

1 Adopt 2 Cal. Code Regs. Section 18421.5 to read

2 **§ 18421.5. Reporting an Expenditure for Paid Online Communications.**

3 (a) Purpose. This regulation requires additional expenditure reporting to inform the  
4 public when a recipient committee under Section 82013(a) pays a person, other than in-  
5 house campaign staff, to provide content that supports or opposes about a candidate or  
6 ballot measure on the an Internet site other than the committee's own website.

7 (b) When reporting an itemized expenditure pursuant to Sections 84211(k) or 84303,  
8 a committee, pursuant to Section 82013(a), must specifically describe amounts the  
9 committee paid by the committee to provide favorable or unfavorable content or  
10 commentary on a candidate or ballot measure by:

11 1) Providing content for posting on a web site or a web log (commonly known as  
12 a "blog"), whether one's own or another's;

13 2) Providing content for or posting on a social media platform or servicesite;

14 3) ~~Creating~~ Providing video content for posting online.

15 (c) When reporting these expenditures, whether the payment is made directly or  
16 through a third party, committees must include list specific details of the payment, as  
17 much specificity as possible, including, but not limited to, the amount of the payment, the  
18 payee, the name of the person providing services content, and the name of the website or  
19 the URL on which the communications is are published in the first instance. The  
20 committee must report the expenditure for online content using the expenditure code  
21 "WEB" and the specifics described in this section. a specific description.

1 (d) Paid advertisements placed on the Internet by a recipient committee that are  
2 already required to carry a “paid for by” disclaimer and are purchased at regularly  
3 published rates are not subject to the additional reporting required by this regulation.

4 (e) The reporting in this regulation required by this regulation does not apply to  
5 payments that by a recipient committee makes to a person for producing content solely  
6 for the committee’s own websites or social media accounts.

7 (f) The reporting requirements of this regulation are in addition to the reporting  
8 requirements of Sections 84211(k) and 84303.

9 (g) If the fact that a campaign has paid for content as described in this regulation is  
10 posted in a clearly conspicuous manner along with the posted content in each instance of  
11 the content appearing on the Internet or other digital platform, reporting is not required as  
12 described in this regulation. For example, the following type of posting would satisfy  
13 this requirement: “The author was paid by the Committee to Re-Elect Mayor Heather  
14 Rowan in connection with this posting”.

15 (h) For purposes of this Regulation, “Content” means that which is offered on a  
16 website or other digital platform in writing, picture, video, photograph or other similar  
17 format. Content does not include clicking on images to cast a “vote” or opinion, nor does  
18 it include commentary posted in response to another person’s content.

19 Note: Authority cited: Sections 83112 and 84211(k), Government Code. Reference:  
20 Sections 84211 and 84303 Government Code.