



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3000 • Sacramento, CA 95811  
(916) 322-5660 • Fax (916) 322-0886

**To:** Chair Germond, Commissioners Cardenas, Hatch, and Hayward

**From:** Trish Mayer, Assistant Chief, Legal Division

**Subject:** Updated Draft Campaign Manuals

**Date:** August 15, 2018

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Attached for your review are updated campaign manuals. These manuals contain changes made as a result of last minute IP comments. All changes made after the initial August 6 posting are highlighted in green and are summarized below. The formatting and font size issues will be fixed in the final “clean” version.

#### **Incorporated IP Comments**

- The draft campaign manuals reference disclaimers appearing in a “clear and conspicuous manner,” however that language was repealed with Regulation 18450.4. We had a recommendation to remove the specific language from the manuals. (Manual 1 - 8.3, Manual 2 – 7.3, Manual 3 – Contents-2 and 7.12, Manual 5 – 3.2, Manual 6 – 2.2)
- A recommendation was made to more closely track the statutory language on advertisements that require a larger print disclaimer such as “Print ads larger than those designed to be individually distributed, including billboards and yard signs.” (Manual 1 – 8.7, Manual 2 – 7.7, Manual 3 – 7.5, Manual 5 – 3.3, Manual 6 – 2.3 and 2.6)
- The disclaimers for electronic media ads are missing the required question mark. The disclaimer should read “Who funded this ad?” The question mark was added. (Manual 1 – 8.9, 8.14 and 8.25, Manual 2 – 7.9, 7.13 and 7.20, Manual 3 – 7.7, Manual 5 – 3.4, Manual 6 – 2.5 and 2.7)
- The Ballot Measure Committee Manual 3 currently states that the full paid for by disclaimer is required on electronic media ads. This language was updated to more closely reflect what the statute requires. (Manual 3 – 7.12)
- The Ballot Measure Committee Manual 3 also states that top contributors may be listed on one line separated by commas. However, this is only permissible on “a printed advertisement that is larger than those designed to be individually distributed, including, but not limited to, yard signs or billboards” under Section 84504.2(b). The language on the chart was corrected. (Manual 3 – 7.4)

- The Major Donor Manual 5 advises that top contributor disclaimers are only needed for primarily formed ballot measure committees or general purpose committees. However, the statute requires the top contributor disclaimer for all committees other than political party committees and candidate controlled committees for elective office. We updated the language to clarify this. (Manual 5 – 3.9)
- Language from new Section 84204.5(b) was inadvertently copied to the major donor manual. The new provisions don't apply to major donors, so the language was removed. (Manual 5 – 4.5)
- Section 84506.5 doesn't require this *specific* language: "This advertisement was not authorized by a candidate or a committee controlled by a candidate." Instead, it requires a statement that the advertisement was not authorized by candidate or a committee controlled by a candidate. (Manual 1 – 8.6, 8.7, 8.8, 8.13, and 8.15, Manual 2 – 7.6, 7.7, 7.8, 7.13 and 7.14, Manual 6 – 2.2, 2.3, 2.4 and 2.9)
- Clarifying language was added to indicate that each line of the ad charts must be at a height of at least 5% of the ad. (Manual 1 – 8.7, Manual 2 – 7.7, Manual 3 – 7.5, Manual 5 – 3.3, Manual 6 – 2.3 and 2.6)
- Language was updated in the Ballot Measure Manual 3 to more closely reflect the requirement in new Section 84204.5(b). (Manual 3 – 8.3)
- The last sentence of the PTA example was updated to provide a more generic answer. (Manual 3 – 13.17)
- The State Candidate Manual 1 currently states that a single contribution triggers the 10-day report. The clarified language mirrors the language in Section 84204.5(a). (Manual 1 – 2.12)
- The current explanation of the coordination presumption for common consultants contained in Regulation 18225.7(d)(3) in the manuals reads more broadly than the applicable regulatory language. The language was updated to more closely mirror the language in the Regulation. (Manual 1 – 7.3, Manual 2 – 6.3, Manual 3 – 6.3, Manual 6 – 1.3)
- The definition of "foreign principal" was reworded. (Manual 3 – 4.5, Manual 5 – 2.12)