



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811
(916) 322-5660 • Fax (916) 322-0886

To: Fellow Commissioners

From: Budget and Personnel Committee

Subject: Emerging Communication Technology

Date: March 11, 2019

The Budget and Personnel Committee asks the Commission to investigate whether the Commission and its staff are adequately prepared to assess emerging technologies that political activists and advertisers may adopt.

This issue arose during our January 2019 monthly hearing, when we considered the Executive Director's denial of an FPPC opinion request by Toskr. Toskr offers a platform (called Relay) through which campaign volunteers can send texts. Toskr asked that these texts be exempt from the disclosure requirements, in part because when disclosures were included, the texts were less effective. While the Commission upheld the denial of the opinion request, some Commissioners seemed to feel that the disclosure requirements were not drafted with this type of exchange in mind.

The Budget and Personnel Committee feels confident that there are other emerging technologies that will challenge the Commission as it seeks to interpret the Political Reform Act. The Commission need to have staff who are aware of, and understand, such trends. Accordingly, the Committee would like the Commission to take up the question of how best to familiarize staff, proactively, with these developments.

The Committee does not want to assume that staff do not have resources in place. This discussion must include a review of what we already do. We also hope that knowledgeable members of the public will comment. The Commission may also want to consider other tools to put at staff's disposal. For instance, should the Commission send staff to professional conferences where advertising technologies are discussed and promoted? Are there training programs that emphasize this area? Should we recruit individuals with backgrounds in these technologies? Are there nonprofit technology efforts, like Code for America, that can provide expertise?

The Committee looks forward to an informative discussion.