

ADVERTISEMENT DISCLOSURES

This chapter describes the disclosures required on mailings and other advertisements made by ballot measure committees. A disclosure is the portion of a political message that identifies the committee that paid for and authorized the communication.

The basic disclosure for most communications is “Ad paid for by [committee name].” The disclosure ensures that the committee paying for the ad is identified. The Act does not regulate the truth or accuracy of political communications given that the First Amendment provides broad protection for political speech. Some advertisements must also include the words “Committee major funding from” followed by the names of the top contributors to the committee paying for the advertisement.

A. Top Three Contributors of \$50,000 or More

“Top contributors” means the persons from whom the committee paying for an advertisement has received its three highest cumulative contributions of fifty thousand dollars (\$50,000) or more. If two or more contributors of identical amounts qualify as top contributors, the most recent contributor of that amount must be listed as the top contributor.

If an advertisement paid for by a committee supports or opposes a candidate, the determination of top contributors may not include any nonprofit organization exempt from federal income taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code or any person who has prohibited in writing the use of his or her contributions to support or oppose candidates if the committee does not use such contributions to support or oppose candidates.

When a committee primarily formed to support or oppose a state ballot measure contributes funds to another committee primarily formed to support or oppose the same state ballot measure and the funds used for the contribution were earmarked to support or oppose

Quick Tip

Advertisement disclosures are required even during the ballot qualification period.

Quick Tip

A primarily formed ballot measure committee that has accepted a \$50,000 contribution may not avoid disclosing the contributor by returning \$1,000 of the contribution.

that measure, the committee receiving the earmarked contribution shall disclose the contributor who earmarked their funds as the top contributor if the definition of top contributor is met. If the committee receiving the earmarked contribution contributes any portion of the contribution to another committee primarily formed to support or oppose the specifically identified state ballot measure, that committee must disclose the true source of the contribution to the new committee receiving the earmarked funds. The new committee must disclose the contributor on the new committee's advertisements if the definition of top contributor is met.

Ex 7.1 – A ballot measure committee has received 15 contributions of \$50,000 or more. The committee will buy 30 second ads on local television stations. The television ads must identify the committee name as it appears on its most recent Form 410 and the names of the top three contributors who donated \$50,000 or more.

Ex 7.2 – An elected officeholder made a \$10,000 contribution to a ballot measure committee that is not controlled by the officeholder. Must the officeholder's name be identified in the committee's advertisements?

No. The officeholder's name would be required in advertisements if the officeholder was a top three contributor of \$50,000 or more.

Ex 7.3 – A non-controlled ballot measure committee's four highest contributors are a corporation (\$150,000), an individual (\$100,000), a state officeholder using personal funds (\$85,000) and the same state officeholder's controlled committee (\$50,000).

The contributions from the state officeholder's personal funds and controlled committee funds are cumulated, for a total of \$135,000. Therefore, the ranking of the contributors are (1) the corporation, (2) the officeholder, and (3) the individual.

Disclosure Examples

The disclosure must include, unless otherwise noted: "Ad paid for by [committee's name] and "Committee major funding from [names of top three contributors of \$50,000 or more]" in descending order.

"Ad paid for by Citizens in Support of Measure B, sponsored by the Taxpayers Alliance, Committee major funding from Pacific Productions and XYZ Partnership"

"Ad paid for by Californians for Education Issues PAC, Committee major funding from Student Political Action Committee, ZZZ Trade Association and Teachers United Organization"

"Ad paid for by Voters in Support of Measure A" (*no sponsors or \$50,000 contributors*)

B. Summary of Advertisement Disclosures for Ballot Measure Committees

The disclosures that a ballot measure committee must put on its ads are summarized in the following chart and discussed below.

Please note that advertisements that are “online platform disclosed advertisements” have different disclosure requirements than other types of online advertisements. “Online platform disclosed advertisements” are either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures for which the committee pays the online platform. An “online platform disclosed advertisement” does not include a video, audio, or email advertisement. For more information on “online platform disclosed advertisements” please refer to the “Online Platform Disclosed Advertisement Requirements” chart later in this chapter.

Electronic media advertisements that are not “online platform disclosed advertisements” shall follow disclosure requirements described in this chapter, other than those listed in the “Online Platform Disclosed Advertisement Requirements” chart.

Communication	Disclosure and Manner of Display
<p>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)</p>	<ul style="list-style-type: none"> • “Ad paid for by [committee’s name]” (on file with Form 410) (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. <ul style="list-style-type: none"> ◦ 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 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.
<p>Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)</p>	<ul style="list-style-type: none"> • “Ad paid for by [committee’s name]” (on file with Form 410) 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. • 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.

Communication	Disclosure and Manner of Display
<p>Radio ads, telephone calls and audio only electronic media ads</p>	<ul style="list-style-type: none"> • “Ad paid for by [committee’s name]” (on file with Form 410). • “Committee major funding from [names of top three contributors of \$50,000 or more]” in descending order, beginning with the largest contributor. • 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. <ul style="list-style-type: none"> ◦ 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.
<p>Television and video ads (including those disseminated over the Internet)</p>	<ul style="list-style-type: none"> • “Ad paid for by [committee’s name]” (on file with Form 410). • “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. • 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. <p>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.</p> <ul style="list-style-type: none"> • 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.

Communication	Disclosure and Manner of Display
<p>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)</p>	<ul style="list-style-type: none"> • “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.* <ul style="list-style-type: none"> ◦ 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. <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>Social media ads</p>	<ul style="list-style-type: none"> • “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. <ul style="list-style-type: none"> ◦ 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.
<p>Website and email</p>	<ul style="list-style-type: none"> • “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. <ul style="list-style-type: none"> ◦ “Committee major funding from” may not appear in all capital letters.
<p>Electronic media ads that are audio only</p>	<ul style="list-style-type: none"> • See disclosure requirements for radio ads above.

Communication	Disclosure and Manner of Display
<p>Paid Spokesperson: Payment of \$5,000 or more to an individual for individual’s appearance in a ballot measure ad</p> <p>Paid Spokesperson: 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"> • In addition to 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. <ul style="list-style-type: none"> • 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.
<p>Text messages sent using mass distribution technology</p>	<ul style="list-style-type: none"> • “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: <ul style="list-style-type: none"> ◦ “Paid for by” or “With” [committee’s name]” (on file with Form 410). ◦ “Committee major funding from [names of top three contributors of \$50,000 or more].” ◦ 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: <ul style="list-style-type: none"> ◦ The individual sending the text shall identify themselves by including: “(name of the individual) with (name of committee or hyperlink or URL).”

Communication	Disclosure and Manner of Display
	<ul style="list-style-type: none"> ◦ 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: <ul style="list-style-type: none"> ◦ 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. ◦ 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.

C. Online Platform Disclosed Advertisements

“Online platform disclosed advertisements” are either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform, or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures, for which the committee pays the online platform. An “online platform disclosed advertisement” does not include a video, audio, or email advertisement.

Electronic media advertisements that are not “online platform disclosed advertisements” shall follow disclosure requirements described previously in this chapter.

Online Platform Disclosed Advertisement Requirements

Communication	Disclosure and Manner of Display
Type of Advertisement Law Applies To:	Either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures, for which the committee pays the online platform.

Communication	Disclosure and Manner of Display
<p>Ad Disclosure that Online Platform is Required to Place on Advertisement:</p>	<p>An Online Platform Must Do One of the Following:</p> <ol style="list-style-type: none"> 1) Display “Paid for by” or “Ad Paid for by” followed by “committee major funding from” followed by the committee’s top three contributors of \$50,000 or more, followed by a colon, followed by surrounded in quotation marks, the name of the committee easily readable to the average viewer located adjacent to any statement the communication is an advertisement (or is promoted or sponsored). The online platform may display only one hundred or more characters of the “committee major funding from” followed by the committee’s top three contributors and name of the committee disclosures if followed by a “...” that is clearly clickable and that links to a page that provides the disclosures. The ad may instead link to a website that the committee has created pursuant to other provisions of the Act that contains the committee’s name, top contributor information, and whether the ad was authorized by a candidate for independent expenditure ads on candidates. 2) Display a hyperlink, icon, button, or tab with the text “Who funded this ad?,” “Paid for by,” or “Ad Paid for by” that is clearly clickable and links to a page that provides the “committee major funding from” followed by the committee’s top three contributors of \$50,000 or more, followed by a colon, followed by the committee’s name disclosures. This text must be easily readable to the average viewer, in the same or similar font and in at least the same font size as the online platform’s text stating that the communication is an advertisement (or is promoted or sponsored). The ad may instead link to a website that the committee has created pursuant to other provisions of the Act that contains the committee’s name, top contributor information, and whether the ad was authorized by a candidate for independent expenditure ads on candidates. <p>Fewer than three contributors qualify as top contributors, only those contributors that qualify shall be disclosed. If there are no contributors that qualify as top contributors, the top contributor disclosure is not required.</p> <p>The Online Platform Must Also:</p> <p>Display a prominent button, icon, tab, or hyperlink with the text “View Ads” or similar text. The button, icon, tab, or hyperlink shall link to a page containing the records required to be displayed in the publicly available online database in one of the following locations:</p> <ol style="list-style-type: none"> 1) Near the top of a profile, landing page, or similar location of a committee that paid for an advertisement in a position that the average viewer will readily see it upon viewing that page. 2) On a page that displays the committee’s profile information or biographical information. 3) On a page on which the average viewer would normally navigate to view additional information about a committee.

Communication	Disclosure and Manner of Display
<p>Information Committee Paying for Advertisement is Required to Provide to Online Platform:</p>	<p>Upon requesting the dissemination of the advertisement, committee must do all of the following:</p> <ol style="list-style-type: none"> 1) Expressly notify the online platform that the advertisement is one that falls under the Act. 2) Provide the online platform with committee's top contributors and the committee's name and identification number. 3) Provide the online platform with the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers. 4) Update the online platform with any change in the name of the committee or its top three contributors within 5 business days.
<p>Records Required to be Kept and Provided to the Public in Online Platform's Public Database:</p>	<p>For all committees that purchased online platform disclosed ads and paid for five hundred dollars (\$500) or more in advertisements to the online platform during the preceding 12 months the database must contain:</p> <ol style="list-style-type: none"> 1) A digital copy of the advertisement. 2) The approximate number of views generated from the advertisement and the date and time that the advertisement was first displayed and last displayed. 3) Information regarding the range charged or the total amount spent on the advertisement. 4) The name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, as applicable, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers. 5) The name and identification number of the committee that paid for the advertisement, if the committee is assigned an identification number. <p>These records are required to be made available by the online platform as soon as practicable and must be retained by the online platform for 4 years.</p>

D. Mass Mailings – Postal Mailings and Emails

Mass Mailings That Are Not Ads

Unless otherwise covered in the chart above, all **mass mailings** that are not considered ads of more than 200 similar pieces sent in a calendar month 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 name and address need only be shown on the outside of each piece of mail.

Unless otherwise covered in the chart above, all **mass emails** that are not considered ads of more than 200 similar pieces sent in a calendar month 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

Communications That Are Ads

For communications that are considered ads under the Act, please see charts above.

Recordkeeping for Mass Mailings (Including Emails)

For each mass mailing and electronic mailing, the committee must retain the following for four years:

- A sample of the mailing;
- The date of the mailing;
- The number of pieces sent; and
- The method of postage used for postal mailings.

Answering Your Mailing Questions

A. Must the committee's identification number appear on a mailing?

No. The committee may include its committee ID #, but it is not legally required.

B. If an organization includes a copy of a committee's flyer in its regularly published newsletter, is the committee required to be identified on the outside of the mailer?

No. The committee's name and address must be identified on the flyer only.

C. A committee has more than one address. Which address must be used on mailings?

Any address that appears on the committee's Statement of Organization (Form 410) on file with the Secretary of State may be used.

D. A committee pays for a ballot measure committee's mailing as a nonmonetary contribution. Which committee must be identified on the outside, the committee paying for the mailing or the ballot measure committee?

Only the committee that pays for the mailing is required to be identified on the outside of the mailing.

E. Disclosures – Clear and Conspicuous

Disclosures on political ads and literature must be shown clearly so as to be understood by the intended public. Written disclosures must be printed clearly and legibly.

Spoken disclosures must be clearly audible and intelligible. Specific requirements for color contrast, print font size and time appearing on screen are listed in the disclosure chart above.

For political advertisements in **languages other than English**, disclosures should be written or spoken in the same language used in the advertisement.

F. Updating a Disclosure

When a committee's name changes, when there are new top contributors or when the order of the top contributors change, advertisement disclosures must be revised. Television, radio, electronic media, or robocalls must be amended within five business days. Print media, mailings, or other tangible items must be amended every time an order to reproduce is placed.

G. Electronic Media Ads

Different disclosures are required depending on the type of electronic media ad. For example, the "Ad paid for by" and "Committee major funding from" disclosures are required on websites, emails and social media. Other types of electronic media ads must include a hyperlink to a website that includes the "Ad paid for by" and "Committee major funding from" language. Please see the chart above for details or contact the FPPC for specific questions. Additionally, as noted at the beginning of this chapter, "online platform disclosed advertisements" have their own separate disclosure requirements. Please refer to the Online Platform Disclosed Advertisements chart in this chapter for those requirements.

Space or Time-Limited Ads

For certain audio, video and television ads or small-size print ads, the Act permits the full disclosure to be shortened.

- **Radio and prerecorded phone ads.** Only the top two contributors of \$50,000 or more must be disclosed. If the ad lasts 15 seconds or less or the disclosure statement would last more than eight seconds, only the top contributor must be disclosed.
- **Television and video ads.** The size for the smallest letters in the disclosure 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 for a broadcast of longer than 30 seconds.

Ex 7.4 – If a committee purchases radio time for ads 15 seconds or less in duration, the ads must identify the name of the committee and the highest single contributor of \$50,000 or more.

H. Exceptions

A disclosure is not required on regular-size campaign buttons (less than 10 inches in diameter), pins, bumper stickers (less than 60 square inches), or magnets. It is not required on pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclosure cannot be conveniently printed.

The disclosure is not required on t-shirts, caps, hats, and other articles of clothing; skywriting and airplane banners; or committee checks and receipts.

Member Communications

A disclosure is not required on communications from an organization to its members, but a disclosure is required on communications from a political party committee to its members.

I. Ballot Measure Ad – Paid Spokesperson

When a ballot measure committee makes an expenditure of \$5,000 or more to an individual for his or her appearance in an advertisement to support or oppose a ballot measure, the advertisement must include a statement that the individual is being paid for his or her appearance.

For example, “Dr. Jane Miller is being paid by this campaign or its contributors.”

Also, when a ballot measure committee makes any payment to an individual in an advertisement portraying a member of a licensed occupation (e.g., nurse, doctor, firefighter, scientist, engineer, lawyer, etc.) who is not actually a member of that occupation, the advertisement must include a disclosure stating “Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations.”

If the individual is actually a member of the occupation portrayed, the committee may omit this disclosure and shall maintain documentation of the individual’s license or certification for the occupation. Upon request from the FPPC, documentation of an individual’s occupation must be provided by electronic means within 24 hours.

The statement must be in highly visible font, shown continuously if the advertisement consists of printed or televised material, or spoken in a clearly audible format if the advertisement is a radio broadcast or telephone message. In addition, the committee must file the Paid Spokesperson Report, Form 511. (See Chapter 11.)

Ex 7.5 – “Paid for by Yes on 88, Tobacco Tax Funds Research, Committee major funding from the CA Nurses Association and American Medical Association PAC. Dr. Jane Miller is being paid by this campaign or its contributors.”

J. Slate Mailer Disclosure Requirements

A slate mailer is a mass mailing that supports or opposes four or more candidates or ballot measures. A ballot measure committee may be subject to slate mailer disclosure and identification requirements if it:

- Is involved in the production of one or more slate mailers and exercises control over the selection of candidates and measures to be supported or opposed in the slate mailers; and
- Receives or is promised payments that total \$500 or more in a calendar year for the production of one or more slate mailers.

For more information on slate mailer disclosures, consult the FPPC and Section 84305.5.

K. Penalties

The penalty for failing to comply with the Act's disclosure requirements is a fine of up to \$5,000 per violation. In addition, any person who violates the disclosure requirements concerning ballot measure and independent expenditure advertisements may be liable for a fine of up to three times the cost of the advertisement, including placement costs.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82025	Expenditure.
82031	Independent Expenditure.
82041.5	Mass Mailing.
84305	Requirements for Mass Mailing.
84305.5	Slate Mailer Identification and Disclosure Requirements.
84310	Identification Requirements for Telephone Calls.
84501	Advertisement.
84502	Disclosure; Committee Name.
84503	Top Contributor Disclosure.
84504	Disclosure; Radio and Telephone Ads.
84504.1	Disclosure; Video and Television Ads.
84504.2	Disclosure; Print Ads.
84504.3	Disclosure; Electronic Media Ads.
84504.6	Disclosure; Online Platform.
84504.7	Disclosure; Text Messages.
84505	Avoidance of Disclosure.
84509	Amended Disclosure.
84511	Ballot Measure Ads; Paid Spokesperson Disclosure.

Title 2 Regulations

- 18247.5 Primarily Formed Committees.
- 18401 Required Recordkeeping for Chapters 4 & 5.
- 18435 Definition of Mass Mailing.
- 18440 Telephone Advocacy.
- 18450.1 Definitions. Advertisement Disclosure.
- 18450.2 Definitions. Authorized and Paid For.
- 18450.3 Top Contributor Disclosure for Affiliated Entities.
- 18450.4 Video and Television Advertisement Disclosure.
- 18450.5 Amended Advertising Disclosure.
- 18450.11 Spokesperson Disclosure.