

# SENATE . . . . . No. 330

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Richard T. Moore***

*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 to promote fair campaign practices.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Richard T. Moore*

*Worcester and Norfolk*

*Jason M. Lewis*

*Fifth Middlesex*

# SENATE . . . . . No. 330

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By Mr. Richard T. Moore, a petition (accompanied by bill, Senate, No. 330) of Richard T. Moore and Jason M. Lewis for legislation to promote fair campaign practices. Election Laws.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 312 OF 2011-2012.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act to promote fair campaign practices.

*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. The General Laws, as appearing in the 2010 Official Edition, are hereby  
2 amended by inserting after chapter 55C, the following new chapter:-

3           Chapter 55D. Fair Campaign Practices

4           Section 1. This chapter may be cited as the Fair Campaign Practices Act.

5           Section 2. (a) The purpose of this chapter is to encourage every candidate and political  
6 committee to subscribe to the Code of Fair Campaign Practices.

7           (b) It is the intent of the general court that every candidate and political action committee  
8 that subscribes to the Code of Fair Campaign practices will follow the basic principles of  
9 decency, honesty, and fair play to encourage healthy competition and open discussion of issues  
10 and candidate qualifications and to discourage practices that cloud the issues or unfairly attack  
11 opponents.

12           Section 3. (a) When a candidate or political committee files its statement of organization,  
13 the office of campaign and political finance with whom the statement is filed, and at the  
14 beginning of any subsequent campaign cycle, shall give the candidate or political committee a  
15 blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The director of the office of campaign and political finance shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with said office, further, that the signed code, if submitted, shall become a public record, and that subscription to the code is voluntary. The candidate or committee that voluntarily signs said code shall submit a signed copy of the code at the time of filing nomination papers or papers for certification of a ballot question petition. The director shall make available to the public the names of candidates and committees that have subscribed to the code.

Section 4. The Massachusetts Code of Fair Campaign Practices, which if signed and notarized, shall be as follows:

#### MASSACHUSETTS CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

#### THEREFORE:

(1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and state positions on issues.

(2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.

(3) I will not use or permit any appeal to negative prejudice based on race, sex, age, sexual preference, religion, or national origin.

(4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.

(5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.

(6) I will defend and uphold the right of every qualified voters to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.

48 (7) I will immediately and publicly repudiate methods and tactics that may come from  
49 others that I have pledged not use or condone. I shall take firm action against any subordinate  
50 who violates any provision of this code or the laws governing elections.

51 I, the undersigned, candidate for election to public office in the Commonwealth of  
52 Massachusetts or campaign treasurer of a political committee advocating approval or disapproval  
53 of a ballot question or in support or opposition to the election of a candidate, hereby voluntarily  
54 endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with  
55 the above principles and practices.

56 A copy of the pledge if signed and attested by a notary public or other official legally  
57 authorized to attest to the signing of legal documents shall be submitted to the office of campaign  
58 and political finance and become a part of the official public record. Said oath shall be initially  
59 filed at the time of registration of the candidate or committee and shall be renewed for each  
60 election cycle during which the candidate or ballot question shall be on the ballot.

61 Section 5. Complaints regarding allegations of violations of the code shall be submitted  
62 to the office of campaign and political finance in writing signed by the complainant, including  
63 the address of the complainant, and shall become part of the official record of the candidate or  
64 committee, provided, however, that the candidate or committee shall be permitted to file a  
65 written response to such complaint prior to the date by which the complaint, together with any  
66 response received, shall become public record. Prior to that date, the office of campaign and  
67 political finance shall neither confirm nor deny the receipt of such complaint.