Political Advertising Disclosure

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

Communication	Disclosure and Manner of Display
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 (buttons 10 inches in diameter or larger and stickers 60 square inches or larger)	• **"Ad paid for by [committee's name]"** (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: • **"Committee major funding from [names of top three contributors of $50,000 or more]"** each listed on a separate horizontal line, in descending order, beginning with the largest contributor and may not appear in all capital letters *(This disclosure is not applicable to non-recipient committees).* ○ 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. • **"Funding Details at www.fppc.ca.gov"** 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). • **Disclosure Format:** 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.

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Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)	• **"Ad paid for by [committee's name]"** (on file with Form 410 or 461) followed by: • **"Committee major funding from [names of top three contributors of $50,000 or more]"** 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 *(not applicable to non-recipient committees).* • **Disclosure Format:** 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.
Radio ads, telephone calls and audio only electronic media ads	• **"Ad paid for by [committee's name]"** (on file with Form 410 or 461). • **"Committee major funding from [names of top three contributors of $50,000 or more]"** in descending order, beginning with the largest contributor *(not applicable to non-recipient committees).* • **Disclosure Format:** 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. ○ 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.

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Television and video ads (including those disseminated over the Internet)	• **"Ad paid for by [committee's name]"** (on file with Form 410 or 461). • **"Committee major funding from [names of top three contributors of $50,000 or more]"** in descending order, beginning with the largest contributor and may not appear in all capital letters *(not applicable to non-recipient committees).* • **Disclosure Format:** 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. 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. • 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. • 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.

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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)	• **"Who funded this ad?" or "Paid for by" or "Ad paid for by"** 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.* ○ Must link to a website containing the **"Ad paid for by"** and **"Committee major funding from"** disclosures in a contrasting color and in no less than 8-point font. ○ **"Committee major funding from"** disclosure may not appear in all capital letters. ○ 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. *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.
Social media ads	• **"Ad paid for by"** and **"Committee major funding from"** 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. • 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 "**Ad paid for by,"** and **"Committee major funding from"** disclosures is permissible. ○ **"Committee major funding from"** may not appear in all capital letters. ○ 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.
Website and email	• **"Paid for by"** and **"Committee major funding from"** 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.

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Electronic media ads that are audio only	○ **"Committee major funding from"** may not appear in all capital letters. • See disclosure requirements for radio ads above. **Note: The "Committee major funding from" disclosure requirement is not applicable to non-recipient committees.**
Paid Spokesperson: Payment of $5,000 or more to an individual for individual's appearance in a ballot measure ad	• In addition to the other disclosures include: **"(*spokesperson's name)* is being paid by this campaign or its donors".** • Printed, televised or video ad: shown continuously in highly visible font except when the disclosure for television and video ads above is being shown. • Radio broadcast or phone message: spoken in clearly audible format.
Paid Spokesperson: Payment of *any amount* to an individual portraying a member of a licensed or certified occupation (e.g., nurse, firefighter, lawyer) *Exception*: 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.	• In addition to the disclosure above, include: "**Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations".** • Printed or televised ad: shown continuously in highly visible font. • Radio broadcast or phone message: spoken in clearly audible format.

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Text messages sent using mass distribution technology	• **"Paid for by"** or **"With"** followed by the name of the committee, or a hyperlink or URL for an internet website containing the following disclosures:
	  • **"Paid for by" or "With" [committee's name]"** (on file with Form 410 or 461).
	  • **"Committee major funding from [names of top three contributors of $50,000 or more]"** *(not applicable to non-recipient committees).*
	  • 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.
	• If **"With"** is used:
	  • The individual sending the text shall identify themselves by including: "(name of the individual) **with** (name of committee or hyperlink or URL)."
	  • A disclosure using **"With"** 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.
	• **Top Contributors:** A committee that has top contributors must comply with the following:
	  ○ Immediately following the name of the committee or the hyperlink or URL, the text message shall also include the text **"Top funders:"** followed by the names of the top two contributors of $50,000 or more to the committee paying for the advertisement, separated by **"&"** or **"and".**
	  ○ 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.
	  ○ 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.

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	○ The text message is not required to include the name of a top contributor after the text **"Top funders:"** 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. ○ 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. ○ 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. • An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election. • 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. • 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.

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