

## CHAPTER 5 – CAMPAIGN COMMUNICATIONS

### A. DISCLAIMERS

A campaign communication that is paid for or authorized by your campaign must include a disclaimer that identifies your campaign. Cal. Gov't Code § 84310; 2 CCR § 18440; Charter § 803(r)(3).

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

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

Additional information may be found in the FPPC's [Political Advertising Disclaimers](#) table.

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#### 1. REQUIRED STATEMENTS

If you make or incur payments for more than 200 similar pieces of mail sent in a calendar month, the mailer must include the statement "Ad paid for by [your committee's name, street address, and city]."

If you make or incur payments for 1,000 or more similar live or prerecorded telephone calls or payments of \$1,000 or more for a radio or television advertisement, you must file an electronic copy of the recording or text with the Ethics Commission within 24 hours of the first time a call is made or the advertisement is aired. Charter § 803(s)(5).

These communications must include the words "Ad paid for by" or "Authorized by" immediately followed by your name or your committee's name. This does not apply to calls made personally by your or your campaign staff.

The Ethics Commission recommends that disclaimers in campaign communications also include the follow statement: "Additional information is available at [ethics.lacity.org](http://ethics.lacity.org)."

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#### 2. DISPLAY CRITERIA

Specific display criteria apply to the disclaimer, depending on the type of communication.

##### a. Print.

Mass mailings (more than 200 similar pieces of mail sent in a single calendar month) must include your or your committee's name, street address, and city on the outside of each piece of mail and on at least one of the inserts included within each piece of mail. The information must be in at least 6-point type in a color that contrasts with the background and must be preceded by the words "Paid for by" in the same size and color as the rest of the disclaimer. For digital mass mailings, the communication must include the statement "Paid for by [your or your committee's name]." in at least the same font size as a majority of the other text in the communication. Cal. Gov't Code §§ 82041.5 and 84305; 2 CCR § 18435 and 18523.1.

##### b. Audio.

If you make or incur payments for 500 or more substantially similar live or prerecorded telephone calls, the calls must include a disclaimer that the call is "Paid

for by” or “Authorized by” you or your committee. This does not include telephone calls made personally by you, your campaign manager, or individuals who are volunteers. Cal. Gov’t § 84310; 2 CCR § 18440.

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### 3. EXCEPTIONS

Certain media are not considered advertisements under state law, and therefore do not require a disclaimer. A complete list of exceptions is provided in Cal. Gov’t Code § 84501 and includes the following:

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

The FPPC recommends that electronic media ads, such as those appearing on websites or blogs, include “Paid for by [your committee name]” and your committee ID number, though that information is not required.

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### 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 your committee’s name changes, if there are new top contributors, or if there is a change in the order of the top contributors, disclaimers in television, radio, telephone, and electronic media advertisements must be revised, and the communication must be amended within five business days. Cal. Gov’t Code § 84509. You must amend the disclaimer on print media, mailings, and other tangible items the next time you place a new order. *Id.*

For more information about disclaimers, please refer to the PRA and to [ethics.lacity.org/campaigns/disclaimers/](https://ethics.lacity.org/campaigns/disclaimers/).

## B. SOCIAL MEDIA

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. For example, if a Facebook post includes a link to an advertisement you created for television, you are not required to put a disclaimer in the text of the post, but the linked video must include the appropriate disclaimer.

The FPPC recommends that your social media websites, such as your campaign Facebook page, include “Paid for by [your committee name]” and your committee ID number, though this information is not required.

## 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.

You must keep records of all campaign expenditures for at least four years, and those records must be made available to the Ethics Commission upon request. Charter § 803(h); Cal. Gov't Code § 81009(f). For more information involving recordkeeping, please see page 33.

## 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, using CEFS. Charter § 803(r)(3).

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### 1. FILING DEADLINES

Campaign communications must be filed according to the following deadlines. Charter § 803(s)(5).

**Within 24 hours of distribution:** From the first day of candidate filing week through the date of the general election.

**Within 5 days of distribution:** All other times.

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### 2. FILING DETAILS

Filings must include the documentation noted below. Acceptable formats include PDF, MP3, and MP4.

<b>Phone Calls:</b>	A copy of the script and, if the call is recorded, the recording.
<b>Audio Communications:</b>	A copy of the script and a copy of the audio file.
<b>Videos:</b>	A copy of the script and a copy of the video file.
<b>Mailers:</b>	A copy of the mailer.
<b>Emails:</b>	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. Charter § 803(r)(3).