

PassMassAmendment

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PassMassAmendment's 2017 Initiative Petition
relative to disclosure to ensure no foreign influence on the political process

For purposes of this petition language, the following terms shall have the following meanings, unless the context clearly requires otherwise:- "Electioneering communication", any broadcast, cable, mail, satellite or print communication that: (1) refers to a clearly identified candidate , or clearly identifiable ballot question ; and (2) is publicly distributed within 90 days before an election in which the candidate is seeking election or reelection, or within the election year during which the ballot question is to appear on the ballot in the commonwealth; provided, however, that "electioneering communication" shall not include the following communications: (1) a communication that is disseminated through a means other than a broadcast station, radio station, cable television system or satellite system, newspaper, magazine, periodical, billboard advertisement, or mail; (2) a communication to less than 100 recipients; (3) a news story, commentary, letter to the editor, news release, column, op-ed or editorial broadcast by a television station, radio station, cable television system or satellite system, or printed in a newspaper, magazine, or other periodical in general circulation; (4) expenditures or independent expenditures or contributions that must otherwise be reported under this chapter; (5) a communication from a membership organization exclusively to its members and their families, otherwise known as a membership communication; (6) bonafide candidate debates or forums and advertising or promotion of the same; (7) email communications; and (8) internet communications which are not paid advertisements.

"Entity", any corporation, association, group, business, labor union, trade association, limited liability company, limited liability partnership, nonprofit organization, nonprofit corporation, political action committee, political committee, candidate's committee or political party.

"Foreign source", any foreign government or any agency or department of such government; foreign political party or political committee; association, partnership, or corporation organized under the laws of a foreign nation; a corporation which has its main office in a foreign country or is domiciled in a foreign country for tax purposes; a corporation, organization or association whose board of directors consists of any person who is not a United States citizen or legal permanent resident; or an individual who resides in a foreign nation and is not a United States citizen or legal permanent resident.

(1) To ensure that no foreign national or foreign government is influencing the political process in this commonwealth, the origin of donations for all political expenditures shall be available to the public through the office of Campaign and Political Finance. Any refusal to disclose the origin of all such donations shall result in that entity's electioneering communication to contain the disclaimer that it is most likely funded by a foreign national or foreign government.

(2) An electioneering communication transmitted through paid radio, television, internet or other print advertising, funded in whole or in part by an entity shall contain a disclaimer of foreign funding as follows:

I agree with the above language and also agree to be an original signer of this petition language.

(a) If a foreign source has made monetary contributions to the entity in excess of 50 per cent of the total cost of the electioneering communication at any time in the previous 2 years, regardless of the purpose for which the funds were contributed, the entity shall include a disclaimer on any electioneering communication that states that the entity is significantly funded by foreign monetary contributions.

(b) If a foreign source has made any monetary contribution to the entity at any time within the past 2 years, or if the entity knows or should know that any monetary contribution the entity has received at any time in the past 2 years originated from a foreign source, regardless of the purpose for which the funds were contributed, the entity shall include a disclaimer on any electioneering communication that states that the entity is partially funded by foreign monetary contributions.

(3) The disclaimers shall appear as follows:

(a) For an electioneering communication transmitted through television or video, in writing on the screen at the beginning of the communication, in a clearly readable font size, with a simultaneous audio statement of the disclaimer;

(b) For an electioneering communication transmitted through radio or other audio-only transmissions, an audio statement, the same volume as the communication, at the Beginning of such communication.

(c) For an electioneering communication transmitted in print, clearly visible in the same size font as the main message appearing on the print communication.

(4) Any entity that has funded, in whole or in part, any electioneering communication transmitted in the commonwealth, and that has received within the 2 years prior to funding such electioneering communication any monetary contribution from a foreign source, or knows or should know that any monetary contribution the entity has received at any time in the previous 2 years originated from a foreign source, shall electronically file a disclosure of all monetary contributions received by the entity from any foreign source or originating from any foreign source from the beginning of said 2 year period, up until the date of filing, to the office of campaign and political finance, hereinafter the office. The office shall keep a list of such entities that have funded electioneering communications transmitted in the commonwealth within the previous 2 years, along with copies of their disclosures filed with the office, accessible to the public on the office's website.

(5) An electioneering communication shall not be transmitted in the commonwealth unless any entity funding such communication has filed a disclosure with the office, and the electioneering communication contains the proper disclaimer, as required pursuant to this section.

(6) For the purposes of this section, a monetary contribution received by an entity from a contributor that has received any funding from a foreign source within the 2 years prior to making such monetary contribution to the entity shall be considered to be originating from a foreign source.

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