

QUESTION

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Expanding the Public Records Law

IN PLAIN LANGUAGE

This question asks voters whether the state's existing public records law should apply to the Legislature, which is currently exempt, and the governor's office, which often claims to have leeway to deny requests.

CommonWealth
— BEACON —

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YES

A YES VOTE WOULD...

Make explicit that the House, Senate, and governor's office are subject to the public records law, while exempting communications related to assisting constituents or developing policy positions.

PROPOSERS CLAIM

- Massachusetts has one of the least transparent state governments in the country. The Society of Professional Journalists awarded Massachusetts its 2026 Black Hole Award, which it describes as “an annual dishonor recognizing ... a troubling lack of transparency and disregard for the public's right to know.”
- Watchdogs and the press will be able to better hold power to account with greater access to information, including what lawmakers and the governor's office say in emails and other correspondence with figures such as lobbyists.
- Virtually all other government entities — including municipal offices, public school districts, and many offices in the state's executive branch — are subject to the public records law.

The campaign is led by Auditor Diana DiZoglio and the progressive group Act on Mass. Other groups like the Massachusetts Fiscal Alliance also support the question.

OTHER THINGS TO KNOW

- Massachusetts is the only state where the Legislature, the judiciary, and the governor's office are all exempt from public records requirements or claim to be.
- While Democratic legislative leaders have signaled opposition, Gov. Maura Healey has said she supports the idea “provided that there are certain exemptions” for some unspecified types of documents or correspondence.
- DiZoglio has pitched the measure as a follow-up to her successful 2024 ballot campaign empowering her office to audit the Legislature, which voters approved by a margin of 72 percent to 28 percent.

NO

A NO VOTE WOULD...

Maintain the status quo in which the Legislature is completely exempt and the governor's office can deem itself exempt from requirements to release records on a case-by-case basis.

OPPOSERS CLAIM

- Adding the Legislature to the existing public records law, which is managed by the secretary of state, will subject the legislative branch to executive branch oversight in violation of the constitutional separation of powers.
- Lawmakers could have their free deliberations chilled by exposing internal communications to public scrutiny, especially if malicious actors misrepresent or take out of context information acquired via records requests.
- The Legislature should not be subject to the same public records requirements as other parts of the government because it has a unique, independent standing under the state constitution.

There is no registered opposition, but Democratic legislative leaders including House Speaker Ron Mariano and Senate President Karen Spilka, have expressed skepticism.