

STATE OF NEW YORK

7095

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to public-facing websites operated by political committees

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 14-106 of the election law, as
2 added by chapter 454 of the laws of 2019, is amended to read as follows:
3 2. All political committees that make an expenditure for a political
4 communication shall be required to disclose the identity of the political
5 committee which made the expenditure for such political communication.
6 The disclosure on printed or digital political communications, including
7 but not limited to brochures, flyers, posters, mailings, public-facing
8 websites, or internet advertising shall be printed or typed in
9 an appropriate legible form to read as follows: "Paid for by:" followed
10 by the name of the political committee making the expenditure. The
11 disclosure on non-printed or digital political communications shall
12 clearly and prominently display and/or speak the following statement:
13 "Paid for by:" followed by the name of the political committee making
14 the expenditure. In the case of a political communication that is not
15 visual, such as radio or automated telephone calls, clearly speaking the
16 statement will satisfy the requirements of this section. In the case of
17 a public-facing website paid for, hosted, and/or operated by a political
18 committee, the disclosure shall be clearly displayed within each naviga-
19 ble webpage of such website.
20 § 2. Paragraph (a) and subparagraph (v) of paragraph (b) of subdivi-
21 sion 1 of section 14-107 of the election law, paragraph (a) as amended
22 by section 4 of part JJJ of chapter 59 of the laws of 2018 and subpara-
23 graph (v) of paragraph (b) as amended by section 1 of part A of chapter
24 286 of the laws of 2016, are amended to read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD11089-02-3

1 (a) "Independent expenditure" means an expenditure made by an inde-
2 pendent expenditure committee in the form of (i) an audio or video
3 communication via broadcast, cable or satellite, (ii) a written communi-
4 cation via advertisements, pamphlets, circulars, flyers, brochures,
5 letterheads or (iii) other published statements, where such expenditure
6 is conveyed to five hundred or more members of a general public audi-
7 ence, or in the form of any paid internet or digital advertisement
8 targeted to fifty or more members of a general public audience, or in
9 the form of a public-facing website, which: (i) irrespective of when
10 such communication is made, contains words such as "vote," "oppose,"
11 "support," "elect," "defeat," or "reject," which call for the election
12 or defeat of the clearly identified candidate, (ii) refers to and advo-
13 cates for or against a clearly identified candidate or ballot proposal
14 on or after January first of the year of the election in which such
15 candidate is seeking office or such proposal shall appear on the ballot,
16 or (iii) within sixty days before a general or special election for the
17 office sought by the candidate or thirty days before a primary election,
18 includes or references a clearly identified candidate. An independent
19 expenditure shall not include communications where such candidate, the
20 candidate's political committee or its agents, a party committee or its
21 agents, or a constituted committee or its agents or a political commit-
22 tee formed to promote the success or defeat of a ballot proposal or its
23 agents, did authorize, request, suggest, foster or cooperate in such
24 communication.

25 (v) a communication published on the Internet, unless the communi-
26 cation is a paid advertisement or a public-facing website paid for,
27 hosted, and/or operated by a political committee.

28 § 3. This act shall take effect on the sixtieth day after it shall
29 have become a law.