March 24, 2022

The Honorable Steven Glazer
Chair, Senate Elections and Constitutional Amendments Committee
State Capitol, Room 3076
Sacramento, CA 95814

Cc: The Honorable Tom Umberg and Ben Allen and other Members of the Senate Elections Committee

RE: SB 1360 (Umberg-Allen), the *2022 Disclosure Clarity Act* – Support

Dear Chair Glazer:

The organizations and individuals listed below are pleased to support SB 1360, the *2022 Disclosure Clarity Act.*

It's crucial for voters to know who's really funding political ads and initiative campaigns. That's why overwhelming bipartisan majorities in the legislature passed AB 249 (Mullin-Levine) the *California DISCLOSE Act* in 2017 to show voters the top funders of political ads, and then passed SB 47 (Allen) the *Petition DISCLOSE Act* in 2019 to show voters the top funders circulating initiative, referendum, and recall petitions.

Both laws have worked well but a few of their provisions are being abused by some campaign committees, subverting the intent of the legislature and denying voters the ability to clearly see the committees' top funders. SB 1360 will clarify AB 249's and SB 47's disclosure requirements in order to end abuses that make it hard for voters to see top funders. Here are the problems SB 1360 addresses:

1. Online Ad Disclosures Never Show Top Funders and are not "Easily Readable"
Problem: Many online ads make the required AB 249 "Who funded this ad?" disclosure hard to read. Worse, online ads, no matter how large, aren't required to disclose even one top funder on the ad, unlike every other major type of ballot measure and IE ad in California (including TV, radio, print, social media, and text messages).

SB 1360 Solution: (1) Require any online ballot measure or online IE ad that is large enough to list their top funder and either the name of the committee (which may be shortened) or its FPPC Committee #. (2) Require online ad disclosures to be on a solid white or black background on the bottom of the ad, in the opposite color text, so they're always easily readable, just like on television and print ads.

2. Long Committee Names on TV Ads Make it Hard to See Top Funders
Problem: Some committees have names that are so long they take up 3 or 4 lines on the screen, making it difficult to notice and read the top 3 funders disclosed at the bottom of the screen in the 5 seconds allotted.

SB 1360 Solution: Require the top 3 funders to appear in yellow on the black background (as opposed to white for the committee's name) and to be separated from the name by half a line, both of which will make them stand out.

3. Many Initiative, Referendum, and Recall Circulators Aren't Showing Top Funders

Problem: SB 47 required initiative signature gatherers to show voters the top 3 contributors of $50,000 or more to the committee paying for the circulation of the initiative, referendum, or recall petition. They could do so either by using a petition that list the top 3 contributors or by showing voters an "Official Top Funders" sheet that shows them, but many circulators don't show voters the top funder sheets when they ask them to sign.

SB 1360 Solution: Require that initiative, referendum, and recall petitions that do not list the to 3 contributors on the petition to say "DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid" in the signature box for each voter so voters cannot miss it.

SB 1360 includes additional modest amendments to the format of *California DISCLOSE Act* disclosures to simplify compliance and make disclosures more reasonable, including addressing line height requirements for online video ads that are taller than they are wide and allowing committee names on online ads, text messages, billboards, and yard signs to be shortened to save space as long as they are still uniquely identifiable.

SB 1360 is crucial for ensuring that disclosures for political advertisements and initiative, referendum, and recall petitions show voters the relevant top funders in a reasonable fashion that fulfills the original intent of the legislature and gives voters the information they need to make more informed decisions.

For these reasons, the organizations and individuals below SUPPORT SB 1360 and respectfully request your AYE vote.

FROM: California Clean Money Campaign (Sponsor)
California Common Cause
California Church Impact
Endangered Habitats League
Indivisible CA: StateStrong
Initiate Justice
MapLight
Money Out Voters In
Public Citizen
RootsAction.org
Voices for Progress