
2017 City Elections—Independent Expenditures

*This is a brief overview of some of the City and state laws that apply to City elections.
Anyone who participates in City elections is responsible for complying with all applicable laws.*

IE Communications

An independent expenditure (IE) communication is a political communication that expressly advocates the election or defeat of a clearly identified City candidate or ballot measure or, taken as a whole, unambiguously urges a particular result in a City election.

A communication is independent when it is not authorized, distributed, paid for, or behested by the affected candidate or committee. In certain circumstances, an IE communication can be made when an organization communicates with its members.

Disclosure Thresholds

A person must notify the Ethics Commission of an IE communication in either of the following scenarios:

- 1) The person makes or incurs expenditures totaling \$1,000 or more for the communication; or
- 2) The person makes or incurs expenditures totaling \$100 or more for the communication and distributes it to 200 or more persons (if the distributor qualifies as a committee) or 1,000 or more persons (if the distributor does not qualify as a committee).

Filing Requirements

From November 7, 2016, through May 16, 2017, notice of an IE communication (Form 57) must be filed with the Ethics Commission within 24 hours of meeting a disclosure threshold. At other times, notice must be filed within five business days. The notice must identify specific information about the communication, vendors used to make the communication, contributions of \$100 or more received, and contributions of \$100 or more made to a City committee. The notice must also include a copy of the communication, itself.

Other filings are also required by committees that receive contributions, including the state's 24-hour notice of certain independent expenditures that total \$1,000 or more, the state's 24-hour notice of contributions of \$1,000 or more, and periodic committee disclosure statements required by both state and City law.

Disclaimer Requirements

In general, IE communications must include the following specific disclaimers:

When communicated by a person who qualifies as a committee:

"Paid for by [committee's name, address, and city]. Not authorized by or coordinated with a City candidate or a committee controlled by a candidate. Major funding provided by [top two contributors of at least \$1,000 during the six months prior to the payment for the IE] in the amount of [cumulative amount of their contributions]. Additional information is available at ethics.lacity.org."

When communicated by a person who does not qualify as a committee:

"Distributed by [person's name, address, and city]. Not authorized by or coordinated with a City candidate or a committee controlled by a candidate. Additional information is available at ethics.lacity.org."

Liability

Late penalties of \$25 per day, up to \$500, apply to required filings. In addition, a person who violates the City's campaign finance laws may be subject to an administrative enforcement action and a potential fine of the greater of \$5,000 per violation or three times the amount of money at issue. The principal officers of a committee are liable for the actions of their committees. A committee's principal officers include its treasurer and any other person who is primarily responsible for approving the committee's political activity. Possible violations may be reported to the Ethics Commission's whistleblower hotline at (800) 824-4825.

Contact Information

Please contact us (213) 978-1960 with any campaign finance questions or needs.