



House of Representatives

General Assembly

File No. 749

January Session, 2019

Substitute House Bill No. 5815

House of Representatives, April 18, 2019

The Committee on Government Administration and Elections reported through REP. FOX of the 148th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING POLITICAL ADVERTISING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (k) of section 9-621 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2019*):

4 (k) (1) Any disclaimer required to be on the face of a written, typed
5 or other printed communication pursuant to the provisions of this
6 section shall be printed in no smaller than eight-point type of uniform
7 font when such disclaimer is on a communication contained in a flyer
8 or leaflet, newspaper, magazine or similar literature, or that is
9 delivered by mail.

10 (2) In the case of a clearly identifiable photographic or similar
11 image, or an illustration, of a candidate appearing in any
12 communication that promotes the defeat of such candidate's campaign
13 for nomination or election, which image has been altered in any way,

14 any disclaimer required to be on the face of such communication
15 pursuant to the provisions of this section shall also conspicuously state
16 that such image or illustration has been so altered.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	9-621(k)

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Elections Enforcement Commission	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill establishes a disclaimer requirement for certain political advertisements that contain altered images. This may result in a potential cost to the State Elections Enforcement Commission (SEEC) as the agency may receive election related complaints regarding altered images on political advertisements. Depending on the number of complaints, SEEC may need to hire one Legal Investigator.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5815*****AN ACT CONCERNING POLITICAL ADVERTISING.*****SUMMARY**

By law, printed, video, and audio political communications must include certain attributions, known as “disclaimers.” Among other things, disclaimers must identify the person making the expenditure for the communication.

This bill establishes a disclaimer requirement for certain political communications that contain altered images. Under the bill, when such a communication provides a disclaimer on its face as required by law, it must also conspicuously state that the image or illustration has been altered.

The requirement applies to any communication that (1) contains a clearly identifiable photographic or similar image, or illustration, of a candidate and (2) promotes the defeat of that candidate in a primary or general election.

EFFECTIVE DATE: July 1, 2019

BACKGROUND***Related Bill***

sHB 7329 (§ 20), reported favorably by the Government Administration and Elections Committee, modifies disclaimer requirements for party candidate listings and Internet communications.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 2 (04/01/2019)