

# FREQUENTLY ASKED QUESTIONS

## “PAID FOR BY” IDENTIFIERS REQUIRED BY SENATE BILL 284

**1. What kind of “paid for by” identifier must be placed on a political communication created by a candidate or an individual?**

Clearly identify all political communications<sup>1</sup> with the words “paid for by” followed by the name and address or principal place of business of the person<sup>2</sup> paying for the communication. AS 15.13.090(a)

**2. What “paid for by” identifier is required for a person who makes an independent expenditure for a communication that supports or opposes a candidate?**

In addition to the requirements identified in questions 1, 5, and 6, include the following statement in the communication. The statement must be easily discernable.

This NOTICE TO VOTERS is required by Alaska law. (I/We) certify that this (mailing/literature/advertisement) is not authorized, paid for, or approved by the candidate.

See AS 15.13.135(b)(2) for more information.

**3. Are there exceptions to the “paid for by” requirements?**

A billboard, sign, or printed material paid for by an individual acting independently of any other person that is made to influence the outcome of a ballot proposition or initiative proposal application does not need to include a “paid for by” notification. This exception does not apply to advertisements in newspapers or other periodicals. AS 15.13.090(b)

**4. What is the penalty for missing or incomplete “paid for by” identifiers?**

Violations of the “paid for by” requirements are subject to civil penalties of up to \$50 per day for each day the violation continues. AS 15.13.390(a). A person commits the crime of campaign misconduct in the second degree if the person knowingly prints or publishes a communication intended to influence the outcome of an election of a candidate or outcome of a ballot proposition without a “paid for by” identifier. AS 15.56.014(a)(2)

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<sup>1</sup> "Communication" means an announcement or advertisement disseminated through print or broadcast media, including radio, television, cable, and satellite, the Internet, or through a mass mailing, excluding those placed by an individual or nongroup entity and costing \$500 or less and those that do not directly or indirectly identify a candidate or proposition, as that term is defined in AS 15.13.065(c). AS 15.13.400(3).

<sup>2</sup> The definition of person includes a natural person, corporations, companies, partnerships, firms, associations, organizations, business trusts, societies, labor unions, nongroup entities, and groups. AS 01.10.60(8), AS 15.13.400(14).

**QUESTIONS 5 THROUGH 9 APPLY ONLY TO A PERSON OTHER THAN AN INDIVIDUAL OR A CANDIDATE**

**5. What are the “paid for by” requirements for communications that contain a print or video component?**

The following statements must be placed in the print or video communication and must be easily discernable:

- This communication was paid for by (person’s name and city and state of principal place of business).
- The name and title of the person’s principal officer.
- A statement from the principal officer approving the message.
- The top contributors of (person’s name) are (list the name and city and state of residence or principal place of business of the person’s three largest contributors). *This statement is not required if the person paying for the communication has no contributors.*

A video communication that contains an audio component must include the following statements read in a manner that is easily heard:

- This communication was paid for by (person’s name).
- The top contributors of (person’s name) are (the name of the three largest contributors to the person under AS 15.13.090(a)(2)(c). *This statement is not required if the person paying for the communication has no contributors.*

If a person makes an independent expenditure for a print or video communication in support of a candidate, the following statements must be placed in the communication so that it is readily and easily discernable:

- This NOTICE TO VOTERS is required by Alaska law.
- (I/We) certify that this (mailing/literature/advertisement) is not authorized, paid for, or approved by the candidate.

For more information, see AS 15.13.090(a),(c) and 2 AAC 50.306.

**6. What are the “paid for by” requirements for radio or audio communications or any communication that includes an audio component?**

The following statements must be read in a manner that is easily heard and understood:

- This communication was paid for by (person’s name)
- The top contributors of (person’s name) are (the name of the largest contributors to the person under AS 15.13.090(a)(2)(c). *This statement is not required if the person paying for the communication has no contributors.*

If a person makes an independent expenditure for a radio advertisement or other audio communication in support of a candidate, the following statements must be placed in the communication so that it is readily and easily discernable:

- This NOTICE TO VOTERS is required by Alaska law.
- (I/We) certify that this (mailing/literature/advertisement) is not authorized, paid for, or approved by the candidate.

For more information, see AS 15.13.090(d) and 2 AAC 50.306.

**7. How are the top three contributors determined?**

The top three contributors are the three persons who have made the largest total contributions<sup>3</sup> to the person paying for the communication during the 12-month period before the date of the communication. AS 15.13.090(e)

**8. Should the top three contributors be listed in order of the amount of their contributions?**

Yes, the top three contributors should be listed with the highest contributor(s) first. AS 15.13.090(e)

**9. What if the top three contributors have all contributed the same amount?**

If there is a tie amongst the largest contributors to a person paying for a communication, you may select any three of the contributors of equal amounts to identify. You do not have to identify more than three contributors. AS 15.13.090(e)

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<sup>3</sup> "Contribution" means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made, and includes the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that is rendered to the candidate or political party, and that is made for the purpose of influencing the nomination or election of a candidate, influencing a ballot proposition or question, or supporting or opposing an initiative proposal application. AS 15.13.400(4); 2 AAC 50.250.