

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Baddour, Steven (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the administration of political action committees organized by not-for-profit corporations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Baddour, Steven (SEN)	First Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00438 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE ADMINISTRATION OF POLITICAL ACTION COMMITTEES
ORGANIZED BY NOT-FOR-PROFIT CORPORATIONS.

*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 Massachusetts General Laws is hereby
2 amended by deleting in its entirety paragraph four and by inserting the following:
3 "Contribution", a contribution of money or anything of value to an individual, candidate, political
4 committee, or person acting on behalf of said individual, candidate or political committee, for the
5 purpose of influencing the nomination or election of said individual or candidate, or for the
6 purpose of supporting or opposing a political party committee, or for the purpose of promoting or
7 opposing a charter change, referendum question, constitutional amendment, or other question
8 submitted to the voters, and shall include any: (1) gift, subscription, loan, advance, deposit of
9 money, or thing of value, except a loan of money to a candidate by a national or state bank made
10 in accordance with the applicable banking laws and regulations and in the ordinary course of
11 business; (2) transfer of money or anything of value between political committees; (3) payment,

12 by any person other than a candidate or political committee, or compensation for the personal
13 services of another person which are rendered to such candidate or committee; (4) purchase from
14 an individual, candidate, or political committee, or person acting on behalf of said individual,
15 candidate, or political committee, whether through the device of tickets, advertisements, or
16 otherwise, for fund-raising activities, including testimonials, held on behalf of said individual,
17 candidate or political committee, to the extent that the purchase price exceeds the actual cost of
18 the goods sold or services rendered; (5) discount or rebate not available to other candidates for
19 the same office and to the general public; and (6) forgiveness of indebtedness or payment of
20 indebtedness by another person; but shall not include the rendering of services by speakers,
21 editors, writers, poll watchers, poll checkers or others; nor the payment by those rendering such
22 services of such personal expenses as may be incidental thereto; nor the exercise of ordinary
23 hospitality; nor any costs to solicit, administer or maintain a political action committee organized
24 by a not-for-profit corporation, trade union, trade association or chamber of commerce provided
25 that such costs shall not exceed thirty percent of the political action committee's annual
26 expenditures; provided, further, that a transfer of funds or payments by a depository candidate or
27 his committee to the political committee of a party, for goods or services provided to a candidate
28 or his committee by such political party shall not be considered to be a contribution.

29 SECTION 2. Section 8 of Chapter 55 of the Massachusetts General Laws is hereby amended by
30 inserting after the word "party" in line 14 the following:

31 ; except for costs to solicit, administer or maintain a political action committee organized by a
32 not-for-profit corporation, trade union, trade association or chamber of commerce provided that

33 such costs shall not exceed thirty percent of the political action committee's annual
34 expenditures.