// INSIGHTS

Massachusetts' 2026 Ballot Questions: What Clients Need to Know

September 22, 2026

By Steven Baddour, Daniel Connelly, Taylor Shepherd

Massachusetts voters will face an unusually consequential ballot this November. Nine statewide questions will address issues ranging from state revenues and housing development to elections, labor, marijuana, environmental funding, government transparency, and firearms regulation. (And there almost were 10. A Mintz team led by attorneys Elissa Flynn-Poppey and Ed Daley successfully persuaded the Massachusetts Supreme Judicial Court to strike the proposed statewide rent control initiative from the ballot — a good reminder that sometimes the most consequential ballot question is the one that never makes it onto the ballot.)

For businesses and organizations operating in Massachusetts, these questions are more than Election Day issues. Several could materially change the legal, regulatory, fiscal, and political environment in which our clients operate.

Here is what we are watching.

Question 1: Government Transparency

Question 1 would bring most records maintained by the Legislature and Governor's Office under the Massachusetts Public Records Law, with certain exemptions for policy development and constituent services.

Why it matters: This could significantly change the transparency rules surrounding policymaking on Beacon Hill and within the executive branch. Organizations that regularly engage with state government should understand how the proposal could affect communications, advocacy, and the public availability of government records.

Question 2: Collective Bargaining for Public Defenders

Question 2 would allow employees of the Committee for Public Counsel Services (CPCS) to collectively bargain and would require CPCS to seek funding from the Governor for negotiated agreements.

Why it matters: Beyond its direct impact on CPCS employees, the question is relevant to public-sector labor relations, state appropriations, workforce policy, and organizations interacting with Massachusetts' criminal justice system.

Question 3: Open Primary Elections

Question 3 would eliminate separate party primaries for state elections and replace them with a single primary in which candidates from all parties appear on the same ballot. The top two finishers would advance to the general election.

Why it matters: This would represent a major change in how candidates for state office are nominated and could affect campaign strategy, voter outreach, coalition building, and the broader political environment in Massachusetts.

Question 4: Election Day Registration

Question 4 would allow eligible voters to register or update their address at their polling place on Election Day beginning in 2028.

Why it matters: The proposal would change election administration across the Commonwealth and could affect voter participation, municipal election operations, and political and advocacy organizations conducting voter-engagement efforts.

Question 5: State Revenue Limit and Rebate

Question 5 would change the formula governing how much revenue Massachusetts may collect and require excess collections above the new limit to be returned to taxpayers.

Why it matters: This may be one of the questions with the most direct fiscal implications. Changes to the state's revenue ceiling could affect future budget decisions, spending priorities, state programs, tax policy, and competition for public funding.

Question 6: Nature for All Fund

Question 6 would establish a dedicated fund for natural-resource conservation, supported by a portion of state sales and use tax revenues associated with sporting goods, recreational vehicles, and golf courses. Eligible uses would include conservation, restoration, parks, trails, green space, and outdoor recreation.

Why it matters: The proposal could create new funding opportunities while also influencing future state spending decisions involving conservation, recreation, land use, municipalities, environmental organizations, and businesses connected to the outdoor economy.

Question 7: Single-Family Housing Development

Question 7 would allow single-family homes on residentially zoned lots of at least 5,000 square feet with at least 50 feet of frontage and access to public water and sewer, while preserving certain municipal regulatory authority.

Why it matters: Housing remains one of the Commonwealth's most significant economic and public-policy challenges. This proposal could affect local zoning, permitting, development opportunities, municipal authority, housing production, infrastructure planning, and the real estate and construction industries.

Developers, municipalities, utilities, employers, housing organizations, and businesses concerned about workforce housing should follow this question closely.

Question 8: Recreational Marijuana

Question 8 would repeal the laws authorizing, regulating, and taxing retail adult-use recreational marijuana in Massachusetts. Retail recreational sales would end, although certain possession rights would remain, and the medical marijuana system would continue.

Why it matters: Approval would substantially restructure an industry Massachusetts has regulated since voters legalized recreational marijuana in 2016. The implications would extend beyond cannabis operators to municipalities, landlords, investors, vendors, employees, tax revenues, and businesses that support the industry.

Question 9: Firearms Regulation

Question 9 asks voters whether to retain or repeal the firearms law enacted in 2024. The law addresses licensing, training, ghost guns, assault-style weapons, reporting requirements, firearm data, and other regulatory provisions.

Why it matters: The outcome will be particularly relevant to firearm owners and dealers, law enforcement, municipalities, health care and educational institutions, employers, and organizations responsible for compliance with provisions of the 2024 law.

The Bigger Picture for Massachusetts Businesses and Organizations

The importance of these questions goes well beyond which side prevails on Election Day.

If approved, several will require implementation by state agencies, new regulations or guidance, budget decisions, municipal action, and potentially additional legislative activity. That means the policy discussion does not necessarily end when the votes are counted.

For businesses and organizations operating in Massachusetts, the more important questions are practical ones: What changes? When does it change? How will it be implemented? And what does it mean for our organization?

That is where ML Strategies will be focused.

We will continue monitoring the nine ballot questions and the campaigns surrounding them — and, where measures are approved, the legislative, regulatory, budgetary, and administrative decisions that follow.

Our goal is not simply to report what happened on Election Day. It is to identify what comes next, where there may be risk or opportunity, and how organizations should prepare.

For those looking for additional information before Election Day, the Secretary of the Commonwealth's 2026 Information for Voters provides the official summaries, full text, and arguments submitted by proponents and opponents of each question.

If you would like to learn more or discuss how these developments may impact your organization, please don't hesitate to contact us at SABaddour@mlstrategies.com and DJConnelly@mlstrategies.com.

612856594v.1