Campaign Advertising - Requirements & Restrictions

Under the San José Municipal Code, candidates and political committees must put disclosures on campaign advertisements that identify the committee that paid for or authorized the communication. Below are links to advertising disclosure charts, as well as general information about the requirements for committees that purchase advertisements or circulate materials supporting or opposing a local candidate or ballot measure in a City of San José election.

The disclosures required in the City of San José are largely the same as those required for campaign advertisements under the Political Reform Act. However, committees that would be required to disclose “major committee funding” under the Act must disclosure the top three contributors of $2,500 or more in San José instead of the top three contributors of $50,000 or more as required by the Act.

Advertising Disclosure Charts

Please note that advertisements that are "online platform disclosed advertisements" have different disclosure requirements than the ones listed in the disclosure charts on this page. "Online platform disclosed advertisements" are either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which a committee pays the online platform or (2) electronic media advertisementsthat are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does **not allow** to hyperlink to an internet website containing required disclosures noted on the charts linked below on this page. Electronic media advertisements that are not "online platform disclosed advertisements" shall follow disclosure requirements for electronic media advertisements as described in the charts on this page. For more information on "online platform disclosed advertisements" please refer to Government Code Section 84504.6.

The disclaimer requirements are based on the type of advertisement and who paid for it, and are summarized in the following charts:

1. [Communications by Candidate Committees for their own Election](https://www.sanjoseca.gov/home/showdocument?id=81538&t=637788683599684199)
2. [Independent Expenditure Ads on Candidates (except ads by candidates and political party committees)](https://www.sanjoseca.gov/home/showdocument?id=81540&t=637788683608903070)
3. [Independent Expenditure Ads on Ballot Measures (except ads by candidates and political party committees)](https://www.sanjoseca.gov/home/showdocument?id=81542&t=637788683621090670)
4. [Independent Expenditure Ads on Ballot Measures by Candidates and Political Party Committees](https://www.sanjoseca.gov/home/showdocument?id=81544&t=637788683632184583)
5. [Independent Expenditure Ads on Candidates by Candidates and Political Party Committees](https://www.sanjoseca.gov/home/showdocument?id=81546&t=637788683640934786)
6. [All Non-Independent Expenditure Ads (except ads by candidates and political party committees)](https://www.sanjoseca.gov/home/showdocument?id=81548&t=637788683646559880)
7. [All Non-Independent Expenditure Ads by Candidates and Political Party Committees](https://www.sanjoseca.gov/home/showdocument?id=81550&t=637788683654529245)

What is an Advertisement?

Advertisements include mass mailings (including blast e-mails), paid telephone calls, radio and television ads, billboards, yard signs, and electronic media ads.

What is an Advertisement Disclosure?

An advertisement disclosure is the portion of a political message that identifies the committee that paid for or authorized the communication. “Paid for by [committee name]” or "Ad paid for by [committee name]" is the basic disclosure required on campaign communications. Please see the Advertising Disclosure Charts above for detailed information on disclosure requirements.

What is a Committee?

A candidate’s campaign committee, a ballot measure committee, a general purpose committee, a political party committee, a slate mailer organization, a major donor, and a person or entity making independent expenditures on candidates or ballot measures in California are all types of committees that may be subject to the Act’s ad disclosure requirements.

A person or entity qualifies as a committee under the Act if they receive contributions for political purposes of $2,000 or more per year; if they make independent expenditures on California candidates or ballot measures of $1,000 or more per year; or if they make contributions to California candidates or ballot measures of $10,000 or more per year.

Are the Disclosure Rules the Same for All Committees and All Ads?

No. Basic disclosures apply to materials disseminated by a candidate for his or her own election because it is generally clear to the public that the candidate is sending the communication. Stricter ad disclosure rules apply to ballot measure and independent expenditure advertisements because it is less clear to the public who is responsible for these ads.

For more information on disclosures, see the [Political Advertisement Disclosure Charts Overview](https://www.sanjoseca.gov/home/showdocument?id=82157&t=637801802366176455). If you still have questions, you can [Ask the FPPC for Advice](https://www.fppc.ca.gov/advice.html) or the [City Attorney’s San José Campaign Guidance hotline](https://www.sanjoseca.gov/your-government/departments/office-of-the-city-attorney/campaign-guidance).