



Legal Requirements for Election Campaigns

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1. Introduction

This document contains an overview of basic legal requirements for organize a campaign for public office. Candidates are urged to check directly with the state Elections Division to verify the information provided herein. In reading state documents, remember that the term "party" is used to apply only to the two major parties. For 2010, the GRP will not be classified as a "party" under state law. For most purposes, GRP candidates will treated like unenrolled ("independent") candidates, although the "Green-Rainbow" designation will appear next to their names on the ballot.

2. Key Dates for 2010 Elections

2010 Calendar for GRP Candidates

Feb 9	Nomination papers become available
Feb 23	Last day for candidates to enroll or unenroll in a party (Legislature)
Mar 2	Last day for candidates to enroll or unenroll in a party (Statewide & Federal)
Apr 27	Nomination signature filing deadline with registrars (Legislature)
Aug 3	Nomination signature filing deadline with registrars (Statewide & Federal)
May 25	File nomination papers with SoC (Legislative)
May 28	Last day to withdraw from the ballot (Legislative)
Aug 31	File nomination papers with SoC (Statewide & Federal)
Sept 3	Last day to withdraw from the ballot (Statewide & Federal)
Aug 25	Last day to register to vote for the primary election
Sep 14	Primary election day
Oct 13	Last day to register to vote for general election
Nov 2	General election day

Note: Deadlines are different for non-GRP candidates.

[1]

3. Basic Campaign Requirements

3.1 Eligibility and Ballot Access

<u>State Representative</u> Must be 18 years old; have lived in district for at least one year.	<u>State Senator</u> Must be an inhabitant of district when elected and have lived in MA five years; must be 18 years old.
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3.2. Signatures Required for the Ballot

To appear on the ballot, a candidate must obtain a specified number of “nominating” signatures from registered voters in the district. The table below shows the number of signatures required. Verification is done by town clerks. Generally, campaigns collect 50% more raw signatures than shown in order to ensure that a sufficient number of signatures are verified.

Office	Signatures Required
governor and lieutenant governor, attorney general, United States senator, and presidential electors	10,000
State secretary, state treasurer, and state auditor	5000
representative in congress	2000
state senator	300
state representative	150

[2]

In 2010 the GRP will be classified as a “political designation” rather than a “political party”. In such a case, any voter may sign GRP nomination papers, regardless of their party registration. In addition, it is possible to place all candidates for state constitutional offices on a single petition so that a single voter signature counts for all the entire “slate” of candidates.

4. Campaign Donations to Candidates

The laws regarding the limits on campaign donations are complicated, and it takes a while to get comfortable with them. CDLC will provide guidance on compliance, and candidates may contact the Office of Campaign and Political Finance (OCPF) directly for more information. The information below should be taken only as a basic overview.

Donation limits apply for each calendar year. The following table shows the limits for donations to a candidate’s political committee.

Donations From:	Annual Limit	Note
Individual	\$500	The maximum aggregate contribution to all state, county and local candidates by an individual may not exceed \$12,500 per year. There is no limit on how much a candidate may contribute to his or her own campaign.
Lobbyist	\$200	Lobbyists are also subject to the \$12,500 limit on aggregate annual contributions.
Statewide candidate committee	\$0	
County, legislative, municipal, or other candidate/candidate committee	\$100	Contributions from a non-statewide candidate’s committee to all candidate committees are limited to an aggregate of \$1,500 annually.
Political action committee (PAC)	\$500	The aggregate annual amount a state or county candidate may accept from all PACs in a calendar year is limited by M.G.L. c.55, s.6A.
People’s committee	\$500	
State party committee	\$3000	This limit applies to monetary contributions only. There is no limit on in-kind contributions.
Ward/town/city party committee	\$1000	This limit applies to monetary contributions only. There is no limit on in-kind contributions

[3]

No campaign donations are permitted from ballot question committees, nonprofit 501(c)3 organizations, or for-profit corporations.

Candidates may loan money to their own campaigns (but there is a limit that varies with the office sought). This allows a candidate to inject money into a campaign with the expectation of being paid back as fundraising goes forward.

"In kind donations" are non-monetary donations given to assist a candidate. Such donations must be reported by estimating their monetary value. Examples of in-kind donations are buying printed material or yard signs, allowing paid staff of an organization to work for a campaign, paying for design work, etc. However any work that is clearly done on an unpaid, volunteer basis need not be reported as an in-kind donation. Care should be taken to properly report in-kind donations.

5. Campaign Finance Reporting Requirements

All candidates must form a political committee, appoint a campaign treasurer, appoint a campaign chair, and open a campaign bank account before they can receive any contributions or officially disburse any money. It is illegal to deposit campaign donations in a personal bank account. Form CPF 101 for forming a political committee can be downloaded from http://www.mass.gov/ocpf/gs_non_dep.htm.

Campaign finance reports must be filed with the Office of Campaign and Political Finance according to the schedule below.

<u>Period</u>	<u>Covering</u>	<u>Due date</u>
Initial	1/1/10 to 8/27/10	09/07/10
Interim	8/28/10 to 10/15/10	10/25/10
Year end	10/16/10 to 12/31/10	01/20/11

A guide for handling campaign finances can be downloaded from http://www.mass.gov/ocpf/gs_non_dep.htm.

6. Sources of Additional Information

Below are sources of information that will often prove useful to candidates. Note that the URLs given may change without notice.

Massachusetts Elections Division
www.sec.state.ma.us/ELE/eleidx.htm

Office of Campaign and Political Finance
www.mass.gov/ocpf/

Legal Resources
<http://www.mass.gov/ocpf/legal.htm>

Campaign Treasurer Duties
<http://www.mass.gov/ocpf/treasurer.htm>

Getting Started - Depository Candidates (for statewide offices)
http://www.mass.gov/ocpf/gs_dep.htm

Getting Started - General Court Candidates
http://www.mass.gov/ocpf/gs_non_dep.htm

Campaign Finance Guide - Candidates for the General Court
http://www.mass.gov/ocpf/gs_non_dep.htm

Political Committees Registered with the State
<http://www.efs.cpf.state.ma.us/RegisteredFilers.aspx>

GRP Candidate Development and Legal Committee
candidates@green-rainbow.org

Election Laws for the Commonwealth of Massachusetts
(See Chapters 50 through 57 of M.G.L.)
<http://www.mass.gov/legis/laws/mgl/gl-pt1-toc.htm>

References

- 1 Sec. of the Commonwealth, Elections Division, "2010 Massachusetts State Primary and Election Schedule"
- 2 MGL Chapter 53 Section 6
- 3 Office of Campaign and Political Finance, "Annual Campaign Contribution Limits"

Please send suggestions for corrections or improvements of this document to candidates@green-rainbow.org.