

Three ways to open Beacon Hill's records

How the November ballot question compares with the public records bills passed by the House and Senate, which are now in conference negotiations.

	Question 1 Ballot initiative	House bill H 5469, passed 125-28 in June 2026	Senate bill S 3244, passed 34-6 in July 2026
Legislative records covered	All records, under the existing public records law and its exemptions	17 listed categories of "legislative records," such as bills, roll calls, hearing records and financial records filed with the comptroller	19 listed categories of "legislative records": largely the House list, plus staff names, titles and salaries, and contracts
Governor's office	Covered by public records law; may withhold documents on developing policy	Covered by public records law for records made or received on or after Jan. 7, 2027	Covered by public records law; may withhold documents on developing policy
Settlement agreements	Generally public, subject to existing exemptions such as privacy	Not a listed legislative record; the state auditor may request a list of monetary settlements, not the text of settlement agreements	Not a listed legislative record
Contracts and procurements	Generally public under existing law	Not a listed legislative record	Public, unless exempt by law or rule or disclosure would unduly impair contract awards
Grounds to withhold	Existing exemptions, plus two new ones: policy development documents and constituent casework communications	Anything not on the list, records that would endanger security, and records protected by the constitution's speech and debate clause	Same as the House, plus the existing public records exemptions
Appeals	Existing process: appeal to the Supervisor of Records in the secretary of state's office, then court	No role for the Supervisor of Records. Reconsideration by the branch's own records officer, optional Rules Committee review, then an appeal to the Supreme Judicial Court	No role for the Supervisor of Records. Reconsideration by the branch's own records officer, optional Rules Committee review, then Suffolk Superior Court, which may rule only on legal errors and is barred from issuing injunctions or orders compelling action
Timing	No cutoff date: takes effect Jan. 1, 2027; silent on retroactivity	Not retroactive for governor's office: covers its records from Jan. 7, 2027 on; silent on retroactivity for legislative records	Not retroactive: takes effect Jan. 1, 2027; applies only to records made or received on or after Jan. 6, 2027
Also in the proposal	None	Narrows the 2024 voter-approved audit law, limiting the auditor to four areas: budgets, official audits, spending and a list of settlements since fiscal 2021. Presiding officers must approve interviews and may decline requests on legal grounds; disputes are noted in the audit report, and courts are barred from resolving them. Also \$1 million to implement the law.	A shield law protecting journalists' confidential sources; drops the House's auditor provisions

Sources: Text of Question 1; House 5469 (June 2, 2026); Senate 3244 (July 30, 2026), the Senate's amendment to the House bill. A House-Senate conference committee was appointed July 31, 2026 and is negotiating a final version.

This chart was created with AI assistance and independently verified for accuracy by State Affairs/SHNS journalists.