

SB 52, the California DISCLOSE Act

Disclose ballot measure funders where it counts most — On their ads

SB 52, the California DISCLOSE Act, would let voters know who is really paying for ballot measures by requiring their ads to clearly reveal their top funders — on the ads themselves. It is authored by Senators Mark Leno and Jerry Hill and sponsored by the California Clean Money Campaign.

Why We Need the California DISCLOSE Act

- **“In this era of unprecedented campaign spending, I believe that it is important that California voters are provided as much information as possible about the entities supporting ballot measures and candidates... The DISCLOSE Act provides voters with a new level of transparency in campaign finance disclosure that I whole-heartedly support.”**
— **Senator Anthony Cannella (R-Ceres)**
- **“The California Broadcasters Association urges you to vote YES on SB 52 because it improves transparency for ballot measure advertisements in a reasonable fashion. SB 52 takes the needs of both voters and political advertisers into account by making television disclosures significantly clearer (taking about the same amount of time and space as current law), while dramatically shortening and improving disclosure in radio ads.”**
— **Stan Statham, President/CEO, California Broadcasters Association**, representing the over 1,000 radio and television stations in the state.
- **“Requiring people to stand up in public for their political acts fosters civic courage, without which democracy is doomed. For my part, I do not look forward to a society which, thanks to the Supreme Court, campaigns anonymously and even exercises the direct democracy of initiative and referendum hidden from public scrutiny and protected from the accountability of criticism. This does not resemble the Home of the Brave.”**
— **Justice Antonin Scalia**, writing in *Doe v. Reed*, 2010 (about disclosure of names on ballot petitions)

What the California DISCLOSE Act Does

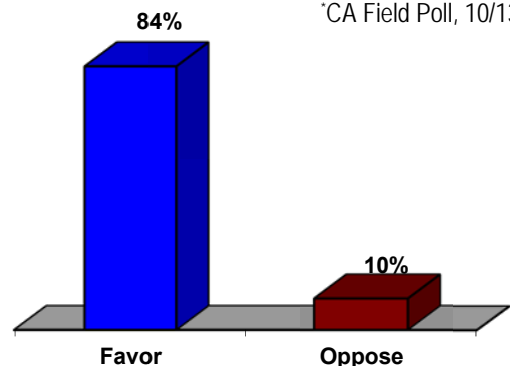
- **Require the three largest funders of ballot measure ads to be clearly and prominently identified** — on the ads themselves -- so viewers see right then who’s actually paying for them.
- **Applies to television ads, radio ads, print ads, mass mailers, and robocalls** for or against state and local ballot measures. It applies whether ads are paid for by corporations, unions, or millionaires.
- **Will end big secret political spending in California ballot measures** by requiring their ads to show their largest original contributors, no matter how many committees or groups their funds pass through.

Example Disclosure Required By SB 52 (for Yes on 25)
for five full seconds

Top Funders of This Ad
California Federation of Teachers
California Teachers Association
AFSCME

84% of Californians favor clearly identifying major funders*

*CA Field Poll, 10/13/2011



How SB 52 Would End Big Secret Political Spending

Did You Know? The Voters didn't...

- **George Soros spent \$1 million on Proposition 19**, the initiative to legalize marijuana in California. Voters saw fine print: *"Paid for by the Drug Policy Action Committee to Tax and Regulate Marijuana..."*

SB 52 Increases Disclosure in All Kinds of Political Ads

- **Applies to all significant political ads at the state and local levels** for and against ballot measures, independent expenditures for and against candidates, and sham issue ads for and against candidates.
- **Applies to all kinds of political ads:** Including TV, radio, print advertising, websites, online advertising, robocalls, and billboards.
- **Protects small donors:** Contributors are only eligible to be disclosed on ads if they gave at least \$10,000 for state campaigns or \$2,000 for local campaigns.

SB 52 is Constitutional and Reasonable

- **8 out of 9 justices in the Supreme Court's Citizens United decision** noted the problems when groups run ads *"while hiding behind dubious and misleading names"*. It said we need transparent disclosure for voters *"to make informed decisions and give proper weight to different speakers and messages."*
- **The new TV ad disclosures use the same time and space** as current law — yet are much more effective. The new radio ad disclosures are actually significantly shorter than now — but get rid of the speed readers.
- The Brennan Center for Justice concluded: *"The California DISCLOSE Act, SB 52, stands on a firm constitutional bedrock and is worthy of support."*

Californians are Ready for the California DISCLOSE Act

- **Two-thirds of business leaders agreed** *"The lack of transparency and oversight in corporate political activity encourages behavior that puts corporations at legal risk and endangers corporate reputations."* — Zogby International poll commissioned by the Committee for Economic Development in Oct 2010.
- **84% of California voters** said they favored legislation to *"increase the public disclosure requirements of initiative sponsors to more clearly identify who are its major funders"* in the October 13, 2011 Field Poll. Support was across the board, including 88% of Independents, 86% of Democrats, and 78% of Republicans.
- **SB 52 is endorsed by more than 350 organizations and leaders** including: *League of Women Voters, California Broadcasters Association, California Church IMPACT, California Clean Money Campaign, California Common Cause, California Forward Action Fund, Lutheran Office of Public Policy – California, Maplight, Redwood Empire Business Association, and U.S. Green Building Council of California.*
- **17 newspapers have editorialized for SB 52**, including the **Sacramento Bee, San Bernardino Sun, San Gabriel Valley Tribune, Fresno Bee, Los Angeles Daily News, Modesto Bee, Redlands Daily Facts, San Jose Mercury News, and the Merced Sun-Star.**

SB 52 will stop special interests from drowning out small business voices with deceptive ads while hiding behind misleading names