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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 442 Session of  
2015

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INTRODUCED BY FOLMER, VULAKOVICH, TEPLITZ, GREENLEAF,  
EICHELBERGER, BARTOLOTTA, VOGEL, GORDNER, WARD, AUMENT,  
BOSCOLA, HUTCHINSON, BAKER, STEFANO, BROWNE AND RAFFERTY,  
FEBRUARY 12, 2015

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AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
DECEMBER 4, 2015

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AN ACT

1 Requiring notification in advertising.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Taxpayer-  
6 Funded Advertising Transparency Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall  
9 have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Broadcast advertising." Includes television advertising,  
12 radio advertising and other audiovisual advertising.

13 "Commonwealth agency." Any of the following:

14 (1) The Governor, Lieutenant Governor, Attorney General,  
15 Auditor General, State Treasurer and the departments,

1 offices, boards, authorities, commissions and other agencies  
2 of the executive branch of the government of this  
3 Commonwealth, whether or not subject to the supervision and  
4 control of the Governor.

5 (2) The legislative branch of government of this  
6 Commonwealth.

7 (3) Any court and any office of the unified judicial  
8 system of this Commonwealth.

9 "Media advertising." Includes broadcast advertising and  
10 print advertising.

11 "Print advertising." Includes PRINT AND ELECTRONIC newspaper <--  
12 advertising, PRINT AND ELECTRONIC magazine advertising and <--  
13 billboard advertising. The term does not include advertising in  
14 the classified section of a newspaper.

15 Section 3. Advertising notification.

16 (a) Statements required.--

17 (1) No expenditures for paid media advertising shall be  
18 made by a Commonwealth agency from money appropriated,  
19 executively authorized or otherwise made available from the  
20 General Fund or a special fund that is comprised of money  
21 collected by a tax imposed by the Commonwealth or other  
22 revenues or receipts received by the Commonwealth unless the  
23 paid media advertising includes a statement that it is  
24 funded, in whole or in part, by the fund and includes the  
25 following specific statement: "Paid for with Pennsylvania  
26 taxpayer dollars."

27 (2) In the case of print advertising, the statement  
28 shall be included so that it is easily seen and read.

29 (3) In the case of broadcast advertising, the statement  
30 shall be included as an audio tagline so that it is easily

1 heard.

2 ~~(b) Exception. The provisions of subsection (a) shall not~~ <--  
3 ~~apply where the materials provided to the broadcast or print~~  
4 ~~media are broadcast or published free of charge.~~

5 (B) EXCEPTIONS.--THE PROVISIONS OF SUBSECTION (A) SHALL NOT <--  
6 APPLY:

7 (1) WHERE THE MATERIALS PROVIDED TO THE BROADCAST OR  
8 PRINT MEDIA ARE BROADCAST OR PUBLISHED FREE OF CHARGE; OR

9 (2) TO ANY EXPENDITURE FOR MEDIA ADVERTISING AS  
10 AUTHORIZED UNDER THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91),  
11 KNOWN AS THE STATE LOTTERY LAW.

12 Section 4. Application.

13 The provisions of this act shall not apply to media  
14 advertising that was printed, manufactured or produced prior to  
15 the effective date of this section.

16 Section 5. Effective date.

17 This act shall take effect in 30 days.