

**Please Support HB18-1403 (Rep. Weissman): "Stand by your Ad" Act**

**Purpose**

- Provide more complete information to voters about who is trying to impact their elections
- More complete information allows the "marketplace of ideas" in politics to function better
- Requiring political entities to take ownership of their ads may reduce negative campaigning
- More transparency about electoral processes can reduce skepticism of politics & increase participation

**Summary of the bill**

- Apply existing disclaimer requirements to more types of committees
- Apply existing disclaimer requirements to increasingly prevalent online communications

**Strong U.S. Supreme Court support for disclaimer requirements**

- Disclaimer and disclosure requirements "impose no ceiling on campaign-related activities" – *Buckley v. Valeo*
- Disclaimer and disclosure requirements "do not prevent anyone from speaking" – *McConnell v. FEC*
- Disclaimers "'insure that the voters are fully informed' about the person or group who is speaking" – *Citizens United v. FEC* quoting *Buckley v. Valeo*
- "At the very least, the disclaimers avoid confusion by making clear that the ads are not funded by a candidate or political party." – *Citizens United v. FEC*
- "[T]he public has an interest in knowing who is speaking about a candidate shortly before an election." – *Citizens United v. FEC*
- "The First Amendment protects political speech; and disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way. This transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages." – *Citizens United v. FEC*

**What HB 1403 does not change**

- What individuals / entities may make a contribution
- Any contribution amount by any individual / entity
- Any contribution limit for any entity
- What individuals / entities may make an expenditure

**"For where your treasure is, there your heart will be also." – Matthew 6:21**

## Comparison of Disclaimer Requirements

	<b>Current Law</b>	<b>HB 1403</b>
<b>Committee types covered</b>	<ul style="list-style-type: none"> <li>• Independent expenditures</li> <li>• Issue committees</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Independent expenditures</b></li> <li>• <b>Issue committees</b></li> <li>• <b>Candidate committees</b></li> <li>• <b>Political committees (PACs)</b></li> <li>• <b>Small donor committees (SDCs)</b></li> <li>• <b>Political organizations (527s)</b></li> <li>• <b>Political parties</b></li> </ul>
<b>Expenditure threshold</b>	\$1000	Same
<b>Broadcast</b>	Disclaimer required	Same
<b>Printed, mailed, delivered</b>	Disclaimer required	Same
<b>Online</b>	Disclaimer not explicitly required	<b>Disclaimer required</b>