

By Mr. Businger of Brookline, petition of John A. Businger, Emanuel G. Serra, Byron Rushing, Michael J. Barrett, Royal L. Bolling, Sr., Christopher J. Hodgkins and Kevin G. Honan relative to the rights of persons to collect signatures on election petitions or distribute election literature. Election Laws.

The Commonwealth of Massachusetts

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

AN ACT TO PRESERVE THE RIGHTS OF FREE SPEECH AND PETITION.

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 53 of the General Laws is hereby amended by inserting
2 after the section 9A the following section: —

3 Section 9B. Every person shall have a right of access to the
4 common areas of a shopping center during routine business hours
5 in order (1) to solicit signatures in connection with access to the
6 ballot in a public election, (2) to solicit signatures on a petition
7 and (3) to distribute political, religious, and other pamphlets,
8 handbills, circulars, and leaflets; provided that such distribution
9 or solicitation shall be conducted in an orderly and unobtrusive
10 manner and may be subject to reasonable limitations by the
11 property owner or owners through written rules respecting the
12 time, location, and manner in which such distributions or
13 solicitations shall occur. For the purpose of this section “shopping
14 center” shall mean any plaza, mall, or shopping area consisting
15 of not less than four retail stores or service establishments.

16 Nothing in this section shall be construed to limit or otherwise
17 to restrict the rights of the people under article 9 of the Declaration
18 of Rights to collect signatures on election petitions or distribute
19 election literature.

