

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 557

An Act to amend and reenact §§ 24.2-956 and 24.2-956.1 of the Code of Virginia, relating to elections; political campaign advertisements; print media requirements.

[H 1238]

Approved March 31, 2020

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-956 and 24.2-956.1 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-956. Requirements for print media advertisements sponsored by a candidate campaign committee.

It shall be unlawful for any candidate or candidate campaign committee to sponsor a print media advertisement that constitutes an expenditure or contribution required to be disclosed under Chapter 9.3 (§ 24.2-945 et seq.) unless all of the following conditions are met:

1. It bears the legend or includes the statement: "Paid for by _____ [Name of candidate or campaign committee]." Alternatively, if the advertisement is supporting a candidate who is the sponsor and the advertisement makes no reference to any other clearly identified candidate, then the statement "Paid for by _____ [Name of sponsor]" may be replaced by the statement "Authorized by _____ [Name of sponsor]."

2. In an advertisement sponsored by a candidate or a candidate campaign committee that makes reference to any other clearly identified candidate who is not sponsoring the advertisement, the sponsor shall state whether it is authorized by the candidate not sponsoring the advertisement. The visual legend in the advertisement shall state either "Authorized by [Name of candidate], candidate for [Name of office]" or "Not authorized by any other candidate." This subdivision does not apply if the sponsor of the advertisement is the candidate the advertisement supports or that candidate's campaign committee.

3. If an advertisement is jointly sponsored, the disclosure statement shall name all the sponsors.

4. Any disclosure statement required by this section shall be displayed in a conspicuous manner in a ~~minimum~~ font size of ~~seven point~~ *proportionate to the size of the advertisement. The State Board of Elections shall promulgate standards for meeting the requirements of this subdivision.*

5. Any print media advertisement appearing in electronic format shall display the disclosure statement in a minimum font size of seven point; however, if the advertisement lacks sufficient space for a disclosure statement in a minimum font size of seven point, the advertisement may meet disclosure requirements if, by clicking on the print media advertisement appearing in electronic format, the viewer is taken to a landing page or a home page that displays the disclosure statement in a conspicuous manner.

§ 24.2-956.1. Requirements for print media advertisements sponsored by a person or political committee, other than a candidate campaign committee.

It shall be unlawful for any person or political committee to sponsor a print media advertisement that constitutes an expenditure or contribution required to be disclosed under Chapter 9.3 (§ 24.2-945 et seq.) unless the following requirements are met:

1. It bears the legend or includes the statement: "Paid for by _____ [Name of person or political committee]."

2. In an advertisement supporting or opposing the nomination or election of one or more clearly identified candidates, the sponsor states whether it is authorized by a candidate. The visual legend in the advertisement shall state either "Authorized by [Name of candidate], candidate for [Name of office]" or "Not authorized by a candidate."

3. In an advertisement that identifies a candidate the sponsor is opposing, the sponsor must disclose in the advertisement the name of the candidate who is intended to benefit from the advertisement, if the sponsor coordinates with, or has the authorization of, the benefited candidate.

4. If an advertisement is jointly sponsored, the disclosure statement shall name all the sponsors.

5. Any disclosure statement required by this section shall be displayed in a conspicuous manner in a ~~minimum~~ font size of ~~seven point~~ *proportionate to the size of the advertisement. The State Board of Elections shall promulgate standards for meeting the requirements of this subdivision.*

6. Any print media advertisement appearing in electronic format shall display the disclosure statement in a minimum font size of seven point; however, if the advertisement lacks sufficient space for a disclosure statement in a minimum font size of seven point, the advertisement may meet disclosure requirements if, by clicking on the print media advertisement appearing in electronic format, the viewer is taken to a landing page or a home page that displays the disclosure statement in a conspicuous manner.

2. That the State Board of Elections shall promulgate regulations to implement the provisions of

this act no later than July 1, 2021, with enforcement of such regulations delayed until January 1, 2024. Upon promulgation, such regulations shall be included in the provisions of law summarized by the State Board pursuant to subsection A of § 24.2-946.

3. That the provisions of the first enactment of this act affecting regulants shall become effective January 1, 2024.

4. That print media advertisements paid for or distributed prior to July 1, 2024, shall not be subject to the regulations promulgated by the State Board of Elections pursuant to this act.