



By Chip Canty

The Massachusetts Office of Campaign & Political Finance (OCPF) recently described how it will implement a number of changes in the state's campaign finance law, as a result of reforms adopted in July by the legislature.

Some of these changes were inspired by recent decisions by the U.S. Supreme Court and other appellate courts invalidated limits on political contributions by individuals and corporations. Others arose as a result of a recent Boston mayoral election in which a union was able to air influential ad campaign ads without disclosing its sponsorship role before the balloting.

Still others, like allowing campaigns to pay by debit card, simply "were needed to bring the campaign finance law into the 21st Century," in the words of the OCPF.

Except where otherwise noted, the changes in the new law are effective immediately:

Individual Contributions

- The maximum amount an individual can contribute to a single candidate is raised from \$500 to \$1,000 per year.
- Lobbyists (including in-house staff required to register as lobbyists) are still restricted to giving a maximum of \$200 per year.
- The total amount an individual can give to all candidates is no longer limited. (The prior law, which capped aggregate contributions at \$12,500, has not been enforced since the U.S. Supreme Court ruled such limits unconstitutional in *McCutcheon vs. FEC.*)
 - OCPF, however, will continue to enforce a \$5,000 limit on personal contributions to political party committees, after concluding that the *McCutcheon* ruling does not apply.

Independent Expenditure PACs

- Individuals can now make unlimited contributions to independent political action committees which are colloquially known as "Super PACs."
- Super PACs must now disclose donors within 7 business days.
- All active Super PACs must file yearend reports January, regardless of whether or not they made any expenditures in the prior year.
- Ads and other "electioneering communications" by PACs must list the five largest contributors of more than \$5,000.

Required Filers

- All Massachusetts mayoral candidates must now file electronic campaign finance reports. (Previously, this applied only to cities with a population of 40,000 or more.)
- All PACs and People's Committees will be required to move into a depository system starting in 2015.

Subvendors

- All campaigns must now itemize spending by subvendors.

Expansion of Depository System (effective Jan. 2015)

- All PACs and "People's Committees" must participate in the state's "depository system," in which campaign funds are held in banks that monitor deposits and expenditures and report them directly to the OCPF.
- Most state and county political candidates must also participate in the depository system, as well as mayoral and city council candidates in the state's 13 largest cities (specifically, those with populations of 75,000 or more).
- Depository banks must file all such reports by the 5th and 20th of every month.
- Depository committees can now make expenditures via debit card. Special deposit slips will no longer be required.