

CHAPTER 6 – CAMPAIGN COMMUNICATIONS

A. DISCLAIMERS

A campaign communication that is paid for or authorized by your campaign must include a disclaimer that identifies your campaign. LAMC §§ 49.7.2(B), 49.7.33(A).

A communication is a campaign communication if both of the following are true:

- It expressly advocates the election or defeat of a City candidate or ballot measure or, taken as a whole and in context, urges a particular result in a City election; and
- It is authorized, distributed, paid for, or behested by a City candidate or committee.

1. REQUIRED STATEMENTS

The disclaimer must include all of the following disclaimer statements (LAMC § 49.7.33(A)):

- "Paid for by" immediately followed by the full name, address, and city of your committee (or you, if you do not have a committee).
- "Additional information is available at ethics.lacity.org."

The disclaimer must read as follows:

"Paid for by [your name or your committee's name], [address & city]. Additional information is available at ethics.lacity.org."

2. DISPLAY CRITERIA

Specific display criteria apply to the disclaimer, depending on the type of communication (LAMC § 49.7.33(D)).

a. Print.

Disclaimers on printed communications must meet the criteria below, based on the size of the communication.

Up to 24x36"

- Must use a bold, sans serif typeface that is easily legible to an average reader.
- Must be in a typeface that is not less than 14-point font.
- Must be printed in a color that contrasts with the background.

Larger than 24x36"

- Must be printed in a bold, sans serif typeface that is easily legible to an average reader.
- Must be at least five percent of the height of the material.
- Must be printed in a color that contrasts with the background.

b. Audio.

Disclaimers must be:

- Spoken in a clearly audible manner at the same speed and volume as the rest of the communication.
- At least five seconds long.
- Spoken at either the beginning or the end of the communication.

Disclaimers for audio communications (*e.g.*, telephone or radio) do not have to include your committee's address and city.

c. Video.

A written disclaimer must be:

- In a bold, sans serif typeface that is easily legible to an average reader.
- In a color that contrasts with the background.
- Displayed for at least four seconds at either the beginning or the end of the video.

A spoken disclaimer is also required if the written disclaimer does not appear for at least five seconds in a video up to 30 seconds long and for at least 10 seconds in a video that is longer than 30 seconds.

3. EXCEPTIONS

A disclaimer is not required on the following (LAMC § 49.7.33(E)(1)):

- Slate mailers;
- Wearing apparel;
- Small promotional items (*e.g.*, pens, mugs, potholders); or
- Other items on which a disclaimer cannot be reasonably displayed in a legible typeface.

An abbreviated disclaimer may be used for small electronic ads where a full disclaimer is impractical. LAMC § 49.7.33(E)(2). At a minimum, an abbreviated disclaimer must include the words "Paid for by" immediately followed by the committee identification number provided by the FPPC. When a user interacts with the communication, the interaction must provide the user with the full disclaimer in an easily legible format, such as through a rollover or pop-up or on the landing page of a linked website.

4. OTHER REQUIREMENTS

a. Envelopes.

If you mail 200 or more copies of a campaign communication in envelopes, the outside of each envelope must include your name and address. Cal. Gov't Code § 84305.

b. Reporting Changes to Disclaimer Information.

If the information in a disclaimer changes, you must amend the campaign communication within five business days. LAMC § 49.7.33(F).

For more information about disclaimers, please refer to ethics.lacity.org/campaigns/disclaimers/.

B. SOCIAL MEDIA

If your campaign uses social media (Twitter, Facebook, etc.) to communicate about the election you must include the following statement on each account's home or main page (LAMC § 49.7.34(A)):

"This account is being used for campaign purposes by [your name or your committee's name]."

This statement must be prominently displayed in a font that is easily legible by the average reader and in a color that contrasts with the background.

Individual messages sent from social media accounts (Tweets, Facebook posts, etc.) do not have to include a disclaimer. However, if the message includes a link to or an attachment with a campaign communication, the linked communication must include the appropriate disclaimer.

You must disclose your campaign's social media accounts to the Ethics Commission by filing Form 17. If the information changes, you must amend the form within 10 days of the change.

C. RETAINING RECORDS

For each campaign communication, you must retain the following records:

- An original sample;
- The distribution date;
- The number of pieces distributed;
- The method of distribution; and
- Related expenditures.

If you distribute or broadcast a campaign communication to 200 or more persons, you must file an electronic copy of the communication with the Ethics Commission, using CEFS. LAMC § 49.7.32(A). See Chapter 6 for additional information about campaign communications.

D. DISCLOSURE REQUIREMENTS

If you distribute or broadcast a campaign communication to 200 or more persons, you must file an electronic copy of the communication with the Ethics Commission. LAMC § 49.7.32(A).

1. FILING DEADLINES

Campaign communications must be filed according to the following deadlines. LAMC § 49.7.32(B).

Within 24 hours of distribution: From the first day of candidate filing week through the date of the deciding election in that race.

Within 5 days of distribution: All other times.

2. FILING DETAILS

Filing must include the information noted below. This information must be provided in the following applicable formats: PDF, MP3, and/or MP4.

Phone Calls: A copy of the script and, if the call is recorded, the recording.

Audio Communications: A copy of the script and a copy of the audio file.

Videos: A copy of the script and a copy of the video file.

Mailers: A copy of the mailer.

Emails: A copy of the email.

The Ethics Commission is merely a repository for campaign communications, which are made available online to other candidates and members of the public. The Ethics Commission may not change, evaluate, or comment on the communications. LAMC § 49.7.32(E).