

The Committee on Elections and Ethics offered the following amendments to **Senate Bill No. 661**:

1. Amend page 5, line 10, after "Except" by inserting "ONLY".

2. Amend page 5, line 12, after "(J)" by striking out "AN" and inserting "**EXCEPT ONLY FOR THE PURPOSES OF SECTION 47, AN**".

3. Amend page 19, following line 15, by inserting:

"Sec. 47. (1) Except as otherwise provided in this subsection and subject to subsections (3) and (4), a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, shall bear upon it the name and address of the person paying for the matter. Except as otherwise provided in this subsection and subject to subsections (3) and (4), if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee. This subsection does not apply to communications between a separate segregated fund established under section 55 and individuals who can be solicited for contributions to that separate segregated fund under section 55.

(2) A radio or television paid advertisement having reference to an election, a candidate, or a ballot question shall identify the sponsoring person as required by the federal communications commission, shall bear the name of the person paying for the advertisement, and shall be in compliance with subsection (3) and with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer: "Not authorized by any candidate".

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer:

"Authorized by .....".  
(name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section shall be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this

section.

(4) Except **FOR A COMMUNICATION DESCRIBED IN SUBSECTION (5) AND EXCEPT** for a candidate committee's printed matter or radio or television paid advertisements, each identification or disclaimer required by this section shall also indicate that the printed matter or radio or television paid advertisement is paid for "with regulated funds". Printed matter or a radio or television paid advertisement that is not subject to this act shall not bear the statement required by this subsection.

**(5) A COMMUNICATION OTHERWISE ENTIRELY EXEMPTED FROM THIS ACT UNDER SECTION 6(2)(J) IS SUBJECT ONLY TO THE IDENTIFICATION REQUIRED BY SUBSECTION (1) OR (2) IF THAT COMMUNICATION REFERENCES A CLEARLY IDENTIFIED CANDIDATE WITHIN 30 DAYS BEFORE AN ELECTION IN WHICH THE CANDIDATE APPEARS ON A BALLOT AND IS TARGETED TO THE RELEVANT ELECTORATE WHERE THE CANDIDATE APPEARS ON THE BALLOT BY MEANS OF RADIO, TELEVISION, OR MASS MAILING.**

(6) ~~(5)~~—A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

**(7) AS USED IN THIS SECTION, "MASS MAILING" MEANS A MAILING BY UNITED STATES MAIL OR FACSIMILE OF MORE THAN 500 PIECES OF MAIL MATTER OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY 30-DAY PERIOD. A MASS MAILING DOES NOT INCLUDE ELECTRONIC MAIL OR INTERNET COMMUNICATIONS."**