Date of Hearing: August 28, 2026

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
AB 1130 (Berman) – As Amended August 13, 2026

CONCURRENCE IN SENATE AMENDMENTS

SUBJECT: Political Reform Act of 1974: campaign disclosures.

SUMMARY: Allows administrative, civil, or criminal penalties to be imposed against a person who is paid by a campaign committee to post online political content in support of or in opposition to a candidate or measure if the person fails to include the required disclaimer that the person is being paid.

The Senate amendments delete the Assembly-approved version of the bill, and instead:

1) Repeal an existing provision of law that exempts a person who is paid by a campaign committee to post online content supporting or opposing a candidate or ballot measure from administrative, civil, and criminal penalties under the Political Reform Act of 1974 (PRA) for failing to comply with the existing requirement to include a disclaimer stating that the person was paid by the committee in connection with the posting.

2) Make the person who posts and the campaign committee jointly and severally liable for any civil or administrative penalties that result from not making the required disclaimer.

3) Require a campaign committee that pays a person for online political postings in support of or opposition to a candidate or ballot measure to do both of the following:

   a) Notify the person posting that failing to include the disclaimer may result in penalties under the PRA.

   b) Include information on a campaign report where the payment is disclosed that the payment was provided for a paid third-party post.

EXISTING LAW:

1) Creates the Fair Political Practices Commission (FPPC), and makes it responsible for the impartial, effective administration and implementation of the PRA. (Government Code §§83100, 83111)

2) Requires a person who is paid by a committee to post content on an internet website, web application, or digital application for the purpose of supporting or opposing a candidate for elective office or a ballot measure to include a disclaimer with that content stating that the person was paid by the committee in connection with the posting. Provides that a violation of these provisions is not subject to criminal, civil, or administrative penalties. Authorizes the FPPC to pursue injunctive relief to compel this disclosure. (Government Code §84513)

3) Requires elected officers, candidates, and campaign committees to file periodic campaign statements disclosing specific information, including the name and street address of each person who received an expenditure by the officer, candidate, or committee of $100 or more during the period covered, along with the amount of each expenditure, and a brief description of the consideration for which the expenditure was made. (Government Code §84211)

FISCAL EFFECT: According to the Senate Appropriations Committee, the FPPC indicates that it would incur first-year costs of $258,000, and $251,000 annually thereafter, to support one position in its Enforcement Division (General Fund).

COMMENTS:

1) **Prior Assembly Consideration of This Bill**: As approved by the Assembly last year, this bill would have clarified that any member of the Medical Board of California may be removed by the authority that appointed that member for continued neglect of duties required by law, or for incompetence, or unprofessional or dishonorable conduct. Subsequent to the Assembly's approval, this bill was amended in the Senate to delete the Assembly-approved provisions and to add the current provisions, which were approved by the Senate by a vote of 40-0 on August 24, 2026. Accordingly, this bill has been re-referred to this committee for further consideration pursuant to Assembly Rule 77.2.

2) **Purpose of the Bill**: According to the author:

> Social media and the growing influencer industry have changed the way candidates reach voters. As more campaigns pay influencers for content, either in favor of themselves or criticizing their opponents, we need to make sure there are appropriate disclosures for voters that those posts are essentially paid political advertisements. AB 1130 will create additional transparency for the public, require campaigns to properly report payments to influencers, and ensure that voters are not misled by content that looks organic and authentic when it's really the equivalent of an ad.

3) **Online Influencers, Political Campaigns, and Recent Legislation**: Voters have increasingly started to rely on social media to get their news about current events and elections. A 2025 poll conducted by Pew Research Center revealed that a fifth of United States adults now regularly get news on TikTok, including 43 percent of people under 30. With more individuals using social media to learn about current events and elections, campaigns increasingly use this tool to persuade voters and convince them to vote for, or against, a candidate or ballot measure.

   Using influencers has increasingly become a viable campaign strategy. In October 2024, the Washington Post reported that one campaign consulting firm reported paying influencers between $200 and $100,000 to post political content. In an effort to bring transparency to such payments, in 2023, the Legislature passed SB 678 (Umberg), Chapter 156, Statutes of 2023, which added language to the PRA to require a person to include a disclaimer if they are paid by a person or committee to post content on an internet website, web application, or digital application for the purpose of supporting or opposing a candidate for elective office or a ballot measure. Violations of the PRA generally are subject to administrative, civil, or criminal penalties. SB 678, however, provided that a failure to make this disclaimer was not subject to those penalties. Instead, the primary remedy available for a violation of SB 678 is that the FPPC may pursue injunctive relief to compel disclosure.

During the most recent California Governor’s race, multiple candidates came under scrutiny for allegedly paying influencers and other third-party individuals to post political content that did not include the disclaimers required by SB 678.

This bill removes the exemptions from administrative, civil, or criminal penalties for a failure to comply with the requirements in SB 678. Instead, this bill makes both the campaign committee and the person being paid jointly liable for penalties. This bill additionally requires the campaign committee to notify the paid influencer that a failure to include the disclaimer may result in penalties.

4) **Campaign Expenditure Disclosures**: When disclosing a campaign expenditure of $100 or more on a campaign statement, the PRA requires the committee to disclose the name of the person who received the expenditure, the person’s street address, the amount of the expenditure, and a brief description of the consideration for which the expenditure was made. Campaign committees typically fulfill the requirement to provide that brief description by using one of 27 expenditure codes established by the FPPC, which describe common campaign expenses.

   As a result, under existing law, a campaign’s payment to an influencer for online posts could be described as vaguely as “online outreach” or “online communications.” This bill instead would require such expenditures, when identified on a campaign disclosure report, to include a statement that the payment was provided for a paid third-party post.

5) **Arguments in Support**: In support of this bill, the Fair Political Practices Commission, writes:

   > Disclaimer requirements in the campaign advertisement context provide important information to the public about how money is being spent in campaigns, and which individuals or entities are behind campaign messaging that seeks to influence voting choices. As technology evolves, the methods for communicating with voters expand, and it is prudent to examine how the law should be updated to adapt to these changes. To that end, the Legislature passed SB 678 (Umberg) in 2023, sponsored by the FPPC, which imposed a new concurrent disclaimer requirement on content posted on the internet that supports or opposes a candidate or ballot measure when the poster, such as a social media ‘influencer,’ was paid by a committee in connection with the post. AB 1130 further strengthens that disclaimer requirement by imposing liability on the person who posts the content and the committee that paid them. This will incentivize compliance and authorize the FPPC to pursue appropriate enforcement actions in cases of noncompliance.

6) **Political Reform Act of 1974**: In 1974, California voters passed an initiative, Proposition 9, that created the FPPC and codified significant restrictions and prohibitions on candidates, officeholders, and lobbyists. That initiative is commonly known as the PRA. Amendments to

the PRA that are not submitted to the voters, such as those contained in this bill, must further the purposes of the initiative and require a two-thirds vote of both houses of the Legislature.

REGISTERED SUPPORT / OPPOSITION:

Support

Fair Political Practices Commission

Opposition

None on file.

Analysis Prepared by: Jonathan Fong / ELECTIONS / (916) 319-2094