

LAWS GOVERNING CAMPAIGN PRACTICES

MASS MAILING

The following code sections concerning campaign literature and mass mailing are required by law to be issued to all candidates (Government Code Section 84305).

(a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

Mass mailing, as defined in G.C. §82041.5, means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

California State Propositions 68 and 73 instituted new prohibitions against the mass mailing of any document at government expense which contains the name of an elected official. The new prohibitions are quite restrictive but do excuse mailings which are sent in response to a request (solicited mail).

POLITICAL ADVERTISING

Any paid political advertisement referring to an election or to any candidate for state or local office contained in or distributed with a newspaper, shall bear on each page in type at least half as large as the type of the advertisement or in 10-point Roman type, whichever is larger, the words "Paid Political Advertisement," and such words shall be set apart from any other printed matter. (E.C. § 20008)

FALSE OR MISLEADING INFORMATION TO VOTERS

No candidate shall submit any nomination paper or declaration of candidacy knowing that any part of it has been made falsely. (E.C. § 18203) Violations may result in criminal penalties. No candidate (or any other person working on campaign) shall attempt to mislead the public by pretending or implying by statements or conduct that (s)he is an incumbent of a public office or that (s)he has acted in the capacity of a public officer when this is not the case. (E.C. § 18350) Violations may result in civil penalties. In the occupational designation on the ballot, no candidate shall assume a designation which would mislead the voters (E.C. §13107).