

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB849-S1

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Simon

3. Committee: Privileges and Elections

4. Title: Political campaign advertisements; disclosure requirements; advertisements placed or promoted.

5. Summary: Subjects any message that is placed or promoted for a fee on an online platform to the same disclosure requirements to which print media, television, and radio advertisements are subject. The bill defines "online platform" as any public-facing website, web application, or digital application, including a social network, ad network, or search engine, that sells advertisements. The bill expands the definition of "print media" to include any non-video or non-audio message placed or promoted for a fee on an online platform, subjects advertisements in video format that are placed or promoted for a fee on an online platform to the same disclosure requirements to which television advertisements are subject, and subjects advertisements in audio format that are placed or promoted for a fee on an online platform to the same disclosure requirements to which radio advertisements are subject.

The Senate substitute requires online political advertisers to certify to online platforms that they are permitted under state and local laws to lawfully purchase or promote online political advertisements for a fee and requires online platforms to establish reasonable procedures to enable advertisers to comply with such requirements. An online political advertiser is defined as any person who purchases an advertisement from an online platform or promotes an advertisement on an online platform for a fee.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact.

8. Fiscal Implications: The proposed legislation is not expected to have a state fiscal impact.

9. Specific Agency or Political Subdivisions Affected: Department of Elections.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/24/2020