

Amend Amendment No. 19 by Johnson to CSSB 219 as follows:

(1) On page 1 of the amendment, line 1, strike "SB 219 (introduced version)" and substitute "CSSB 219 (house committee printing)".

(2) On page 1 of the amendment, strike lines 8-14 and substitute the following:

"electioneering communication" means a direct campaign expenditure that is:

(1) a communication that is the functional equivalent of express advocacy, and that when taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidate because:

(A) the electoral portion of the communication is unmistakable, unambiguous, and suggestive of only one meaning; and

(B) reasonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidates; or

(2) a communication that:

(A) is disseminated by a broadcast, cable, or satellite communication, a mass mailing, or a telephone bank;

(B) refers to a clearly identified candidate;

(C) is publicly distributed on or after:

(i) the 60th day before a general, special, or runoff election for the individual candidate; or

(ii) the 30th day before a primary election; and

(D) is targeted to the identified candidate's relevant electorate, which is defined as a communication that can be received over a 30 day period by at least the lesser of:

(i) 50,000 people; or

(ii) two percent of those eligible to vote for the candidate, as specified by the secretary of state as of January 1 of the year in question.

(b) An "electioneering communication" does not include a direct campaign expenditure that is:

(1) a public communication that refers to a clearly identified candidate appearing in a news story, commentary, editorial, or work intended for entertainment distributed through the facilities of a bona fide broadcasting station, newspaper, magazine, or other publication, unless those facilities are owned or controlled by a political party, political committee, or candidate;

(2) a communication to the restricted class of the corporation or labor organization making the communication as provided by Section 253.098;

(3) a communication that constitutes a bona fide candidate debate or forum, or that solely promotes a debate or forum, and is made by or on behalf of the person sponsoring the debate or forum; or

(4) any other communication exempted under regulations adopted by the commission consistent with the requirements of this definition and to ensure the appropriate implementation of this subsection.

(c) A person may not knowingly cause to be published, distributed, or broadcast an electioneering communication that does not indicate on the face of the communication the source of the