

PLEASE VOTE YES**HB 1261 - Electioneering Communications Disclaimers**

The provisions in this bill **require “paid for by” statements on all electioneering communications** run in election years in the period starting 30-days before the Primary Election, through the summer up to the General Election.

Under current law, electioneering communications are **not required to include any type of disclaimer** – a statement telling voters on the communication itself what entity or person paid for it – **on the advertisement itself.**

Thus, a billboard, direct mail piece, canvassing hand-delivered flyer, or even a TV or radio advertisement can currently be run naming candidates in the days up to an election without any notice to the voter hearing or seeing the advertisement of who is behind that message trying to influence their vote.

The bill requires “paid for by” statements on electioneering communications costing over \$1,000 in accordance with size, timing and placement requirements currently in place for other political advertisements by the FCC and the Secretary of State. Under current law, **electioneering communications cannot be run completely anonymously** and must file public information in the Secretary of State database on the next scheduled reporting date after the advertisement is distributed.

This revision **will provide needed immediate information to voters** so that they can know who is supporting and opposing different candidates and can evaluate the messages and messengers. **These statements also enhance voter value** in all reporting and disclosure in the system by providing a way for voters to look up more information in the TRACER system using the name of the person paying for the communication and **enhance compliance** with disclosure rules.

For Further Information about either HB 1261 or HB 1262:

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PLEASE VOTE YES
HB 1262 - Expanded Disclosure of Electioneering Communications

The provisions in this bill **close the gap in electioneering communications disclosure** when advertisements are run for or against candidates in the summer after a Primary Election.

Under Current Law political ads that mention a candidate by name and are broadcast, mailed, or distributed in the targeted district (and cost over \$1000 in aggregate) must be disclosed within *30 days leading up to the Primary Election in June and 60 days leading into the General Election in November*. This means that during the months of July and August, when all candidates for the General Election are set, mailers, billboards, canvass literature, radio ads and more can name such candidates and say good or bad things about them and avoid disclosure of their funding or spending as an electioneering communication. **This is the gap period.**

This bill closes the gap by applying the statutory reporting requirements for all “electioneering communications” between the Primary and General Elections. The original timeframes were established when Colorado primaries were in August and a much smaller gap existed between the primary date and the 60-day pre-general window.

The bill **does not change the substantive disclosure** filed by any person or entity during the year for donations and spending on electioneering communications- it just makes those same requirements apply during the previous gap period, where evidence shows candidate ads are also run.

- (1) For communications made by registered entities (candidate committees, political committees, parties, SDCs & political organizations)** – these groups will continue to file their regular reports on the same SOS schedule throughout the summer between the primary and general election. However, these groups will be required to mark applicable spending for communications that mention a candidate in the targeted district as “electioneering” in TRACER (check the box) and therefore **provide required itemized and targeted candidate information** for that spending. This allows for better searching of the information by voters.

Committee reporting will be the same throughout the summer and it **provides more information to voters** who are searching for information about who is spending to support/opposed candidates between the Primary and General Elections.

- (2) For communications paid for by individuals or entities outside the TRACER registration system (c4 orgs, corporations, individuals, unions (not PACs))** – Under current law, any communication mentioning a candidate in the targeted district does NOT have to be reported (even when more than \$1000 is spent) by these outside groups or individuals during the gap – **a dark money loophole where voters cannot get any information**. During the EC windows, these entities do not have to register a committee and file all committee reports, but **MUST** file a transactional report that lists the spending, any donations made earmarked to support ECs run by the group, the candidate targeted and method of communication. The bill would require these transactional reports to be filed throughout July and August as well.

The benefit to voters is that this spending is simply NOT reported anywhere during July and August and the bill **would increase transparency and provide this information to voters** about who is spending to support/oppose candidates between the primary and general elections.