



General Assembly

Amendment

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LCO No. 5492

HB0555605492SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

SEN. MCLACHLAN, 24th Dist.

To: House Bill No. 5556

File No.

Cal. No.

(As Amended)

"AN ACT CONCERNING CHANGES TO CAMPAIGN FINANCE LAWS AND OTHER ELECTION LAWS."

1 Strike subsection (c) of section 9 in its entirety and insert the
2 following in lieu thereof:

3 "(c) No business entity, organization, association, committee, or
4 group of two or more individuals who have joined solely to promote
5 the success or defeat of a referendum question shall make or incur any
6 expenditure for any written, typed or other printed communication
7 which promotes the success or defeat of any referendum question
8 unless such communication bears upon its face, as a disclaimer, the
9 words "paid for by" and the following: (1) In the case of a business
10 entity, organization or association, the name of the business entity,
11 organization or association and the name of its chief executive officer
12 or equivalent and an address to an Internet web site that lists all

13 donors subject to disclosure under section 9-612, as amended by this
14 act, and such donors' addresses; (2) in the case of a political committee,
15 the name of the committee and the name of its [campaign] treasurer;
16 (3) in the case of a party committee, the name of the committee; or (4)
17 in the case of such a group of two or more individuals, the name of the
18 group and the name and address of its agent."

19 Strike subsections (h) to (j), inclusive, of section 9, in their entirety
20 and insert the following in lieu thereof:

21 "(h) (1) No individual or entity shall make or incur an independent
22 expenditure for any written, typed or other printed communication,
23 including on a billboard, or any web-based, written communication,
24 [that promotes the success or defeat of any candidate for nomination
25 or election or promotes or opposes any political party or solicits funds
26 to benefit any political party or committee,] unless such
27 communication bears upon its face, as a disclaimer, the words "Paid
28 for by" and, in the case of an individual, the name and address of such
29 individual, or, in the case of an entity, the name of the entity, the name
30 of its chief executive officer or equivalent, and its principal business
31 address. [and] The communication shall also bear upon its face the
32 words "This message was made independent of any candidate or
33 political party.". In the case of an entity making or incurring such an
34 independent expenditure, [which entity is a tax-exempt organization
35 under Section 501(c) of the Internal Revenue Code of 1986, or any
36 subsequent corresponding internal revenue code of the United States,
37 as amended from time to time, or an incorporated tax-exempt political
38 organization organized under Section 527 of said code, such
39 communication shall also bear upon its face the words "Top Five
40 Contributors" followed by a list of the five persons or entities making
41 the largest contributions to such organization during the twelve-month
42 period before the date of such communication] such communication
43 shall also bear upon its face an address to an Internet web site that lists
44 all donors subject to disclosure under section 9-612, as amended by
45 this act, and such donors' addresses.

46 (2) In addition to the requirements of subdivision (1) of this
47 subsection, no individual or entity shall make or incur an independent
48 expenditure for [television advertising or Internet video advertising,
49 that promotes the success or defeat of any candidate for nomination or
50 election or promotes or opposes any political party or solicits funds to
51 benefit any political party or committee] a video broadcast by
52 television, satellite or Internet, unless at the end of such advertising
53 there appears simultaneously, for a period of not less than four
54 seconds as a disclaimer, (A) a clearly identifiable video, photographic
55 or similar image of the individual or the entity's chief executive officer
56 or equivalent, and (B) a personal audio message, in the following form:
57 "I am (name of the individual or entity's chief executive officer or
58 equivalent), (title) of (entity). This message was made
59 independent of any candidate or political party, and I approved its
60 content.". In the case of an entity making or incurring such an
61 independent expenditure, [which entity is a tax-exempt organization
62 under Section 501(c) of the Internal Revenue Code of 1986, or any
63 subsequent corresponding internal revenue code of the United States,
64 as amended from time to time, or an incorporated tax-exempt political
65 organization organized under Section 527 of said code, such
66 advertising shall also include a written message in the following form:
67 "The top five contributors to the organization responsible for this
68 advertisement are" followed by a list of the five persons or entities
69 making the largest contributions during the twelve-month period
70 before the date of such advertisement] such communication shall also
71 include a written message with an address to an Internet web site that
72 lists all donors subject to disclosure under section 9-612, as amended
73 by this act, and such donors' addresses.

74 (3) In addition to the requirements of subdivision (1) of this
75 subsection, no individual or entity shall make or incur an independent
76 expenditure for [radio advertising or Internet audio advertising, that
77 promotes the election or defeat of any candidate for nomination or
78 election or promotes or opposes any political party or solicits funds to
79 benefit any political party or committee] an audio communication

80 broadcast by radio, satellite or Internet, unless the advertising ends
81 with a disclaimer that is a personal audio statement by the individual
82 or entity's chief executive officer or equivalent (A) identifying the
83 individual or entity paying for the expenditure, and (B) indicating that
84 the message was made independent of any candidate or political party,
85 using the following form: "I am (name of individual or entity's chief
86 executive officer or equivalent), (title), of (entity). This message
87 was made independent of any candidate or political party, and I
88 approved its content.". In the case of an entity making or incurring
89 such an independent expenditure, [which entity is a tax-exempt
90 organization under Section 501(c) of the Internal Revenue Code of
91 1986, or any subsequent corresponding internal revenue code of the
92 United States, as amended from time to time, or an incorporated tax-
93 exempt political organization organized under Section 527 of said
94 code, such advertising shall also include (i) an audio message in the
95 following form: "The top five contributors to the organization
96 responsible for this advertisement are" followed by a list of the five
97 persons or entities making the largest contributions during the twelve-
98 month period before the date of such advertisement, or (ii) in the case
99 of such an advertisement that is thirty seconds in duration or shorter,
100 an audio message providing a web site address that lists such five
101 persons or entities. In such case, the organization shall establish and
102 maintain such a web site with such listing for the entire period during
103 which such organization makes such advertisement] such
104 communication shall end with an address to an Internet web site that
105 lists all donors subject to disclosure under section 9-612, as amended
106 by this act, and such donors' addresses.

107 (4) In addition to the requirements of subdivision (1) of this
108 subsection, no individual or entity shall make or incur an independent
109 expenditure for [automated] telephone calls, [that promote the election
110 or defeat of any candidate for nomination or election or promotes or
111 opposes any political party or solicits funds to benefit any political
112 party or committee,] including those which are automated, unless the
113 narrative of the telephone call identifies the individual or entity

114 making the expenditure and its chief executive officer or equivalent [.]
115 In the case of an entity making or incurring such an independent
116 expenditure, which entity is a tax-exempt organization under Section
117 501(c) of the Internal Revenue Code of 1986, or any subsequent
118 corresponding internal revenue code of the United States, as amended
119 from time to time, or an incorporated tax-exempt political organization
120 organized under Section 527 of said code, such narrative shall also
121 include an audio message in the following form: "The top five
122 contributors to the organization responsible for this telephone call are"
123 followed by a list of the five persons or entities making the largest
124 contributions during the twelve-month period before the date of such
125 telephone call] and such narrative ends with an address to an Internet
126 web site that lists all donors subject to disclosure under section 9-612,
127 as amended by this act, and such donors' addresses.

128 (i) In any print, television or social media promotion of a slate of
129 candidates by a party committee, the party committee shall use
130 appropriate disclaimers pursuant to the provisions of this section for
131 such promotion, and no individual candidate disclaimers shall be
132 required.

133 (j) Notwithstanding the provisions of this section, any entity that is
134 required under the provisions of this section to identify donors in any
135 disclaimer made in the case of an independent expenditure shall list
136 such donors as individuals. In any case where a donor is another entity
137 that made a covered transfer to such entity, then the individual donors
138 to the entity making the covered transfer shall also be listed in any
139 required Internet web site listing."