

1.04: Contributions

(1) Joint contributions. A contribution which is made by a check which reflects a joint checking account of ~~two~~ more than one individual individuals shall be ~~is~~ presumed to be from the individual whose signature appears on the check., unless other information is provided, in writing, by either individual whose names appear on the check, that the true contributor(s) is different than the signature that appears on the check. The candidate or committee receiving the check may, however, at the recipient's discretion, attribute the contribution equally between each individual named on the check unless such attribution would result in a contribution exceeding the limits in M.G.L. c. 55, § 7A. For example, if a \$2,000 check is received and neither contributor has contributed in the calendar year in which the maximum allowed for each contributor is \$1,000, the committee may attribute the contribution equally between the two contributors.

(a) If attribution among each named contributor would result in an excess contribution, the contribution may be attributed in a manner that avoids such excess contribution. For example, if one of two persons named on a joint check in the amount of \$1,000 has already contributed \$750 (of the maximum allowed starting in 2015 of \$1,000) but the other named contributor has not yet contributed, the recipient committee may attribute \$250 of the contribution to the contributor who has already contributed, and \$750 to the other contributor.

(b) Contributors making a joint contribution may submit a written request to the candidate or committee to have the contribution be attributed in a manner other than equally. Such request shall be controlling unless it would result in the making of a contribution exceeding the limits in chapter 55.

(c) If a recipient attributes a portion of a contribution made by joint check to one of the persons named on the check who did not sign the check, the recipient must, within 30 days of receiving the check, provide written notification to each contributor describing the amounts attributed to each contributor. The notification must advise the contributors that they may request reattribution in amounts different from the amounts initially determined by the candidate or committee, and that the contributors may alternatively request a refund of any portion of a joint contribution. If requested to do so by a contributor, the candidate or committee must reattribute a joint contribution in accordance with a request received from a contributor, unless the reattribution would result in the making of a contribution exceeding the limits in chapter 55.

(d) Candidates and committees shall maintain records relating to all joint contributions received, including copies of checks, written attribution requests, and notifications provided to contributors.

(2) No check reflecting the name of a business corporation, partnership, professional corporation, limited liability partnership, or limited liability company may be solicited or received by any candidate or political committee, other than a ballot question committee or an independent expenditure PAC.

(3) Political contributions by corporations, partnerships, limited liability companies and limited liability partnerships. Section 8 of Chapter 55 prohibits contributions to candidates and committees (other than ballot question committees) from business or professional corporations, partnerships, limited liability companies, and limited liability partnerships incorporated or formed under the laws of the Commonwealth, or doing business in the commonwealth. Where accounts are created by a

partnership to hold the equity interest of individual partners, however, such accounts may be used by partners to make individual contributions.

(4) Contributions which are received by ticket sellers must be disclosed as contributions from original and true contributors in the amount given by them.

(5) Anonymous contributions may not be accepted and shall, if unable to be returned to the contributor, be donated within 30 days of receipt, to an entity or entities specified in the residual funds clause, M.G.L. c. 55, § 18, or in a manner consistent with 970 CMR 2.05(2)(w) or 970 CMR 2.06(3)(a). Candidates and political committees must keep records reflecting such contributions.

(6) Any corporation or any other entity which is prohibited from making a particular contribution may not reimburse an individual for any contribution made by that individual.

(7) Any contribution received by a candidate or political committee, which is returned to the contributor in its original form, is deemed to have not been accepted and therefore need not be reported.

(8) Candidates and committees shall exercise their best efforts to determine whether contributions are legal at the time of receipt. Any contribution which is believed by a candidate or committee to be illegal under M.G.L. c. 55 or any other law prior to its deposit into the account of a political committee or candidate shall be returned to the contributor in its original form. Any contribution which is believed by a candidate or committee to be illegal, subsequent to its deposit, shall be purged immediately either by refund to a contributor or payment pursuant to the residual funds clause. This refund shall be in the form of a check written to the contributor on the account of the candidate or political committee into which the original contribution was deposited. When the director determines a contribution to be illegal, the director may either require the contribution to be refunded to the contributor, or alternatively, he may require the contribution to be disgorged through a payment by the candidate or committee to the Commonwealth.

(9) A political committee or candidate may elect to refund a contribution, subsequent to its deposit, under the following circumstances:

(a) The political committee or candidate determines that the receipt of the particular contribution creates an appearance of a conflict of interest or other possible impropriety. Such a refund would be appropriate, for example, where the receipt of a particular contribution might reasonably be interpreted to create an impression that a contributor can improperly influence or unduly enjoy official favor, or exercise undue influence.

(b) The political committee or candidate has established, or establishes, a refund policy regarding contributions from a particular category or type of contributor. This policy, and the refund of such contributions, must be stated and applied in an open and consistent manner.

(c) Except as provided in 970 CMR 1.04(9)(d), contributions may be refunded to some or all contributors making contributions to a candidate or committee for any reason if refunds are made within 90 days of receipt of such contributions.

(d) Contributions may be refunded within 90 days of receipt because of the termination of a particular candidacy. Such refunds shall be calculated in accordance with 970 CMR 1.04(9)(d)1. or 2.:

1. refunds may be made on a *pro rata* basis; or

2. refunds may be made on a "last in, first out" basis, *i.e.*, the most recent contribution will be refunded in full and the remaining balance will be used to refund each contribution in the reverse order of receipt.

(e) Except as expressly provided, 970 CMR 1.04 shall not be construed to affect the requirements of 970 CMR relating to the disposition of residual funds by candidates and political committees.

(f) The contributions have been given to a ballot question committee that was organized to support an anticipated ballot question and the question the committee was organized to support was not placed on the ballot. If some of the contributions received by the committee have been spent and are not available when refunds are to be made, refunds shall be made on a *pro rata* basis or on a last in, first out basis.

(g) If a candidate or committee has issued a refund check to a contributor but the refund check is not negotiated within three months of issuance, the candidate or committee shall instead disgorge the funds by making a payment to a charitable entity or entities or otherwise pursuant to the residual funds clause.

(10) Membership Communications. Communications from membership organizations, not including a corporation subject to M.G.L. c. 55, § 8, to its members and their families, on any subject, shall not be understood to be a contribution or expenditure.

(11) Money Orders. No person, candidate or political committee shall make a contribution of money, if the aggregate amount contributed in a calendar year exceeds \$50.00 (**\$100 as of January 1, 2015**), except by check, or by credit or debit card in accordance with 970 CMR 1.09. For the purposes of 970 CMR, the word "check" shall, unless the context otherwise requires, mean a check on which the contributor is directly liable or which is written on a personal, escrow, trust, partnership, business or other account which represents or contains the contributor's funds and shall not mean a certified check, cashier's check, treasurer's check, registered check, money order, traveler's check or other similar negotiable instrument.

(12) Contribution Limitations. Contributions from individuals, candidates and political committees to candidates and political committees shall comply with the contribution limitations set forth in the following chart:



ANNUAL CAMPAIGN CONTRIBUTION LIMITS

OFFICE OF CAMPAIGN AND POLITICAL FINANCE
COMMONWEALTH OF MASSACHUSETTS

TO >>>>	Candidate/ candidate committee	Political action committee (PAC)	Political committee	State party committee	House/ senate party committee	Ballot committee committee
Candidate*	\$500	\$500	\$100	\$5,000*	\$5,000*	No limit
Candidate*	\$200	\$200	\$100	\$200*	\$200*	No limit
Candidate/ candidate committee	0	0	0	\$100*	\$100*	0
County/ regional/ borough or other local political committee	\$100*	No limit**	0	No limit*	No limit*	No limit*
Political action committee (PAC)	\$500*	\$500	0	\$5,000*	\$5,000*	No limit*
Party's committee	\$500	\$500	0	\$5,000*	\$5,000*	No limit*
State party committee	\$5,000*	\$500	0	---	\$5,000	No limit*
House/ senate party committee	\$1,000*	\$500	0	\$5,000*	\$5,000*	No limit*
Ballot committee committee	0	0	0	0	0	No limit**

ALL LIMITS ARE FOR A CALENDAR YEAR

See next page for explanatory notes

Replace chart with an updated chart (attached).

(13) A candidate or candidate's committee, may establish a separate legal defense fund, inauguration fund, or recount fund, in accordance with Section 18E of Chapter 55. A state party committee may also establish a legal defense fund.

a. The candidate or committee on whose behalf the fund is established, or the person establishing the fund, must notify the director or local election official, in writing, of the creation of the fund. Such notification must be filed prior to the date the first report disclosing donations is due, and shall indicate the name, address, email address, and phone number of the person who will be filing the reports. If the fund concerns a candidate who files reports with the director, the notification must be submitted to the director. If the fund concerns a candidate who files with a city or town clerk, the notification must be submitted to the clerk.

b. Notwithstanding the testimonial provisions of M.G.L. c. 55, § 1, payments made by a legal defense, inauguration, or recount fund, and donations received by such a fund, shall not be considered "expenditures" or "contributions" subject to the campaign finance law.

c. When all donations have been received and all payments made to accomplish the purposes of a legal defense, inauguration, or recount fund, any money remaining in the fund's account must be disposed of in a manner consistent with the residual funds clause of M.G.L. c. 55, § 18. Any money remaining in the fund's account may not be deposited into a candidate's or political committee's account.

(14) Earmarked contributions. Other than when a candidate contributes to the candidate's own political committee, once a person contributes to a political committee, the person does not retain control over the funds. A person may not make a contribution to a political committee on the condition or with the agreement or understanding that the funds or a substantial portion of the funds contributed must subsequently be contributed by that committee to any other committee.

Electronic Filing Regulations

970 CMR 1.11:

(1) Definitions. For the purposes of M.G.L. c. 55, § 18C and 970 CMR 1.11, the following words shall have the following meanings:

Authentication shall mean the method used to identify a person signing and creating electronic signatures and records.

CPF ID Number shall mean the unique identification number assigned to a candidate or political committee by the Director pursuant to 970 CMR 2.07(10) and the unique identification number assigned to depository banks pursuant to M.G.L. c. 55, §§ ~~18C(c) and 19(e)~~.

Depository Bank shall mean a financial institution which a candidate or political committee has designated as a depository for the campaign funds of such candidate or political committee in accordance with M.G.L. c. 55, §19(a).

EFS shall mean the OCPF Electronic Filing & Campaign Disclosure System that is the electronic reporting system developed for the submission, retrieval, storage and public disclosure of campaign finance reports and financial activity statements required to be filed with the Director pursuant to M.G.L. c. 55, §18C(a).

Election Cycle shall mean, for local party committees, the period beginning on the first day of January following the most recent biennial state election and ending on the 31st day of December following the next biennial state election.

Electronic Record shall mean a record created, generated, sent, communicated, received or stored by electronic means.

Electronic Signature shall mean an electronic process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the record.

User shall mean a candidate, duly appointed treasurer of a political committee or the cashier or treasurer of a depository bank to whom a CPF ID number and password have been assigned or a person acting under the authority or on behalf of the candidate, political committee or depository bank to whom a CPF ID number and password have been assigned. The term "user" shall also mean a person who completes a Report of Independent Expenditures, a Report of Electioneering Communications, or any other report required to be electronically filed by M.G.L. c. 55, either as the person making such expenditures, or as the person authorized to do so by an entity making such expenditures.

(2) Pursuant to M.G.L. c. 55, § 18C~~(h)~~, electronic campaign finance reports and financial activity statements created and filed with the Director shall be electronically signed by means of the following process:

(a) Authentication. The EFS shall be maintained on secure servers. Access to the EFS servers for the purpose of creating and submitting electronic records shall be accomplished by a login protocol requiring users to use both their CPF ID number and a unique eight-digit, alpha-numeric password.

(b) Demonstration of Intent to Sign the Record. A user shall demonstrate his or her intent to electronically sign an electronic campaign finance report or financial activity statement by the affirmative act of clicking through an electronic interface to file an electronic record with this office. The electronic interface that this office shall employ for electronically signing records will provide written notice upon the web page presented to the user for electronic signature that clearly indicates to the user that the click-through method used is a binding signature and the pages or data to which the user is agreeing when he or she signs electronically.

(c) Binding. For candidates and political committees, the electronic signature shall be bound to the electronic record(s) by two means: the candidate's, committee's or depository bank's CPF ID number shall be encoded into the electronic record(s) at the time of its creation; and at submission, each signed electronic record shall be assigned a unique transaction identification number maintained on the EFS secure server. Proof of electronic signature shall be provided to the user at the time of signing the record(s) in the form of a file submission receipt that shall clearly identify the user's CPF ID number and the transaction number for the electronic record(s) submitted. For all other persons required to file reports electronically, the signature shall be bound to the electronic record(s) by the encoding of the person's name, title, and (if applicable) the entity the person is filing on behalf of.

(d) Data Integrity. The Director shall ensure the data integrity of the signed electronic records submitted, stored and maintained in the EFS by:

1. employing encryption technology for the transmission of data from remote locations to the EFS secure servers;
2. managing the servers so that the EFS provides an audit trail for every electronic record created, submitted and stored in the EFS; and
3. by immediately electronically locking electronic records at signing so that they cannot be subsequently altered.

(e) Notice. Pursuant to M.G.L. c. 55, § 18C(h), notice shall be provided on the web page presented to the user for electronic signature that electronic records shall be signed under penalties of perjury as required by M.G.L. c. 55, § 24 and 970 CMR 2.14(6). Such electronic signature shall, in the case of a candidate's committee report, be attributable to both the candidate and the duly appointed treasurer of the candidate's political committee, in the case of other types of committees, to the duly appointed treasurer of the political committee or, in the case of depository banks, to the cashier or treasurer of the bank.

(3) All candidates and committees required to file with the Director, with the exception of local party committees, must file reports electronically. ~~In accordance with M.G.L. c. 55, § 18C(e), the thresholds referenced in M.G.L. c. 55, § 18C(b) are no longer in effect, except to the extent they apply to local party committees.~~ For local party committees that raise or spend more than \$10,000 **\$5,000** in an election cycle, the requirement to file electronically commences at the start of the

election cycle and not when the statutory threshold provided in M.G.L. c. 55, § 18C(b) is exceeded. ~~Committees required to electronically file must commence electronic filing at the beginning of an election cycle if they anticipate raising or spending more than the statutory threshold provided in M.G.L. c. 55, § 18C(b) during that election cycle. Committees that do not commence electronic filing at the start of an election cycle and which subsequently exceeds the statutory threshold provided in M.G.L. c. 55, § 18C(b) during the election cycle shall be required to immediately commence filing campaign finance reports electronically. Said committees shall further be required to electronically file all campaign finance reports required to be filed in accordance with the campaign finance reporting schedules set forth in M.G.L. c. 55, § 18 from the start of the election cycle.~~

(4) (a) Once a local party committee exceeds the electronic filing threshold during a particular reporting period, the committee must file electronically for that reporting period and for all subsequent reporting periods prior to the end of the committee members' four-year term of office.

(b) A local party committee that does not exceed the electronic filing threshold during a reporting period may voluntarily file electronically for that reporting period. By voluntarily filing a report electronically, the committee is not precluded from filing in paper form in a future reporting period, if the committee has continued to not exceed the electronic filing threshold.

(5) All electronic reports shall be filed in the EFS via the Internet using software approved by the Director. If the Director determines that a person required to file is not able otherwise to file electronically, the Director may, in his discretion, allow the person to file an electronic report by disk or e-mail attachment. If a person files by disc or e-mail attachment, the person will be required to file with the Director a written attestation of the report signed under the penalties of perjury as required by M.G.L. c. 55, § 24 and 970 CMR 2.14(6).

(6) Candidates and treasurers required to designate a depository account shall report information regarding contributions to the director electronically ~~on the schedule specified in M.G.L. c. 55, § 19(e).~~ on the fifth and twentieth day of each month, complete as of the preceding first and fifteenth day of each month.

(7) Individuals, corporations, groups or associations making expenditures in an aggregate amount exceeding \$250 during a calendar year, to influence or affect the vote on any question which appears on the state ballot in a state election, must file reports required by M.G.L. c. 55, § 22 electronically with the director. If the question appears on ballots at a city or town election or appears on ballots for use in a city or town at a state election, the report must be filed in paper form with the city or town clerk.

(8) The treasurer of any city, town, or other governmental unit, filing a report in accordance with M.G.L. c. 55, § 22A concerning an expenditure or payment made to influence or affect the vote on a question submitted to the voters of the commonwealth shall file reports electronically with the director. If the expenditure or payment concerns a question which appears on ballots at a city or town election or appears on ballots for use in a city or town at a state election, the report must be filed in paper form with the city or town clerk.

(9) Any individual, group, or association, corporation, labor union, political committee, or other entity making independent expenditures or electioneering communication expenditures in an aggregate amount exceeding \$250 during any calendar year must file reports required by M.G.L. c. 55, § 18A or § 18F electronically with the director if the expenditures relate to a candidate who files with the director.

(10) Reports of donations received by legal defense, recount, or inauguration funds, required by M.G.L. c. 55, § 18E, shall be filed electronically with the director if the donations relate to a candidate or committee ~~who~~ that files with the director.

(11) For every individual, candidate, committee or entity required to file electronically, the dates for filing and the contents of the filing shall be the same as that required for an individual, candidate, committee or entity under chapter 55.

(12) Any individual, candidate, committee, or entity required to file electronically who fails to file, files late, files a false return, or allows a false return to be filed, shall be subject to the same penalties as if they failed to file a paper filing required under section 18, or filed a false return or allowed a false return to be filed.

1.20: Legal Defense, Inauguration and Recount Funds.

A candidate or candidate's committee may establish a separate legal defense fund, inauguration fund, or recount fund, and a state party committee, may establish a separate legal defense fund in accordance with Section 18E of Chapter 55.

(1) The candidate or committee on whose behalf the fund is established, or the person establishing the fund, must notify the director or local election official, in writing, of the creation of the fund. Such notification must be filed prior to the date the first report disclosing donations is due, and shall indicate the name of the fund, and the name, address, email address, and phone number of the person who will be filing the reports. The name of the fund shall include the full name of the candidate or committee on whose behalf the fund is created.

(2) If the fund concerns a candidate who files reports with the director, or a committee that files with the director, the notification must be submitted to the director. If the fund concerns a candidate who files with a city or town clerk, the notification must be submitted to the clerk.

(3) Notwithstanding the testimonial provisions of M.G.L. c. 55, § 1, payments made by a legal defense, inauguration, or recount fund, and donations received by such a fund, shall not be considered "expenditures" or "contributions" subject to the campaign finance law.

(4) Monthly reports of donations, required by M.G.L. c. 55, § 18E(b) shall not be filed if donations are not received by a legal defense, inauguration or recount fund during the month that would be covered by a report.

(5) Fundraising for legal defense, recount, and inauguration funds is subject to M.G.L. c. 55, §§13-17. Persons employed for compensation by the commonwealth or any of its subdivisions may not directly or indirectly solicit or receive donations for a legal defense, recount fund, and donations for such events may not be solicited or received in any building occupied for state, county or local governmental purposes.

(6) A candidate or committee that who has a separate legal defense fund, inauguration fund or recount fund can also use the candidate's committee, or where a legal defense fund has been created by a state party committee, the state party committee, to raise funds and make expenditures for legal defense, inauguration and recount purposes if the expenditures for such purposes comply with M.G.L. c. 55, § 6. If funds are raised by a political committee for such purposes and deposited into the committee's campaign account, the funds are also considered "contributions" subject to the limits of the campaign finance law.

(7) Legal defense funds may be used to defend against a criminal matter or to pay costs associated with a civil matter if the criminal or civil matter is not primarily personal in nature. Legal defense funds may also be used to pay costs associated with a criminal, administrative or civil matter if the matter is not primarily personal in nature. Such costs may include fines or penalties assessed or amounts agreed to be paid in a settlement agreement reached in such matter.

(8) When all donations have been received and all payments made to accomplish the purposes of a legal defense, inauguration, or recount fund, any money remaining in the fund's account must be disposed of in a manner consistent with the residual funds clause of M.G.L. c. 55, § 18, and the director notified, in writing, that the fund has been closed. Any money remaining in the fund's account may not be deposited into a candidate's or political committee's account.

1.22: Identifying Funding Sources of Funds Transferred for Purposes of Making Contributions, Electioneering Communications, and Independent Expenditures Made by Tax Exempt or Other Organizations or Individuals.

(1) 970 CMR 1.22 establishes rules, adopted in accordance with M.G.L. c. 55, § 3, governing disclosure and recordkeeping required of transfers of money or other things of value, by individuals or organizations that are formed and operate as tax exempt organizations under Internal Revenue Code § 501(c)(3), 501(c)(4), 501(c)(5), and 501(c)(6), as well as other organizations, including organizations created under § 527 of the Internal Revenue Code, that are not Massachusetts political committees. The rules apply when the transfers are made for purposes of facilitating the eventual making of contributions, electioneering communications, or independent expenditures, and require disclosure of contributions, including contributions to an independent expenditure PAC, or which make independent expenditures to support or oppose made for the purpose of supporting or opposing a candidate, political party, or ballot question in Massachusetts, and In addition, the rules require disclosure by organizations or individuals that raise or transfer money or other things of value for the purpose of making electioneering communications, and provide guidelines for ensuring that the origin of the funds used to make contributions, electioneering communications, or independent expenditures are disclosed in the manner required by M.G.L. c. 55.

~~(3)~~ (2) An organization, whether existing in Massachusetts or in another state, that solicits or receives contributions money or other things of value to make independent expenditures, or for the purpose of allowing another individual, group, association, corporation, labor union or other entity to make independent expenditures after transfer of the money or things of value to such individual or entity, and which itself will make no contributions to candidates, but only independent expenditures, is an independent expenditure political action committee and must organize as such prior to soliciting or receiving contributions any money or other things of value, pursuant to M.G.L. c. 55 and 970 CMR 2.17: *Independent Expenditures*. Such independent expenditure political action committees are required to file campaign finance reports disclosing all contributions received, all expenditures made, and all liabilities incurred for the purpose of making contributions or independent expenditures, and must also maintain detailed accounts of all campaign finance activity pursuant to M.G.L. c. 55, §§ 5 and 18.

~~(2)~~ (3) Any organization, including a political committee or organization registered in a non-Massachusetts jurisdiction that supports political parties or candidates must organize as a political committee in Massachusetts, if it intends to solicit or receive money or any other thing of value for the purpose of influencing the election of a Massachusetts state, county or municipal candidate or candidates, or to support or oppose a Massachusetts PAC or political party, organize a Massachusetts political committee prior to such solicitation or receipt.

(4) An organization that solicits or receives funds money or anything of value for the purpose of making to make contributions to candidates or political committees, including ballot question committees or independent expenditure PACs, or for the purpose of allowing another individual, group, association, corporation, labor union or other entity, to make such contributions, is a political committee pursuant to M.G.L. c. 55, § 1. Such committees are required to file campaign finance

reports disclosing all contributions received, all expenditures made, and all liabilities incurred for the purpose of making contributions or independent expenditures, and must also maintain detailed accounts of all campaign finance activity pursuant to M.G.L. c. 55, §§ 5 and 18, which accounts must be provided to the director upon request. A determination of whether an organization is required to organize and file campaign finance reports as a political committee depends on an assessment of various factors, including the timing and content of solicitations.

(5) No organization or individual may directly or indirectly make a contribution or independent expenditure, or an electioneering communication, in any manner for the purpose of disguising the true origin of the contribution, or independent expenditure, or electioneering communication.

(6) If a donor to a tax exempt or other organization, or to an individual, requests or knows that a payment or thing of value it provides to the organization or individual will be used by the organization or individual to make a contribution or an independent expenditure to support or oppose a Massachusetts candidate or ballot question in Massachusetts, or an electioneering communication, the full amount of the donor's payment or donation to the organization or individual shall be disclosed, if the aggregate value of the amount given by the donor exceeds \$250 during a calendar year, by the organization or individual receiving the donation as a contribution with the director or local election official, depending on where the candidate supported or opposed, or named in an electioneering communication, files reports. For purposes of 970 CMR 1.22, a donor "knows" that a payment will be used to make a contribution, or an independent expenditure, or electioneering communication, if a the donor makes a contribution in response to a message or a solicitation indicating the organization's intent to make a contribution, or independent expenditure, or electioneering communication, or if other circumstances, including the timing and context of the donations, indicate that a donor knew that the payment would be used for such purpose.

(7) An organization or individual making, or raising money or collecting things of value to make, contributions, or independent expenditures or electioneering communications must maintain detailed records regarding the funds raised, and expenditures, or electioneering communications made using funds or in-kind contributions raised, including all records necessary to demonstrate the source of the funds used. This requirement exists whether the funds or things of value used to make contributions, independent expenditures, or electioneering communications are contributions received for that purpose or funds from the organization's general treasury.

(8) If an organization makes a contribution, electioneering communication, or independent expenditure from its general treasury that is not fully paid from general organizational income, it must organize a political committee and identify additional donors to the extent that general treasury funds and those contributors described in 970 CMR 1.22(6) did not provide the full balance of the funds used to make the contribution, electioneering communication, or independent expenditure. In such cases the organization shall identify and report donors who are presumed to have had reason to know that all or part of their payments would be used to make contributions, electioneering communications or independent expenditures, using a "last in, first out" accounting method, until a sufficient number of donors have been identified and reported to account for the full balance of the contribution, electioneering communication or independent expenditure. An organization need not

report a donor as a contributor if the organization has evidence clearly establishing that the donor did not intend that a payment would be used to fund a contribution, electioneering communication or independent expenditure.

2.02: Definitions.

Terms used in 970 CMR shall have the meanings provided in M.G.L. c. 55. In addition:

Ballot Question Committee means a political committee which receives or expends money or other things of value for the purpose of favoring or opposing the adoption or rejection of a specific question or questions submitted to the voters including, without limitation, a charter change, an initiative or referendum question or a constitutional amendment.

Candidate Committee means the political committee organized on behalf of a candidate in accordance with M.G.L. c. 55, § 5, and shall also apply to the campaign fund or account of a candidate who has not organized a candidate committee or who receives contributions or makes expenditures independently of such a committee where the fund or account is used or intended to be used to support the candidate's campaign or enhance the candidate's political future.

Constitutional Candidate Committee means the political committee organized on behalf of a candidate for governor, lieutenant governor, secretary of state, attorney general, treasurer and receiver general or auditor in accordance with M.G.L. c. 55, § 5.

Duly Organized means a political committee which has filed a Statement of Organization with the Office of Campaign and Political Finance or, if active solely for the purpose of a city or town election, with the city, town or district clerk or election commission.

Independent Expenditure PAC means a political action committee that pursuant to M.G.L. c. 55, § 18A(c) and 970 CMR 2.17 receives contributions to make independent expenditures, and does not make contributions to candidates or political committees.

Joint Fundraiser means an event sponsored by two or more candidates or political committees, pursuant to 970 C.M.R. 2.12, which is intended to raise funds, through the device of tickets, advertisements, or otherwise, to further the political future of the sponsoring candidates or political committees.

Local Election Official means any city, town or district clerk or board of election commissioners.

Membership Organization means any organization which identifies the individuals within the organization as members, which:

- (a) expressly states the qualifications and requirements for membership in its articles, bylaws, constitution or other formal organizational documents;
- (b) makes its articles, bylaws, constitution or other formal organizational documents available to its members upon request;
- (c) expressly solicits persons to become members, and acknowledges the organization's acceptance of membership; and
- (d) is not organized primarily for the purpose of influencing the nomination for election, or election, of any individual to state or local office.

Such organizations include, but are not limited to, clubs, unions and associations. Political committees and corporations or other entities subject to M.G.L. c. 55, § 8 are not "membership organizations." A person may be considered a "member" if the organization requires some affirmative action by the person, such as payment of dues, in order to become a member.

For purposes of 970 CMR 2.02: Membership Organization, the term "members" includes all persons who are currently satisfying the requirements for membership in a membership organization, affirmatively accept the membership organization's invitation to become a member, and either:

- (1) pay membership dues at least annually; or
- (2) have a significant organizational attachment to the membership organization which includes affirmation of membership on at least an annual basis and direct participatory rights in the governance of the organization; or
- (3) have some significant financial attachment to the membership organization.

Non-resident Fundraiser means an event sponsored by a candidate for public elected office in Massachusetts, within the scope of M.G.L. c. 55, § 18B, which is intended to raise funds for: any person seeking nomination or election to state or federal office, including President or Vice President, in:

- (a) any state other than the commonwealth;
- (b) the federal government; the District of Columbia, or any territory or possession of the United States.

People's Committee means any political committee which is not a candidate's committee, political party committee, or ballot question committee, which:

- (a) only receives contributions from individuals;
- (b) limits contributions received from any individual to the aggregate of \$100 (indexed biennially in accordance with M.G.L. c. 55, § 1) during a calendar year;
- (c) has been in existence for at least six months;
- (d) contributes to five or more candidates; and
- (e) files a Declaration of Status Form (CPF Form 101 DS-1) with OCPF.

Political Action Committee means any political committee which is not a candidate's committee, political party committee, ballot question committee, independent expenditure PAC, or people's committee.

Political Party Committee means a political committee organized in accordance with M.G.L. c. 52 on behalf of a political party, as defined in M.G.L. c. 55, § 1, whether elected or non-elected.

Primarily for the Candidate's or any Other Person's Personal Use means an expenditure by the committee the purpose of which is primarily to benefit personally the candidate or any other person.

Reasonable and Necessary Expenses means those expenses which are not extreme or excessive and which are integral and central to the political campaign for that public office.

Residual Funds means any and all assets of the political committee which the committee has legal and rightful title to at the time of its dissolution, and any and all assets of a candidate's account at the time of its dissolution.

2.17: Independent Expenditures.

(1) Persons and entities required to file reports of independent expenditures. The following persons and entities are required to file reports of independent expenditures in accordance with M.G.L. c. 55, § 18A(a), (b), and (c):

(a) Any individual, group or association (including, but not limited to corporations, partnerships, limited liability companies and limited liability partnerships) ~~not defined as a political committee who~~ that makes an independent expenditure exceeding \$250 or independent expenditures exceeding \$250 in the aggregate during a calendar year for the express purpose of promoting the election or defeat of one or more clearly identified candidate(s);

(b) Any independent expenditure PAC that makes an expenditure described in 2.17(1)(a), in accordance with 970 CMR 2.17(4); or

(c) Any other political committee, other than a ballot question committee, in accordance with 970 CMR 2.17 (5)-(7).

~~(b) For the purposes of M.G.L. c. 55, § 18A and 970 CMR 2.17, the term "association" includes, but is not limited to, corporations, partnerships, limited liability companies and limited liability partnerships.~~

(2) Definitions.

For purposes of 970 CMR 2.17, a "traditional PAC" is a PAC that is not an IE PAC.

~~(2)~~ (3) Timing of reports. Reports of independent expenditures shall be filed within seven business days of when goods or services are utilized. The report discloses the date of the expenditure, the amount paid, the vendor, a description of the expenditure, e.g., "TV ad" or "mailing," and the name of the candidate(s) supported or opposed. If an independent expenditure exceeds \$250 and is made within 10 days of any election, but more than 24 hours before an election, a report disclosing the expenditure must be filed within 24 hours. Filing of Preliminary Reports. The term "any election" as used in 970 CMR 2.17, ~~as used in M.G.L. c. 55, § 18A(b) and (c),~~ shall mean any preliminary, primary, special or general election. All preliminary reports filed with the director required by M.G.L. c. 55, § 18A(b) and (c) must be filed electronically, in accordance with M.G.L. c. 55, § 18C. Reports filed to disclose expenditures made to support or oppose municipal candidates who do not file with OCPF shall be filed in paper form with the city or town clerk.

~~(3)~~ (4) Independent Expenditure PACs. A political action committee that ~~only receives donations~~ contributions to make independent expenditures, ~~and does not make contributions to candidates or political committees,~~ and ~~only makes independent expenditures~~ is an "independent expenditure PAC." Unlike other PACs, independent expenditure PACs may receive ~~donations~~ contributions from individuals without limit, and from corporations and other entities that are otherwise prohibited from contributing to PACs pursuant to M.G.L.c. 55, § 8. Any entity that raises or solicits funds for the

purpose of making a contribution to an independent expenditure PAC is an independent expenditure PAC subject to all requirements applicable to independent expenditure PACs.

(a) The required content and timing of reports filed by independent expenditure PACs is defined in 970 CMR 2.17(5). Except as indicated in 970 CMR 2.17, independent expenditure PACs are subject to all other requirements that apply to other PACs., including disclosure, although disclosure requirements for independent expenditure PACs differ from other PACs.

(b) An independent expenditure PAC makes all of its expenditures without cooperating or consulting may not directly or indirectly coordinate its campaign activity with any Massachusetts candidate or political committee. If such an independent expenditure PAC makes coordinated expenditures with a candidate or candidate's committee, the independent expenditure PAC would become a becomes a traditional PAC subject to all requirements, including the limits on contributions that may be received or made by apply to other PACs.

(c) An independent expenditure PAC must include the words "independent expenditure political action committee" in its name.

(5) Content and timing of reports filed by independent expenditure PACs.

(a)1. 18A IE PAC "seven business day" reports. Within seven business days after the goods or services obtained by the first independent expenditure exceeding \$250 in the aggregate are utilized, an independent expenditure PAC shall file an independent expenditure report ("IE PAC seven business day report") disclosing all financial activity required by M.G.L. c. 55, § 18, including the date of the expenditure, the amount paid, the vendor, a description of the expenditure, e.g., "TV ad" or "mailing," and the name of the candidate(s) supported or opposed. The report shall also itemize the names and address of persons or entities contributing more than \$50 to the IE PAC, whether in money or in-kind, and shall also disclose liabilities incurred by the IE PAC during the reporting period. The date parameter for the report starts on the day the committee was organized (or January 1 if the IE PAC was organized in a preceding year) and is complete through the date the goods or services are utilized.

(a)2. Subsequent "seven business day" reports. After the Initial IE PAC seven business day report is filed, additional seven business day reports shall be filed each time goods or services obtained through independent expenditure(s) aggregating more than \$250 are utilized, unless such independent expenditures are disclosed in a 24-hour report in accordance with 970 CMR 2.17(5)(b). The reporting period for each IE report shall commence on the date following the last date included in the previous seven business day report and be complete through the date of the independent expenditure(s) disclosed.

(b) "24-Hour" reports. If goods or services obtained by independent expenditure(s) exceeding \$250 are utilized within 10 days of an election, but more than 24 hours before an election, a report disclosing the independent expenditure(s) must be filed within 24 hours of when the goods or services are utilized. The report shall disclose the information required by 970 CMR 2.17(5)(a). Additional 24-hour reports shall be filed when additional expenditures exceeding \$250 are made within the ten-day period before an election, in accordance with M.G.L. c. 55, § 18A(b).

(c) Year-end Reports. Independent expenditure PACs shall, in addition to reports required by 970 CMR 2.17(a) and (b), file year-end reports on or before the twentieth day of January each year the committee remains in existence. The reporting period for the year-end report shall be cumulative for the calendar year, commencing on January first and ending on December thirty-first of each calendar year, and shall include all campaign finance information previously disclosed in the reports filed by the committee during the calendar year, and shall, to the extent such information has not been included in seven business day or 24-hour Reports that have been filed, itemize all contributions received, expenditures made, including expenditures not made to support or oppose candidates, and liabilities incurred, of more than \$50 during the calendar year.

(d) Dissolution Reports. Independent expenditure PACs shall file a final report on dissolution. The dissolution report shall also include a statement detailing the disposition of any residual funds, which may be disposed of only as provided in the residual funds clause of M.G.L. c. 55, § 18.

(e) Electronic filing. The reports required to be filed by 970 CMR 2.17, if filed with the director, shall be filed electronically.

(6) Content and timing of reports filed by political committees that are not IE PACs.

Political committees other than ballot question committees may make independent expenditures if making the independent expenditures is consistent with the principle for which the committee was organized. If such independent expenditures are made and the aggregate amount of the independent expenditures exceeds \$250 during any calendar year, the committee must, in addition to disclosing the expenditures in the committee's periodic campaign finance reports filed with the director (or clerk, if organized to support or oppose candidates who file with the clerk), also file Reports of Independent Expenditures according to the following schedule:

(a)1. 18A "seven business day" IE reports. Within seven business days after the goods or services obtained from the first independent expenditure exceeding \$250 in the aggregate are utilized, an independent expenditure report disclosing all financial activity required by M.G.L. c. 55, § 18, including the date of the expenditure, the amount paid, the vendor, and a description of the expenditure, e.g., "TV ad" or "mailing." The report shall also disclose the name of the candidate(s) supported or opposed, that the expenditure is an independent expenditure, and whether the expenditure promoted or opposed the named candidate(s).

(a)2. Subsequent "seven business day" Reports. After the Initial seven business day report is filed, additional seven business day reports shall be filed each time goods or services obtained through independent expenditure(s) aggregating more than \$250 are utilized, unless such independent expenditures are disclosed in a 24-hour report in accordance with 970 CMR 2.17(6)(b). The reporting period for each IE report shall commence on the date following the last date included in the previous seven business day report and be complete through the date of the expenditure(s) disclosed.

(b) "24-Hour" Reports. If goods or services obtained by independent expenditure(s) exceeding \$250 are utilized within 10 days before an election, but more than 24 hours before an election, a report disclosing the independent expenditure(s) must be filed within 24 hours of when the goods or

services are utilized. The report shall disclose the information required by 970 CMR 2.17(6)(a). Additional 24-hour reports shall be filed when additional expenditures exceeding \$250 are made within the ten-day period before an election, in accordance with M.G.L. c. 55, § 18A(b).

(c) Traditional political action committees that make independent expenditures remain subject to limits on contributions that may be received and made, that are applicable to traditional political action committees when raising funds.

~~(6) Political committees making an independent expenditure must disclose, in the periodic campaign finance report disclosing the expenditure, the name of the candidate(s) promoted or opposed by the expenditure, that the expenditure is an independent expenditure, and whether the independent expenditure promoted or opposed the named candidate(s).~~

~~(7) If independent expenditures are made by a political committee, other than a ballot question committee, that files with the director, to promote the election or defeat of one or more municipal candidates, and the aggregate amount of the independent expenditures exceeds \$250 during the calendar year, the political committee must, in addition to disclosing the expenditures in the committee's campaign finance report, also file a report of independent expenditures.~~

~~(a) The report must be filed with the city or town clerk by the dates specified in M.G.L. c. 55, § 18A(a) through (c) if the candidate(s) supported or opposed files with the clerk.~~

~~(b) The report must be filed with the director by the dates specified in M.G.L. c. 55, § 18A(a) through (c) if the candidate(s) supported or opposed files with the director.~~

(4) (7) Disclosure of independent expenditures made by political committees other than independent expenditure PACs, or ballot question committees, that file with the director to support or oppose local candidates. Political committees other than independent expenditure PACs or ballot question committees. A political committee, other than a ballot question committee, which file reports with the director, may, in addition to making independent expenditures to support or oppose candidates who file with the director, make independent expenditures to promote the election or defeat of one or more candidates who file with a city or town clerk.

(a) If such independent expenditures are made and the aggregate amount of the independent expenditures exceeds \$250 during any calendar year, ~~or otherwise must be filed in accordance with M.G.L. c. 55, § 18A(a) through (c)~~, the committee must, in addition to disclosing the expenditures in the committee's **periodic** campaign finance report that is filed with the director, also file a report of independent expenditures with the city or town clerk in the city or town in which the candidate is on the ballot.

(b) The independent expenditure reports filed with the city or town clerk must be filed ~~by the dates specified in M.G.L. c. 55, § 18A~~ in accordance with the schedule in 970 CMR 2.17(6).

(c) Traditional political action committees that make independent expenditures remain subject to limits on contributions that may be received and made, that are applicable to traditional political action committees.

~~(5)~~ (8) Disclosure of independent expenditures made by traditional PACs that file with a city or town clerk. A traditional PAC A political committee, other than a ballot question committee, which files reports with a city or town clerk, may, in addition to making expenditures to support or oppose candidates who file with the clerk, make independent expenditures to promote the election or defeat of one or more candidates who file with the director.

(a) If such independent expenditures are made and the aggregate amount of the independent expenditures exceeds \$250 during any calendar year, ~~or otherwise must be filed in accordance with M.G.L. c. 55, § 18A,~~ the committee must, in addition to disclosing the expenditures in the committee's periodic campaign finance report that is filed with the city or town clerk, also file a report of independent expenditures with the director.

(b) The independent expenditure reports filed with the director must be filed ~~by the dates specified in M.G.L. c. 55, § 18A(a) through (c) and~~ must be filed electronically, in accordance with M.G.L. c. 55, § 18C, in accordance with the schedule in 970 CMR 2.17(6).

(c) Traditional political action committees that make independent expenditures remain subject to contribution limits applicable to traditional political action committees when raising funds.

2.18: Subvendor Reporting.

(1) Persons Required to File Reports with the Director. Location for filing of reports. Reports required to be filed by M.G.L. c. 55, § 18D are electronically filed with the director, or if the expenditure concerns a local candidate who does not file with the director, or a local ballot question, with the clerk. Therefore, the words "committee" and "political committee" as used in M.G.L. c. 55, § 18D refer to committees that file with the director, and only those committees are required to file subvendor reports under M.G.L. c. 55, § 18D(e).

(2) Vendor accounting of expenditures. A vendor that makes an expenditure on behalf of a political committee shall or on behalf of an individual or group required to file a report of ballot question expenditures under section 22, shall, once the vendor has made expenditures to a particular subvendor that aggregate \$500 during a calendar year, provide the political committee, individual or group with a detailed account of the expenditures within five days, in accordance with M.G.L. c. 55, § 18D(b). Vendors are not required to provide this information to the committee, individual or group, prior to reaching the \$500 threshold. Upon reaching the \$500 threshold, the detailed account provided to the committee, individual or group shall describe all expenditures made, including those made prior to reaching the threshold.

(3) Definition of subvendor. A "subvendor" is any individual who provides goods or services to a vendor or who contracts with a vendor to provide goods or services to a committee, or to an individual or group required to file a report of ballot question expenditures under section 22, except the following persons or businesses are not considered subvendors under M.G.L. c. 55, § 18D.

(a) A person who is an employee of a vendor, and has been an employee of the vendor for a period of at least three consecutive months prior to any month in which a committee, individual or group is required to file a subvendor report.

(b) An individual or business that provides goods or services to another business or individual in the usual course of business. For example, a business that has an existing agreement to provide a printing company with paper and ink is not a subvendor.

(c) An individual or business that provides goods or services to a subvendor.

(4) Obligation of political committee, individual or group to obtain subvendor information.

(a) A political committee, or an individual or group required to file a report of ballot question expenditures under M.G.L. c. 55, § 22, which makes a payment to a vendor of \$5,000 or more in the aggregate during a calendar year, or which incurs liabilities to a vendor in that amount, must make inquiry to the vendor regarding whether subvendors were paid by the vendor. A committee, individual or group satisfies this requirement by asking at least once for subvendor information.

(b) A political committee, or an individual or group required to file a report of ballot question expenditures under M.G.L. c. 55, § 22, which does not receive an account of subvendor expenditures from a vendor shall keep a copy of any written correspondence it sends to the vendor seeking such information.

(5) Provision of in-kind contributions. An individual or entity that provides an in-kind contribution to a political committee of \$5,000 or more in the aggregate during a calendar year is a "vendor" for purposes of M.G.L. c. 55, § 18D and must provide the political committee with the full name and address of any subvendors who received payments from the vendor of more than \$500 in connection with the in-kind contribution during the calendar year.

(6) Subvendor reporting by independent expenditure PACs. An independent expenditure PAC that makes expenditures requiring the filing of a subvendor report under M.G.L. c. 55, § 18D, shall electronically file a subvendor report disclosing the expenditures as part of the independent expenditure PAC's year-end report filed in accordance with 970 CMR 2.17(4)(d).

2.20: Independent Expenditure, Electioneering Communication, Ballot Question Disclaimers

(1) Scope of regulation. In accordance with the second paragraph of M.G.L. c. 55, § 18G, independent expenditures or electioneering communication advertisements, and ballot question advertisements, which are transmitted “through paid television, internet advertising or print advertising appearing larger than 15 square inches” must include a written statement at the bottom of the advertisement regarding top contributors and referring viewers to OCPF’s website. This regulation is issued to provide guidance regarding these requirements.

(2) “Advertisement” defined. “Advertisement” means any public communication that is authorized and paid for by an entity or person for the purpose of supporting or opposing a candidate for elective office or a ballot question. For purposes of the disclaimer required by this regulation, it does not include a mailing or a communication from a membership organization to its members, or any communication listed in 970 CMR 2.20(4).

(3) Communications covered.

(a) Print advertisements. An advertisement or insert in a newspaper, magazine, or other printed publication in which the advertisement or insert is larger than 15 square inches.

(b) Television advertising or internet advertising. Internet advertising is subject to the disclaimer requirement if the advertisement, when received by a user viewing the message using a standard display resolution (1366x768) screen, would use 15% or more of the computer screen.

(c) Electronic ads sent in video format. A video advertisement of any duration is subject to the disclaimer requirement if the advertisement uses 15% or more of a standard display resolution (1366x768) screen for any duration, including “pop up ads” that use 15% or more of a standard display resolution screen.

(d) Persons and entities subject to the disclaimer requirement include all individuals and entities, including political committees, that may make independent expenditures, electioneering communications, and expenditures made to influence or affect ballot questions.

(4) Communications not covered.

The following communications are not subject to the disclosure requirements of M.G.L. c. 55, § 18G:

(a) Mailings;

(b) Yard signs;

(c) Billboards;

(d) Door hangers, flyers, posters, buttons and bumper stickers;

(e) SMS texts;

(f) Emails, unless the email contains an advertisement that exceeds 15% of the computer screen (based on the standard display resolution of 1366x768);

(g) Internet ads of limited size;

(h) Telephone messages or electronic ads sent in audio format;

(i) Radio ads; and

(j) Membership communications.

(5) Determination of which contributors to list.

The “Top Contributors” to be listed in the advertisement must include the following persons:

- (a) The five persons or entities making contributions in excess of \$5,000 received by the entity during the 12-month period before the date of the advertisement must be listed. Contributions received by the entity for purposes other than the making of the advertisement are included.
- (b) If no person or entity has contributed more than \$5,000 to the entity during the 12-months prior to the date of the advertisement, no top contributors must be listed. If fewer than five persons made contributions of more than \$5,000 during the 12-months prior to the date of the advertisement, only those persons contributing more than \$5,000 must be listed.
- (c) If more than five persons or entities contribute the same amount, only the last five to give that amount must be listed. (For example, if seven persons give \$10,000 each, with two giving in February but the other five giving in July, only the five who gave in July need to be listed).
- (d) The contributors may be listed in any order, and do not have to be listed in ascending or descending order based upon the amount contributed.
- (e) Contributions from multiple affiliated organizations are not aggregated. For example, if a union local gives \$2,000 and another local, affiliated with the same international union, gives \$4,000, the union is not required to be listed, since the local, not the international union, is the contributor.

(6) Manner of disclosure.

(a) The required disclaimer must be of a size and contrasting color that will be legible to the average viewer.

(b) The requirement to provide the disclaimer under M.G.L. c. 55, § 18G does not affect other required disclaimer requirements, including the requirement under c. 56, § 39, for a disclaimer in print advertisements.

(7) Reference to OCPF website.

All independent expenditure, electioneering communication, or ballot question advertisements transmitted through paid television or internet advertising covered in 970 CMR 2.20(2) must include a written statement directing viewers to the official web address of the Office of Campaign and Political Finance, by stating “for more information, go to www.ocpf.us.” This requirement applies even if no “top contributors” are required to be listed.



ANNUAL CAMPAIGN CONTRIBUTION LIMITS

OFFICE OF CAMPAIGN AND POLITICAL FINANCE
COMMONWEALTH OF MASSACHUSETTS

TO: >>>>>	Candidate / Candidate's Committee	Political Action Committee (PAC) ¹	People's Committee ²	State Party Committee	Local Party Committee	Ballot Question Committee
FROM:						
Individual ³	\$500	\$500	\$161	\$5,000 ⁴	\$5,000 ⁴	No limit
Lobbyist	\$200	\$200	\$161	\$200 ⁴	\$200 ⁴	No limit
Statewide Candidate's Committee ⁵	0	0 ⁶	0	\$100 ⁷	\$100 ⁷	0
County, legislative, municipal or other candidate / candidate's committee	\$100 ⁸	No limit ⁹	0	No limit ¹⁰	No limit ¹⁰	No limit ¹⁰
Political Action Committee (PAC)	\$500 ¹¹	\$500	0	\$5,000 ⁴	\$5,000 ⁴	No limit ¹²
People's Committee	\$500	\$500	0	\$5,000 ⁴	\$5,000 ⁴	No limit ¹²
State Party Committee	\$3,000 ¹³	\$500	0	--	\$5,000	No limit ¹²
Local Party Committee	\$1,000 ¹³	\$500	0	\$5,000 ¹⁴	\$5,000 ¹⁴	No limit ¹²
Ballot Question Committee	0	0	0	0	0	No limit ¹⁵

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- ¹ **PACs:** PACs must organize with OCPF under M.G.L. Chapter 55 before they may contribute to Massachusetts candidates or committees. Limits do not apply to Independent Expenditure PACs that only receive contributions to make independent expenditures. Please see OCPF's interpretive bulletin concerning Independent Expenditure PACs, [IB-10-03](#).
- ² **People's Committee:** After six months in existence, a PAC that has received contributions from individuals of \$161 or less per year and contributed to five or more candidates may request a change in its status to that of a people's committee. The maximum contribution from an individual to a people's committee is adjusted biennially by OCPF. The \$161 figure is in effect for 2014 and 2015.
- ³ **Contributions by Individuals:** Individuals under 18 years of age have an aggregate contribution limit of \$25 per year. There is no limit on how much a candidate may contribute to his or her own campaign, though the maximum amount that certain candidates may loan varies by the office sought. Contact OCPF for information concerning limits on loans from state candidates to their own campaigns.
- ⁴ **Contributions to Party Committees:** The maximum annual aggregate contribution that may be made by an individual, lobbyist, PAC, people's committee or party committee to all committees of any one party, including those on the state and local level, is \$5,000.
- ⁵ **Statewide candidates** include those running for or holding the office of governor, lieutenant governor, attorney general, treasurer/receiver general, auditor and secretary of the commonwealth.
- ⁶ **Candidates Certified to Receive Public Funds:** No candidate or committee certified to receive public financing pursuant to M.G.L. c. 55C may make a contribution to an Independent Expenditure PAC from the date of such certification until the date any required surplus funds are to be paid to the State Treasurer.
- ⁷ **Payments by statewide candidate committees to political party committees** for goods or services are not "contributions" subject to the \$100 limit. See [M-94-05](#).
- ⁸ **Contributions from a candidate's personal funds** to another candidate are subject to the \$500 individual limit, not the \$100 committee limit.
- ⁹ **Contributions from candidates to PACs:** A candidate is prohibited from "financing" a political action committee (Chapter 55, Section 5A). Please see OCPF's advisory opinion, [AO-11-05](#).
- ¹⁰ **Contributions from a non-statewide candidate committee to a party committee or ballot question committee** are not limited but may be made only for "the enhancement of the political future of the candidate."
- ¹¹ **Total PAC contributions:** The aggregate annual amount a state or county candidate may accept from all PACs in a calendar year is limited by M.G.L. c.55, s.6A. For example, a candidate for the Senate may not accept more than \$18,750 in total PAC contributions and a candidate for the House may not accept more than \$7,500. Candidates for municipal office are not subject to any such annual aggregate restriction.
- ¹² **Contributions from a PAC, people's committee or party committee to a ballot question committee** are not subject to limitation but must be consistent with the principle for which the contributing committee was organized.
- ¹³ **Party contributions to candidates:** This limit applies to monetary contributions only. There is no limit on in-kind contributions by a party committee to an individual candidate.
- ¹⁴ **A local party committee** may contribute up to an aggregate of \$5,000 in a calendar year to all ward, town, city and state committees of the same political party.
- ¹⁵ **Contributions among ballot question committees:** A ballot question committee may contribute to another ballot question committee without limitation, provided such contributions are "consistent with the purpose for which [the contributing committee] was organized."