

Virginia Sunshine Bill, [SB 78](#)

Campaign Advertisement, Independent Expenditures, Electioneering Communications, and Disclaimer Requirements

Patron:
Senator Barbara Favola



KEY PROVISIONS:

- **Broadens the disclaimer requirements for ads** purchased by any person, campaign committee, or political committee **that are independent expenditures** or that advocate for the passage or defeat of a referendum.
- The bill covers advertisements, not coordinated with a candidate's campaign, in print media or online platforms and on radio or television that advocate for or against a candidate **within 30 days before a primary election and 60 days before a general or special election.**
- Sponsors of these paid advertisements which **exceed the threshold of \$5000 for a statewide election or legislative race or \$1000 for any other election threshold** would now be required to list in the advertisement their top three largest contributors since the most recent general election.
- No person shall be deemed a top three contributor under this provision if that person has contributed **less than \$5000 in the aggregate in the election cycle to the sponsor to statewide or legislative campaign election or \$1,000 or less for any other election.**
- Advertisement sponsors who would be required to disclose donor information under the provisions of the bill include individuals, corporations, political committees, and non-profit organizations.
- Provisions also apply to 25 or more **telephone calls** within 90 days of a primary or 180 days of a general or special election and includes **in-kind goods and services.**
- **The bill maintains reporting requirements** to the State Board of Elections of such independent expenditures above \$5,000 for statewide or legislative election or \$1000 for any other election and **sets deadlines** for reporting within 24 hours of expenditure or disclosure, whichever occurs first

WHY VIRGINIA NEEDS THIS BILL:

- The **Supreme Court 2010 Citizens United ruling upheld disclosure requirements**, saying that [“transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages.”](#)
- Public reporting and **disclosure discourage indirect efforts by wealthy and/or out-of-district organizations and/or individuals to “buy” electoral results** thus strengthening the views and voices of local voters. Real transparency about who is spending big money on elections will mean **more government accountability.**
- Citing lack of transparency and accountability to voters, the [Coalition for Integrity's 2020 S.W.A.M.P Index](#) rated **Virginia 46 out of 51 jurisdictions in terms of transparency and accountability.**
- In a 2021 survey, **88 percent of Virginians, irrespective of party, indicated that they support total public disclosure of campaign donations.**



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