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October 2025

To: City and Town Officials

Subject: Distribution of information concerning municipal ballot question elections

At the Southbridge clerks conference on September 25th, I referenced M.G.L. Chapter 53, Section 18B, which permits communities to mail ballot question information to each household in which a voter resides. A copy of Section 18B is enclosed.

OCPF often receives questions about using public resources (e.g. paper, postage, personnel) for political purposes, particularly regarding distributing information to voters for ballot question elections. A policy-making official may research and analyze the impact a potential ballot question may have on matters that are within their scope of responsibility, and may compile material relative to that analysis. That report is a public record and is available to the public upon request as any public record is. However, the municipality cannot distribute that report unless it is requested. Public resources may not be used to distribute information regarding a ballot question, even if the information is intended to be objective and factual, unless requested or expressly authorized by state law, such as Section 18B.

For questions about Section 18B, contact your city or town counsel, or the Secretary of the Commonwealth's Elections Division at (617) 727-2828. For information on public resources and ballot question elections, visit our website www.ocpf.us or contact us at ocpf@mass.gov or (617) 979-8300.

Sincerely,

William C. Campbell
Director

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