

AMENDED IN ASSEMBLY AUGUST 13, 1998  
AMENDED IN ASSEMBLY JANUARY 15, 1998  
AMENDED IN SENATE MAY 1, 1997  
AMENDED IN SENATE APRIL 14, 1997

**SENATE BILL**

**No. 520**

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**Introduced by Senator Brulte**  
**(Principal coauthor: Senator Lee)**  
**(Coauthor: Senator Karnette)**  
(Coauthor: Assembly Member Frusetta)

February 24, 1997

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An act to add Section 84305.7 to the Government Code, relating to Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 520, as amended, Brulte. Elections: telephone advocacy: disclosure.

Existing law requires that any paid political advertisement that refers to an election or to any candidate for state or local elective office contained in or distributed with a newspaper bear the words "paid political advertisement," as specified.

This bill would prohibit a candidate, committee, political organization, independent expenditure committee, or other organization from expending campaign funds, directly or indirectly, to pay for telephone calls that are similar in nature and aggregate 1,000 or more in number, made by an individual, or individuals, or by electronic means and that advocate support—only of, or opposition to, a candidate, ballot

measure, or both, unless during the course of each call the name of the organization that ~~authorized or~~ paid for the call is disclosed to the recipient of the call, ~~as specified~~. The bill would provide that it shall not apply to telephone calls made by the candidate, the campaign manager, or individuals who are volunteers.

The bill also would prohibit campaign and ballot measure committees from contracting with any phone bank vendor that does not disclose the information required to be disclosed by this bill, and ~~would make the~~ a violation of that prohibition *would be* subject to the enforcement provisions of the Political Reform Act of 1974.

Existing law makes a violation of the Political Reform Act of 1974 subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties on persons who violate the provisions of the bill.

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

This bill, which would declare that it furthers the purposes of the act, would therefore require a  $\frac{2}{3}$  vote.

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 84305.7 is added to the  
 2 Government Code, to read:  
 3 84305.7. (a) A candidate, committee, political  
 4 organization, independent expenditure committee, or  
 5 other organization may not expend campaign funds,  
 6 directly or indirectly, to pay for telephone calls that are



1 similar in nature and aggregate 1,000 or more in number,  
2 made by an individual, or individuals, or by electronic  
3 means and that advocate support of, or opposition to, a  
4 candidate, ballot measure, or both, unless during the  
5 course of each call the name of the organization that paid  
6 for the call is disclosed to the recipient of the call. This  
7 section shall not apply to telephone calls made by the  
8 candidate, the campaign manager, or individuals who are  
9 volunteers.

10 ~~(b) Calls that advocate support only of a candidate,~~  
11 ~~ballot measure, or both, that are authorized by and made~~  
12 ~~on behalf of, a small contributor committee shall be~~  
13 ~~disclosed to the recipient of the call as having been~~  
14 ~~authorized by that small contributor committee or shall~~  
15 ~~be subject to the disclosure requirements of subdivision~~  
16 ~~(a). A “small contributor committee” means any~~  
17 ~~committee that has filed a statement of organization with~~  
18 ~~the Secretary of State on or before January 1, 1998, and~~  
19 ~~meets all of the following criteria:~~

20 ~~(1) The committee has a membership of at least 100~~  
21 ~~individuals.~~

22 ~~(2) All of the contributions that the committee~~  
23 ~~receives from any person in a calendar year totals fifty~~  
24 ~~dollars (\$50) or less.~~

25 ~~(3) The committee has been in existence at least six~~  
26 ~~months.~~

27 ~~(4) The committee is not a candidate-controlled~~  
28 ~~committee.~~

29 ~~(e)~~

30 *(b)* Campaign and ballot measure committees are  
31 prohibited from contracting with any phone bank vendor  
32 that does not disclose the information required to be  
33 disclosed by subdivision (a).

34 SEC. 2. The Legislature finds and declares that the  
35 provisions of Section 1 of this act further the purpose of  
36 the Political Reform Act of 1974 within the meaning of  
37 subdivision (a) of Section 81012 of the Government Code.

38 SEC. 3. No reimbursement is required by this act  
39 pursuant to Section 6 of Article XIII B of the California  
40 Constitution because the only costs that may be incurred



1 by a local agency or school district will be incurred  
2 because this act creates a new crime or infraction,  
3 eliminates a crime or infraction, or changes the penalty  
4 for a crime or infraction, within the meaning of Section  
5 17556 of the Government Code, or changes the definition  
6 of a crime within the meaning of Section 6 of Article  
7 XIII B of the California Constitution.

8 Notwithstanding Section 17580 of the Government  
9 Code, unless otherwise specified, the provisions of this act  
10 shall become operative on the same date that the act  
11 takes effect pursuant to the California Constitution.

