

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18450.4. Video and Television Advertisement Disclosure.

(a) A video or television advertisement that is shorter than the required disclosure times set forth in Sections 84504.1, 84504.4, and 84504.5 must display the disclosure for the length of the advertisement.

(b) As provided in Section 84504.3(f), an electronic media advertisement that is disseminated as a video via a form of electronic media that allows users to engage in discourse and post content, or any other type of social media, must include on the video the disclosures required by Sections 84504.1 or 84504.5, depending on the type of committee that paid for the advertisement.

(c) In addition to television advertisements traditionally transmitted via broadcast, cable, or satellite provider, “television” advertisements under Sections 84504.1, 84504.4 and 84504.5 include those transmitted by alternate means, including:

(1) Connected TV (CTV); meaning any device that connects to, or is embedded in, a television to support video content streaming.

(2) Over-the-top (OTT) or Streaming TV; meaning television programming delivered directly from the internet via a streaming or video-on-demand (VOD) format.

(d) For video and television advertisements subject to Section 84504.1(b)(4), the names of top contributors must be marked in a manner that clearly indicates where one top contributor name ends and the next begins using either or both of the following:

(1) A common grammatical symbol such as a comma, semi-colon or dash.

(2) Sufficient vertical separation between each top contributor name such that the text is legible and each contributor distinguishable.

Credits

NOTE: Authority cited: Section 83112, Government Code. Reference: Sections 84501, 84502, 84503, 84504.1, 84504.3, 84504.4, 84504.5 and 84506.5, Government Code.

HISTORY

1. New section filed 12-24-2019; operative 1-23-2020 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2019, No. 52). For prior history, see Register 2018, No. 7.

2. Amendment of section and NOTE filed 10-8-2021; operative 1-1-2022 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 41).

3. Amendment of subsection (b) and new subsections (c)-(d)(2) filed 7-17-2023; operative 8-16-2023 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992

(FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2023, No. 29).