

ASSEMBLY BILL

No. 1648

Introduced by Assembly Member Brownley

(Principal coauthors: Assembly Members Fong and Gatto)

(Coauthors: Assembly Members Alejo, Ammiano, Beall, Blumenfield, Bonilla, Dickinson, Fletcher, Galgiani, Gordon, Hayashi, Hill, Huber, Huffman, Bonnie Lowenthal, V. Manuel Pérez, and Wieckowski)

(Coauthor: Senator Hancock)

February 13, 2012

An act to amend Sections 84305.5, 84504, and 84505 of, to add Sections 84506.1, 84506.2, and 84506.3 to, to repeal Sections 84502, 84503, and 84506.5 of, and to repeal and add Sections 84501, 84506, 84507, and 84508 of, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1648, as introduced, Brownley. Political Reform Act of 1974: 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 bill would also recast the language of the prescribed notice to voters that must be included on a 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, including that the advertisement disclose any person who has made cumulative contributions of \$50,000 or more, as prescribed. 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 repeal provisions relating to disclosures for advertisements paid for by an independent expenditure and required disclosures of persons who have made cumulative contributions of \$50,000 or more. This bill would, instead, impose specified disclosure requirements on radio, television, and video advertisements, and certain mass mailing and print advertisements that support or oppose a candidate or ballot measure or solicit contributions in support of those purposes. The bill would require advertisements that are authorized by a candidate or agent of the candidate to include a statement in which the candidate identifies himself or herself and states that he or she approves the message, as specified. The bill would require advertisements that are not authorized by a candidate or an agent of the candidate to disclose, in a prescribed format, the 3 largest identifiable contributors, as defined, of the committee that paid for the advertisement. The bill would require mass mailings or print advertisements that are paid for by certain persons who are not committees to disclose the name of that person as the funder of the mass mailing or print advertisement. The bill would also require that certain committees establish and maintain a committee disclosure Internet Web site, as defined, which discloses the top 10 identifiable contributors and provides a link to the Internet Web site maintained by the Secretary of State for campaign finance disclosures of the committee. The bill would require these advertisements to identify the address for the committee disclosure Internet Web site.

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 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: 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) ~~No~~A slate mailer organization or committee
4 primarily formed to support or oppose one or more ballot measures
5 shall *not* send a slate mailer unless *the slate mailer complies with*
6 *all of the 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 ~~which~~ *that* contrasts with the background so
13 as to be easily legible. A post office box may be stated in lieu of
14 a street address if the street address of the slate mailer organization
15 or the committee primarily formed to support or oppose one or
16 more ballot ~~measure~~ *measures* is a matter of public record with
17 the Secretary of 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

1 roman boldface type, which shall be in a color or print ~~which that~~
 2 contrasts with the background so as to be easily legible, and in a
 3 printed or drawn box and set apart from any other printed matter.
 4 The notice shall consist of the following statement:

5
 6
 7 NOTICE TO VOTERS
 8
 9 THIS DOCUMENT WAS PREPARED BY (name of slate
 10 mailer organization or committee primarily formed to support
 11 or oppose one or more ballot measures), NOT AN OFFICIAL
 12 POLITICAL PARTY ORGANIZATION. Appearance in this
 13 mailer does not necessarily imply endorsement of others
 14 appearing in this mailer, nor does it imply endorsement of, or
 15 opposition to, any issues set forth in this mailer. Appearance
 16 is paid for and authorized by each candidate and ballot measure
 17 ~~which that~~ is designated by an * *has been paid for*.

18
 19 ~~(3) The name, street address, and city of the slate mailer~~
 20 ~~organization or committee primarily formed to support or oppose~~
 21 ~~one or more ballot measures as required by paragraph (1) and the~~
 22 ~~notice required by paragraph (2) may appear on the same side or~~
 23 ~~surface of an insert.~~

24 ~~(4)~~
 25 (3) (A) Each candidate and each ballot measure ~~that for which~~
 26 ~~the slate mailer organization or committee primarily formed to~~
 27 ~~support or oppose one or more ballot measures has paid received~~
 28 ~~payment to appear include the candidate or ballot measure in the~~
 29 ~~slate mailer is designated by an *. Any A candidate or ballot~~
 30 ~~measure that for which the slate mailer organization or committee~~
 31 ~~primarily formed to support or oppose one or more ballot measures~~
 32 ~~has not paid received payment to appear include the candidate or~~
 33 ~~ballot measure in the slate mailer is shall not be designated by an~~
 34 ~~*~~.

35 (B) The * required by this ~~subdivision~~ *paragraph* shall be of
 36 the same type size, type style, color or contrast, and legibility as
 37 is used for the name of the candidate, or the ballot measure name
 38 or number and position advocated, to which the * designation
 39 applies, except that in no case shall the * be required to be larger

1 than 10-point boldface type. The designation shall immediately
 2 follow the name of the candidate, or the name or number and
 3 position advocated on the ballot measure, where the designation
 4 appears in the slate of candidates and measures. If there is no slate
 5 listing, the designation shall appear at least once in at least 8-point
 6 boldface type, immediately following the name of the candidate,
 7 or the name or number and position advocated on the ballot
 8 measure.

9 (5)

10 (4) The name of ~~any~~ a candidate appearing in the slate mailer
 11 who is a member of a political party differing from the political
 12 party ~~which~~ that the mailer appears by representation or indicia to
 13 represent is accompanied, immediately below the name, by the
 14 party designation of the candidate, in no less than 9-point roman
 15 type, which shall be in a color or print that contrasts with the
 16 background so as to be easily legible. The designation shall not
 17 be required in the case of candidates for nonpartisan office.

18 (b) ~~For purposes of the designations required by paragraph (4)~~
 19 ~~of subdivision (a), the payment of any sum made reportable by~~
 20 ~~subdivision (c) of Section 84219 by or at the behest of a candidate~~
 21 ~~or committee, whose name or position appears in the mailer, to~~
 22 ~~the~~ *The name, street address, and city of the slate mailer*
 23 *organization or committee primarily formed to support or oppose*
 24 *one or more ballot measures, shall constitute a payment to appear,*
 25 *requiring as required by paragraph (1) of subdivision (a), and the*
 26 ** designation. The payment shall also be deemed to constitute*
 27 *authorization to appear notice required by paragraph (2) of*
 28 *subdivision (a) may appear on the same side or surface of an insert*
 29 *in the slate mailer.*

30 SEC. 2. Section 84501 of the Government Code is repealed.

31 84501. (a) ~~“Advertisement” means any general or public~~
 32 ~~advertisement which is authorized and paid for by a person or~~
 33 ~~committee for the purpose of supporting or opposing a candidate~~
 34 ~~for elective office or a ballot measure or ballot measures.~~

35 (b) ~~“Advertisement” does not include a communication from~~
 36 ~~an organization other than a political party to its members, a~~
 37 ~~campaign button smaller than 10 inches in diameter, a bumper~~
 38 ~~sticker smaller than 60 square inches, or other advertisement as~~
 39 ~~determined by regulations of the commission.~~

1 SEC. 3. Section 84501 is added to the Government Code, to
 2 read:

3 84501. For purposes of this article, the following terms have
 4 the following meanings:

5 (a) (1) “Advertisement” means any general or public
 6 advertisement which is authorized and paid for by a person or
 7 committee for the purpose of supporting or opposing a candidate
 8 for elective office or a ballot measure or ballot measures.

9 (2) “Advertisement” does not include a communication from
 10 an organization other than a political party to its members, a
 11 campaign button smaller than 10 inches in diameter, a bumper
 12 sticker smaller than 60 square inches, or other advertisement as
 13 determined by regulations of the Commission.

14 (b) “Committee disclosure Internet Web site” means the Internet
 15 Web site for a committee identifying the top identifiable
 16 contributors to that committee, as described in Section 84506.3.

17 (c) “Cumulative contributions” means the cumulative amount
 18 of contributions received by a committee beginning 18 months
 19 prior to the date the committee made its first expenditure to qualify,
 20 support, or oppose a candidate for elective office or a ballot
 21 measure or ballot measures and ending seven days before the
 22 advertisement is sent to the printer or broadcast station or uploaded
 23 to the Internet.

24 (d) “Identifiable contributor” means a person or committee that
 25 has made cumulative contributions of at least ten thousand dollars
 26 (\$10,000) to a committee.

27 SEC. 4. Section 84502 of the Government Code is repealed.

28 ~~84502. “Cumulative contributions” means the cumulative~~
 29 ~~amount of contributions received by a committee beginning 12~~
 30 ~~months prior to the date the committee made its first expenditure~~
 31 ~~to qualify, support, or oppose the measure and ending within seven~~
 32 ~~days of the time the advertisement is sent to the printer or broadcast~~
 33 ~~station.~~

34 SEC. 5. Section 84503 of the Government Code is repealed.

35 ~~84503. (a) Any advertisement for or against any ballot measure~~
 36 ~~shall include a disclosure statement identifying any person whose~~
 37 ~~cumulative contributions are fifty thousand dollars (\$50,000) or~~
 38 ~~more.~~

39 ~~(b) If there are more than two donors of fifty thousand dollars~~
 40 ~~(\$50,000) or more, the committee is only required to disclose the~~

1 ~~highest and second highest in that order. In the event that more~~
2 ~~than two donors meet this disclosure threshold at identical~~
3 ~~contribution levels, the highest and second highest shall be selected~~
4 ~~according to chronological sequence.~~

5 SEC. 6. Section 84504 of the Government Code is amended
6 to read:

7 84504. (a) Any committee that supports or opposes one or
8 more ballot measures shall name and identify itself using a name
9 or phrase that clearly identifies the economic or other special
10 interest of its major donors of fifty thousand dollars (\$50,000) or
11 more in any reference to the committee required by law, including,
12 but not limited, to its statement of organization filed pursuant to
13 Section 84101.

14 (b) If the major donors of fifty thousand dollars (\$50,000) or
15 more share a common employer, the identity of the employer shall
16 also be disclosed.

17 (c) Any committee which supports or opposes a ballot measure;
18 shall print or broadcast its name as provided in this section as part
19 of any advertisement or other paid public statement, *unless the*
20 *advertisement is required to include a disclosure pursuant to any*
21 *other section of this article.*

22 (d) If candidates or their controlled committees, as a group or
23 individually, meet the contribution thresholds for a person, they
24 shall be identified by the controlling candidate's name.

25 SEC. 7. Section 84505 of the Government Code is amended
26 to read:

27 84505. In addition to the requirements of Sections ~~84503,~~
28 ~~84504, 84506, 84506.1, 84506.2, and 84506.5~~ 84506.3, the
29 committee placing the advertisement or persons acting in concert
30 with that committee shall be prohibited from creating or using a
31 noncandidate-controlled committee or a nonsponsored committee
32 to avoid, or that results in the avoidance of, the disclosure of any
33 individual, industry, business entity, controlled committee, or
34 sponsored committee as a major funding source.

35 SEC. 8. Section 84506 of the Government Code is repealed.

36 ~~84506. (a) A broadcast or mass mailing advertisement~~
37 ~~supporting or opposing a candidate or ballot measure, that is paid~~
38 ~~for by an independent expenditure, shall include a disclosure~~
39 ~~statement that identifies both of the following:~~

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

3 ~~(2) The names of the persons from whom the committee making~~
4 ~~the independent expenditure has received its two highest~~
5 ~~cumulative contributions of fifty thousand dollars (\$50,000) or~~
6 ~~more during the 12-month period prior to the expenditure. If the~~
7 ~~committee can show, on the basis that contributions are spent in~~
8 ~~the order they are received, that contributions received from the~~
9 ~~two highest contributors have been used for expenditures unrelated~~
10 ~~to the candidate or ballot measure featured in the communication,~~
11 ~~the committee shall disclose the contributors making the next~~
12 ~~largest cumulative contributions of fifty thousand dollars (\$50,000)~~
13 ~~or more.~~

14 ~~(b) If an acronym is used to identify any committee names~~
15 ~~required by this section, the names of any sponsoring organization~~
16 ~~of the committee shall be printed on print advertisements or spoken~~
17 ~~in broadcast advertisements.~~

18 SEC. 9. Section 84506 is added to the Government Code, to
19 read:

20 84506. (a) A radio advertisement that supports or opposes a
21 candidate or ballot measure or solicits contributions in support of
22 that purpose shall, if the advertisement is authorized by a candidate
23 or an agent of the candidate, include an audio statement in which
24 the candidate identifies himself or herself and states that the
25 candidate has approved the message.

26 (b) A radio advertisement that supports or opposes a candidate
27 or ballot measure or solicits contributions in support of that purpose
28 shall, if the advertisement is not authorized by a candidate or an
29 agent of the candidate, include at the end of the advertisement a
30 disclosure read in a clearly spoken manner in a pitch and tone
31 substantially similar to the rest of the advertisement that reads as
32 follows: "Top funders of this ad are [state names in descending
33 order of identifiable contributors who made the three largest
34 cumulative contributions to the committee that paid for the
35 advertisement]. Full funding details at [state Internet Web site
36 address of the committee disclosure Internet Web site]."

37 (c) If there are fewer than three identifiable contributors, the
38 disclosure shall be adjusted accordingly to disclose the qualifying
39 identifiable contributors, if any. If the committee does not have
40 any identifiable contributors, but the committee has received

1 cumulative contributions totaling at least ten thousand dollars
2 (\$10,000), the disclosure shall be adjusted to include the name of
3 the committee in the place of the names of identifiable contributors.

4 SEC. 10. Section 84506.1 is added to the Government Code,
5 to read:

6 84506.1. (a) A television or video advertisement that supports
7 or opposes a candidate or ballot measure or solicits contributions
8 in support of that purpose shall, if the advertisement is authorized
9 by a candidate or an agent of the candidate, include a statement in
10 which the candidate identifies himself or herself and states that
11 the candidate has approved the message. The candidate statement
12 shall be made using an unobscured, full-screen video of the
13 candidate, alone, making the statement, or by using an unobscured,
14 full-screen, and clearly identifiable photographic image of the
15 candidate, alone, that is displayed during an audio voiceover of
16 the candidate reading the statement.

17 (b) A television or video advertisement that supports or opposes
18 a candidate or ballot measure or solicits contributions in support
19 of that purpose shall, if the advertisement is not authorized by a
20 candidate or an agent of the candidate, include all of the following
21 at the end of the advertisement:

22 (1) A full-screen without audio on a black background for a
23 minimum of three seconds that is dedicated to the disclosure
24 described in this subdivision.

25 (2) The text “Top Funders for This Ad” located at the top of the
26 television or video display screen and centered horizontally. The
27 text shall be white in color and the font size shall be at least 5
28 percent of the height of the television or video display screen.

29 (3) Immediately below the text described in paragraph (2), the
30 logos, if any, as they appear on the Internet Web site homepage
31 of the identifiable contributor, for the identifiable contributors who
32 made the three largest cumulative contributions to the committee
33 that paid for the advertisement. Each logo shall occupy at least 15
34 percent of the width or height of the television or video display
35 screen and the logos shall be displayed from left to right in
36 descending order beginning with the largest identifiable contributor.

37 (4) Immediately below the logos, if any, described in paragraph
38 (3), or beneath the text described in paragraph (2) if no identifiable
39 contributor has a logo, the identifiable contributors who have made
40 the three largest cumulative contributions to the committee that

1 paid for the advertisement. The three identifiable contributors shall
 2 each be disclosed on a separate vertical line, in descending order,
 3 beginning with the identifiable contributor who made the largest
 4 cumulative contribution on the first line. The name of each of the
 5 three identifiable contributors shall be centered horizontally. The
 6 text shall be white in color and the font size shall be at least 5
 7 percent of the height of the television or video display screen.

8 (5) The text “Full Funding Details At [insert Internet Web site
 9 address of the committee disclosure Internet Web site].” The text
 10 shall be white in color and the font size shall be equivalent to 4
 11 percent of the height of the television or video display screen. The
 12 text shall be located in a position that is vertically 4 percent above
 13 the bottom of the television or video display screen.

14 (6) If there are fewer than three identifiable contributors, the
 15 disclosure shall be adjusted accordingly to disclose only those that
 16 qualify as identifiable contributors, if any. If the committee does
 17 not have any identifiable contributors, but the committee has
 18 received cumulative contributions totaling at least ten thousand
 19 dollars (\$10,000), the disclosure shall be adjusted to include the
 20 name of the committee in the place of the names of identifiable
 21 contributors.

22 SEC. 11. Section 84506.2 is added to the Government Code,
 23 to read:

24 84506.2. Except for slate mailers or advertisements that are
 25 authorized by a candidate or an agent of the candidate, any mass
 26 mailing or print advertisement that supports or opposes a candidate
 27 or ballot measure or solicits contributions in support of that purpose
 28 and that is paid for by a committee, or by any person who is not a
 29 committee and who spends more than one thousand dollars
 30 (\$1,000) on mass mailing or print advertising cumulatively in the
 31 period beginning 18 months prior to the date the person made his
 32 or her first expenditure to qualify, support, or oppose the candidate
 33 for elective office or the ballot measure and ending seven days
 34 before the mass mailing or print advertisement is sent to the printer,
 35 shall include a disclosure area on the largest page of the mass
 36 mailing or print advertisement that meets all of the following
 37 criteria:

38 (a) The disclosure area shall be set apart from the rest of the
 39 page on which it is located by a line framing the disclosure area
 40 in the shape of a square or rectangle and the line shall be a color

1 that is darker than the background color of the remainder of the
2 disclosure area. The disclosure area within the border line shall
3 have a solid background color that establishes a contrast to the
4 color of the disclosure text that is equivalent to or greater than the
5 text and background color contrast in the other areas of the mass
6 mailing or print advertisement.

7 (b) For purposes of a mass mailing or print advertisement paid
8 for by a committee, the disclosure shall include the following:

9 (1) The text “Top Fenders of This Ad” shall be located at the
10 top of the disclosure area and centered horizontally in the disclosure
11 area. The text shall be in a font size of at least 14-point for pages
12 smaller than 8.5 inches by 11 inches and at least 16-point for pages
13 that are equal to, or larger than, 8.5 inches by 11 inches.

14 (2) Immediately below the text described in paragraph (1) shall
15 be printed the logos, if any, as they appear on the Internet Web
16 site homepage of the identifiable contributor, for the identifiable
17 contributors who made the three largest cumulative contributions
18 to the committee. Each logo shall occupy at least 8 percent of the
19 width or height of the page on which the disclosure area is located
20 and the logos shall be displayed from left to right in descending
21 order beginning with the largest identifiable contributor.

22 (3) Immediately below the logos, if any, described in paragraph
23 (2), or beneath the text described in paragraph (1) if no identifiable
24 contributor has a logo, shall be identified by name the identifiable
25 contributors who have made the three largest cumulative
26 contributions to the committee that paid for the mass mailing or
27 print advertisement. The three identifiable contributors shall each
28 be disclosed on a separate vertical line, in descending order,
29 beginning with the identifiable contributor who made the largest
30 cumulative contribution on the first line. The name of each of the
31 three identifiable contributors shall be centered horizontally. The
32 text shall identify the identifiable contributor in a font size of at
33 least 10-point for pages smaller than 8.5 inches by 11 inches and
34 at least 12-point for pages that are equal to, or larger than, 8.5
35 inches by 11 inches.

36 (4) The text “Full Funding Details At [insert Internet Web site
37 address of the committee disclosure Internet Web site].” The text
38 shall be located at the bottom of the disclosure area and shall be
39 in 10-point font size for pages smaller than 8.5 inches by 11 inches

1 and at least 12-point font size for pages that are equal to, or larger
2 than, 8.5 inches by 11 inches.

3 (5) If there are fewer than three identifiable contributors, the
4 disclosure shall be adjusted accordingly to disclose the qualifying
5 identifiable contributors, if any. If the committee does not have
6 any identifiable contributors, but the committee has received
7 cumulative contributions totaling at least ten thousand dollars
8 (\$10,000), the disclosure shall be adjusted to include the name of
9 the committee in the place of the names of identifiable contributors.

10 (c) For purposes of a mass mailing or print advertisement paid
11 for by a person who is not a committee and who spends more than
12 one thousand dollars (\$1,000) on mass mailings or print
13 advertisements, as described in this section, the disclosure shall
14 include the text “This advertisement funded by [insert name of the
15 person who paid for the mass mailing or print advertisement].”
16 The text shall be centered within the disclosure area and shall be
17 in a font size of at least 14-point for pages smaller than 8.5 inches
18 by 11 inches and at least 16-point for pages that are equal to, or
19 larger than, 8.5 inches by 11 inches. The person shall not be
20 required to create or maintain a disclosure Internet Web site
21 described in Section 85406.3.

22 SEC. 12. Section 84506.3 is added to the Government Code,
23 to read:

24 84506.3. Except for a committee that is controlled by a
25 candidate, a committee that pays for an advertisement described
26 in this article shall establish and maintain a committee disclosure
27 Internet Web site. If the committee has an Internet Web site
28 homepage, that Internet Web site may also serve as the committee
29 disclosure Internet Web site. The homepage of the committee
30 disclosure Internet Web site and any other Internet Web sites
31 maintained by the committee shall include a disclosure statement
32 area for the purpose of making a contribution disclosure statement
33 that includes all of the following:

34 (a) The disclosure statement area shall be at least 250 pixels
35 wide. The disclosure area shall have a white background and a
36 border that is dark in color.

37 (b) A title that reads “Top Funders of This Committee.” The
38 text shall be black in color and shall be at least 10-point font size.

39 (c) Immediately below the text described in subdivision (b), a
40 list of the identifiable contributors who have made the 10 largest

1 cumulative contributions to the committee. Each of the 10
2 identifiable contributors shall be disclosed on a separate vertical
3 line, in descending order, beginning with the identifiable
4 contributor who made the largest cumulative contribution on the
5 first line. The text shall be black in color and shall be at least
6 9-point font size.

7 (d) Immediately below the text described in subdivision (c), the
8 logos, if any, as they appear on the Internet Web site homepage
9 of the identifiable contributor, for the identifiable contributors who
10 made the 10 largest cumulative contributions to the committee.
11 Each logo shall occupy at least 75 horizontal or vertical pixels and
12 shall be displayed from left to right in descending order beginning
13 with the largest identifiable contributor.

14 (e) A link to the Internet Web site maintained by the Secretary
15 of State that contains campaign finance disclosures made by the
16 committee pursuant to this title for the current election cycle. The
17 link shall be labeled “Full funding info at Secretary of State’s
18 Internet Web site.” The link shall be a standard hyperlink that is
19 displayed as blue underlined text in Arial equivalent font in at least
20 9-point font size.

21 (f) If there are fewer than 10 identifiable contributors, the
22 disclosure shall be adjusted accordingly to disclose the qualifying
23 identifiable contributors, if any. If the committee does not have
24 any identifiable contributors, but the committee has received
25 cumulative contributions totaling at least ten thousand dollars
26 (\$10,000), the disclosure shall be adjusted to include the name of
27 the committee in the place of the names of identifiable contributors.

28 SEC. 13. Section 84506.5 of the Government Code is repealed.

29 ~~84506.5. An advertisement supporting or opposing a candidate
30 that is paid for by an independent expenditure must include a
31 statement that it was not authorized by a candidate or a committee
32 controlled by a candidate.~~

33 SEC. 14. Section 84507 of the Government Code is repealed.

34 ~~84507. Any disclosure statement required by this article shall
35 be printed clearly and legibly in no less than 10-point type and in
36 a conspicuous manner as defined by the commission or, if the
37 communication is broadcast, the information shall be spoken so
38 as to be clearly audible and understood by the intended public and
39 otherwise appropriately conveyed for the hearing impaired.~~

1 SEC. 15. Section 84507 is added to the Government Code, to
2 read:

3 84507. For purposes of any disclosure required by Sections
4 84506 to 84506.3, inclusive, for advertisements that are not
5 authorized by a candidate or an agent of the candidate, the
6 following shall also apply in the event that an identifiable
7 contributor is a person who is an individual:

8 (a) If the committee receiving the contribution is supporting or
9 opposing a candidate, then the disclosure shall include the
10 occupation and employer of the identifiable contributor in addition
11 to the contributor’s name.

12 (b) If the committee receiving the contribution is supporting or
13 opposing a ballot measure, and the passage or defeat of the ballot
14 measure directly benefits or harms the employer of the identifiable
15 contributor, then the disclosure shall include the occupation and
16 employer of the identifiable contributor in addition to the
17 contributor’s name. However, if an employer of an identifiable
18 contributor is also an identifiable contributor of that committee,
19 then the contributions of the employees shall, instead, be deemed
20 to be contributions by the employer for purposes of determining
21 the total cumulative contribution made by the employer in order
22 to determine which identifiable contributors shall be disclosed on
23 an advertisement pursuant to this article.

24 (c) If the committee receiving the contribution is supporting or
25 opposing a ballot measure, and the passage or defeat of the ballot
26 measure does not directly benefit or harm the employer of the
27 identifiable contributor, then the disclosure shall include only the
28 name of the identifiable contributor.

29 SEC. 16. Section 84508 of the Government Code is repealed.

30 ~~84508. If disclosure of two major donors is required by Sections~~
31 ~~84503 and 84506, the committee shall be required to disclose, in~~
32 ~~addition to the committee name, only its highest major contributor~~
33 ~~in any advertisement which is:~~

- 34 ~~(a) An electronic broadcast of 15 seconds or less, or~~
- 35 ~~(b) A newspaper, magazine, or other public print media~~
36 ~~advertisement which is 20 square inches or less.~~

37 SEC. 17. Section 84508 is added to the Government Code, to
38 read:

39 84508. Disclosures made pursuant to Sections 84506 to
40 84506.3, inclusive, shall be sufficient to identify the identifiable

1 contributor but need not include such legal terms as “incorporated,”
2 “committee,” “political action committee,” or “company,” or their
3 abbreviations. Nothing in this section shall prevent a contributor
4 from being disclosed as a name used in common usage or parlance,
5 including, but not limited to, an abbreviation or acronym.

6 SEC. 18. No reimbursement is required by this act pursuant
7 to Section 6 of Article XIII B of the California Constitution because
8 the only costs that may be incurred by a local agency or school
9 district will be incurred because this act creates a new crime or
10 infraction, eliminates a crime or infraction, or changes the penalty
11 for a crime or infraction, within the meaning of Section 17556 of
12 the Government Code, or changes the definition of a crime within
13 the meaning of Section 6 of Article XIII B of the California
14 Constitution.

15 SEC. 19. The Legislature finds and declares that this bill
16 furthers the purposes of the Political Reform Act of 1974 within
17 the meaning of subdivision (a) of Section 81012 of the Government
18 Code.