

By Mr. Alexander of Marblehead, petition of Lawrence R. Alexander, Geoffrey C. Beckwith, Jonathan L. Healy and Sherwood Guernsey for legislation to further regulate the campaign finance laws. Election Laws.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Eight.

AN ACT FURTHER REGULATING THE CAMPAIGN FINANCE LAWS.

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

1 SECTION 1. Section 1 of Chapter 55 of the General Laws is  
2 hereby amended by striking out the definition of "political  
3 committees" and inserting in place thereof the following  
4 definitions:

5 "Person," an individual, partnership, committee, association,  
6 society, corporations, labor organization, or any other  
7 organization or group of persons in concert.

8 "Political committee," any person, other than an individual, or  
9 any combination of persons who directly or indirectly receives  
10 contributions or makes expenditures, including without  
11 limitation, a national, regional, state, county or municipal  
12 committee.

1 SECTION 2. Section 5 of Chapter 55 of the General Laws is  
2 hereby amended by striking out the first paragraph and inserting  
3 in place thereof the following paragraph: —

4 Every political committee organized or operating on behalf of  
5 a candidate or candidates, every political committee, a principal  
6 purpose of which is to receive contributions or make expenditures,  
7 and every other political committee which receives contributions  
8 aggregating in excess of one thousand dollars during a calendar  
9 year of which makes expenditures aggregating in excess of one  
10 thousand dollars during a calendar year shall organize by filing

11 with the director or, if organized for the purpose of a city or town  
12 election only, with the city or town clerk, a statement or  
13 organization.

1 SECTION 3. Said section is hereby further amended by  
2 inserting in the first sentence and the third sentence of the fifth  
3 paragraph and the first sentence of the sixth paragraph before the  
4 words "political committee" the word: — such.

1 SECTION 4. Chapter 55 is further amended by inserting after  
2 section 18 thereof the following new sections:

3 Section 18A. Notwithstanding any requirements that an entity  
4 be organized as a political committee pursuant to the provisions  
5 of section five, no dues or assessments payable on a regular basis  
6 to and no other income received by an entity in the normal course  
7 of its business and not received or solicited for the purpose of  
8 making contributions or making expenditures shall be required  
9 to be reported as contributions to that entity under the provisions  
10 of section eighteen. The fact that a contribution or expenditure  
11 is made by such an entity from its own funds or property, including  
12 dues or assessments payable on a regular basis to or other income  
13 received by it in the normal course of its business, shall not exclude  
14 such contribution or expenditure by the entity from the reporting  
15 requirements of section eighteen.

16 Section 18B. Every person including any political committee,  
17 who makes an expenditure or expenditures in an aggregate  
18 amount exceeding one hundred dollars during any calendar year  
19 for the purpose of promoting the election or defeat of any  
20 candidate or candidates shall file with the director, or with the  
21 city or town clerk if such candidate or candidates seek public office  
22 at a city or town election, within seven business days after making  
23 such independent expenditure or expenditures, on a form  
24 prescribed by the director, a report stating the name and address  
25 of the person, including any political committee, making the  
26 expenditure or expenditures; the name(s) of the candidate or  
27 candidates whose election or defeat the expenditures promoted;  
28 the name(s) and address(es) of the person or persons to whom  
29 the expenditure or expenditures were made; and the total amount  
30 or value, the purpose(s) and the date(s) of the expenditure or  
31 expenditures.

32 For the purposes of this section the term “independent  
33 expenditure” means an expenditure by a person, including any  
34 political committee, expressly advocating the election or defeat  
35 of a clearly identified candidate which is made without  
36 cooperation or consultation with any candidate, or a non-elected  
37 political committee organized on behalf of a candidate or agent  
38 of such candidate.

1 SECTION 5. If any provision of this act, or its application, any  
2 person or any set of circumstances, is held to be invalid or  
3 unconstitutional by any court of competent jurisdiction, such  
4 holding shall not affect any other provision of this act or the  
5 application of the provision in question to any other person, facts  
6 circumstances.

