
2013 Election—Independent Expenditures

This is an overview of the City's campaign finance laws regarding independent expenditures. It is not exhaustive—additional City and state laws apply. Candidates, committees, and others participating in City elections are responsible for understanding and complying with all of the laws, whether referred to here or not.

The City's campaign finance laws were recently updated. The following laws apply as of January 30, 2013. Please visit ethics.lacity.org for more information.

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 political 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).

Notice Requirements

From November 5, 2012, through May 21, 2013, notice of an IE communication 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. Beginning January 1, 2013, the state will require a separate 24-hour notice of certain independent expenditures that total \$1,000 or more in City elections. Please contact the Fair Political Practices Commission for more information about its filing requirement.

Disclaimer Requirements

Most IE communications must include the following specific disclaimers:

When communicated by a person who qualifies as a committee:

"Paid for by [full name, address, and city]. Not authorized by or coordinated with a City candidate. Major funding provided by [top two contributors during the previous six months] 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:

"Not authorized by or coordinated with a City candidate. Additional information is available at ethics.lacity.org."

The only exception is for audio communications. The address, city, and amount of contributions are not required in audio disclaimers, and the last sentence may be replaced by a substantially similar statement that specifies the Ethics Commission's web site.

Liability for Violations

A person who violates a provision of the City's campaign finance laws may be subject to an administrative enforcement action and fines of up to the greater of \$5,000 per violation or three times the amount of money at issue. Candidates are liable for violations made by their committees. Treasurers are liable for violations contained in documents they file with the Commission. Principle officers (defined by the state as persons primarily responsible for approving the political activity of a committee) are liable for the actions of their committees in City elections. Agents of any of the persons described above are also liable for violations arising out of their actions.

Contact Information

Please contact Jennifer Bravo at jennifer.bravo@lacity.org or (213) 978-1972 with any campaign finance questions or needs.