast in 2022 — a whopping 77% rejection rate. In order of the number of rejected ballots, the next four municipalities were:

- Newton, rejecting 77 of 89 ballots cast;
- Lowell, rejecting 61 of 71 ballots cast;
- Worcester, rejecting 56 of 85 ballots cast;

Brookline, rejecting 38 of 59 ballots cast.

Top 10 municipalities with highest number of rejected provisional ballots



The vast majority of the 292 towns in Massachusetts issued fewer than five provisional ballots during the election. Of those, 140 issued no provisional ballots at all. It is worth noting that some cities, including New Bedford, Fall River and Taunton, also issued no provisional ballots.

Two Massachusetts House races were won in 2022 by single-digit margins after recounts. Rep. Kristen Kassner won the Second Essex seat by one vote; 19 provisional ballots were rejected in towns in that district. Rep. Margaret Scarsdale won the First Middlesex seat by seven

votes; 26 provisional ballots were rejected in towns in that district.

Reason for rejection	Number	Percentage
ID Required	14	0.88
Not on List Ineligible	369	23.08
Not on List Verified at Precinct	952	59.54
Other	264	16.51
TOTAL	1599	100.00

THE SOLUTION

Fortunately, a solution to this problem has already been filed in the legislature this session. The [Voting ACCESS Act](#) is a comprehensive legislative proposal that would introduce same-day voter registration, modernize Massachusetts' election administration, and eliminate remaining barriers to the ballot box.

Sponsored by Senator Cindy Creem, this legislation contains four key elements:

1. **Same-day voter registration**, which has already eliminated the need for provisional ballots in 22 states. (Filed in House by Rep. Carmine Gentile)
2. **Decoupling voter registration from the municipal census**, which will ensure that not responding to the municipal census will no longer result in being dropped from the active voter rolls. (Filed in House by Rep. Frank Moran)
3. **Uniform mail and absentee voting forms and ballots**, which will reduce costs and workload for local election officials, and reduce confusion for voters. (Filed in House by Rep. Shirley Arriaga)
4. **Strengthening accessible polling location oversight**, which will require the Secretary of State to inspect all voting sites at least once every four years to ensure they comply with federal and state disability accessibility laws. (Filed in House by Rep. Kay Khan)

More information on the Voting ACCESS Act is available [here](#).

The data obtained from the Secretary of the Commonwealth and analyzed by the Election Modernization Coalition is available in the appendix below.

APPENDIX 1

Rejected		Percentage			
ID Required	14	0.88			
Not on List Ineligible	369	23.08			
Not on List Ver at Prn	952	59.54			
Other	264	16.51			
TOTAL	1599	100.00			

