



COUNTY OF EL DORADO
CANDIDATE AND COMMITTEE SIGN
INFORMATION PACKET

**SIGNS, POSTERS AND ALL OTHER
ADVERTISING/SOLICITING ARE PROHIBITED
ON ALL UTILITY POLES, GUIDES AND
SUPPORTS**

California Business and Professions Code §5460

California Penal Code §556.1

CPUC General Order 95, Rule 39

Revised May 2024

POLITICAL SIGN INFORMATION

To: Candidates and Committees

Re: Temporary Political Signs

The placement of temporary political signs in El Dorado County prior to an election are governed by the California Business and Professions Code as well as regulations adopted by the Cities of Placerville and South Lake Tahoe. In addition, the State Department of Transportation requires a Statement of Responsibility to be filed certifying a person who will be responsible for removing the sign(s).

Enclosed please find applicable excerpts of the State of California Business and Professions Code, El Dorado County Environmental Management, city regulations, State Department of Transportation and other information that applies directly to temporary political signs.

For further information, please call:

- City of Placerville – Andrew Painter (530)642-5252
- City of South Lake Tahoe – Susan Blankenship (530)542-6005
or City Planning Department (530)542-6020
- State of California – Department of Transportation (916)651-9327
- El Dorado County – Environmental Management (530)621-5300



COMMUNITY DEVELOPMENT AGENCY

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5355, Fax (530) 642-0508

New Sign Ordinance Regulations for Signage Posted Before, During and After an Election

On July 28, 2015, the El Dorado County Board of Supervisors adopted a comprehensive update to the County's Sign Ordinance (Chapter 130.16 of Title 130). The new Ordinance became effective 30 days after adoption on August 27, 2015.

The Sign Ordinance contains new requirements for signage posted before, during and after an election (Sec. 130.16.030.B.10), including but not limited to:

- Allows for increased total sign area (**up to 32 square feet**) beginning **90 days before an election** and **ending 2 weeks after** such an election, after which point signs shall be reduced to 6 square feet. (Sec. 130.16.030.B.10.b)
- Signs must be set back at least 5 feet from the public right-of-way and may not project above the roofline of any structure. (Sec. 130.16.030.B.10.a)
- Signs are **prohibited in the County right-of-way** and may not obstruct or interfere with the motoring public or the view of a traffic signal, other traffic control device or traffic sign. (Sec. 130.16.030, 130.16.070 and California Vehicle Code)
- Signs are **prohibited** from being affixed to an element or structure on the public right-of-way, or located on a publicly owned tree, fence, or utility pole or otherwise posted on public property. (Sec. 130.16.090.B.7)

Any signs found to be in the County right-of-way or otherwise in violation of the Sign Ordinance are subject to immediate removal. (Sec. 130.16.110.B)

To view/print the complete Sign Ordinance, visit the County website at:
www.edcgov.us/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx

For questions regarding the Sign Ordinance, please call the Community Development Agency, Development Services Division, at (530) 621-5355.



City of Placerville

Development Services Department
3101 Center Street, Placerville, CA 95667
Planning (530) 642-5252 · Building (530) 642-5240 · Engineering (530) 642-5250

July 6, 2016

Subject: *Campaign Signage - City of Placerville Sign Ordinance*

To all candidates and other interested parties:

This letter will serve as a courtesy reminder as to the City regulations governing the size, placement and removal of all political campaign signs within Placerville City Limits.

The City Council has adopted regulations pertaining to temporary signs within the City of Placerville. These regulations exempt political signs, provided that they meet the following criteria and are not placed, constructed or located in any manner so as to cause a hazard or nuisance to persons or property:

City Municipal Code §10-4-17 (C), *Exempt Signs:*

- 4. Temporary political signs not exceeding 16 square feet in area in commercial districts nor more than 8 square feet in residential districts provided the signs are erected no more than 60 days prior to and removed 15 working days following the election for which they were intended. Political signs are not permitted on public property, rights of way, nor attached to trees or natural features.**

Please be advised that campaign signs which violate the Sign Ordinance, including but not limited to the section above, may be subject to abatement action pursuant to provisions in the Code, including but not limited to:

City Municipal Code §10-4-17 (L), *General Requirements For Abatement:*

- 4. A political sign not posted in accordance with this section shall be removed by the candidate, property owner or person advocating the message on the sign and, upon their failure to do so within the time required herein, by the City.**

Our full Sign Ordinance, City Code Section 10-4-17, is available for your reference on our website. Please visit cityofplacerville.org and navigate to City Government > [City Code](#). Candidates and other interested parties are encouraged to contact the Development Services Department with questions at (530) 642-5252.

Andrew Painter, City Planner



**Statement of Responsibility
for Temporary Signs
in the City of South Lake Tahoe**

Required form to be completed by any candidate running for public office prior to placement of temporary signs within the City of South Lake Tahoe.

Regulations regarding temporary signs:

City of South Lake Tahoe City Code - Section 6.40.1080 (D):

D. Temporary signs located on private property not greater than 12 square feet in area, not internally illuminated, and not displayed for more than 30 days in a calendar year, except that for 60 days preceding a general or special election more than one such sign may be placed on each parcel, provided they are removed immediately after the election. Any sign larger than the limits described shall be counted as either freestanding or building sign area as appropriate.

Rules regarding temporary signs:

- ✓It is required that placement of any temporary sign needs the property owner's permission. This means on *any* property: residence, business or vacant lot.
- ✓Temporary signs are prohibited and cannot be placed on any City owned public property.
- ✓Temporary signs cannot be placed on any utility pole or City owned/posted snow removal pole.
- ✓Caltrans rules: temporary signs shall not be placed within the right of way of any highway. Any questions regarding placement on Highway 50/Lake Tahoe Boulevard or Highway 89/Emerald Bay Road, please contact Caltrans at (916) 654-6473.
- ✓All temporary signs must be removed immediately after the election.

Upon any violation to these rules/regulations, either on a complaint basis or by sighting of code enforcement personnel, the sign will be removed immediately and will result in forfeiture of all or portion of the Candidate's \$166 sign deposit.

Candidate's Name: _____

Mailing Address: _____

Phone Number: (____) _____ - _____

Email Address: _____@_____

Office Sought: _____

The undersigned accepts responsibility for conformance to City of South Lake Tahoe City Code Section 6.40.1080 (D) and the rules and regulations set forth above.

Signature: _____

Refundable Deposit of \$152 required. Please make check payable to City of South Lake Tahoe. Written request for refund of the \$152 deposit must be submitted to the City Clerk upon removal of all signs.

Received by: _____ Date: _____

**DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM**

Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed no sooner than 90 days prior to the scheduled election and is removed with 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign (Attached).

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment or inconvenience to you and your supporters. Please share this information with those assisting in your campaign.

Should you have any questions, comments or need additional information, please call (916) 651-9327.

Enclosure

**DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM**

**STATEMENT OF RESPONSIBILITY FOR TEMPORARY
POLITICAL SIGNS**

Election Date: _____ June _____ November _____ Other: _____

Candidate's Name: _____

Office sought or Proposition Number: _____

County where sign(s) will be placed: _____

Number of signs to be placed: _____

RESPONSIBLE PARTY:

Name: _____

Address: _____

Phone Number (Include Area Code) _____

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

SIGNATURE OF RESPONSIBLE PARTY

DATE

Mail Statement of Responsibility to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

California Election Code
Section 18370

18370

No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, a satellite location under Section 3018, or an elections official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of making his or her ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- (d) Do any electioneering as defined by Section 319.5.

As used in this section, "100 feet of a polling place, a satellite location under Section 3018, or an elections official's office: means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

(Amended by Stats. 2009, Ch. 146, Sec. 2. Effective January 1, 2010.)

California Business and Profession Code
Section 5460-5466

5460

It is unlawful for any person to place or cause to be placed, or to maintain or cause to be maintained any advertising display without the lawful permission of the owner or lessee of the property upon which the advertising display is located.

(Added by Stats. 1970, Ch. 991.)

5461

All advertising displays which are placed or which exist in violation of the provisions of this chapter are public nuisances and may be removed by any public employee as further provided in this chapter.

(Added by Stats. 1970, Ch. 991.)

5463

The director may revoke any license or permit for the failure to comply with this chapter and may remove and destroy any advertising display placed or maintained in violation of this chapter after 30 days' written notice is forwarded by mail to the permit holder at his or her last known address. If no permit has been issued, a copy of the notice shall be forwarded by mail to the display owner, property owner, or advertiser at his or her last known address.

Notwithstanding any other provision of this chapter, the director or any authorized employee may summarily and without notice remove and destroy any advertising display placed in violation of this chapter which is temporary in nature because of the materials of which it is constructed or because of the nature of the copy thereon.

For the purpose of removing or destroying any advertising display placed in violation of this chapter, the director or the director's authorized agent may enter upon private property.

(Amended by Stats. 2003, Ch. 594, Sec. 1. Effective January 1, 2004.)

5464

Every person as principal, agent or employee, violating any of the provisions of this chapter is guilty of a misdemeanor.

(Added by Stats. 1970, Ch. 991.)

5465

The remedies provided in this chapter for the removal of illegal advertising displays are cumulative and not exclusive of any other remedies provided by law.

(Added by Stats. 1970, Ch. 991)

5466

- (a) Notwithstanding any other provision of law, as to an advertising display in place as of August 12, 2004, a cause of action for the erection or maintenance of an advertising display that violates this chapter or the laws of a local governmental entity shall not be brought by a private party against an advertising display that has been in continuous existence in its current location for a period of five years. However, if the advertising display has been illegally modified, the cause of action for the illegal modification may be brought by a private party if it is filed within five years of the date the modification was made.
- (b) This section shall not apply to a cause of action brought by a governmental entity that is based on the erection or maintenance of an advertising display that violates this chapter or the laws of the governmental entity.
(Added by Stats. 2004, Ch. 529, Sec. 1. Effective January 1, 2005.)

California Penal Code

Sections 556-556.4

556

It is a misdemeanor for any person to place or maintain, or cause to be placed or maintained without lawful permission upon any property of the State, or of a city or of a county, any sign, picture, transparency, advertisement, or mechanical device which is used for the purpose of advertising or which advertises or brings to notice any person, article of merchandise, business or profession, or anything that is to be or has been sold, bartered, or given away.

(Added by Stats. 1953, Ch. 32.)

556.1

It is a misdemeanor for any person to place or maintain or cause to be placed or maintained upon any property in which he has no estate or right of possession any sign, picture, transparency, advertisement, or mechanical device which is used for the purpose of advertising, or which advertises or brings to notice any person, article of merchandise, business or profession or anything that is to be or has been sold, bartered, or given away, without the consent of the owner, lessee, or person in lawful possession of such property before such sign, picture, transparency, advertisement, or mechanical device is placed upon the property.

(Added by Stats. 1953, Ch. 32.)

556.2

Sections 556 and 556.1 do not prevent the posting of any notice required by law or order of any court, to be posted, nor the posting or placing of any notice, particularly pertaining to the grounds or premises upon which the notice is so posted or placed, nor the posting or placing of any notice, sign, or devise used exclusively for giving public notice of the name, direction or condition of any highway, street, lane, road or alley.

(Added by Stats. 1953, Ch. 32.2)

556.3

Any sign, picture, transparency, advertisement, or mechanical device placed on any property contrary to the provisions of Sections 556 and 556.1, is a public nuisance.

(Added by Stats. 1953, Ch. 32.)

556.4

For purposes of this article, information that appears on any sign, picture, transparency, advertisement, or mechanical device such as, but not limited to, the following, may be used as evidence to establish the fact, and may create an inference, that a person or entity is responsible for the posting of the sign, picture, transparency, advertisement, or mechanical device:

- (a) The name, telephone number, address, or other identifying information regarding the real estate broker, real estate brokerage firm, real estate agent, or other person associated with the firm.
- (b) The name, telephone number, address, or other identifying information of the owner or lessee of property used for a commercial activity or event.
- (c) The name, telephone number, address, or other identifying information of the sponsor or promoter of a sporting event, concert, theatrical performance, or similar activity or event.

(Added by Stats. 1998, Ch. 192, Sec. 1. Effective January 1, 1999.)

39 Minimum Clearances of Wires from Signs

Clearance between any overhead line conductor and all signs, whether mounted on buildings, isolated structures or otherwise constructed shall not be less than the values given in Table 2-A at a temperature of 60° F. and no wind.

The clearances specified in Table 2-A shall in no case be reduced more than 10% because of temperature and loading as specified in Rule 43. All clearances of more than 5 inches shall be applicable from the centerlines of conductors concerned. Lesser clearances shall be applicable from conductor surfaces.

(This Space Intentionally Left Blank)

Table 2-A Minimum Clearances of Wires from Signs Mounted on Buildings and Isolated Structures (a) (Letter References Denote Modifications of Minimum Clearances as Referred to in Notes Following this Table)

Case No.	Nature of Clearance Type of Sign	A Span Wires (Other than Trolley Span Wires) Overhead Guys and Messengers, Communication Cables and Communication Service Drops	B Communication Open Wire Conductors Supply Cables Treated as Service Drops 0 - 750 Volts	C Supply Conductors, Supply Cables of 0 - 750 Volts and Trolley Span Wires	D Supply Conductors and Supply Cables 750 - 300,000 Volts (b)	E Supply Conductors and Supply Cables, 300 - 550 KV
1	Vertical clearance above all signs upon which men can walk	8 Feet	8 Feet	8 Feet	12 Feet	20 Feet (g)
2	Vertical clearance above all signs upon which men cannot walk	2 Feet	2 Feet	3 Feet	8 Feet	20 Feet (g)
3	Vertical clearance under signs which are illuminated	2 Feet (c)	2 Feet (a)	3 Feet	Prohibited (f)	Prohibited
4	Vertical clearance under signs which are non-illuminated	6" (d)	1 Foot	3 Feet	Prohibited (f)	Prohibited
5	Horizontal clearance from signs which are illuminated	3 Feet (c)	3 Feet (e)	3 Feet	6 Feet	15 Feet (h)
6	Horizontal clearance from signs which are non-illuminated	6" (d)	1 Foot	3 Feet	6 Feet	15 Feet (h)

References to Rules Modifying Minimum Clearances in Table 2-A

- (a) These clearances do not apply to service drop conductors which are attached to signs for the purpose of serving such signs.
 (b) Nothing herein contained shall be construed as authorization of noncompliance with standards of the California division of industrial safety, including article e760-2 entitled "provision for preventing accidents due to proximity of high-voltage lines, 24 Cal. Mem. Code, Part 3, Basic Electrical Regulations.
 (c) May be reduced to 6 inches provided illuminated sign is grounded.
 (d) May be reduced if adequate separation is provided by means of a suitable non-conducting separator.
 (e) May be reduced to 1 foot for communication open wire conductors only, provided illuminated sign is grounded.

Rule

- (f) When conductors are at a level of 8 feet or more below the level of the lowest portion of the sign but not vertically under the sign, no horizontal clearance is required between the vertical planes through the conductor nearest the sign and the vertical projection of the extremities of the sign. Also note (b) above.
 (g) Shall be increased by 0.04 foot per KV in excess of 300 KV.
 (h) Not applicable to certain kinds of conductors.
 1 Supply conductors of same phase and polarity
 2 Insulated supply conductors in multi-conductor cables
 3 Communication insulated conductors or multiple-conductor cables

54.4-C3c
 57.4-C
 87.4-C1

Note: Resolution E-1068 dated May 31, 1960 authorized the addition of the above Rule 2-A and Table 2-A to be effective July 1, 1960. Revised March 30, 1968 by Decision No. 73813.



Political Advertising Disclaimers

1. Communications by Candidate Committees for their own Election

The disclaimer must include, unless otherwise noted: "Paid for by committee name."

Examples: "Paid for by Jones for Assembly 2014"

"Paid for by Friends of Smith for Mayor 2014"

Communication	Manner of Display
<p>All mass mailings - more than 200 (including electronic mail messages, faxes, Twitter feeds)</p>	<ul style="list-style-type: none"> • Committee name/address, as on file with Form 410, on outside of mailing. (if no Form 410 on file, use candidate name/address.) • Only committee name required on electronic messages • No less than 6 pt type/contrasting print color • Return envelopes (included in solicitation) – committee's name, address and ID number are recommended but not required
<p>Telephone calls advocating candidate's own election (500 or more) - made by vendors ("robo" calls) or paid individuals</p>	<ul style="list-style-type: none"> • Any time during the message • Must identify the candidate that paid for the call or an organization authorizing the call that files campaign reports • Must state that the call is "paid for by" or "authorized by" the identified candidate or organization • <i>Examples: This call was paid for by Senator Jones; This call was authorized by (name of committee)</i> • No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers
<p>The Political Reform Act does not require a specific disclaimer on the following communications, although the FPPC recommends placing "paid for by committee name" and committee ID number on all public campaign materials.</p>	
<p>Newspaper, radio and television ads</p>	<ul style="list-style-type: none"> • Radio and television advertisements require "paid for by" or sponsor identification under Federal Communications Commission rules • Check the Elections Code for newspaper ad requirements
<p>Billboards, yard signs, business cards, door hangers, flyers, posters and websites</p>	<ul style="list-style-type: none"> • "Paid for by committee name" and committee ID number are recommended but not legally required

The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control. Communications made by a candidate to support or oppose a ballot measure or other candidates are not addressed in this chart.

References: Government Code Sections: 84305, 84310.

Title 2 Regulations: 18435, 18440.

What happens if my sign doesn't comply with the new ordinance?

Signs **legally** erected under the previous Ordinance that do not comply with the new Ordinance are generally considered *legal nonconforming*. These signs are protected from removal by state law (Business and Professions Code 5490).

Legal nonconforming signs may continue with routine maintenance/repair, but shall not be moved, enlarged, or raised in height unless required by law or to conform to the new Ordinance. Modification of a nonconforming sign may be allowed through the plan check application process if it is determined that the modification will bring the sign into conformance with the provisions of the new Ordinance.

Existing off-site signs (e.g., billboards) shall not be converted to digital signs.

Permanent signs **illegally** erected under the previous Ordinance or under the new Ordinance are considered **illegal and shall be abated by the property owner.**

Illegal temporary signs are subject to immediate removal.



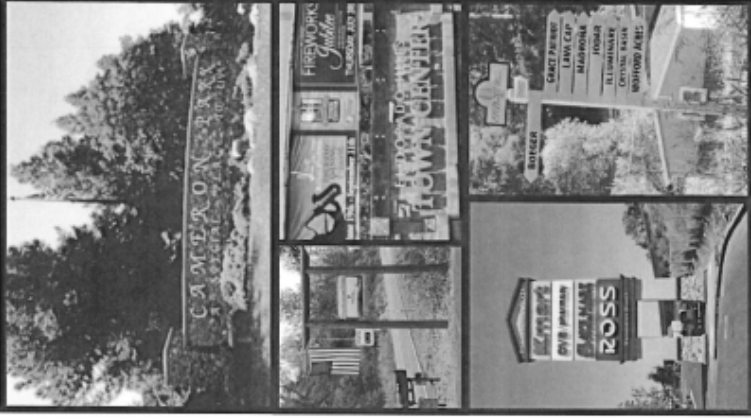
El Dorado County
Community Development Agency
2850 Fair Lane Court, Building C
Placerville, CA 95667
www.edcgov.us/
community-development

October 2015



El Dorado County Sign Ordinance

Title 130, Sec.130.16
Effective August 27, 2015



El Dorado County Sign Ordinance Update

On July 28, 2015, the El Dorado County Board of Supervisors adopted a comprehensive update to the County's Sign Ordinance (Chapter 130.16 of Title 130). The new Ordinance became effective 30 days after adoption on August 27, 2015.

The complete Sign Ordinance is available on the County website at: www.edcgov.us/LongRangePlanning/LandUse/Sign_Ordinance_Update.aspx

Key Changes

Some key changes include, but are not limited to:

⇒ The following are now **prohibited**:

- New general advertising for hire signs, including billboards
- Off-site commercial signs on private property (e.g. any sign not located on premises of the establishment indicated or advertised by sign)
- Mobile/movable signs with a commercial message

⇒ The following are now **allowed**:

- Community sign programs to help create sense of place and community identity, as well as to provide directions to nearby accommodations and attractions, scenic and historic points of interest, etc.
- Digital signs, with limitations

Sign Ordinance Implementation and Enforcement

El Dorado County's Community Development Agency (CDA) is responsible for implementing the Sign Ordinance. Below is a list of CDA Divisions that have a role in implementation and enforcement, the Division's specific responsibilities, and contact information.

Development Services

General questions about the new Ordinance; processing applications/permits for new signs

Contact: (530) 621-5355 or planning@edcgov.us

Environmental Management

Removal of **small and/or temporary** illegal signs in County right-of-way (e.g. A-frame signs)

Contact: (530) 621-5300 or emnd.info@edcgov.us

Transportation

Removal of **large and/or permanent** illegal signs in County right-of-way (e.g. signs cemented in to ground); **Contact:**

Contact: Leah Rademacher at (530) 621-5933 or leah.rademacher@edcgov.us

Installs and maintains traffic control devices (e.g. stop signs); addresses roadside memorials in County right-of-way

Contact: Darryl Brown at (530) 621-4919 or darryl.brown@edcgov.us

Code Enforcement

Addresses illegal signs on private property on a prioritized complaint process. Complaints may be submitted by calling (530) 621-5999 or filling out a complaint form available online at: www.edcgov.us/Building/Code_Enforcement.aspx



El Dorado County
Community Development Agency
2850 Fair Lane Court, Building C
Placerville, CA 95667
www.edcgov.us/
[community-development](http://www.edcgov.us/community-development)

Political Advertising Disclaimers

Under California's Political Reform Act, committees must put "paid for by" disclaimers on campaign advertising, including campaign mailers, radio and television ads, telephone robocalls, and electronic media ads. This brochure discusses disclaimer requirements for committees that purchase advertisements or circulate material supporting or opposing a state or local candidate or ballot measure in California.

What is a disclaimer?

A "disclaimer" is the portion of a political message that identifies the person or entity who paid for or authorized the communication. "Paid for by *committee name*" is the basic disclaimer required by the Act on most campaign communications sent by a *committee*.

Who is a committee?

A candidate's campaign committee, a political action committee, a political party committee, a major donor, and a person or entity making independent expenditures on candidates or ballot measures in California are all types of committees. A person or entity qualifies as a *committee* under the Act if they receive contributions from others for political purposes of \$1,000 or more per year; if they make independent expenditures on California candidates or ballot measures of \$1,000 or more per year; or if they make contributions to California candidates or ballot measures of \$10,000 or more per year.

When is a disclaimer required on political ads or materials?

Political committees must include the following disclaimers:

- **Mass mailings**, including blast campaign emails, must include identification of the sender.
- **Paid telephone calls** must identify the candidate or committee who paid for or authorized the call.
- **Radio and television ads** must include "paid for by" disclaimer under Federal Communications Commission (FCC) law.
- **Ballot measure ads and independent expenditure ads** must include "paid for by *committee name*" and such ads by primarily formed committees must also list top two donors of \$50,000 or more. This applies to television, radio, and electronic media advertisements, robocalls, mass mailings, and print ads such as newspaper ads, billboards and yard signs.

Are the Act's disclaimer rules the same for all committees and all ads?

No. Basic disclaimer rules apply to campaign materials disseminated by a candidate for their own election campaign because it is generally clear to the public that the candidate is sending the communication. Stricter disclaimer rules apply to (1) ballot measure advertisements and (2) independent expenditure advertisements on candidates and ballot measures, because it is less clear to the public who is responsible for these ads.

What does the disclaimer have to state?

The basic disclaimer must state: "Paid for by *committee name*." Ballot measure and independent expenditure ads paid for by primarily formed committees must also list top two donors of \$50,000 or more and special committee name rules apply. All *independent expenditure* ads for or against a candidate must state that the ad was: "Not authorized by a candidate or a committee controlled by a candidate."

What is an independent expenditure?

An "independent expenditure" is an expenditure made by any person in connection with a communication that expressly advocates the election or defeat of a clearly identified candidate or measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made at the behest of (e.g., in consultation, cooperation or coordination with) the affected candidate or committee. For further clarification see FPPC Regulation 18225.

Political Advertising Disclaimer Charts

Click on these links to charts showing the disclaimer requirements for your communication.

Candidates

1. [Communications by Candidate Committees for their own Election](#)
2. [Independent Expenditure Ads on Candidates](#)

Ballot Measures

3. [Ballot Measure Ads](#) (by committees primarily formed for a state or local ballot measure)
4. [Independent Expenditures Ads on Ballot Measures](#)
(by general purpose recipient committees, major donors, and independent expenditure committees)

On mass mailings, what does the disclaimer state?

A mass mailing -- over 200 substantially similar pieces of mail -- must include on the outside of the envelope: "Paid for by" and the name and address of the candidate or committee sending the mailing. The name and address must be in no less than 6-point type and in a color or print which contrasts with the background so that it is easily read.

If a mass mailing is paid for by more than one candidate or committee, the name and address of the candidate or committee who is paying the greatest share of the mass mailing (including costs for designing, postage, and printing) must be placed on the outside of each piece of mail. If two or more candidates or committees pay equally for the mailer, the name and address of at least one of the candidates or committees must be shown on the outside, and the names and addresses of all candidates or committees paying for the mailer must appear on at least one insert.

Candidate:

Paid for by Jones for Mayor 2014 123 Elm Street Elmton, CA 95523	Fred Smith 7200 Oak St Oakville, CA
------------------------------------------------------------------------	-------------------------------------------

Measure:

Paid for by Citizens in Support of Measure B 123 Elm Street Elmton, CA 95523	Fred Smith 7200 Oak St Oakville, CA 92253
------------------------------------------------------------------------------------	-------------------------------------------------

Independent Expenditure:

Paid for by ABC Company 123 Elm Street Elmton, CA 95523	Fred Smith 7200 Oak St Oakville, CA 92253
---------------------------------------------------------------	-------------------------------------------------

On emails, what does the disclaimer state?

When over 200 substantially similar emails are sent by a political committee, the email must include "Paid for by and the committee name." The committee's street address is not required on mass emails sent by a committee, but may be included.

How must the disclaimer appear?

Disclaimers on political ads and literature must be clear and conspicuous so as to be understood by the intended public. Written disclaimers must be printed clearly and legibly. Spoken disclaimers must be clearly audible and intelligible. Specific requirements for color contrast, print font size and time appearing on screen are listed in the disclaimer charts above.

Updating a disclaimer

When a committee's name changes because of new top donors or otherwise, advertisement disclaimers must be revised. Television, radio, electronic media, or robocalls must be amended within five calendar days. Print media, mass mailings, or other tangible items must be amended every time an order to reproduce is placed.

Advertisements in Languages Other than English

Disclaimers on political advertisements should be written or spoken in the same language used in the advertisement.

Does a disclaimer have to appear on ALL printed materials or campaign items?

No. A disclaimer is not required on regular-size campaign buttons, pins, bumper stickers, or magnets. It is not required on pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclaimer cannot be conveniently printed. The disclaimer is not required on t-shirts, caps, hats, and other articles of clothing; skywriting and airplane banners; or committee checks and receipts.

Does a disclaimer have to appear on communications from an organization to its members?

For political party communications, yes. For communications from other organizations to their members, a disclaimer is not required.

Can the FPPC answer my questions about disclaimers on my campaign communications?

Yes. The FPPC can assist you with questions about disclaimers on campaign communications. Use the Technical Assistance division advice email - advice@fppc.ca.gov. In some cases a copy of the ad will be required.

Is there a penalty for circulating or publishing literature or other material concerning a candidate or ballot measure without a disclaimer?

Yes. The penalty for failing to comply with the Act's disclaimer requirements is a fine of up to \$5,000 per violation. In addition, any person who violates the disclaimer requirements concerning ballot measure and independent expenditure advertisements may be liable for a fine of up to three times the cost of the advertisement, including placement costs.

What is the proper procedure to report violations for circulating or publishing materials without a disclaimer?

You may file a written complaint with the Fair Political Practices Commission's Enforcement division.

Can the FPPC check the truth or accuracy of the political communication?

No. The Act does not regulate the truth or accuracy of the content of political communications, given the broad First Amendment protection for political speech.

Must political messages in literature or other material concerning candidates for federal offices include a disclaimer?

Federal election law governs disclaimers on election materials for federal candidates. Contact the Federal Election Commission at www.fec.gov or (800) 424-9530 for information.

"Do not call" lists

Questions or comments regarding "do not call" lists should be addressed to the National Do Not Call Registry, administered by the Federal Trade Commission (FTC) at www.donotcall.gov. The federal Do Not Call Registry is a list of phone numbers of consumers who want to limit the telemarketing calls they receive. The "do not call" provisions do not cover calls from political organizations, charities, telephone surveyors or companies with which a consumer has an existing business relationship.

Posting political signs on utility poles and other public property

Check local ordinances for rules on posters and yard signs. Local law may restrict or prohibit the placement of campaign signs on government-owned property.

This brochure presents a summary of the law. For further legal information, consult the Act and its corresponding regulations and opinions.