

By Ms. Evans of Wayland, petition of Nancy H. Evans and John C. Bradford for legislation to prohibit political activities of certain public employees. Public Service.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Two.

**AN ACT PROHIBITING POLITICAL ACTIVITIES OF CERTAIN PUBLIC EMPLOYEES.**

*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. The General Laws are hereby amended by  
2 inserting after chapter 31A the following chapter: —

**CHAPTER 31B.**

**Political Activities of Certain  
Public Employees.**

6 Section 1. In this chapter, words and phrases shall have the  
7 same meanings as those prescribed in section 1 of chapter 31, unless  
8 the context requires otherwise.

9 Section 2. The Administrator, subject to the approval of the  
10 Commission, shall prescribe rules which shall provide, as nearly  
11 as conditions of good administration may warrant, that no  
12 employee in a civil service position or career management service  
13 position shall be obliged, by reason of that employment, to  
14 contribute to a political fund or to render political service, and  
15 that no such employee may be removed or otherwise prejudiced  
16 for refusal to do so.

17 Section 3. The Administrator, subject to the approval of the  
18 Commission, shall prescribe rules which shall provide, as nearly  
19 as conditions of good administration may warrant, that no  
20 employee in a civil service position or career management service

21 position may use his or her official authority or influence to coerce  
22 the political action of a person or body.

23 Section 4. No employee in a civil service position or career  
24 management service position shall request or receive from, or give  
25 to, an appointing authority or any other person a thing of value  
26 for political purposes. Any such employee who violates this  
27 section shall be removed.

28 Section 5. (a) No employee in a civil service position or career  
29 management service position shall:

30 (1) use his or her official authority or influence for the  
31 purpose of interfering with or affecting the result of an election;  
32 or

33 (2) take an active part in political management or in political  
34 campaigns.

35 For the purpose of this subsection, the phrase “an active part  
36 in political management or in political campaigns” means those  
37 acts of political management or political campaigning which shall  
38 be expressly prohibited by rules adopted pursuant to this chapter.

39 (b) An employee to whom subsection (a) applies retains the  
40 right to vote as he or she chooses and to express his or her opinion  
41 on political subjects and candidates.

42 (c) Subsection (a) of this section does not apply to any public  
43 employee who is not in a civil service position or career  
44 management service position.

45 Section 6. Section 5(a) of this chapter does not prohibit  
46 political activity in connection with:

47 (1) an election and the preceding campaign if none of the  
48 candidates is to be nominated or elected at that election as  
49 representing a political party any of whose candidates received  
50 votes in the last preceding such election; or

51 (2) a question to be voted upon at an election, and the  
52 preceding campaign, if such question is not specifically identified  
53 with a political party as defined in the preceding paragraph (1).