HOUSE DOCKET, NO. 3036 FILED ON: 1/21/2011

HOUSE . . . . . No. 3031

The Commonwealth of Massachusetts

PRESENTED BY:

Carolyn C. Dykema

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 the electronic filing of and public access to statements of financial interests.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jason M. Lewis	*31st Middlesex*	*2/1/2011*
Martha M. Walz	*8th Suffolk*	*2/3/2011*
James B. Eldridge		*2/4/2011*
Denise Andrews	*2nd Franklin*	*2/4/2011*
Denise Provost	*27th Middlesex*	*2/4/2011*

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By Ms. Dykema of Holliston, a petition (accompanied by bill, House, No. 3031) of Jason M. Lewis and others relative to public access to the financial statements of candidates for public office and the maintenance of a electronic reporting system statements of financial interests. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the electronic filing of and public access to statements of financial interests.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 3 of said chapter 268B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:-

(d) make statements and reports filed with the commission available:

(i) at the commission during regular business hours at a charge not to exceed the actual administrative and material costs required in reproducing said statements and reports; and

(ii) on the world wide web for statements of financial interests that are required to be filed electronically pursuant to section 5A; provided, however, that the commission shall be authorized to exempt from public disclosure those portions of a statement of financial interests filed pursuant to sections 5 and 5A which contain the home address of the filer;

SECTION 2. Section 5 of said chapter 268B, as so appearing, is hereby amended by striking out, in line 36, the word “a” and inserting in place thereof the following words:- an electronic.

SECTION 3. Section 5 of chapter 268B, as so appearing, is further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

Failure of a reporting person to file a statement of financial interests in the manner required by this section or section 5A within 10 days after receiving notice as provided in subsection (f) of section 3, or the filing of an incomplete statement of financial interests after receipt of such a notice, is a violation of this chapter and the commission may initiate appropriate proceedings pursuant to the provisions of section 4 of this chapter.

SECTION 4. Chapter 268B, as so appearing, is hereby further amended by inserting after section 5 the following section:

Section 5A. (a) The commission shall develop and maintain an electronic reporting system for the submission, retrieval, storage and public disclosure of statements of financial interests required to be filed with the commission by candidates, public officials and public employees pursuant to section 5.

(b) Candidates, public officials and public employees required to file statements of financial interests pursuant to section 5 shall file such statements as required by the electronic reporting system developed by the commission.

(c) The commission shall provide the public access via the world wide web to all statements of financial interests submitted by candidates, public officials and public employees

to the commission pursuant to section 5 not later than 3 days after the information is received by the commission.

(d) The commission shall develop or employ encryption technology and other means of ensuring the integrity of transmitted data that may be used by filers in lieu of a handwritten signature for verification purposes and to constitute a signature under the penalties of perjury. In furtherance of the development and maintenance of such reporting system, the commission may contract with private vendors and specify the format and method in which the data is to be filed.

SECTION 5. This Act shall take effect on January 1, 2012.