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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Federal Election Campaign Act of 1971 to require a disclaimer for certain communications paid for by a political committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. TAKANO introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Federal Election Campaign Act of 1971 to require a disclaimer for certain communications paid for by a political committee, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Authen-
5 ticity with Influencer Disclaimers Act”.

1 **SEC. 2. REQUIRING DISCLAIMERS ON CERTAIN COMMU-**
2 **NICATIONS.**

3 (a) REQUIREMENT.—Section 318 of the Federal
4 Election Campaign Act of 1971 (52 U.S.C. 30120) is
5 amended by adding at the end the following new sub-
6 section:

7 “(e) SPECIAL DISCLAIMER FOR CERTAIN COMMU-
8 NICATIONS.—

9 “(1) REQUIREMENT.—Whenever a political
10 committee makes a disbursement for the purpose of
11 financing any communication by a person to post
12 content on an internet website, web application, or
13 digital application, such communication shall state
14 in a clear and conspicuous manner that the commu-
15 nication has been paid for by such political com-
16 mittee.

17 “(2) CLEAR AND CONSPICUOUS MANNER.—A
18 statement required under this subsection shall be
19 considered to be made in a clear and conspicuous
20 manner if the statement meets the following require-
21 ments:

22 “(A) AUDIOVISUAL, TEXT, OR GRAPHIC
23 COMMUNICATION.—In the case of an audio-
24 visual, text, or graphic communication, the
25 statement is readily legible to an average view-
26 er.

1 “(B) AUDIO ONLY COMMUNICATIONS.—In
2 the case of an audio communication, the state-
3 ment is spoken in a clearly audible and intel-
4 ligible manner.

5 “(3) NOTIFICATION REQUIREMENT.—A political
6 committee described under paragraph (1) shall no-
7 tify the person to whom the disbursement is made
8 of the requirement under paragraph (1) at the time
9 such disbursement is made for the communication.

10 “(4) EXCEPTION.—

11 “(A) IN GENERAL.—This subsection shall
12 not apply to—

13 “(i) content posted on a political com-
14 mittee’s own website; or

15 “(ii) content posted by a compensated
16 employee of a committee on the employee’s
17 own social media page or account where
18 the only expense or cost of the communica-
19 tion is compensated staff time.

20 “(B) SPECIAL RULE.—This exception shall
21 not apply if the compensated employee’s prin-
22 cipal duties are to post content on their own so-
23 cial media page or account.

1 “(5) REGULATIONS.—Not later than January
2 1, 2027, the Commission shall promulgate regula-
3 tions to carry out this subsection.”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 this section shall apply with respect to communications
6 made on or after January 1, 2027, and shall take effect
7 without regard to whether or not the Federal Election
8 Commission has promulgated regulations to carry out
9 such amendments.