

Amend CSSB 1952 by adding an appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES accordingly:

ARTICLE _____. DISCLOSURE ON POLITICAL ADVERTISING

SECTION _____.01. Section 251.001, Election Code, is amended by amending Subdivision (16) and adding Subdivision (21) to read as follows:

(16) "Political advertising" means a communication containing express advocacy relating to an election for [~~supporting or opposing a candidate for nomination or election to~~] a public office or office of a political party[~~, a political party, a public officer,~~] or a measure that:

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television or any other electronic transmission; or

(B) appears in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication.

(21) "Express advocacy" means a communication that advocates the election or defeat of a clearly identified candidate or officeholder or measure by containing the words or phrases: "vote for," "reelect," "support," "cast your ballot for," "(name of candidate) for (name of office)," "vote against," "defeat," or "reject."

SECTION _____.02. Section 255.001, Election Code, is amended to read as follows:

Sec. 255.001. REQUIRED DISCLOSURE ON POLITICAL ADVERTISING. (a) A person may not knowingly cause to be published, distributed, or broadcasted [~~enter into a contract or other agreement to print, publish, or broadcast~~] political advertising that does not indicate in the advertising:

(1) that it is political advertising; and

(2) the full name of:

(A) [either the individual who personally entered into the contract or agreement with the printer, publisher, or broadcaster or] the person who paid for the political advertising;

(B) the political committee authorizing the

political advertising; or

(C) the full name of the candidate or specific-purpose committee supporting the candidate, if such political advertising is authorized by the candidate [that individual represents; and

[(3) in the case of advertising that is printed or published, the address of either the individual who personally entered into the agreement with the printer or publisher or the person that individual represents].

(a-1) A person may not knowingly use, cause or permit to be used, or continue to use any printed, published, displayed, or broadcast political advertising that the person knows does not include the disclosure required by Subsection (a). A person is presumed to know that the use of political advertising is prohibited by this subsection if the commission notifies the person in writing that the use is prohibited. A person who learns that political advertising signs, as defined by Section 255.007, that have been distributed do not include the disclosure required by Subsection (a) or include a disclosure that does not comply with Subsection (a) does not commit a continuing violation of this subsection if the person makes a good faith attempt to remove or correct the signs. A person who learns that printed political advertising other than a political advertising sign that has been distributed does not include the disclosure required by Subsection (a) or includes a disclosure that does not comply with Subsection (a) is not required to attempt to recover the political advertising and does not commit a continuing violation of this subsection as to any previously distributed political advertising.

(b) This section does not apply to tickets or invitations to political fund-raising events or to campaign buttons, pins, hats, or similar campaign materials, or to circulars or flyers that cost in aggregate to publish and distribute less than \$2,500.

(c) A person who violates this section is liable to the state for a civil penalty that may be levied by the commission in its discretion in an amount not to exceed \$4,000 [commits an offense. An offense under this section is a Class A misdemeanor].