
2013 Election—Independent Expenditures LAUSD Elections

This is an overview of the campaign finance laws regarding independent expenditures in Los Angeles Unified School District (LAUSD) elections. It is not exhaustive—additional City and state laws apply. Candidates, committees, and others participating in LAUSD elections are responsible for understanding and complying with all of the laws, whether referred to here or not.

Independent Expenditures

An independent expenditure (IE) is an expenditure made by any person in connection with a communication that expressly advocates the election or defeat of a clearly identified LAUSD candidate or ballot measure or, taken as a whole, unambiguously urges a particular result in an LAUSD election.

For an expenditure to be independent, it cannot be authorized, distributed, paid for, or behested by the affected candidate or committee. In certain circumstances, an IE communication can be made when an organization communicates with its members.

Disclosure Threshold

A person must notify the Ethics Commission when making or incurring payments totaling \$1,000 or more in connection with an IE in an LAUSD election.

Notice Requirements

Notice of a payment for an IE must be filed with the Ethics Commission within 24 hours of meeting the disclosure threshold.

The notice must identify specific information about the IE, including each candidate supported or opposed, the amount spent, contributions of \$100 or more received in the previous six months, and contributions made to LAUSD candidates during the same time. The notice must also include a copy of the communication, itself. Beginning January 1, 2013, the state will require a separate 24-hour notice of certain IEs that total \$1,000 or more in LAUSD elections. Please contact the Fair Political Practices Commission (FPPC) for more information about their filing requirement.

Disclaimer Requirements

IE communications supporting or opposing LAUSD candidates must include the following state-required disclaimer:

"Paid for by [committee name]. Major funding provided by [name of top two contributors of \$50,000 or more]. Not authorized by a candidate or committee controlled by a candidate."

The Ethics Commission recommends that IE communications also include the following disclaimer:

"Additional information is available at ethics.lacity.org."

Additional state disclaimer requirements may apply. Please contact the FPPC for more information about their disclaimer requirements.

Liability for Violations

A person who knowingly violates or causes another to violate a provision of the City's campaign finance laws relating to LAUSD elections is guilty of a misdemeanor and may be subject to an administrative enforcement action. Violations are subject to fines of up to the greater of \$5,000 per violation or three times the amount of money at issue. Additional liability may also be imposed under state law.

Contact Information

Please contact Jennifer Bravo at jennifer.bravo@lacity.org or (213) 978-1972 with any campaign finance questions or needs.