

Amend SB 219 by adding the appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS appropriately.

SECTION \_\_\_\_\_. Section 251.001(16), Election Code, is amended to read as follows:

(16) "Political advertising" means a communication 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]~~

(B) appears:

(i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or

(ii) on an Internet website; or

(C) is distributed using electronic mail by a person required to file reports of political contributions or expenditures under Chapter 254.

SECTION \_\_\_\_\_. Section 255.001, Election Code, is amended by amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3), (a-4), (a-5), and (a-6) to read as follows:

(a) A person may not knowingly cause to be published, distributed, or broadcast political advertising containing express advocacy that does not include ~~[indicate]~~ in the advertising:

(1) an indication that it is political advertising; ~~[and]~~

(2) the full name of:

(A) the person who paid for the political advertising;

(B) the political committee authorizing the political advertising; or

(C) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate;

(3) if the political advertising is authorized by the candidate:

(A) for advertising transmitted through radio or television, an audio statement made by the candidate that identifies the candidate and states that the candidate has approved the communication; and

(B) for advertising transmitted through television:

(i) an unobscured, full-screen view of the candidate making the audio statement or a clearly identifiable photographic or similar image of the candidate accompanying the audio statement; and

(ii) a statement in writing identifying the candidate and stating that the candidate has approved the communication that appears:

(a) at the end of the communication for not less than four seconds; and

(b) in letters that are at least four percent of the vertical screen height; and

(4) if the political advertising is not authorized by the candidate:

(A) for advertising transmitted through radio or television, an audio statement of the name of the person who paid for the advertising, made by an individual named in the statement or by a representative of a person named in the statement who is not an individual; and

(B) for advertising transmitted through television, a written statement that contains the name of the person who paid for the advertising and that appears:

(i) at the end of the communication for not less than four seconds; and

(ii) in letters that are at least four percent of the vertical screen height.

(a-1) A disclosure required by this section must be presented in a clear and conspicuous manner, to give the reader, observer, or listener adequate notice of the political committee or other person who authorized and, as applicable, paid for the communication. A disclosure is not clear and conspicuous if it is difficult to read, observe, or hear or if the placement is easily

overlooked.

(a-2) A photographic or similar image complies with Subsection (a)(3)(B)(i) only if the image of the candidate is at least 80 percent of the vertical screen height.

(a-3) A written disclosure satisfies the requirements of Subsection (a-1) only if it:

(1) is clearly readable;

(2) is printed:

(A) in black text on a white background or is printed so that the degree of contrast between the background color and the disclosure text color is at least as great as the degree of contrast between the background color and the color of the largest text in the communication; and

(B) within a printed box set apart from the rest of the contents of the communication;

(3) appears within the advertising, and appears on the same side as all other printing on advertising that without the disclosure would be one-sided; and

(4) is of sufficient type size to be clearly readable and:

(A) if the advertising measures not more than 24 inches by 36 inches, is in at least 12-point type; and

(B) if the advertising appears on an Internet website, is at least 12 pixels.

(a-4) If political advertising appears on a social media website, a written disclosure that complies with Subsection (a-1) and this subsection must appear on the appropriate social media profile page. If political advertising on an Internet website is too small to include the written disclosure in a manner that complies with Subsection (a-1), a written disclosure appearing on political advertising on an Internet website, including a social media profile page, satisfies the requirements of Subsection (a-1) if the disclosure links to another Internet website page that displays the full disclosure statement and is operational and freely accessible during the time the advertisement is visible. Internet advertising that is too small to include a written disclosure complying with Subsection (a-1) includes an

advertisement classified as a micro bar or button according to applicable advertising standards, an advertisement that has 200 or fewer characters, and a graphic or picture link in which including the disclosure is not reasonably practical because of the size of the graphic or picture link.

(a-5) Any political advertising included in a group of materials that, if distributed separately, would require a disclosure under this section must separately include the required disclosure.

(a-6) Subsection (a) does not apply to political advertising distributed by sending a text message using a mobile communications service.

SECTION \_\_\_\_\_. This Act takes effect September 1, 2013.