

# **HOUSE . . . . . No. 3760**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, November 13, 2013.

The committee on Bills in the Third Reading, to whom was referred the Bill to strengthen campaign finance reporting requirements (House, No. 3719), reports recommending that the same be amended by substitution of the accompanying bill (House, No. 3760), and that when so amended the same will be correctly drawn.

For the committee,

THEODORE C. SPELIOTIS.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act Relative to Strengthening Campaign Finance Reporting Requirements.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith certain filing requirements for campaign finance reports, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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 3 of chapter 55 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by striking out, in lines 81 through 97, inclusive, the words  
3 “The name of a candidate who fails to file any statement or report after the institution of civil  
4 proceedings under this section to compel such filing shall not be printed on a state primary or  
5 state election ballot unless the statement or report is filed prior to the deadline for filing  
6 nomination papers with the state secretary for such candidate pursuant to chapter 53. The  
7 director shall notify the state secretary of the names of those candidates against whom civil  
8 proceedings have been instituted and shall do so within 72 hours of the filing deadline for  
9 nomination papers with the state secretary. Any candidate who is disqualified from appearing on  
10 a state primary or state election ballot as set forth above shall be ineligible to be nominated at a  
11 state primary as a write-in or sticker candidate unless the candidate shall have filed the  
12 statements or reports which are the subject of the civil litigation by the date of the primary. The  
13 director shall notify the state secretary of any candidates who have filed their statements or  
14 reports which were the subject of civil litigation no later than 24 hours after the date of the state  
15 primary.” and inserting in place thereof the following words:- The name of a candidate who is  
16 required to file campaign finance reports with the director, and who fails to file any statement or  
17 report after the initiation of civil proceedings under this section to compel such filing, shall not  
18 be printed on any municipal preliminary, state primary or general or special election ballot unless  
19 the statement or report is timely filed pursuant to chapter 53 or any charter or special law  
20 establishing such filing deadline. The director shall notify the state secretary, or for municipal

21 candidates, the registrars of the city or town, of the names of those candidates against whom civil  
22 proceedings for failure to timely file have been initiated and shall do so within 72 hours of the  
23 filing deadline for nomination papers for such candidate. Any candidate who is disqualified from  
24 appearing on any municipal preliminary, state primary or general or special election ballot as set  
25 forth above shall be ineligible to be nominated or elected as a write-in or sticker candidate unless  
26 the candidate shall have filed the statements or reports which are the subject of the civil litigation  
27 by the date of the municipal preliminary, state primary, or general or special election in which  
28 the candidate is seeking nomination or election. If civil proceedings are initiated against a state  
29 or county candidate for failure to timely file his or her campaign finance report or statement and  
30 the candidate files the report or statement before the primary, the director shall notify the state  
31 secretary no later than 24 hours after the date of the primary. If civil proceedings are initiated  
32 against a municipal candidate who is required to file with the director and the candidate files the  
33 campaign finance report or statement prior to the preliminary or, if no preliminary is held, prior  
34 to the date the preliminary for the office sought would have been held, the director shall notify  
35 the registrars no later than 24 hours after the date of the preliminary or the date the preliminary  
36 would have been held.

37 SECTION 2. Section 1 shall take effect on January 1, 2014.