



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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TO: Interested Persons

FROM: Michael J. Sullivan, Director *mjs*

SUBJECT: Section 3 Penalty
Requests for Waiver and Appeal Procedure

Requests for a waiver of a penalty assessed in accordance with M.G.L. c. 55, s. 3 are governed by regulations set forth at 970 CMR 2.14. These regulations provide that a candidate, treasurer or other person who has been assessed a penalty may submit a written request for a waiver of part or all of the assessed penalty.

IMPORTANT: The filing of a waiver request does not suspend the due date of a report, statement or affidavit **AND** does not suspend the assessment of the \$25 per day penalty.

Waivers may be granted only for "**good cause**" as provided in 970 CMR 2.14. **Good cause** does not include postal delay, a change of treasurer, relocation of a campaign office, non-receipt of reporting forms, a candidate or treasurer's move if OCPF was not notified, ignorance of a filing requirement or lack of access to campaign records.

All waiver requests must be in writing and signed by the person who has been assessed a penalty. Within 30 days of receipt of a decision denying a waiver request, the person who filed the request may submit a written request for a hearing for reconsideration. Hearings are brief and informal.

If you have any questions regarding the procedure for requesting a waiver or would like a copy of the waiver regulations, please contact OCPF legal assistant, Caroline Paras at 617-979-8300 or 800-462-OCPF.

