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**INTERPRETIVE BULLETIN**

**Filing of Reports by Political Action Committees<sup>1</sup>:  
Determining Where to File**

The Office of Campaign and Political Finance (OCPF) periodically issues interpretive bulletins regarding various aspects of M.G.L. c. 55, the Massachusetts campaign finance law. This bulletin provides guidance to political action committees (PACs) that either (1) file with OCPF while also occasionally supporting or opposing candidates who file locally, or (2) file with a local election official while also occasionally supporting or opposing candidates who file with OCPF.<sup>2</sup>

M.G.L. c. 55, s. 5 states that:

Each political committee shall organize by filing with the director, or if organized for the purpose of a city or town election only, with the city or town clerk, a statement of organization (Emphasis added).

In accordance with section 5, all PACs must register with OCPF unless organized for the primary purpose of participating in municipal elections. In such a case, the PAC should register with the local election official, unless the PAC is organized primarily to support or oppose municipal candidates who file reports with OCPF, in which case the PAC must organize with OCPF.

PACs that are organized primarily to support or oppose local candidates who file with local election officials must file their reports with the local election official. All other PACs file with OCPF. Beginning in 2015, changes to the campaign finance law increased the number of municipal candidates who must register and file campaign finance reports with OCPF. All mayoral candidates in the state, regardless of the size of the city, now file campaign finance reports electronically with OCPF.<sup>3</sup>

PACs that primarily support or oppose candidates who file with OCPF file electronically in the depository system. *See* M.G.L. c. 55, § 19. The depository system requires PACs that file with OCPF

<sup>1</sup> This bulletin also applies to People's Committees.

<sup>2</sup> The office has also issued interpretive bulletin IB-94-02 to summarize the aspects of the statute that apply more generally to all PACs.

<sup>3</sup> Prior to the change, only mayoral candidates in cities with populations of more than 40,000 filed with OCPF.




to appoint a bank to e-file twice-monthly campaign finance reports with OCPF on behalf of the committee. All of the PAC's expenditures must be made through the depository bank account. The bank's reports itemize expenditures and summarize the deposit totals for the period. To disclose contributions, PACs e-file deposit reports shortly after making deposits.<sup>4</sup>

Occasionally, a PAC registered and filing campaign finance reports with OCPF will make a contribution to, or an expenditure on behalf of, a municipal candidate who does not file with OCPF. Similarly, a PAC registered and filing campaign finance reports and organized with a local election official to support municipal candidates who file locally may make an occasional contribution to, or expenditure on behalf of, a legislative, county or other candidate who files reports at OCPF. Such activity has raised questions whether the PAC should file with OCPF, the local election official or both.

A PAC which is organized for the purpose of supporting or opposing a candidate who files locally may also make occasional contributions or expenditures to influence the election of a candidate who files with OCPF. Such a PAC must continue to file with the local election official, as limited state-level activity does not imply that the PAC is no longer organized for the primary purpose of supporting or opposing local candidates who file with the local election official. Similarly, a PAC that is organized with OCPF that makes an occasional contribution or expenditure to influence the election of a candidate who files locally must continue to file reports with OCPF and is not required to file reports locally.

If you have any questions about this interpretive bulletin, please do not hesitate to contact this office.

  
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Michael J. Sullivan, Director

<sup>4</sup> Independent expenditure PACs do not file in the depository system. Instead, they file year-end periodic reports and independent expenditure reports according to a different schedule. See IB-10-03.