



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Nora Frimann  
City Attorney

**SUBJECT:** SEE BELOW

**DATE:** November 5, 2021

## **SUBJECT**

**AN ORDINANCE TO AMEND SAN JOSE MUNICIPAL CODE CHAPTER 12.06  
RELATED TO DISCLOSURES ON CAMPAIGN ADVERTISEMENTS.**

## **RECOMMENDATION**

Approve an ordinance amending Chapter 12.06 of the San José Municipal Code to:

- (a) Align the City's disclaimer requirements for campaign advertisements with State law, but with stricter requirements for the disclosures of "top contributors";
- (b) Require campaign committees making independent expenditures to file any printed campaign advertisements, with a distribution of 200 or more, with the City Clerk; and
- (c) Make other technical changes, including aligning the definition and use of Surplus Funds in the Municipal Code with the meaning under State law.

## **OUTCOME**

Approval of this action to amend the Municipal Code would align the City's disclaimer requirements with State law but would impose stricter requirements for disclosure of committee major funding (e.g., "top contributors"), require campaign committees making independent expenditures to file copies of campaign advertisements with the City Clerk, and make other technical changes to Chapter 12.06.

## **BACKGROUND**

On April 20, 2021, the Council directed the City Attorney's Office to return with ordinances that strengthen local campaign finance regulations and policies, including:

- (a) Disclosure of top donors campaign finance contributing to campaign committees making independent expenditures in municipal elections directly on all electioneering communications.

(b) Requirements for campaign committees making independent expenditures to file any mailing or distributed flyers (over 200) with the City Clerk, who will serve as a repository for campaign literature without commentary.

## **ANALYSIS**

### **1. Campaign Advertisement Disclaimers Under the Municipal Code.**

Currently, the Municipal Code only requires disclaimers on a few types of campaign advertisements. Referred to as “electioneering communications,” this term means any form of communication “that refers to a clearly identified candidate for mayor or city council and is disseminated, broadcast, or otherwise published within ninety calendar days prior to an election.”<sup>1</sup>

If an advertisement meets the above criteria, then it must include a disclaimer as stated in the Municipal Code. For advertisements in spoken form, the words “paid for by” must be stated followed by the name of the candidate, controlled committee or independent committee that paid for the communication.<sup>2</sup> For advertisements in printed form paid by an independent committee,<sup>3</sup> the following written disclaimer must be included:

Notice to Voters

(Required by the City of San José)

This electioneering communication is not authorized or approved by any candidate for city office or by any election official. It is paid for by (committee name and committee identification number).

(Address, city, state).

Total cost of this mailing is (amount).

The above disclaimer must be in a typeface that is easily legible, contrasts with the background, and is no smaller than twelve-point font for a communication no larger than eleven inches by seventeen inches (or equivalent area for non-rectangular dimensions) or is no smaller than five percent of the printable height for a communication larger than eleven inches by seventeen inches (or equivalent area for non-rectangular dimensions).<sup>4</sup>

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<sup>1</sup> SJMC §12.06.1000.A.

<sup>2</sup> §12.06.1010.C.

<sup>3</sup> §12.06.1010.B.

<sup>4</sup> SJMC §12.06.1010.B.

## **2. Disclaimers Under California Law.**

The disclaimer requirements in the Municipal Code are limited, however. They were first enacted in 2009, when the regulation of campaign advertisements was not well-developed, and have not been substantially revised since. Meanwhile, in that time, State law regulating disclaimers on campaign advertisements has developed significantly.

In 2017, the Legislature passed the DISCLOSE ACT,<sup>5</sup> a comprehensive scheme requiring disclaimers on many types of campaign advertisements, including those distributed through the internet and on social media. The disclaimers required under the DISCLOSE ACT differ depending on the campaign committee paying for the advertisement and the purpose of the advertisement. These requirements are too varied to describe here in detail, but the FPPC has created several charts to assist campaign committees in understanding what disclaimers are required on which types of advertisement. These charts are included with this memorandum for reference.<sup>6</sup>

## **3. Changes Made by the Proposed Ordinance.**

### 3.1. Aligning City disclaimer requirements with California law.

The passage of the DISCLOSE ACT made the City's requirements either redundant or difficult to comply with, as there are differences between the disclaimers required under State law and the Municipal Code, when it applies, thus warranting wholesale changes to the City's requirements to better align with State law.<sup>7</sup>

Accordingly, we have drafted an ordinance that incorporates the DISCLOSE ACT, with a few notable differences as discussed below to comply with Council direction. The rationale for incorporating the DISCLOSE ACT is for ease of compliance as campaign committees should already be familiar with its requirements. Furthermore, the DISCLOSE ACT has a robust scheme for how disclaimers are to be presented on different kinds of campaign advertisements, such as those on the internet and social media. By contrast, a regulatory scheme that is different from the DISCLOSE ACT could make compliance challenging or lead to inconsistent disclaimers across different advertising mediums.

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<sup>5</sup> Gov. Code §84501 *et seq.*

<sup>6</sup> See also: <https://www.fppc.ca.gov/learn/campaign-rules/campaign-advertising-requirements-restrictions.html>.

<sup>7</sup> See *Alvarez Advice Letter*, January 10, 2019, <https://www.sanjoseca.gov/home/showpublisheddocument/50503/637152042492500000>; *Alvarez Advice Letter*, April 18, 2018: <https://www.sanjoseca.gov/home/showpublisheddocument/1578/636623641001970000>.

If the Council were to adopt the proposed ordinance, then the City-specific disclaimer required for independent expenditure advertisements on candidates, would be replaced with the disclaimer required for such advertisements under State law. The disclaimers are similar in substance in that they convey that no candidate approved or authorized the advertisement, but State law does not include the additional text that it was not authorized by an election official. The proposed ordinance would also do away with the current City requirement to disclose the total cost of the mailing, and disclaimers could be printed in 10-point size instead of 12-point size.

As for advertisements in spoken form, no significant change would occur, as the disclaimer required under the Municipal Code and under the DISCLOSE ACT are the same.

### 3.2. Stricter requirement for disclosure of committee major funding.

One of the more noticeable changes made by the DISCLOSE ACT is the requirement that campaign committees, except candidate-controlled or political party committees, include a disclaimer on advertisements stating “Committee major funding from” followed by the names of the top three contributors of \$50,000 or more.<sup>8</sup> However, there are circumstances under the DISCLOSE ACT where disclosure of only one or two contributors is permitted, to account for differing sizes or types of advertisement.<sup>9</sup>

Other jurisdictions, most notably Mountain View and San Francisco in the Bay Area, have enacted stricter requirements for the disclosure of committee major funding by either lowering the monetary threshold to qualify as a “top contributor,” increasing the number of top contributors that must be disclosed, or doing both. For example, Mountain View requires disclosure of the top five contributors of \$2,500<sup>10</sup> or more whereas San Francisco requires the disclosure of the top three contributors of \$5,000 or more.<sup>11</sup>

The proposed ordinance, like San Francisco, would lower the threshold in the DISCLOSE ACT to require the disclosure of the top three contributors of \$5,000 or more. All other requirements for disclosing top contributors, such as the phrasing and size of the disclaimer and the circumstances where committees can disclose less than three contributors, would be done in conformance with the DISCLOSE ACT.

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<sup>8</sup> Gov Code §84503.

<sup>9</sup> Disclaimer requirements on campaign advertisements are subject to “exacting scrutiny” under the First Amendment. While disclaimers are generally permitted, Courts will strike them down if they unduly burden the ability to convey a political message by taking up too much space on an advertisement. (*Citizens United v. FEC* (2010) 558 U.S. 310, 366.)

<sup>10</sup> Mountain View Municipal Code §2.105, *et. seq.*

<sup>11</sup> San Francisco Campaign and Government Conduct Code §1.161.

The rationale for recommending \$5,000 is a concern that a lower threshold would include too many donors as “top contributors.” However, the Council may consider lowering, or increasing, the dollar threshold in the proposed ordinance. There is a mechanism, following the structure in the DISCLOSE ACT, to address which contributor to disclose when there is a tie between two or more top contributors. And the rationale for recommending the disclosure of the top three is for consistency with the DISCLOSE ACT.

As in the DISCLOSE ACT,<sup>12</sup> the proposed ordinance would also exclude: (a) 501(c)(3) nonprofit organizations from being disclosed as “top contributors,” since such contributions cannot be used for political advocacy; and (b) an individual contributor who can establish that there is a probability that disclosure would subject the individual to threats, harassment, and reprisals. This is not an exception under the DISCLOSE ACT but is a provision in Mountain View’s disclosure ordinance.<sup>13</sup>

Finally, it is important to note that the proposed ordinance would require the above disclosure on all campaign advertisements, including ballot measures.

### 3.3. Filing requirement for certain campaign advertisements.

The proposed ordinance would continue to require independent committees to provide a transcript to the City Clerk if distributed over radio, telephone, or video, including if distributed solely through the internet, and increases the filing requirements for independent committees by requiring any printed advertisement where over 200 items were mailed or distributed to be filed with the Clerk.

The proposed ordinance, however, does not capture print or text advertisements distributed through the internet or on social media, as that was not specified in the Council direction. If Council determines that a campaign advertisement distributed on social media or on the internet should be included in this filing requirement, then the ordinance would need to clarify that a copy or screenshot of such advertisements should be filed with the City Clerk.

### 3.4. Other changes made by proposed ordinance.

The proposed ordinance also makes additional changes to the Chapter 12.06, which were recommended by the Board of Fair Campaign and Political Practices in February 2020.

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<sup>12</sup> Gov. Code §84501(4).

<sup>13</sup> Mountain View Municipal Code §2.106.d.2.

*3.4.1. Clarifying amendment requiring disclosure of the source of all personal funds.*

As currently written in Section 12.06.930, candidates for city office must disclose the source of all personal funds deposited into their campaign bank account and report this information to the Clerk on or before the date of the next pre-election statement. The form the City Clerk provides for this purpose is the Form 502.

The Board recommended amending Section 12.06.930 to clarify that the Form 502 must be filed with any campaign disclosure statements, even those required to be filed after the election. The proposed ordinance implements this recommendation.

*3.4.2. Amendment regulating the classification and use of surplus campaign funds.*

Both the Municipal Code and State law regulate surplus funds, which are funds remaining under the control of a candidate after an election and have not been designated for use in a future election.<sup>14</sup> The Municipal Code and State law differ in when campaign funds become surplus funds and the permissible uses for such funds.

The Municipal Code designates “any remaining campaign funds in excess of expenses incurred for allowable expenses as specified under the Political Reform Act as surplus campaign funds after withdrawal, defeat, or election to office and requires that within 180 days such funds be (1) returned to the contributors on a pro rata basis, (2) turned over to the general fund of the city (3) or may be used for attorney's fees and other costs in connection with an election contest or recount resulting from an election that commenced the one hundred eighty day post-election contribution period.”<sup>15</sup>

The Board recommended amending the above section to better align with State law and provide clearer direction on the uses for surplus funds. The recommended changes would designate campaign funds still under the control of each candidate as surplus funds on the 90th day after the end of the postelection reporting period following the election in which the candidate was elected or defeated or from which the candidate withdrew. This proposed deadline for surplus campaign funds is consistent with when campaign funds become surplus campaign funds under State law.

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<sup>14</sup> Candidates in City elections may only designate campaign funds for future elections if a written disclosure, specified in the Municipal Code, appeared on all materials printed by the campaign committee during the campaign, which informed potential donors that such contributions are subject to being transferred to the candidate's own city and noncity campaigns, at any time, at the discretion of the candidate. (SJMC §12.06.420). Further, while State law still allows campaign funds to be transferred into officeholder accounts before they become surplus funds, the City prohibits officeholder accounts. (SJMC §12.06.810.)

<sup>15</sup> SJMC §12.06.720.

Furthermore, the recommended changes would allow surplus funds to be used for:

- (a) The payment of outstanding campaign debts.
- (b) The repayment of contributions on a pro-rata basis.
- (c) Donations to the general fund of the City or to a bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization where no substantial part of the proceeds will have a material financial effect on the former candidate or elected officer, any member of his or her immediate family, or his or her campaign treasurer.
- (d) Contributions to a political party committee, provided the campaign funds are not used to support or oppose candidates for elective office. However, the campaign funds may be used by a political party committee to conduct partisan voter registration, partisan get-out-the-vote activities, and slate mailers as that term is defined under the Political Reform Act.
- (e) Contributions to support or oppose a ballot measure.
- (f) The payment for professional services reasonably required by the candidate controlled committee to assist in the performance of its administrative functions, including payment for attorney's fees and other costs for litigation that arises directly out of a candidate's activities, duties, or status as a candidate, including, but not limited to, an action to enjoin defamation, defense of an action brought for a violation of state or local campaign, disclosure, or election laws, and an action from an election contest or recount.

Although the above uses for surplus campaign funds are consistent with State law, the Board's recommendation differs in one respect. The Board does not recommend allowing candidates to use surplus funds to support or oppose a candidate for federal office or a candidate for elective office in a state other than California, as candidates may do under State law. This difference incorporates the City's long-standing prohibition on transfers of campaign funds to other candidates.<sup>16</sup> The Board's recommendation also clarifies that candidates may still give surplus campaign funds to the City's general fund.

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<sup>16</sup> See SJMC § 12.06.410.

### 3.5. Enforcement.

As with other campaign finance ordinances under Title 12 of the Municipal Code, enforcement for violations of the requirements of the proposed ordinance would be under the purview the Board of Fair Campaign and Political Practices.

### **CLIMATE SMART SAN JOSE**

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

### **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the November 16, 2021 Council Meeting.

### **COORDINATION**

This memorandum has been coordinated with the Office of the City Clerk.

### **COMMISSION RECOMMENDATION/INPUT**

The recommendations discussed under section 3.4, above, were approved by the Board of Fair Campaign and Political Practices on September 11, 2019.

### **CEQA**

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment.

NORA FRIMANN  
City Attorney

By /s/ \_\_\_\_\_  
Mark J. Vanni  
Senior Deputy City Attorney

For questions please contact Mark Vanni, Senior Deputy City Attorney, at (408) 535-1997.

cc: Jennifer Maguire



## Political Advertising Disclosures

### 1. Communications by Candidate Committees for their own Election

**The disclosure must include, unless otherwise noted: “Paid for by *committee name*”**

Examples:       “Paid for by Jones for Assembly 20XX”  
                       “Paid for by Friends of Smith for Mayor 20XX”

| Communication   | Disclosure and Manner of Display   |
|---|--|
| <p><b>All mass mailings</b> – more than 200 substantially similar pieces of mail sent within a calendar month</p> | <ul style="list-style-type: none"> <li>• <b>Candidate’s committee name and address</b> (on file with Form 410) on outside of mailing (if no Form 410 on file, use candidate’s name and address).</li> <li>• <b>“Paid for by”</b> must be in the same color and font as the committee name and address and immediately in front of or above the name and address.</li> <li>• If sent by more than one candidate or committee:               <ul style="list-style-type: none"> <li>○ Also on at least one insert in the mailing.</li> </ul> </li> <li>• No less than 6-point type and in a contrasting print or color.</li> <li>• Return envelopes (if included in solicitation) – committee’s name, address and ID number are recommended but not required.</li> </ul> |
| <p><b>All mass electronic mail</b> – more than 200 substantially similar emails sent within a calendar month</p>  | <ul style="list-style-type: none"> <li>• <b>“Paid for by [name of candidate or committee]”</b> must be in at least the same size font as a majority of the text (no address is required on mass electronic mailings).</li> </ul>   |
| <p><b>Newspaper ads</b></p>   | <ul style="list-style-type: none"> <li>• Refer to the Elections Code for newspaper ad disclosure requirements.</li> </ul>  |

## Candidate Committee Communications for their own Election

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Telephone calls advocating candidate's own election - 500 or more calls similar in nature and made by:</b></p> <ul style="list-style-type: none"> <li>• Vendors (“robo” calls); or</li> <li>• Paid individuals other than the candidate, campaign manager or volunteers</li> </ul> | <ul style="list-style-type: none"> <li>• Must identify the candidate’s committee that authorized or paid for the call or an organization authorizing the call that files campaign reports.</li> <li>• Must state that the call is “paid for by” or “authorized by” the identified candidate or organization. <ul style="list-style-type: none"> <li>○ <i>Examples: This call was paid for by Senator Jones;</i><br/><i>This call was authorized by [name of committee].</i></li> </ul> </li> <li>• Any time during the call.</li> <li>• No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers.</li> </ul>  |
| <p><b>Radio and television ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>Radio:</b> “Ad paid for by” followed by name of committee as it appears on most recent Form 410 at the beginning or end of advertisement read in a clearly spoken manner with pitch and tone substantially similar to the rest of advertisement.</li> <li>• <b>Television:</b> “Ad paid for by” followed by name of committee as it appears on most recent Form 410 shown for at least four seconds. Letters must be in a type size greater than or equal to four percent of the height of the screen. If the television ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.</li> </ul> |

## Candidate Committee Communications for their own Election

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Electronic media ads (non-social media)</b><br/>(Websites, blogs, graphics, images, animated graphics, or animated images.)</p> <p><b>Social media ads</b></p> | <ul style="list-style-type: none"> <li>• “Paid for by <i>committee name</i>” and committee ID number are recommended but not legally required.</li> <br/> <li>• <b>“Ad paid for by,”</b> disclosure in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <br/> <li>• The disclosures must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the required <b>“Ad paid for by,”</b> disclosure is permissible.</li> </ul> |
| <p><b>Billboards, signs (including yard signs), faxes, business cards, door hangers, flyers, and posters</b></p>   | <ul style="list-style-type: none"> <li>• “Paid for by <i>committee name</i>” and committee ID number are recommended but not legally required.</li> </ul>   |

## Candidate Committee Communications for their own Election

|  |   |
|--|---|
| <b>Text messages sent using mass distribution technology</b> | <ul style="list-style-type: none"><li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the candidate followed by <b>“For”</b> followed by the name of the office sought.</li><li>• If <b>“With”</b> is used:<ul style="list-style-type: none"><li>• The individual sending the text shall identify themselves by including: “(name of the individual) with (name of the candidate) for (name of elective office).”</li><li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li></ul></li><li>• For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li><li>• Text required to be included in a text message must be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li></ul> |
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**The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control. Communications made by a candidate to support or oppose a ballot measure or other candidates are not addressed in this chart.**

References: [Government Code Sections](#): 82041.5, 84305, 84310, 84502, 84504.2, 84504.3, 84504.4  
[Title 2 Regulations](#): 18435, 18450.4, 18440

## Political Advertising Disclosures

### 2. Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)

| Communication   | Disclosure and Manner of Display  |
|---|---|
| <p><b>Print ads designed to be individually distributed including mailings, door hangers, flyers, faxes, posters, newspaper and magazine ads and oversized campaign buttons and bumper stickers</b> (buttons 10 inches in diameter or larger and stickers 60 square inches or larger)</p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461) (Note: a printed letter ad may use “Paid for by” instead of “Ad paid for by”) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> each listed on a separate horizontal line, in descending order, beginning with the largest contributor (<i>This disclosure is not applicable to non-recipient committees</i>).             <ul style="list-style-type: none"> <li>○ Newspaper, magazine or other print advertisements that are 20 square inches or less must only disclose the single top contributor of \$50,000 or more.</li> </ul> </li> <li>• Below the top contributor information (if any), <b>a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>“Funding Details at <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>”</b> must be shown underlined on a separate line at the bottom of the disclosure area for state primarily formed ballot measure and candidate committees that raise \$1,000,000 (see Section 84223).</li> <li>• <b>Disclosure Format:</b> All text must be in Arial equivalent font, in at least 10-point size, in a contrasting color, centered horizontally and, except for the names of top contributors, underlined. The names of top contributors may not be underlined and the text may not be condensed. If there are no top contributors, the “Ad paid for by” need not be underlined. All text must appear in a printed or drawn box with a solid white background at the bottom of at least one page and set apart from other printed matter.             <ul style="list-style-type: none"> <li>○ <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> Top contributors must be displayed either on: (1) separate horizontal lines, centered horizontally or (2) adjusted so it does not appear on separate horizontal lines with top contributors separated by commas (<i>not applicable to non-recipient committees</i>).</li> <li>• Below the top contributor information (if any), <b>a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>Disclosure Format:</b> All text must be in contrasting color and in Arial equivalent font. The font must be a height of at least five percent of the advertisement, meaning that each line must be at least five percent of the advertisement, in a printed or drawn box with a solid white background on the bottom of the advertisement that is set apart from any other printed matter and shall not be condensed to be narrower than a normal non-condensed Arial equivalent type. The text in the disclosure area may be adjusted so it does not appear on separate lines, but top contributors’ names must be separated by commas.             <ul style="list-style-type: none"> <li>○ The <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)

| Communication   | Disclosure and Manner of Display   |
|---|--|
| <p><b>Radio ads, telephone calls and audio only electronic media ads</b></p>            | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor (<i>not applicable to non-recipient committees</i>).</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>Disclosure Format:</b> Must be spoken clearly for at least three seconds at the beginning or end of the ad or call, in a pitch and tone substantially similar to the rest of the advertisement. <ul style="list-style-type: none"> <li>○ Radio and prerecorded telephone ads must disclose only the top two contributors of \$50,000 or more unless the ad lasts 15 seconds or less or the disclosure statement would last more than eight seconds, in which case only the single top contributor must be disclosed.</li> </ul> </li> </ul>   |
| <p><b>Television and video ads (including those disseminated over the Internet)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor (<i>not applicable to non-recipient committees</i>).</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>Disclosure Format:</b> All text must be centered horizontally in the disclosure area, in a contrasting color, in Arial equivalent type and, if there are top contributors, must be underlined except as specified below. <p style="margin-left: 20px;">The size for the smallest letters must be four percent of the height of the display screen and must be displayed at the beginning or end of the ad for at least five seconds of a broadcast of 30 seconds or less or for at least 10 seconds of a broadcast longer than 30 seconds. If a video is distributed as an electronic media advertisement and is longer than 30 seconds, the disclosures must be displayed at the beginning of the advertisement. If the television or video ad is shorter than the</p> </li> </ul> |

## Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)

| Communication | Disclosure and Manner of Display   |
|---------------|--|
|               | <p>required disclosure display time, the disclosure may be displayed for the length of the advertisement.</p> <ul style="list-style-type: none"> <li>• Disclosure must appear on a solid black background on the entire bottom one-third of the display screen, or bottom one-fourth if no top contributors.</li> <li>• Each top contributor must be disclosed on a separate horizontal line separate from other text, may not be underlined and may not be condensed or have the spacing between characters reduced to be narrower than a normal non-condensed Arial equivalent type, unless doing so is necessary to keep the name of a contributor from exceeding the width of the screen.</li> <li>• The <b>“Not authorized by”</b> disclosure must appear below all other text in no less than 2.5 percent of the height of the display screen. If this causes the disclosures to exceed one-third of the display screen then it may be printed immediately above the background with sufficient contrast that is easily readable and is not required to be underlined.</li> <li>• The <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> </ul> |



## Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Electronic media ads that are a graphic, image, animated graphic, or animated image that an online platform hosting the ad allows to link to an internet website not covered below (except video ads, see above)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Who funded this ad?” or “Paid for by” or “Ad paid for by”</b> text included or displayed as a hyperlink, icon, button or tab in a contrasting color and font size that is easily readable by the average viewer for the duration of the advertisement.*</li> <li>• Must link to a website containing the <b>“Ad paid for by,” “Committee major funding from,”</b> and <b>“Not authorized by”</b> disclosures in a contrasting color and in no less than 8-point font.</li> <li>• <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> <li>• An internet website that is hyperlinked to the ad shall remain online and available to the public until 30 days after the date of the election.</li> </ul> <p>*This text is not required if including it in 8-point font would take up more than one-third of the graphic or image. In such circumstances the ad need only include a hyperlink to a website containing the website disclosures.</p>  |
| <p><b>Social media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by,” “Committee major funding from,”</b> and <b>“Not authorized by”</b> disclosures in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <li>• The disclosures must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the required <b>“Ad paid for by,” “Committee major funding from,”</b> and <b>“Not authorized by”</b> disclosures is permissible.</li> <li>• <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> <li>• Not required when the only expense or cost of the communication is compensated staff time unless the social media account was created only for the purpose of ads under the Act.</li> </ul> |



## Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)

| Communication   | Disclosure and Manner of Display   |
|---|--|
| Text messages sent using mass distribution technology | <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the committee, or followed by a hyperlink or URL for an internet website containing the following disclosures:               <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With” [committee’s name]</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> <i>(not applicable to non-recipient committees)</i>.</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than 8-point font.</li> </ul> </li> <br/> <li>• If <b>“With”</b> is used:               <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: “(name of the individual) <b>with</b> (name of committee or hyperlink or URL).”</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <br/> <li>• <b>Top Contributors:</b> A committee that has top contributors must comply with the following:               <ul style="list-style-type: none"> <li>○ Immediately following the name of the committee or the hyperlink or URL, the text message shall also include the text <b>“Top funders:”</b> followed by the names of the top two contributors of \$50,000 or more to the committee paying for the advertisement, separated by <b>“&amp;”</b> or <b>“and”</b>.</li> <li>○ The names of the top two contributors may be spelled using acronyms, abbreviations, or other shorthand in common usage or parlance. If the contributor is an individual their first and last name shall both be used.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)

| Communication | Disclosure and Manner of Display   |
|---------------|--|
|               | <ul style="list-style-type: none"> <li>○ If the disclosure would exceed 35 characters, the text should disclose only the single top contributor of \$50,000 or more to the committee paying for the advertisement.</li> <li>○ The text message is not required to include the name of a top contributor after the text “<b>Top funders:</b>” If the text message includes the name of the committee paying for the advertisement and the committee’s name includes the name of that top contributor.</li> <li>○ The text shall be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>○ For a committee that has top contributors and uses individuals who are unpaid volunteers to send text messages with the assistance of mass distribution technology, the text message sent by these individuals are not required to disclose the top two contributors, but the text message shall include a disclosure stating that the text message is being sent by a volunteer.</li> </ul> <ul style="list-style-type: none"> <li>● An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election.</li> <li>● For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> </ul> <p>Text required to be included in a text message must be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</p> |

**The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control.**

References: [Government Code Sections](#): 84502, 84503, 84504, 84504.1, 84504.2, 84504.3, 84504.7, 84506.5  
[Title 2 Regulations](#): 18450.4

## Political Advertising Disclosure

### 3. Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Print ads designed to be individually distributed including mailings, door hangers, flyers, faxes, posters, newspaper and magazine ads, and oversized campaign buttons and bumper stickers</b> (buttons 10 inches in diameter or larger and stickers 60 square inches or larger)</p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461) (Note: a printed letter ad may use “Paid for by” instead of “Ad paid for by”) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> each listed on a separate horizontal line, in descending order, beginning with the largest contributor and may not appear in all capital letters (<i>This disclosure is not applicable to non-recipient committees</i>).             <ul style="list-style-type: none"> <li>○ Newspaper, magazine or other print advertisements that are 20 square inches or less must only disclose the single top contributor of \$50,000 or more.</li> </ul> </li> <li>• <b>“Funding Details at <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>”</b> must be shown underlined on a separate line at the bottom of the disclosure area for state primarily formed ballot measure and candidate committees that raise \$1,000,000 (see Section 84223).</li> <li>• <b>Disclosure Format:</b> All text must be in Arial equivalent font, in at least 10-point size, in a contrasting color, centered horizontally and, except for the names of top contributors, underlined. The names of top contributors may not be underlined and the text may not be condensed. If there are no top contributors, the “Ad paid for by” need not be underlined. All text must appear in a printed or drawn box with a solid white background at the bottom of at least one page and set apart from other printed matter.</li> </ul> |

## Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> Top contributors must be displayed either on: (1) separate horizontal lines, centered horizontally or (2) adjusted so they do not appear on separate horizontal lines with top contributors separated by commas and may not appear in all capital letters <i>(not applicable to non-recipient committees)</i>.</li> <li>• <b>Disclosure Format:</b> All text must be in contrasting color and in Arial equivalent font. The font must be a height of at least five percent of the advertisement, meaning that each line must be at least five percent of the advertisement, in a printed or drawn box with a solid white background on the bottom of the advertisement that is set apart from any other printed matter and shall not be condensed to be narrower than a normal non-condensed Arial equivalent type. The text in the disclosure area may be adjusted so it does not appear on separate lines, but top contributors’ names must be separated by commas.</li> </ul> |
| <p><b>Radio ads, telephone calls and audio only electronic media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor <i>(not applicable to non-recipient committees)</i>.</li> <li>• <b>Disclosure Format:</b> Must be spoken clearly for at least three seconds at the beginning or end of the ad or call, in a pitch and tone substantially similar to the rest of the advertisement.             <ul style="list-style-type: none"> <li>○ Radio and prerecorded phone ads must disclose only the top two contributors of \$50,000 or more unless the ad lasts 15 seconds or less or the disclosure statement would last more than eight seconds, in which case only the single top contributor must be disclosed.</li> </ul> </li> </ul>   |

## Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)

| Communication   | Disclosure and Manner of Display  |
|---|---|
| <p><b>Television and video ads (including those disseminated over the Internet)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor and may not appear in all capital letters (<i>not applicable to non-recipient committees</i>).</li> <li>• <b>Disclosure Format:</b> All text must be centered horizontally in the disclosure area, in a contrasting color, in Arial equivalent type and, if there are top contributors, must be underlined except as specified below.<br/><br/>                     The size for the smallest letters must be four percent of the height of the display screen and must be displayed at the beginning or end of the ad for at least five seconds of a broadcast of 30 seconds or less or for at least 10 seconds of a broadcast longer than 30 seconds. If a video is distributed as an electronic media advertisement and is longer than 30 seconds, the disclosures must be displayed at the beginning of the advertisement. If the television or video ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.</li> <li>• Disclosure must appear on a solid black background on the entire bottom one-third of the display screen, or bottom one-fourth of the screen if the committee has no top contributors.</li> <li>• Each top contributor must be disclosed on a separate horizontal line separate from other text, may not be underlined and may not be condensed or have the spacing between characters reduced to be narrower than a normal non-condensed Arial equivalent type, unless doing so is necessary to keep the name of a contributor from exceeding the width of the screen.</li> </ul> |

## Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display   |
|--|--|
| <p><b>Electronic media ads that are a graphic, image, animated graphic, or animated image that an online platform hosting the ad allows to link to an internet website not covered below (except video ads, see above)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Who funded this ad?” or “Paid for by” or “Ad paid for by”</b> text included or displayed as a hyperlink, icon, button or tab in a contrasting color and font size that is easily readable by the average viewer for the duration of the advertisement.*                             <ul style="list-style-type: none"> <li>○ Must link to a website containing the <b>“Ad paid for by”</b> and <b>“Committee major funding from”</b> disclosures in a contrasting color and in no less than 8-point font.</li> <li>○ <b>“Committee major funding from”</b> disclosure may not appear in all capital letters.</li> <li>○ An internet website that is hyperlinked to the ad shall remain online and available to the public until 30 days after the date of the election.</li> </ul> </li> </ul> <p><small>*This text is not required if including it in 8-point font would take up more than one-third of the graphic or image. In such circumstances the ad need only include a hyperlink to a website containing the website disclosures.</small></p>  |
| <p><b>Social media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by”</b> and <b>“Committee major funding from”</b> disclosures in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <li>• The disclosures must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the required <b>“Ad paid for by,”</b> and <b>“Committee major funding from”</b> disclosures is permissible.                             <ul style="list-style-type: none"> <li>○ <b>“Committee major funding from”</b> may not appear in all capital letters.</li> <li>○ Not required when the only expense or cost of the communication is compensated staff time unless the social media account was created only for the purpose of advertisements under the Act.</li> </ul> </li> </ul> |
| <p><b>Website and email</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> and <b>“Committee major funding from”</b> disclosures printed clearly and legibly in a contrasting color and in no less than 8-point font at the top or bottom of the email and every publicly accessible page of the website.</li> </ul>  |



## Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)

| Communication   | Disclosure and Manner of Display  |
|---|---|
| <p><b>Electronic media ads that are audio only</b></p>  | <ul style="list-style-type: none"> <li>○ “Committee major funding from” may not appear in all capital letters.</li> <li>• See disclosure requirements for radio ads above.</li> </ul> <p><b>Note: The “Committee major funding from” disclosure requirement is not applicable to non-recipient committees.</b></p>  |
| <p><b>Paid Spokesperson:</b> Payment of \$5,000 or more to an individual for individual’s appearance in a ballot measure ad</p> <p><b>Paid Spokesperson:</b> Payment of <i>any amount</i> to an individual portraying a member of a licensed or certified occupation (e.g., nurse, firefighter, lawyer)</p> <p><u>Exception:</u> If the paid individual is actually a member of the occupation portrayed, the committee may omit this disclosure. The committee must maintain documentation of the individual’s license or certification.</p> | <ul style="list-style-type: none"> <li>• In addition to the other disclosures include: <b>“(spokesperson’s name) is being paid by this campaign or its donors”</b>.</li> <li>• Printed, televised or video ad: shown continuously in highly visible font except when the disclosure for television and video ads above is being shown.</li> <li>• Radio broadcast or phone message: spoken in clearly audible format.</li> <br/> <li>• In addition to the disclosure above, include: <b>“Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations”</b>.</li> <li>• Printed or televised ad: shown continuously in highly visible font.</li> <li>• Radio broadcast or phone message: spoken in clearly audible format.</li> </ul> |

## Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)

| Communication   | Disclosure and Manner of Display  |
|---|---|
| <p><b>Text messages sent using mass distribution technology</b></p> | <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the committee, or a hyperlink or URL for an internet website containing the following disclosures:                             <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With” [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> (<i>not applicable to non-recipient committees</i>).</li> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than 8-point font.</li> </ul> </li> <li>• If <b>“With”</b> is used:                             <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: “(name of the individual) <b>with</b> (name of committee or hyperlink or URL).”</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <li>• <b>Top Contributors:</b> A committee that has top contributors must comply with the following:                             <ul style="list-style-type: none"> <li>○ Immediately following the name of the committee or the hyperlink or URL, the text message shall also include the text <b>“Top funders:”</b> followed by the names of the top two contributors of \$50,000 or more to the committee paying for the advertisement, separated by <b>“&amp;”</b> or <b>“and”</b>.</li> <li>○ The names of the top two contributors may be spelled using acronyms, abbreviations, or other shorthand in common usage or parlance. If the contributor is an individual their first and last name shall both be used.</li> <li>○ If the disclosure would exceed 35 characters, the text should disclose only the single top contributor of \$50,000 or more to the committee paying for the advertisement.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)

| Communication | Disclosure and Manner of Display   |
|---------------|--|
|               | <ul style="list-style-type: none"> <li>○ The text message is not required to include the name of a top contributor after the text <b>“Top funders:”</b> If the text message includes the name of the committee paying for the advertisement and the committee’s name includes the name of that top contributor.</li> <br/> <li>○ The text shall be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <br/> <li>○ For a committee that has top contributors and uses individuals who are unpaid volunteers to send text messages with the assistance of mass distribution technology, the text message sent by these individuals are not required to disclose the top two contributors, but the text message shall include a disclosure stating that the text message is being sent by a volunteer.</li> <br/> <li>● An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election.</li> <br/> <li>● For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> <br/> <li>● Text required to be included in a text message must be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> </ul> |

**The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control.**

References: [Government Code Sections](#): 84502, 84503, 84504, 84504.1, 84504.2, 84504.3, 84504.7, 84511 [Title 2 Regulations](#): 18450.4

## Political Advertising Disclosures

### 4. Independent Expenditure Ads on Ballot Measures by Candidates and Political Party Committees

| Communication   | Disclosure and Manner of Display  |
|---|---|
| <p><b>Print ads designed to be individually distributed including mailings, door hangers, flyers, faxes, posters, newspaper and magazine ads and oversized campaign buttons and bumper stickers</b> (buttons 10 inches in diameter or larger and stickers 60 square inches or larger)</p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by” [committee’s name]</b> (on file with Form 410) (Note: a printed letter ad may use “Paid for by” instead of “Ad paid for by”).</li> <li>• <b>Disclosure Format:</b> Text must be in no less than 10-point font and in a color that has a reasonable degree of contrast with the background of the advertisement.</li> </ul>   |
| <p><b>Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by” [committee’s name]</b> (on file with Form 410).</li> <li>• <b>Disclosure Format:</b> Text must constitute a height of at least five percent of the advertisement, meaning that each line must be at least five percent of the advertisement, and must appear in a color that has a reasonable degree of contrast with the background.</li> </ul>   |
| <p><b>Radio ads, telephone calls and audio only electronic media ads</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by” [committee’s name]</b> (on file with Form 410).</li> <li>• <b>Disclosure Format:</b> Must be spoken clearly for at least three seconds at the beginning or end of the ad or call, in a pitch and tone substantially similar to the rest of the advertisement.</li> </ul>   |
| <p><b>Television and video ads (including those disseminated over the Internet)</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by” [committee’s name]</b> (on file with Form 410).</li> <li>• <b>Disclosure Format:</b> Text must be of sufficient size to be legible to an average viewer, in a contrasting color to the background and must appear for at least four seconds at either the beginning or end of the advertisement. If the television or video ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement. <ul style="list-style-type: none"> <li>○ Disclosure must also be spoken during the ad if the written disclosure appears for less than five seconds of a broadcast 30 seconds or less or for at least 10 seconds of a broadcast that lasts longer than 30 seconds.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Ballot Measures by Candidates and Political Party Committees

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Electronic media ads that are a graphic, image, animated graphic, or animated image that the online platform hosting the advertisement allows to link to an internet website not covered below (except for video ads, see above)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Who funded this ad?” or “Paid for by” or “Ad paid for by”</b> text included or displayed as a hyperlink, icon, button or tab in a contrasting color and font size that is easily readable by the average viewer for the duration of the advertisement.*                             <ul style="list-style-type: none"> <li>○ Must link to a website containing the <b>“Ad paid for by”</b> disclosure in a contrasting color and in no less than 8-point font.</li> <li>○ An internet website that is hyperlinked to the ad shall remain online and available to the public until 30 days after the date of the election.</li> </ul> </li> </ul> <p>*This text is not required if including it in 8-point font would take up more than one-third of the graphic or image. In such circumstances the ad need only include a hyperlink to a website containing the website disclosures.</p>  |
| <p><b>Social media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by”</b> disclosure in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <li>• The disclosure must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the <b>“Ad paid for by”</b> disclosure is permissible.</li> <li>• Not required when the only expense or cost of the communication is compensated staff time unless the social media account was created only for the purpose of advertisements under the Act.</li> </ul> |

## Independent Expenditure Ads on Ballot Measures by Candidates and Political Party Committees

| Communication   | Disclosure and Manner of Display   |
|---|--|
| <p><b>Website and email</b></p> <p><b>Electronic media ads that are audio only</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Paid for by” [committee’s name]</b> (on file with Form 410) printed clearly and legibly in a contrasting color and in no less than 8-point font at the top or bottom of the email and every publicly accessible page of the website.</li> <li>• See disclosure requirements for radio ads above.</li> </ul>   |
| <p><b>Paid Spokesperson:</b> Payment of \$5,000 or more to an individual for individual’s appearance in a ballot measure ad</p> <p><b>Paid Spokesperson:</b> Payment of <i>any amount</i> to an individual portraying a member of a licensed or certified occupation (e.g., nurse, firefighter, lawyer)</p> <p><u>Exception:</u> If the paid individual is actually a member of the occupation portrayed, the committee may omit this disclosure. The committee must maintain documentation of the individual’s license or certification.</p> | <ul style="list-style-type: none"> <li>• In addition to other disclosures, include: <b>“(spokesperson’s name) is being paid by this campaign or its donors”</b>.</li> <li>• Printed, televised or video ad: shown continuously in highly visible font except when the disclosure for television and video ads above is being shown.</li> <li>• Radio broadcast or phone message: spoken in clearly audible format.</li> <li>• In addition to the disclosure above, include: <b>“Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations”</b>.</li> <li>• Printed or televised ad: shown continuously in highly visible font.</li> <li>• Radio broadcast or phone message: spoken in clearly audible format.</li> </ul> |

## Independent Expenditure Ads on Ballot Measures by Candidates and Political Party Committees

| Communication   | Disclosure and Manner of Display   |
|---|--|
| Text messages sent using mass distribution technology | <p><b>If sent by a candidate-controlled committee for elective office of the controlling candidate:</b></p> <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the candidate followed by <b>“For”</b> followed by the name of the office sought in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• If <b>“With”</b> is used: <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: <b>“(name of the individual) with (name of the candidate) for (name of office sought)”</b> in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> </ul> <p><b>If sent by a political party committee:</b></p> <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the committee, or a hyperlink or URL for an internet website (in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer) containing the following disclosures: <ul style="list-style-type: none"> <li>• <b>“Paid for by” or “With” [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than 8-point font.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Ballot Measures by Candidates and Political Party Committees

| Communication | Disclosure and Manner of Display  |
|---------------|---|
|               | <ul style="list-style-type: none"> <li>• If “<b>With</b>” is used:                             <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: “(name of the individual) with (name of committee or hyperlink or URL)” in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• A disclosure using “<b>With</b>” may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <li>• An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election.</li> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than eight-point font.</li> <li>• For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> </ul> |

**The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control.**

References: [Government Code Sections](#): 84502, 84504.3, 84504.5, 84504.7, 84511 [Title 2 Regulations](#): 18450.4



## Political Advertising Disclosures

### 5. Independent Expenditure Ads on Candidates by Candidates and Political Party Committees

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Print ads designed to be individually distributed including mailings, door hangers, flyers, faxes, posters, newspaper and magazine ads, and oversized campaign buttons and bumper stickers</b> (buttons 10 inches in diameter or larger and stickers 60 square inches or larger)</p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410). (Note: a printed letter ad may use “Paid for by” instead of “Ad paid for by”.)</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate</b> or if the advertisement was authorized or paid for by a candidate for another office, the disclosure must read: <b>“This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.”</b></li> <li>• <b>Disclosure Format:</b> Text must be in no less than 10-point font and in a color that has a reasonable degree of contrast with the background of the advertisement.             <ul style="list-style-type: none"> <li>○ <b>“Not authorized by”</b> disclosure may not appear in all capital letters.</li> </ul> </li> </ul>                      |
| <p><b>Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410).</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate</b> or if the advertisement was authorized or paid for by a candidate for another office, the disclosure must read: <b>“This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.”</b></li> <li>• <b>Disclosure Format:</b> Text must constitute a height of at least five percent of the advertisement, meaning that each line must be at least five percent of the advertisement, and must appear in a color that has a reasonable degree of contrast with the background.             <ul style="list-style-type: none"> <li>○ <b>“Not authorized by”</b> disclosure may not appear in all capital letters.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Candidates by Candidates and Political Party Committees

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Electronic media ads that are a graphic, image, animated graphic, or animated image that the online platform hosting the advertisement allows to link to an internet website not covered below (except for video ads, see below)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Who funded this ad?” or “Paid for by” or “Ad paid for by”</b> included or displayed as a hyperlink, icon, button or tab in a contrasting color and font size that is easily readable by the average viewer for the duration of the advertisement.*                             <ul style="list-style-type: none"> <li>○ Must link to a website containing the <b>“Ad paid for by”</b> and <b>“Not authorized by”</b> disclosures in a contrasting color and in no less than 8-point font.</li> <li>○ <b>“Not authorized by”</b> disclosure may not appear in all capital letters.</li> <li>○ An internet website that is hyperlinked to the ad shall remain online and available to the public until 30 days after the date of the election.</li> </ul> </li> </ul> <p>*This text is not required if including it in 8-point font would take up more than one-third of the graphic or image. In such circumstances the ad need only include a hyperlink to a website containing the website disclosures.</p>   |
| <p><b>Social media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by”</b> and <b>“Not authorized by”</b> disclosures in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.                             <ul style="list-style-type: none"> <li>○ <b>“Not authorized by”</b> disclosure may not appear in all capital letters.</li> <li>○ The disclosure must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the <b>“Ad paid for by”</b> and <b>“Not authorized by”</b> disclosures is permissible.</li> <li>○ Not required when the only expense or cost of the communication is compensated staff time unless the social</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Candidates by Candidates and Political Party Committees

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Website and email</b></p> <p><b>Electronic media ads that are audio only</b></p> | <p>media account was created only for the purpose of advertisements under the Act.</p> <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> and <b>“Not authorized by”</b> disclosures printed clearly and legibly in a contrasting color and in no less than 8-point font at the top or bottom of the email and every publicly accessible page of the website.                             <ul style="list-style-type: none"> <li>○ <b>“Not authorized by”</b> disclosure may not appear in all capital letters.</li> </ul> </li> <li>• See disclosure requirements for radio ads above.</li> </ul>   |
| <p><b>Radio ads, telephone calls and audio only electronic media ads</b></p>           | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by” [committee’s name]</b> (on file with Form 410).</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate</b> or if the advertisement was authorized or paid for by a candidate for another office, the disclosure must read: <b>“This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.”</b></li> <li>• <b>Disclosure Format:</b> Must be spoken clearly for at least three seconds at the beginning or end of the ad or call, in a pitch and tone substantially similar to the rest of the advertisement.</li> </ul> |

## Independent Expenditure Ads on Candidates by Candidates and Political Party Committees

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p>Television and video ads (including those disseminated over the Internet)</p> | <ul style="list-style-type: none"> <li>• “Ad paid for by” [committee’s name] (on file with Form 410).</li> <li>• A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate or if the advertisement was authorized or paid for by a candidate for another office, the disclosure must read: <b>“This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.”</b></li> <li>• <b>Disclosure Format:</b> Text must be of sufficient size to be legible to an average viewer, in a contrasting color to the background and must appear for at least four seconds at either the beginning or end of the advertisement. If the television or video ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.             <ul style="list-style-type: none"> <li>○ <b>“Not authorized by”</b> disclosure may not appear in all capital letters.</li> <li>○ Disclosure must also be spoken during the ad if the written disclosure appears for less than five seconds of a broadcast 30 seconds or less or for at least 10 seconds of a broadcast that lasts longer than 30 seconds.</li> </ul> </li> </ul> |

## Independent Expenditure Ads on Candidates by Candidates and Political Party Committees

| Communication   | Disclosure and Manner of Display  |
|---|---|
| Text messages sent using mass distribution technology | <p><b>If sent by a candidate-controlled committee for elective office of the controlling candidate:</b></p> <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the candidate followed by <b>“For”</b> followed by the name of the office sought in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• If <b>“With”</b> is used: <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: “(name of the individual) with (name of the candidate) for (name of office sought)” in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> </ul> <p><b>If sent by a political party committee:</b></p> <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the committee, or a hyperlink or URL for an internet website (in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer) containing the following disclosures: <ul style="list-style-type: none"> <li>• <b>“Paid for by” or “With” [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> </ul> </li> </ul> |

## Independent Expenditure Ads on Candidates by Candidates and Political Party Committees

| Communication | Disclosure and Manner of Display   |
|---------------|--|
|               | <ul style="list-style-type: none"> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than 8-point font.</li> <li>• If <b>“With”</b> is used:               <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: “(name of the individual) with (name of committee or hyperlink or URL)” in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <li>• An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election.</li> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than eight-point font.</li> <li>• For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> </ul> |

**The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control.**

References: [Government Code Sections](#): 84504.3, 84504.5, 84506.5  
[Title 2 Regulations](#): 18450.4

## Political Advertising Disclosures

### 6. All Non-Independent Expenditure Ads (except ads by candidates and political party committees)

**All mass mailings that are not ads totaling more than 200 similar pieces must contain:**

- the words “Paid for by” immediately adjacent to and either above or in front of the committee’s name and address on the outside of the mailing and on at least one of the inserts
- in no less than 6-point type and in a color or print that contrasts with the background

If the sender is a single committee, the identification need only be shown on the outside of each piece of mail

**All mass emails that are not ads totaling more than 200 similar pieces must contain:**

- the name of the committee sending the email preceded by the words “Paid for by” in at least the same size font as the majority of the text

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Print ads designed to be individually distributed including mailings, door hangers, flyers, faxes, posters, newspaper and magazine ads, and oversized campaign buttons and bumper stickers</b> (buttons 10 inches in diameter or larger and stickers 60 square inches or larger)</p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b>(on file with Form 410 or 461) (Note: a printed letter ad may use “Paid for by” instead of “Ad paid for by”) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> each listed on a separate horizontal line, in descending order, beginning with the largest contributor and may not appear in all capital letters (<i>not applicable to non-recipient committees</i>).                         <ul style="list-style-type: none"> <li>○ Newspaper, magazine or other print advertisements that are 20 square inches or less must only disclose the single top contributor of \$50,000 or more.</li> </ul> </li> <li>• <b>“Funding Details at <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>”</b> must be shown underlined on a separate line at the bottom of the disclosure area for state primarily formed ballot measure and candidate committees that raise \$1,000,000 (see Section 84223).</li> <li>• <b>Disclosure Format:</b> All text must be in Arial equivalent font, in at least 10-point size, in a contrasting color, centered horizontally and, except for the names of top contributors, underlined. The names of top contributors may not be underlined and the text may not be condensed. If there are no top contributors, the “Ad paid for by” need not be underlined. All text must appear in a printed or drawn box with a solid white background at the bottom of at least one page and set apart from other printed matter.</li> </ul> |

## All Non-Independent Expenditure Ads (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display   |
|--|--|
| <p><b>Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> Top contributors must be displayed either on: (1) separate horizontal lines, centered horizontally or (2) adjusted so they do not appear on separate horizontal lines with top contributors separated by commas and may not appear in all capital letters (<i>This disclosure is not applicable to non-recipient committees</i>).</li> <li>• <b>Disclosure Format:</b> All text must be in contrasting color and in Arial equivalent font. The font must be a height of at least five percent of the advertisement, meaning that each line must be at least five percent of the advertisement, in a printed or drawn box with a solid white background on the bottom of the advertisement that is set apart from any other printed matter and shall not be condensed to be narrower than a normal non-condensed Arial equivalent type. The text in the disclosure area may be adjusted so it does not appear on separate lines, but top contributors’ names must be separated by commas.</li> </ul> |
| <p><b>Radio ads, telephone calls and audio only electronic media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor (<i>not applicable to non-recipient committees</i>).</li> <li>• <b>Disclosure Format:</b> Must be spoken clearly for at least three seconds at the beginning or end of the ad or call, in a pitch and tone substantially similar to the rest of the advertisement.             <ul style="list-style-type: none"> <li>○ Radio and prerecorded telephone ads must disclose only the top two contributors of \$50,000 or more unless the ad lasts 15 seconds or less or the disclosure statement would last more than eight seconds, in which case only the single top contributor must be disclosed.</li> </ul> </li> </ul>  |



**All Non-Independent Expenditure Ads (except ads by candidates and political party committees)**

| Communication   | Disclosure and Manner of Display  |
|---|---|
| <p><b>Television and video ads (including those disseminated over the Internet)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor and may not appear in all capital letters (<i>This disclosure not applicable to non-recipient committees</i>).</li> <li>• <b>Disclosure Format:</b> All text must be centered horizontally in the disclosure area, in a contrasting color, in Arial equivalent type and, if there are top contributors, must be underlined except as specified below.<br/><br/>                     The size for the smallest letters must be four percent of the height of the display screen and must be displayed at the beginning or end of the ad for at least five seconds of a broadcast of 30 seconds or less or for at least 10 seconds of a broadcast longer than 30 seconds. If a video is distributed as an electronic media advertisement and is longer than 30 seconds, the disclosures must be displayed at the beginning of the advertisement. If the television or video ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.<br/><br/>                     Disclosure must appear on a solid black background on the entire bottom one-third of the display screen, or bottom one-fourth of the screen if the committee has no top contributors.<br/><br/>                     Each top contributor must be disclosed on a separate horizontal line separate from other text, may not be underlined and may not be condensed or have the spacing between characters reduced to be narrower than a normal non-condensed Arial equivalent type, unless doing so is necessary to keep the name of a contributor from exceeding the width of the screen.</li> </ul> |

## All Non-Independent Expenditure Ads (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display   |
|--|--|
| <p><b>Electronic media ads that are a graphic, image, animated graphic, or animated image that an online platform hosting the ad allows to link to an internet website not covered below (except video ads, see above)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Who funded this ad?” or “Paid for by” or “Ad paid for by”</b> text included or displayed as a hyperlink, icon, button or tab in a contrasting color and font size that is easily readable by the average viewer for the duration of the advertisement.*                             <ul style="list-style-type: none"> <li>○ Must link to a website containing the <b>“Ad paid for by”</b> and <b>“Committee major funding from”</b> disclosures in a contrasting color and in no less than 8-point font.</li> <li>○ <b>“Committee major funding from”</b> disclosure may not appear in all capital letters.</li> <li>○ An internet website that is hyperlinked to the ad shall remain online and available to the public until 30 days after the date of the election.</li> </ul> </li> </ul> <p><small>*This text is not required if including it in 8-point font would take up more than one-third of the graphic or image. In such circumstances the ad need only include a hyperlink to a website containing the website disclosures.</small></p>  |
| <p><b>Social media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by”</b> and <b>“Committee major funding from”</b> disclosures in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <li>• The disclosures must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the required <b>“Ad paid for by,”</b> and <b>“Committee major funding from”</b> disclosures is permissible.                             <ul style="list-style-type: none"> <li>○ <b>“Committee major funding from”</b> may not appear in all capital letters.</li> <li>○ Not required when the only expense or cost of the communication is compensated staff time unless the social media account was created only for the purpose of advertisements under the Act.</li> </ul> </li> </ul> |

## All Non-Independent Expenditure Ads (except ads by candidates and political party committees)

| Communication  | Disclosure and Manner of Display   |
|--|--|
| <p><b>Website and email</b></p><br><br><br><br><br><br><br><br><br><p><b>Electronic media ads that are audio only</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> and <b>“Committee major funding from”</b> disclosures printed clearly and legibly in a contrasting color and in no less than 8-point font at the top or bottom of the email and every publicly accessible page of the website.                             <ul style="list-style-type: none"> <li>○ <b>“Committee major funding from”</b> may not appear in all capital letters.</li> </ul> </li> <li>• See disclosure requirements for radio ads above.</li> </ul> <p><b>Note: The “Committee major funding from” disclosure requirement is not applicable to non-recipient committees.</b></p>   |
| <p><b>Paid Spokesperson:</b> Payment of \$5,000 or more to an individual for individual’s appearance in a ballot measure ad</p><br><br><br><br><br><br><br><br><br><p><b>Paid Spokesperson:</b> Payment of <i>any amount</i> to an individual portraying a member of a licensed or certified occupation (e.g., nurse, firefighter, lawyer)</p> <p><i>Exception:</i> If the paid individual is actually a member of the occupation portrayed, the committee may omit this disclosure. The committee must maintain documentation of the individual’s license or certification.</p> | <ul style="list-style-type: none"> <li>• In addition to other disclosures, include: <b>“(spokesperson’s name) is being paid by this campaign or its donors”</b>.</li> <li>• Printed, televised or video ad: shown continuously in highly visible font except when the disclosure for television and video ads above is being shown.</li> <li>• Radio broadcast or phone message: spoken in clearly audible format.</li> </ul><br><br><br><br><br><br><br><br><br><ul style="list-style-type: none"> <li>• In addition to the disclosure above, include: <b>“Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations”</b>.</li> <li>• Printed or televised ad: shown continuously in highly visible font.</li> <li>• Radio broadcast or phone message: spoken in clearly audible format.</li> </ul> |

## All Non-Independent Expenditure Ads (except ads by candidates and political party committees)

| Communication   | Disclosure and Manner of Display   |
|---|--|
| <p><b>Text messages sent using mass distribution technology</b></p> | <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the committee, or a hyperlink or URL for an internet website containing the following disclosures: <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With” [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> (<i>not applicable to non-recipient committees</i>).</li> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than 8-point font.</li> </ul> </li> <li>• If <b>“With”</b> is used: <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: “(name of the individual) with (name of committee or hyperlink or URL).”</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <li>• <b>Top Contributors:</b> A committee that has top contributors must comply with the following: <ul style="list-style-type: none"> <li>○ Immediately following the name of the committee or the hyperlink or URL, the text message shall also include the text <b>“Top funders:”</b> followed by the names of the top two contributors of \$50,000 or more to the committee paying for the advertisement, separated by <b>“&amp;”</b> or <b>“and”</b>.</li> <li>○ The names of the top two contributors may be spelled using acronyms, abbreviations, or other shorthand in common usage or parlance. If the contributor is an individual their first and last name shall both be used.</li> <li>○ If the disclosure would exceed 35 characters, the text should disclose only the single top contributor of \$50,000 or more to the committee paying for the advertisement.</li> </ul> </li> </ul> |

**All Non-Independent Expenditure Ads (except ads by candidates and political party committees)**

| Communication | Disclosure and Manner of Display  |
|---------------|---|
|               | <ul style="list-style-type: none"> <li>○ The text message is not required to include the name of a top contributor after the text “<b>Top funders:</b>” If the text message includes the name of the committee paying for the advertisement and the committee’s name includes the name of that top contributor.</li> <li>○ For a committee that has top contributors and uses individuals who are unpaid volunteers to send text messages with the assistance of mass distribution technology, the text message sent by these individuals are not required to disclose the top two contributors, but the text message shall include a disclosure stating that the text message is being sent by a volunteer.</li> <li>● An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election.</li> <li>● For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> <li>● Text required to be included in a text message must be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> </ul> |

**The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control.**

References: [Government Code Sections](#): 84305, 84502, 84503, 84504, 84504.1, 84504.2, 84504.3, 84504.7, 84511  
[Title 2 Regulations](#): 18450.4

## Political Advertising Disclosures

### 7. All Non-Independent Expenditure Ads by Candidates and Political Party Committees

**Unless otherwise covered below, all mass mailings of more than 200 similar pieces must contain:**

- the words **“Paid for by”** immediately adjacent to and either above or in front of the committee’s name and address on the outside of the mailing and on at least one of the inserts
- in no less than 6-point type and in a color or print that contrasts with the background

If the sender is a single committee, the identification need only be shown on the outside of each piece of mail

**Unless otherwise covered below, all mass emails of more than 200 similar pieces must contain:**

- the name of the committee sending the email preceded by the words **“Paid for by”** in at least the same size font as the majority of the text

| Communication  | Disclosure and Manner of Display   |
|--|--|
| <p><b><u>Supporting or Opposing a Ballot Measure:</u></b></p> <p>All advertisements</p>  | <ul style="list-style-type: none"><li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410).*</li></ul> <p>(Note: a printed letter, internet website, or email message ad may use “Paid for by” instead of “Ad paid for by”.)</p> <p>*For text messages sent using mass distribution technology please see additional information below.</p>  |
| <p><b><u>Supporting or Opposing a Candidate:</u></b></p> <p>Radio and television ads</p> | <ul style="list-style-type: none"><li>• <b>Radio:</b> “Ad paid for by” followed by name of committee as it appears on most recent Form 410 at the beginning or end of advertisement read in a clearly spoken manner with pitch and tone substantially similar to the rest of advertisement.</li><li>• <b>Television:</b> “Ad paid for by” followed by name of committee as it appears on most recent Form 410 shown for at least four seconds. Letters must be in a type size greater than or equal to four percent of the height of the screen. If the television ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.</li></ul> |

## All Non-Independent Expenditure Ads by Candidates and Political Party Committees

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b><u>Supporting or Opposing a Candidate</u></b></p> <p><b>Social media ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by,”</b> disclosure in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <li>• The disclosures must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the required <b>“Ad paid for by”</b> disclosure is permissible.</li> </ul> |
| <p><b>Telephone calls advocating a candidate, ballot measure or both - 500 or more calls similar in nature and made by:</b></p> <ul style="list-style-type: none"> <li>• Vendors (“robo” calls) or</li> <li>• Paid individuals other than the candidate, campaign manager or volunteers</li> </ul> | <ul style="list-style-type: none"> <li>• Must identify the candidate’s committee or political party committee that authorized or paid for the call or an organization authorizing the call that files campaign reports.</li> <li>• Must state that the call is “paid for by” or “authorized by” the identified candidate, committee or organization. <ul style="list-style-type: none"> <li>○ <i>Examples: This call was paid for by Senator Jones;</i><br/><i>This call was authorized by [name of committee].</i></li> </ul> </li> <li>• Any time during the call.</li> <li>• No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers.</li> </ul>  |

## All Non-Independent Expenditure Ads by Candidates and Political Party Committees

| Communication   | Disclosure and Manner of Display   |
|---|--|
| <p><b>Text messages sent using mass distribution technology</b></p> | <p><b>If sent by a candidate-controlled committee for elective office of the controlling candidate:</b></p> <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the candidate followed by <b>“For”</b> followed by the name of the office sought in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• If <b>“With”</b> is used: <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: <b>“(name of the individual) with (name of the candidate) for (name of office sought)”</b> in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> </ul> <p><b>If sent by a political party committee:</b></p> <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the committee, or a hyperlink or URL for an internet website (in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer) containing the following disclosure: <ul style="list-style-type: none"> <li>• <b>“Paid for by” or “With” [committee’s name]”</b> (on file with Form 410 or 461).</li> <li>• The text of the disclosure on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than 8-point font.</li> </ul> </li> </ul> |



## All Non-Independent Expenditure Ads by Candidates and Political Party Committees

| Communication | Disclosure and Manner of Display  |
|---------------|---|
|               | <ul style="list-style-type: none"> <li>• If <b>“With”</b> is used:                             <ul style="list-style-type: none"> <li>• The individual sending the text shall identify themselves by including: “(name of the individual) with (name of committee or hyperlink or URL)” in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>• A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <li>• An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election.</li> <li>• The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than eight-point font.</li> <li>• For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> </ul> |

**The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control.**

References: [Government Code Sections](#): 84305, 84310, 84502, 84504.4  
[Title 2 Regulations](#): 18435, 18450.4, 18440