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**DRAFT**

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBERS PATRICIA KERNIGHAN & LIBBY  
SCHAAF

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### **RESOLUTION IN FAVOR OF AB 1148, THE CALIFORNIA DISCLOSE ACT**

WHEREAS, the Supreme Court's *Citizens United* decision has unleashed hundreds of millions of dollars of anonymous corporate spending on political campaigns across California and the nation; and

WHEREAS, misleading political advertising by big-money interests hiding behind good-sounding committee names and other organizations deceives voters into supporting or opposing candidates and ballot measures that they wouldn't if they knew who was really behind it; and

WHEREAS, disclosing the true funders of political ads in the ads themselves would help voters make better informed decisions.

THEREFORE BE IT RESOLVED, that the Oakland City Council endorses AB 1148, the *California DISCLOSE Act*, authored by Assemblymember Julia Brownley, to require full disclosure, in the ads themselves, of the largest major funders of all political television, radio, print, mass mailing, and online advertising for and against ballot measures and for independent expenditures for and against candidates; and

THEREFORE BE IT FURTHER RESOLVED, that a copy of this Resolution be provided to the Governor, Assembly Speaker John Perez, Senate President pro Tem Darrell Steinberg, Assembly Elections Committee Chair Paul Fong, Senate Elections Committee Chair Lou Correa, Assemblymembers Julia Brownley and Sandre Swanson, State Senator Loni Hancock, Senators Barbara Boxer and Diane Feinstein, and Congressional Representative Barbara Lee.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN,  
NADEL, SCHAAF AND PRESIDENT REID

NOES -  
ABSENT -  
ABSTENTION -

ATTEST:

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LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California

AMENDED IN ASSEMBLY APRIL 26, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1148

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Introduced by Assembly Member Brownley  
(Principal coauthor: Assembly Member Fong)  
(Coauthor: Senator Hancock)

February 18, 2011

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An act to amend ~~Section 84305.5~~ Sections 84305.5, 84502, 84503, 84506, and 84507 of, and to add Sections 84502.1, 84502.5, 84502.6, and 84506.5 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1148, as amended, Brownley. Political Reform Act of 1974: slate mailers *advertisements: disclosure*.

The Political Reform Act of 1974 regulates mass mailings, known as slate mailers, that support or oppose multiple candidates or ballot measures for an election. The act requires that each slate mailer identify the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures that is sending the slate mailer, and to contain other specified information in specified formatting. The act requires that each candidate and each ballot measure that has paid to appear in the slate mailer be designated by an asterisk.

This bill would instead require that a candidate or ballot measure appearing in the slate mailer be designated by an asterisk if the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures that is sending the slate mailer has received payment to include the candidate or ballot measure in the slate mailer

*The act also regulates advertisements, which are defined as any general or public advertisement that is authorized and paid for by a person or committee for the purpose supporting or opposing a candidate for elective office or a ballot measure or ballot measures. The act places certain disclosure requirements on advertisements for or against any ballot measure. The act places more specific disclosure requirements on broadcast or mass mailing advertisements that are paid for by independent expenditures that support or oppose a candidate or ballot measure.*

*This bill would, instead, place certain disclosure requirements on radio or television advertisements authorized by a candidate or the candidate's agents that expressly advocate the election or defeat of a clearly identified candidate or that solicit any contribution for the election or defeat of a clearly identified candidate.*

*The bill would also place certain disclosure requirements on radio or television advertisements that are made by, or at the behest of a political party or political party committee.*

*Additionally, for broadcast, mass mailing, and online advertisements that support or oppose a candidate, the bill would require more specific disclosures if the advertisement is paid for by an independent expenditure. If an advertisement supports or opposes a ballot measure, the bill would impose the same disclosure requirements applicable to advertisements that support or oppose a candidate that are paid for by an independent expenditure, regardless of whether the advertisement supporting or opposing the ballot measure is paid for by an independent expenditure. The bill would specify that the above-described disclosure requirements that are applicable to mass mailing advertisements do not apply to slate mailers.*

Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.

This bill would impose a state-mandated local program by creating additional crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes

upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 84305.5 of the Government Code is  
2 amended to read:

3 84305.5. (a) A slate mailer organization or committee primarily  
4 formed to support or oppose one or more ballot measures shall not  
5 send a slate mailer unless the slate mailer complies with all of the  
6 following:

7 (1) The name, street address, and city of the slate mailer  
8 organization or committee primarily formed to support or oppose  
9 one or more ballot measures are shown on the outside of each piece  
10 of slate mail and on at least one of the inserts included with each  
11 piece of slate mail in no less than 8-point roman type, which shall  
12 be in a color or print that contrasts with the background so as to  
13 be easily legible. A post office box may be stated in lieu of a street  
14 address if the street address of the slate mailer organization or the  
15 committee primarily formed to support or oppose one or more  
16 ballot measures is a matter of public record with the Secretary of  
17 State's Political Reform Division.

18 (2) At the top or bottom of the front side or surface of at least  
19 one insert, or at the top or bottom of one side or surface of a  
20 postcard or other self-mailer, there is a notice in at least 8-point  
21 roman boldface type, which shall be in a color or print that  
22 contrasts with the background so as to be easily legible, and in a  
23 printed or drawn box and set apart from any other printed matter.  
24 The notice shall consist of the following statement:

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| <p>NOTICE TO VOTERS</p> <p>THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth in this mailer. (Name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures) has been paid to include each candidate and ballot measure that is designated by an *.</p> |
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(3) (A) Each candidate and each ballot measure for which the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures has received payment to include the candidate or ballot measure in the slate mailer is designated by an \*. A candidate or ballot measure for which the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures has not received payment to include the candidate or ballot measure in the slate mailer shall not be designated by an \*.

(B) The \* required by this paragraph shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate, or the ballot measure name or number and position advocated, to which the \* designation applies, except that in no case shall the \* be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure, where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

(4) The name of a candidate appearing in the slate mailer who is a member of a political party differing from the political party that the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party

1 designation of the candidate, in no less than 9-point roman type,  
2 which shall be in a color or print that contrasts with the background  
3 so as to be easily legible. The designation shall not be required in  
4 the case of candidates for nonpartisan office.

5 (b) The name, street address, and city of the slate mailer  
6 organization or committee primarily formed to support or oppose  
7 one or more ballot measures, as required by paragraph (1) of  
8 subdivision (a), and the notice required by paragraph (2) of  
9 subdivision (a) may appear on the same side or surface of an insert  
10 in the slate mailer.

11 *SEC. 2. Section 84502 of the Government Code is amended to*  
12 *read:*

13 84502. “Cumulative contributions” means the cumulative  
14 amount of contributions received by a committee beginning 12  
15 months prior to the date the committee made its first expenditure  
16 to qualify, support, or oppose the measure a candidate for elective  
17 office or a ballot measure or ballot measures and ending within  
18 seven days of the time the advertisement is sent to the printer or  
19 broadcast station.

20 *SEC. 3. Section 84502.1 is added to the Government Code, to*  
21 *read:*

22 84502.1. *For purposes of this section, the following terms have*  
23 *the following meanings:*

24 (a) “Committee disclosure Web site” means either of the  
25 following:

26 (1) *An Internet Web site for a committee that follows the*  
27 *disclosure requirements in subdivision (e) of Section 84506.*

28 (2) *If the Internet Web site described in paragraph (1) does not*  
29 *exist, the Secretary of State’s Internet Web site.*

30 (b) “Disclosure name” means the name employed in common  
31 usage or parlance to identify a person that is not an individual.

32 (1) *For persons for which an acronym is regularly used, the*  
33 *acronym shall be used.*

34 (2) *Suffixes identifying how the person, such as a corporation*  
35 *or limited liability company, is organized shall not be used in the*  
36 *disclosure name unless removing the suffix would result in*  
37 *confusion with another person.*

38 (3) *For committees that are sponsored by a person that is not*  
39 *an individual, the disclosure name of the sponsoring person shall*  
40 *be used instead of the disclosure name of the committee.*

- 1 (c) "Identifiable contribution" means the amount of the  
2 cumulative contributions made by an identifiable funder to support  
3 or oppose a candidate or ballot measure being voted on in an  
4 election.
- 5 (d) "Identifiable funder" means either of the following:
- 6 (1) All persons making cumulative contributions of at least fifty  
7 thousand dollars (\$50,000).
- 8 (2) A committee receiving cumulative contributions from persons  
9 making cumulative contributions to the committee of less than fifty  
10 thousand dollars (\$50,000) if the total of all of the cumulative  
11 contributions made to the committee by persons making cumulative  
12 contributions of less than fifty thousand dollars (\$50,000) totals  
13 at least fifty thousand dollars (\$50,000).
- 14 (e) "Short disclosure name" means the shortest name employed  
15 in common usage or parlance, or the acronym, that identifies a  
16 person that is not an individual.
- 17 (i) "Significant funder" means the identifiable funder having  
18 the largest identifiable contribution of the top five identifiable  
19 funders.
- 20 (g) "Stand By Your Ad Statement" means a statement described  
21 in Section 84506.5.
- 22 (h) (1) "Top five identifiable funders" means the five  
23 identifiable funders with the largest identifiable contributions,  
24 sorted in decreasing order of size of the identifiable contributions.  
25 In the event that multiple identifiable funders have identical  
26 identifiable contributions, they shall be selected according to  
27 chronological sequence based upon when the first contribution  
28 was made. In the event that there are fewer than five identifiable  
29 funders, "top five identifiable funders" means all identifiable  
30 funders.
- 31 (2) All identifiable funders that are employees of a person that  
32 is not an individual shall be treated as if they were the person if  
33 the person is also an identifiable funder, with all their identifiable  
34 contributions being treated as contributions by the person for  
35 purposes of calculating the person's identifiable contributions.
- 36 (i) "Top five identifiable funder text" means text listing the top  
37 five identifiable funders. Except for the name of the last identifiable  
38 funder in the top five identifiable funders, the name of each  
39 identifiable funder in the top five identifiable funders shall be  
40 followed by two spaces that shall be immediately followed by "~"



1 *and then another two spaces. For purposes of this subdivision,*  
2 *“name” means the name of the individual if the identifiable funder*  
3 *is an individual or the disclosure name of the person if the*  
4 *identifiable funder is not an individual. Unless otherwise specified,*  
5 *the top five identifiable funder text shall always be shown in*  
6 *standard sentence capitalization.*

7 *SEC. 4. Section 84502.5 is added to the Government Code, to*  
8 *read:*

9 *84502.5. (a) A radio advertisement that expressly advocates*  
10 *the election or defeat of a clearly identified candidate, or solicits*  
11 *contributions in support of that purpose, shall, if the advertisement*  
12 *is authorized by the candidate or an agent of the candidate, include*  
13 *an audio statement in which the candidate identifies himself or*  
14 *herself and states that the candidate has approved the message.*

15 *(b) (1) A television advertisement that expressly advocates the*  
16 *election or defeat of a clearly identified candidate, or solicits*  
17 *contributions in support of that purpose, shall, if the advertisement*  
18 *is authorized by the candidate or an agent of the candidate, include*  
19 *a statement in which the candidate identifies himself or herself*  
20 *and states that the candidate has approved the message.*

21 *(2) The statement described in paragraph (1) shall be conveyed*  
22 *by an unobscured, full-screen video of the candidate and only the*  
23 *candidate making the statement or by a clearly identifiable*  
24 *photographic or similar image of the candidate and only the*  
25 *candidate that is accompanied by the candidate reading the*  
26 *statement in a voice-over. The statement shall also appear in*  
27 *writing at the end of the advertisement in a clearly readable*  
28 *manner with a reasonable degree of color contrast between the*  
29 *background and the text of the written statement.*

30 *SEC. 5. Section 84502.6 is added to the Government Code, to*  
31 *read:*

32 *84502.6. (a) Notwithstanding Section 84503, a radio or*  
33 *television advertisement that is made by, or at the behest of, a*  
34 *political party or political party committee shall include the*  
35 *following audio statement read in a clearly spoken manner by a*  
36 *representative of the political party or political party committee:*  
37 *“(Name of the political party or political party committee) is*  
38 *responsible for the content of this advertisement.”*

39 *(b) For television advertisements, the statement described in*  
40 *subdivision (a) shall be accompanied by an unobscured, full-screen*

1 video of a representative of the political party or political party  
2 committee and only that representative making the statement, or  
3 by a clearly identifiable photographic or similar image of the  
4 representative and only that representative that is accompanied  
5 by the representative reading the statement described in subdivision  
6 (a) in a voice-over. The statement shall also appear in writing on  
7 the screen in a clearly readable manner with a reasonable degree  
8 of color contrast between the background and the text of written  
9 the statement.

10 (c) For purposes of this section, if a required statement includes  
11 text in parentheses, the text in the parentheses is meant to be a  
12 description of what is required to be included in the statement.

13 SEC. 6. Section 84503 of the Government Code is amended to  
14 read:

15 84503. (a) ~~Any~~ An advertisement for or against any a ballot  
16 measure shall include a disclosure statement identifying any person  
17 whose cumulative contributions are fifty thousand dollars (\$50,000)  
18 or more in a form that complies with Section 84506.

19 (b) ~~If there are more than two donors of fifty thousand dollars~~  
20 ~~(\$50,000) or more, the committee is only required to disclose the~~  
21 ~~highest and second highest in that order. In the event that more~~  
22 ~~than two donors meet this disclosure threshold at identical~~  
23 ~~contribution levels, the highest and second highest shall be selected~~  
24 ~~according to chronological sequence.~~

25 SEC. 7. Section 84506 of the Government Code is amended to  
26 read:

27 84506. (a) A ~~broadcast~~ or, mass mailing, or online  
28 advertisement supporting or opposing a candidate or ballot  
29 measure, that is paid for by an independent expenditure; shall  
30 include a disclosure statement that identifies both of the following:  
31 as prescribed by this section.

32 ~~(1) The name of the committee making the independent~~  
33 ~~expenditure.~~

34 ~~(2) The names of the persons from whom the committee making~~  
35 ~~the independent expenditure has received its two highest~~  
36 ~~cumulative contributions of fifty thousand dollars (\$50,000) or~~  
37 ~~more during the 12-month period prior to the expenditure. If the~~  
38 ~~committee can show, on the basis that contributions are spent in~~  
39 ~~the order they are received, that contributions received from the~~  
40 ~~two highest contributors have been used for expenditures unrelated~~

1 to the candidate or ballot measure featured in the communication;  
2 the committee shall disclose the contributors making the next  
3 largest cumulative contributions of fifty thousand dollars (\$50,000)  
4 or more.

5 (b) A television or video advertisement shall include all of the  
6 following:

7 (1) A Stand By Your Ad Statement.

8 (2) A disclosure area with a white background that fills the  
9 bottom 25 percent of the screen concurrently with the reading of  
10 the Stand By Your Ad Statement and which includes both of the  
11 following:

12 (A) Identification of the applicable individual reading the Stand  
13 By Your Ad Statement in a black font equivalent to Arial Narrow  
14 that is at least 4 percent of the height of the screen, in standard  
15 sentence case capitalization, using the following text:

16 (i) If the advertisement is paid for by an individual or if the  
17 significant funder of the advertisement is an individual, the  
18 identification in the disclosure area shall read: "(Name of the  
19 applicable individual) of (name of the state in which the applicable  
20 individual resides)."

21 (ii) If the advertisement is paid for by a person that is not an  
22 individual or if the significant funder is a person that is not an  
23 individual, the identification in the disclosure area shall read:  
24 "(Name of the applicable individual), the (title of the applicable  
25 individual) of (disclosure name of the person paying for the  
26 advertisement or the disclosure name of the person who is the  
27 significant funder, as applicable)."

28 (B) (i) Immediately below the identification described in  
29 subparagraph (A), a disclosure that starts, in italics, with "Top  
30 Funders:" and is followed, in nonitalics, by top five identifiable  
31 funder text.

32 (ii) Immediately following the text described in clause (i), a  
33 statement that starts, in italics, with "Details at:" and is followed,  
34 in italics, by the committee disclosure Web site.

35 (iii) The text described in clauses (i) and (ii) shall be in the same  
36 size black font equivalent to Arial Narrow and at least 3 percent  
37 of the height of the screen in standard case capitalization.

38 (3) The text described in paragraph (2) shall be vertically  
39 centered in the disclosure area.

1 (4) *If the advertisement is paid for in full by a person that is not*  
2 *an individual, or a significant funder that is a person that is not*  
3 *an individual, and that person has a logo, the logo shall be shown*  
4 *in the bottom right of the disclosure area. The height and width*  
5 *of the logo shall be at least 15 percent of the height and width of*  
6 *the screen.*

7 (c) *A radio advertisement shall include all of the following:*

8 (1) *A Stand By Your Ad Statement.*

9 (2) *If the radio advertisement is longer than 15 seconds and*  
10 *there are at least two identifiable funders in the top five identifiable*  
11 *funders, the Stand By Your Ad Statement shall be immediately*  
12 *followed by a statement read in a clearly spoken manner as*  
13 *follows: "Other major funding by (disclosure name of the*  
14 *identifiable funder having the second largest identifiable*  
15 *contributions of the top five identifiable funders)."*

16 (3) *The statements described in paragraphs (1) and (2) shall*  
17 *be immediately followed by a statement read in a clearly spoken*  
18 *manner as follows: "Details at (committee disclosure Web site)."*

19 (d) *Except for slate mailers, any mass mailings or print*  
20 *advertisement paid for by a committee or by any person spending*  
21 *over one thousand dollars (\$1,000) cumulatively on mass mailing*  
22 *or print advertising during an election shall include all of the*  
23 *following:*

24 (1) *A disclosure area that is the size of at least one-eighth the*  
25 *surface area of one page of the mass mailing or print*  
26 *advertisement. If the mass mailing or print advertisement includes*  
27 *pages of different sizes, the disclosure area shall be on the largest*  
28 *page. The disclosure area shall be set apart from the rest of the*  
29 *page by a line that frames the disclosure area in the shape of a*  
30 *square or rectangle and is darker than the background of the*  
31 *disclosure area. The disclosure area shall have a solid background*  
32 *so that the color contrast of the text in the disclosure area against*  
33 *the background of the disclosure area has at least as much color*  
34 *contrast as the most color contrasting text in the mass mailing or*  
35 *print advertisement. The disclosure area shall include all of the*  
36 *following:*

37 (A) *A title that reads "Notice to Voters About Funders of This*  
38 *Ad." The color of the text of the title must color contrast with the*  
39 *color of the background in a font equivalent to Arial Narrow in a*  
40 *point size no smaller than 14 point for pages smaller than 8.5*

1 inches by 11 inches and no smaller than 18 point for pages that  
2 are equal to, or larger than, 8.5 inches by 11 inches.

3 (B) (i) Immediately below the title described in subparagraph  
4 (A), a disclosure that starts, in italics, with "Top Funders:" and  
5 is followed, in nonitalics, by the top five identifiable funder text.

6 (ii) Immediately following the text described in clause (i), a  
7 statement that starts, in italics, with "Details at:" and is followed,  
8 in italics, by the committee disclosure Web site.

9 (iii) The text described in clauses (i) and (ii) shall be in the same  
10 size black font equivalent to Arial Narrow and at least 3 percent  
11 of the height of the page in standard case capitalization.

12 (2) If the mass mailing or print advertisement is paid for in full  
13 by a person that is not an individual, or a significant funder that  
14 is a person that is not an individual, and that person has a logo,  
15 the logo shall be shown in the bottom right of the disclosure area.  
16 The height and width of the logo shall be at least 10 percent of the  
17 height and width of the page.

18 (3) If there is space below the bottom of the text required to be  
19 in the disclosure area pursuant to paragraph (1), additional text  
20 may be added with at least one blank line separating the additional  
21 text from the required text. The additional text shall be in a font  
22 at least one point smaller than the required text. The color contrast  
23 between the additional text and the background of the disclosure  
24 area shall not be more than the color contrast between the required  
25 text and the background of the disclosure area.

26 (e) A committee disclosure Web site that is not the Secretary of  
27 State's Internet Web site shall include a disclosure area of at least  
28 250 pixels wide by 200 pixels tall, visible on the home page of the  
29 committee disclosure Web site. The disclosure area shall have a  
30 white background and a border, and shall include all of the  
31 following:

32 (1) A title that reads "Funders of This Web Site." The text of  
33 the title shall be black and in a font equivalent to Arial bold in a  
34 point size no smaller than 9 point.

35 (2) Immediately below the title described in paragraph (1), a  
36 disclosure that starts, in italics, with "Top Funders:" and is  
37 followed, in nonitalics, by top five identifiable funder text. This  
38 disclosure shall be in black and in a font equivalent to Arial in a  
39 point size no smaller than 8 point.

1 (3) *At least one blank line immediately following the disclosure*  
2 *described in paragraph (2).*

3 (4) *Immediately following the blank line or lines required by*  
4 *paragraph (3), a link to the Internet Web site maintained by the*  
5 *Secretary of State that contains disclosures made by the committee*  
6 *pursuant to this title for the current election cycle. The link shall*  
7 *be labeled "Full funding info at Secretary of State's Web site."*  
8 *The link shall be a standard blue underline link in a font equivalent*  
9 *to Arial in a point size no smaller than 8 point.*

10 (5) *If there is space below the bottom of the text required to be*  
11 *in the disclosure area pursuant to paragraphs (1) to (4), inclusive,*  
12 *additional text may be added with at least one blank line and a*  
13 *black horizontal line separating the additional text from the link*  
14 *required under paragraph (4). The additional text shall be black*  
15 *and in a font that is no smaller than 8 point.*

16 (f) *Any online advertisement shall comply with all of the*  
17 *following:*

18 (1) *All video online advertisements paid for or created by, a*  
19 *committee or any person spending over one thousand dollars*  
20 *(\$1,000) cumulatively on online advertising shall comply with the*  
21 *disclosure requirements applicable to television or video*  
22 *advertisements pursuant to subdivision (a).*

23 (2) *The commission shall promulgate rules for other online*  
24 *advertising formats that require the disclosure in those online*  
25 *advertisement formats, to the extent feasible, of the same type of*  
26 *information required for other types of advertisements pursuant*  
27 *to this section.*

28 (b)

29 (g) *If an acronym is used to identify any committee names*  
30 *required by this section, the names of any sponsoring organization*  
31 *of the committee shall be printed on print advertisements or spoken*  
32 *in broadcast advertisements.*

33 (h) *For purposes of this section, if a required statement includes*  
34 *text in parentheses, the text in the parentheses is meant to be a*  
35 *description of what is required to be included in the statement.*

36 SEC. 8. *Section 84506.5 is added to the Government Code, to*  
37 *read:*

38 84506.5. (a) *A Stand By Your Ad Statement in the form*  
39 *specified in subdivisions (c), (d), (e), and (f) is required in an*  
40 *advertisement only if required by Section 84506. A Stand By Your*

1 *Ad Statement is not required if on the basis of criteria established*  
2 *in regulations promulgated by the Commission, the advertisement*  
3 *is of such short duration that including the statement in the*  
4 *advertisement would constitute a hardship to the person paying*  
5 *for the advertisement by requiring a disproportionate amount of*  
6 *the advertisement's content to consist of the statement.*

7 *(b) For purposes of this section, "applicable individual" means*  
8 *the following:*

9 *(1) If an advertisement is paid for in full by an individual or if*  
10 *the significant funder is an individual, "applicable individual"*  
11 *means the individual who paid for the advertisement or the*  
12 *significant funder, respectively*

13 *(2) If an advertisement is paid for in full by a corporation or if*  
14 *the significant funder is a corporation, the chief executive officer*  
15 *of the corporation or, if the corporation does not have a chief*  
16 *executive officer "applicable individual" means the*  
17 *highest-ranking officer of the corporation.*

18 *(3) If an advertisement is paid for in full by a labor organization*  
19 *or if the significant funder is a labor organization, "applicable*  
20 *individual" means the highest-ranking officer of the labor*  
21 *organization.*

22 *(4) If the advertisement is paid for by a person that is not an*  
23 *individual, corporation, or labor organization, or if the significant*  
24 *funder is a person that is not an individual, corporation, or labor*  
25 *organization, "applicable individual" means the highest-ranking*  
26 *official of that person.*

27 *(c) If an advertisement is paid for in full by an individual, the*  
28 *Stand By Your Ad Statement shall read: "I am (name of applicable*  
29 *individual) of (name of state in which the applicable individual*  
30 *resides). I paid for this message and approve it."*

31 *(d) (1) If an advertisement is paid for in full by a person that*  
32 *is not an individual, the Stand By Your Ad Statement shall read:*  
33 *"I am (name of applicable individual), the (title of the applicable*  
34 *individual) of (disclosure name of the person paying for the*  
35 *advertisement), located in (name of the state that is the location*  
36 *of the principal office of the person paying for the advertisement).*  
37 *(Short disclosure name of the person paying for the advertisement)*  
38 *paid for this message and approves it."*

39 *(2) The statement described in paragraph (1) does not need to*  
40 *include ", located in (name of the state that is the location of the*

1 principal office of the person paying for the advertisement)” if the  
2 name of the state is included in the name of the person.

3 (e) If an advertisement is not paid for in full by an individual,  
4 but the significant funder is an individual, the Stand By Your Ad  
5 Statement shall be “I am (name of applicable individual) of (name  
6 of state in which the applicable individual resides). I helped pay  
7 for this message and I approve it.”

8 (f) (1) If an advertisement is not paid for in full by an individual  
9 and the significant funder is a person that is not an individual, the  
10 Stand By Your Ad Statement shall be “I am (name of applicable  
11 individual), the (title of the applicable individual) of (disclosure  
12 name of the person that is the significant funder), located in (name  
13 of the state that is the location of the principal office of the person  
14 that is the significant funder). (Short disclosure name of the person  
15 that is the significant funder) helped to pay for this message and  
16 approves it.”

17 (2) The statement described in paragraph (1) does not need to  
18 include “, located in (name of the state that is the location of the  
19 principal office of the person that is the significant funder)” if the  
20 name of the state is included in the name of the person.

21 (g) If an acronym is used to identify any committee names  
22 required by this section, the names of any sponsoring organization  
23 of the committee shall be printed on print advertisements or spoken  
24 in broadcast advertisements.

25 (h) (1) If a Stand By Your Ad Statement is transmitted through  
26 radio, the statement shall be made by the applicable individual in  
27 a clearly spoken manner in a pitch and tone substantially the same  
28 as the non-Stand By Your Ad Statement portion of the  
29 advertisement.

30 (2) If a Stand By Your Ad Statement is transmitted through  
31 television or video, the statement shall be conveyed by an  
32 unobscured view of either of the following that takes up the full  
33 screen, except for the bottom 25 percent of the screen that contains  
34 the disclosure area described in paragraph (2) of subdivision (b)  
35 of Section 84506:

36 (A) A video of the applicable individual that is only of the  
37 applicable individual reading the statement.

38 (B) A clearly identifiable photograph or similar image that is  
39 only of the applicable individual, accompanied by the applicable  
40 individual making the statement in voice-over



1 (i) For purposes of this section, if a required statement includes  
2 text in parentheses, the text in the parentheses is meant to be a  
3 description of what is required to be included in the statement.

4 SEC. 9. Section 84507 of the Government Code is amended to  
5 read:

6 84507. Any—Unless Sections 84502.5, 84502.6, 84506, and  
7 84506.5 provide otherwise, any disclosure statement required by  
8 this article shall be printed clearly and legibly in no less than  
9 10-point type and in a conspicuous manner as defined by the  
10 commission *Commission* or, if the communication is broadcast,  
11 the information shall be spoken so as to be clearly audible and  
12 understood by the intended public and otherwise appropriately  
13 conveyed for the hearing impaired.

14 ~~SEC. 2:~~

15 SEC. 10. No reimbursement is required by this act pursuant to  
16 Section 6 of Article XIII B of the California Constitution because  
17 the only costs that may be incurred by a local agency or school  
18 district will be incurred because this act creates a new crime or  
19 infraction, eliminates a crime or infraction, or changes the penalty  
20 for a crime or infraction, within the meaning of Section 17556 of  
21 the Government Code, or changes the definition of a crime within  
22 the meaning of Section 6 of Article XIII B of the California  
23 Constitution.

24 ~~SEC. 3:~~

25 SEC. 11. The Legislature finds and declares that this bill  
26 furthers the purposes of the Political Reform Act of 1974 within  
27 the meaning of subdivision (a) of Section 81012 of the Government  
28 Code.