

AMENDED IN SENATE JULY 2, 2015  
AMENDED IN ASSEMBLY APRIL 20, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 990**

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**Introduced by Assembly Member Bonilla**  
**(Coauthor: Assembly Member Gordon)**

February 26, 2015

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An act to amend ~~Section 138.6 of the Health and Safety Code, relating to public health. Sections 84506.5 and 84507 of the Government Code, relating to the Political Reform Act of 1974.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 990, as amended, Bonilla. ~~Women's health. Political Reform Act of 1974: advertisement disclosures.~~

Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing, including requiring the reporting of campaign contributions and expenditures and imposing other reporting and recordkeeping requirements on campaign committees. The act additionally imposes various disclosure statement requirements with respect to advertisements supporting or opposing a candidate or ballot measure, including a requirement that the disclosure statements be printed clearly and legibly in no less than 10-point type and in a conspicuous manner, as specified. The act also requires that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure include a statement that it was not authorized by a candidate or a committee controlled by a candidate.

This bill would require that disclosure statements be printed in no less than 18-point, bold, sans serif type font. The bill would require that

*an advertisement supporting or opposing a candidate that is paid for by an independent expenditure include a disclosure statement with specific content, and if the advertisement is mailed, would require that the disclosure statement be located within a quarter of an inch of the recipient's name and address and be contained within a box that meets prescribed criteria.*

*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.*

~~Existing law requires the State Department of Public Health to develop a coordinated state strategy for addressing the health-related needs of women, including implementation of goals and objectives for women's health. Existing law establishes the Office of Health Equity within the department to, among other things, communicate and disseminate information within the department and to other state departments to assist in developing strategies to improve the health and mental health status of specified persons, including women. Existing law requires the department to include prescribed information in any literature that it produces regarding breast cancer, including the factors that increase the risk that younger women will develop breast cancer. Existing law describes these risk factors as including, but not limited to, family history of the disease.~~

~~This bill would require any literature regarding breast cancer information produced or updated by the department on or after January 1, 2016, to include the increased risk for breast cancer associated with obesity. The bill would provide that the department is not required to dispose of or refrain from disseminating existing published material solely for the purpose of complying with the requirement that the literature include that prescribed information.~~

Vote: ~~majority~~ <sup>$\frac{2}{3}$</sup> . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~<sup>yes</sup>.

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

1     *SECTION 1. Section 84506.5 of the Government Code is*  
2 *amended to read:*

3     84506.5. ~~An~~(a) *An advertisement supporting or opposing a*  
4 *candidate that is paid for by an independent expenditure must*  
5 *include a statement that it was not authorized by a candidate or a*  
6 *committee controlled by a candidate. the following statement: This*  
7 *advertisement was not authorized or paid for by the candidate or*  
8 *a committee controlled by the candidate.*

9     (b) *In addition to the requirements of Section 84507, a mailed*  
10 *advertisement subject to this section shall also comply with each*  
11 *of the following:*

12     (1) *The disclosure statement in subdivision (a) shall be located*  
13 *within one quarter of an inch of the recipient’s name and address*  
14 *as printed on the advertisement.*

15     (2) *The text of the disclosure statement shall be contained in a*  
16 *box with an outline that has a line weight of at least 5.25 pt. The*  
17 *background color of the box shall be in a contrasting color to the*  
18 *background of the advertisement. The outline of the box shall be*  
19 *in a contrasting color to both the background color of the*  
20 *advertisement and the background color of the box. The color of*  
21 *the text shall be in a contrasting color to the background color of*  
22 *the box.*

23     SEC. 2. *Section 84507 of the Government Code is amended to*  
24 *read:*

25     84507. Any disclosure statement required by this article shall  
26 be printed clearly and legibly in no less than ~~10-point~~ *18-point,*  
27 *bold, sans serif type font* and in a conspicuous manner as defined  
28 by the commission or, if the communication is broadcast, the  
29 information shall be spoken so as to be clearly audible and  
30 understood by the intended public and otherwise appropriately  
31 conveyed for the hearing impaired.

32     SEC. 3. *No reimbursement is required by this act pursuant to*  
33 *Section 6 of Article XIII B of the California Constitution because*  
34 *the only costs that may be incurred by a local agency or school*  
35 *district will be incurred because this act creates a new crime or*  
36 *infraction, eliminates a crime or infraction, or changes the penalty*  
37 *for a crime or infraction, within the meaning of Section 17556 of*  
38 *the Government Code, or changes the definition of a crime within*

1 *the meaning of Section 6 of Article XIII B of the California*  
2 *Constitution.*

3 *SEC. 4. The Legislature finds and declares that this bill furthers*  
4 *the purposes of the Political Reform Act of 1974 within the meaning*  
5 *of subdivision (a) of Section 81012 of the Government Code.*

6 ~~SECTION 1. Section 138.6 of the Health and Safety Code is~~  
7 ~~amended to read:~~

8 ~~138.6. (a) Literature regarding breast cancer information~~  
9 ~~produced or updated by the State Department of Public Health on~~  
10 ~~or after January 1, 2016, shall include, but not be limited to, all of~~  
11 ~~the following:~~

12 ~~(1) Summarized information on risk factors for breast cancer~~  
13 ~~in younger women, including, but not limited to, information on~~  
14 ~~the increased risk associated with a family history of the disease,~~  
15 ~~and increased risk associated with obesity.~~

16 ~~(2) Summarized information regarding detection alternatives~~  
17 ~~to mammography that may be available and more effective for~~  
18 ~~at-risk women between the ages of 25 and 40 years.~~

19 ~~(3) Information on Internet Web sites of relevant organizations,~~  
20 ~~government agencies, and research institutions where information~~  
21 ~~on mammography alternatives may be obtained.~~

22 ~~(b) (1) The information required by subdivision (a) shall be~~  
23 ~~produced consistent with the department’s protocols and procedures~~  
24 ~~regarding the production and dissemination of information on~~  
25 ~~breast cancer, including, but not limited to, the following factors:~~

26 ~~(A) Restrictions imposed by space limitation on materials~~  
27 ~~currently produced and distributed by the department.~~

28 ~~(B) Future regular production and replacement schedules.~~

29 ~~(C) Translation standards governing the number of languages~~  
30 ~~and literacy levels.~~

31 ~~(D) The nature, content, and purpose of the material into which~~  
32 ~~this new information will be incorporated.~~

33 ~~(2) This section does not require the department to dispose of~~  
34 ~~or refrain from disseminating existing published literature solely~~  
35 ~~for the purpose of complying with subdivision (a).~~

36 ~~(e) It is the intent of the Legislature that subdivisions (a) and~~  
37 ~~(b) apply to information that is distributed by any branch of the~~

- 1 ~~department, including, but not limited to, the Cancer Detection~~
- 2 ~~Section and the Office of Health Equity.~~

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