

HOUSE No. 3980

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relating to prohibiting gifts from lobbyists..

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 268A, as so appearing, is hereby amended by
2 striking out clauses (a) and (b) and inserting in place thereof the following 2 clauses:-
3 (a) Whoever, otherwise than as provided by law for the proper discharge of his official
4 duties, directly or indirectly gives, offers, or promises anything of substantial value to any
5 present or former state, county, or municipal employee or to any member of the judiciary,
6 or to any person selected to be such an employee or member of the judiciary for or
7 because of the employee's official position; or
8 (b) Whoever, being a present or former state, county, or municipal employee or member
9 of the judiciary, or person selected to be such an employee or member of the judiciary,
10 otherwise than as provided by law for the proper discharge of his official duties, directly
11 or indirectly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive

anything of substantial value for himself for or because of the employee's official position; or.

SECTION 2. Section 3 of chapter 268A, as so appearing, is hereby further amended by adding the following paragraph:-

The commission shall adopt regulations: (i) defining "substantial value," provided however that "substantial value" shall not be less than \$50; (ii) establishing exclusions for ceremonial gifts; (iii) establishing exclusions for gifts given solely because of family or friendship; and (iv) establishing additional exclusions for other situations that do not present a genuine risk of a conflict or the appearance of a conflict of interest.