

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

§ 18450.1. Definitions. Advertisement Disclosure.

(a) Definition of Advertisement. An advertisement as defined in Section 84501 includes but is not limited to the following:

- (1) A communication broadcast by television or radio, or disseminated by print media;
- (2) An electronic media communication including a logo, icon, writing, image, recording, video, or other data posted, broadcast, or displayed electronically. This includes, but is not limited to advertisements in electronic messages, electronic message attachments, text messages, or advertisements that appear on Internet websites or webpages, social media, blogs, other generally accessible electronic communication systems.

(b) Burden of Proof. A committee that claims the inclusion of a required disclosure is impracticable or would severely interfere with the committee's ability to convey the intended message under Section 84501(a)(2)(G) has the burden of establishing that this exception has been met.

(c) Aggregation of Contributions. The aggregation rules of Section 82015.5 shall apply in determining when a contributor has reached the \$50,000 disclosure threshold and qualifies as a “top contributor” as defined in Section 84501(c).

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82015.5, 84501, 84502, 84503, 84504, 84504.1, 84504.2, 84504.3, 84504.4, 84504.5, 84505, 84506.5, 84509, 84510 and 84511, Government Code.

HISTORY

1. New section filed 7-31-2002; operative 7-31-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 31).
2. Amendment filed 12-20-2010; operative 1-19-2011. 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 2010, No. 52).
3. Amendment of section and Note filed 4-25-2018; operative 5-25-2018 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing 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 2018, No. 17).
4. Amendment of subsections (b) and (c) 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).
5. Amendment of subsection (c) and Note filed 9-14-2020; operative 10-14-2020 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 2020, No. 38).