



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Elections Division

TO: Elections Officials
FROM: Michelle K. Tassinari, Legal Counsel
DATE: November 3, 2006
RE: Public hearings and meetings on primary or Election Day

We have received many inquiries as to whether public hearings or meetings are permitted on Election Day. The following are the *only public meetings that must not be held on Election Day*.

1. All public hearing held under Zoning Act by city councils, planning boards, and boards of appeals. G. L. c. 40A § 11 (2004 ed.)¹
2. Public hearings by the State Department of Community Affairs on low-rent public housing projects. G. L. c. 121B § 31 (2004 ed.)

All other public hearings and meetings appear to be permitted on Election Day, although we do not recommend holding them on the day of the election.

¹ This prohibition explicitly includes the Boston Board of Appeal, under its special act. 1956 Mass. Acts. c. 665 § 8, as amended by 1973 Mass. Acts. c. 296 § 4.