

HOUSE No. 616

The Commonwealth of Massachusetts

PRESENTED BY:

Chris Walsh

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 adoption of the accompanying bill:

An Act relative to political expenditures by corporations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>

HOUSE No. 616

By Mr. Walsh of Framingham, a petition (accompanied by bill, House, No. 616) of Chris Walsh and others relative to political expenditures by corporations. Election Laws.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to political expenditures by 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. “Political Expenditure” means a contribution, gift, transfer, disbursement,
2 or promise of money or a thing of value to promote or assist in the promotion of the success or
3 defeat of a candidate, political party, or question in any state or federal election.

4 SECTION 2. A corporation may not use any money or other property of the corporation
5 in connection with a political expenditure, unless the stockholders of the corporation, by the
6 affirmative vote of a majority of all votes entitled to be cast, have:

7 (i) Authorized in advance the total amount of money or property that may be used for
8 all political expenditures during that fiscal year; and

9 (ii) Directed that the money or property be used for:

10 (a) A specified candidate or candidates;

11 (b) Candidates of a specified political party or parties;

- 12 (c) A specified political party of parties;
- 13 (d) A specified political committee or committees;
- 14 (e) A specified entity or entities exempt from taxation under Section 501 (c) (4) or
15 501 (c) (6) of the Internal Revenue Code; or
- 16 (f) A specified question or questions.

17 SECTION 3: Stockholder consideration of political expenditures may occur at an annual
18 or special meeting of the stockholders.

19 (i) (a) Within 48 hours after making a political expenditure, the corporation shall:

20 Give notice by electronic transmission to each stockholder that has requested notice; and

21 If the Corporation maintains a website, post notice of the political expenditure on the
22 website.

23 (ii) The notice shall state the amount, recipient, and purpose of the political expenditure.

24 SECTION 4: A Director of a Corporation that makes a political expenditure that does not
25 comply with SECTION 2 of this section shall be personally liable to the Corporation for the
26 amount of money expended, plus 6% interest per year.