

CHAPTER SIX

CAMPAIGN COMMUNICATIONS

A. DISCLAIMERS

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.

A campaign communication that is paid for or authorized by your campaign must include a disclaimer that identifies your campaign.⁹³

1. REQUIRED STATEMENTS

The disclaimer must read as follows⁹⁴:

**“Paid for by [your committee’s name, address, and 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.⁹⁵ The following table identifies the specific requirements.

Print Communications - Up to 24” x 36”

Disclaimer must be printed in a typeface that is:

- Bold, sans serif;
- Easily legible to an average reader;
- Not less than 14-point font; and
- In a color that contrasts with the background.

Print Communications - Larger than 24” x 36”

Disclaimer must be printed in a typeface that is:

- Bold, sans serif;
- Easily legible to an average reader;
- At least five percent of the height of the material; and
- In a color that contrasts with the background.

⁹³ LAMC §§ 49.7.2(B), 49.7.33(A).

⁹⁴ LAMC § 49.7.33(A)

⁹⁵ LAMC § 49.7.33(D)

Audio Communications

Disclaimer must be spoken:

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

Video Communications

Disclaimer must be printed in a typeface that is:

- Bold, sans serif;
- Easily legible to an average reader;
- In a color that contrasts with the background; and
- 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 or for at least 10 seconds in a video that is longer than 30 seconds.

3. ELECTRONIC ADVERTISEMENTS

An abbreviated disclaimer may be used for small electronic ads where a full disclaimer is impractical.⁹⁶ 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. EXCEPTIONS

A disclaimer is not required on the following⁹⁷:

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

⁹⁶ LAMC § 49.7.33(E)(2).

⁹⁷ LAMC § 49.7.33(E)(1).

5. 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.⁹⁸
- b. Reporting Changes to Disclaimer Information. If the information in a disclaimer changes, you must amend the campaign communication within five business days.⁹⁹

B. SOCIAL MEDIA

If your campaign uses social media (Twitter, Facebook, Instagram, etc.) to communicate about the election you must include the following statement on each account's home or main page¹⁰⁰:

“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, 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 or attached communication must include the appropriate disclaimer and be filed as a campaign communication in CEFS.

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

⁹⁸ Cal. Gov't Code § 84305.

⁹⁹ LAMC § 49.7.33(F).

¹⁰⁰ LAMC § 49.7.34(A).

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.¹⁰¹

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.¹⁰² These communications are searchable through the Ethics Commission's Public Data Portal.

Note: 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 communication.

1. FILING DEADLINES

Campaign communications must be filed according to the following deadlines¹⁰³:

| | |
|--|---|
| 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

Filings must include the documentation noted below. Acceptable formats include: PDF, MP3, WAV, and MP4. Color copies are required for visual communications.

| | |
|---------------------------------|---|
| Phone calls | A copy of the script and, if the call is recorded, a copy of the recording. |
| Audio communications | A copy of the script and a copy of the audio file. |
| Videos | A copy of the script and a color copy of the video file. |
| Mailers | A color copy of each version of the mailer (resulting from different languages, different audiences, modified content, etc.). |
| Emails | A color copy of the email. |
| Electronic Advertisement | A color copy of the ad and a color copy of any information or communication that is viewable by clicking a link in the ad. |

¹⁰¹ Charter § 470(i); LAMC § 49.7.37.

¹⁰² LAMC § 49.7.32(A).

¹⁰³ LAMC § 49.7.32(B).