

# HOUSE . . . . No. 2632

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Substituted by the House, on motion of Mr. Leahy of Somerville, for the Bill prohibiting the public employment of certain persons (duplicate of House, No. 1971). June 27.

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## **The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Forty-Nine.

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### AN ACT BARRING COMMUNISTS AND OTHERS FROM THE PUBLIC SERVICE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 Chapter 264 of the General Laws is hereby amended
- 2 by adding at the end the three following sections:—
- 3 *Section 13.* No person who is a member of the
- 4 communist party, or is a member of or supports any
- 5 organization which advocates the overthrow by force,
- 6 violence or other illegal or unconstitutional methods,
- 7 the government of the United States or of this com-
- 8 monwealth shall be employed in any capacity by the
- 9 commonwealth or any political subdivision thereof.
- 10 *Section 14.* Every person entering the employ of
- 11 the commonwealth or any political subdivision thereof,
- 12 before entering upon the discharge of his duties, shall
- 13 take and subscribe to, under the pains and penalty of
- 14 perjury, the following oath or affirmation:—

“I do solemnly swear (or affirm) that I will uphold and defend the Constitution of the United States of America and the Constitution of the Commonwealth of Massachusetts and that I will

oppose the overthrow of the government of the United States of America or of this Commonwealth by force, violence or by any illegal or unconstitutional method."

15— Such oath or affirmation shall be filed by the sub-  
 16 scribe, if he shall be employed by the state, with the  
 17 secretary of the commonwealth. If an employee of a  
 18 county, with the county commissioner, and if an em-  
 19 ployee of a city or town, with the city clerk or the  
 20 town clerk, as the case may be.

21 *Section 15.* Violation of section thirteen or fourteen  
 22 shall be punished by a fine of not more than ten thous-  
 23 sand dollars or by imprisonment for not more than  
 24 one year, or both.