

AMENDED IN SENATE JULY 15, 2015

AMENDED IN SENATE JULY 2, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 990

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

February 26, 2015

An act to amend Sections 84506.5 and 84507 of the Government Code, relating to the Political Reform Act of 1974, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 990, as amended, Bonilla. 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 *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.

This bill would declare that it is to take effect immediately as an urgency statute.

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 84506.5 of the Government Code is
- 2 amended to read:
- 3 84506.5. (a) An advertisement supporting or opposing a
- 4 candidate that is paid for by an independent expenditure must
- 5 include the following statement: This advertisement was not
- 6 authorized or paid for by the candidate or a committee controlled
- 7 by the candidate.
- 8 (b) In addition to the requirements of Section 84507, a mailed
- 9 advertisement subject to this section shall also comply with each
- 10 of the following:
- 11 (1) The disclosure statement in subdivision (a) shall be located
- 12 within one quarter of an inch of the recipient’s name and address
- 13 as printed on the advertisement.
- 14 (2) The text of the disclosure statement shall be contained in a
- 15 box with an outline that has a line weight of at least 5.25 pt. The

1 background color of the box shall be in a contrasting color to the
2 background of the advertisement. The outline of the box shall be
3 in a contrasting color to both the background color of the
4 advertisement and the background color of the box. The color of
5 the text shall be in a contrasting color to the background color of
6 the box.

7 SEC. 2. Section 84507 of the Government Code is amended
8 to read:

9 84507. Any disclosure statement required by this article shall
10 be printed clearly and legibly in no less than 18-point, bold, sans
11 serif type font and in a conspicuous manner as defined by the
12 commission or, if the communication is broadcast, the information
13 shall be spoken so as to be clearly audible and understood by the
14 intended public and otherwise appropriately conveyed for the
15 hearing impaired.

16 SEC. 3. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.

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

29 *SEC. 5. This act is an urgency statute necessary for the*
30 *immediate preservation of the public peace, health, or safety within*
31 *the meaning of Article IV of the Constitution and shall go into*
32 *immediate effect. The facts constituting the necessity are:*

33 *In order to protect the interests of Californians who are*
34 *empowered with the right to vote, it is appropriate that they be*
35 *duly informed and that their constitutional right to instruct their*
36 *representatives be protected. This purpose is best served by an*
37 *informed electorate. The need for greater transparency of*

- 1 *advertisement disclosures is vital to the interests of the State such*
- 2 *that this act must take effect immediately.*

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