

COMMISSIONER OF POLITICAL PRACTICES

STATE OF MONTANA

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Tip #2: Guidance on the use of an official uniform or title in campaign ads by a public official or public employee

Greetings all 2022 candidates!

COPP Compliance Specialists have recently received several calls and email messages questioning the use of an official uniform, title, etc. by public officials and public employees in political advertisements.

An <u>Attorney General's Opinion</u> issued by Attorney General Mike McGrath addresses the use of an official uniform, title, etc. by public officials and public employees when conducting political speech. <u>The Opinion</u> <u>determines that "A public officer or public employee may engage in political speech so long as his or her</u> <u>speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds</u>" (emphasis added).

In other words, public officials and public employees may utilize an official uniform or title in campaign advertisements so long as no public time or resources are used in the creation, production, or distribution of the ad.

For questions regarding political speech by public officials and public employees, I encourage you read the Attorney General's Opinion linked above in full. Additional information can be found on the COPP's website <u>here</u>.

I hope this helps!

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