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AB 2188: The Social Media DISCLOSE Act

PURPOSE

AB 2188 seeks to require online social media platforms to disclose information regarding the funders of political advertisements and to keep a database of the political ads they run. This measure builds upon the California DISCLOSE Act efforts of fortifying campaign finance disclosure requirements.

EXISTING LAW

In 2017, AB 249, the California DISCLOSE Act was signed into law. The DISCLOSE Act made strides in addressing existing lax campaign finance disclosure policies. The measure improved the clarity of the formatting of disclosures and established new earmarking rules to identify original donors to committees and ballot measures.

AB 249 required electronic media advertisements to include a “Who funded this ad?” link to a website having AB 249’s required top three contributor disclosure. Technically, however, most social media ads do not make that possible. The Fair Political Practices Commission (FPPC) does not believe that the changes made in AB 249 allow them to require social media platforms to do so.

BACKGROUND & PROBLEM

After the 2016 election, there were revelations about the influence that political ads dispersed through social media platforms had on voters. It became clear that voters were largely unaware of who was attempting to influence through these political ads displayed on their social feeds.

Currently, political ads appearing on social media platforms do not provide users easy accessible information regarding donors that brought the ad to their Facebook, Instagram, or Twitter feeds. In an age where many obtain political information, news, and current events through social media use, it becomes crucial that social media platforms provide information about advertisement funders to viewers. Voters are inundated by political messages on many fronts; they have the right to know who the

messenger is. Democracy is unable to truly thrive in the absence of transparency.

SOLUTION

The Social Media DISCLOSE Act will build upon the improvements to campaign advertisement disclosure that the California DISCLOSE Act established in 2017.

AB 2188 will:

- Require online social media platforms, such as Facebook and Twitter, to include a “Who funded this ad?” link next to their “Promoted” or “Sponsored” indications that will take viewers to the committee’s profile page on the platform.
- Require committee profile pages to display their AB 249 top three contributor disclosures in the top cover photo where viewers can easily see them after clicking “Who funded this ad?”
- Require social media platforms to keep a publicly available database of the political ads that committees pay for and include a “View Ads” link or tab on the profile pages of any committees that pay for ads on the platform to allow voters to see them.

Facebook and Twitter have recently made similar disclosure proposals. AB 2188 will ensure that new requirements fit with the California DISCLOSE Act and that they are consistent across all social media platforms.

SUPPORT

California Clean Money Campaign
California Church Impact
California Common Cause
California League of Conservation Voters
Californians for Disability Rights
CALPIRG
End Citizens United - Fight For Reform
Endangered Habitats League
League of Women Voters of California
LegitAction
Lutheran Office of Public Policy

Maplight
Money Out Voters In
People for the American Way
Public Citizen
Represent.Us
Voices for Progress
Women's Institute for Freedom of the Press

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