What are election or campaign materials?

Campaign materials are communications that advocate the success or defeat of a candidate, political party or ballot issue. They include TV or radio, newspapers, billboards, direct mail (brochures, postcards), posters, bumper stickers, yard signs and websites.

What is a disclaimer?

A disclaimer is the identity of the person who has paid for the election/campaign materials.

What should the disclaimer say?

Political candidates must include the name and complete mailing address of the candidate or the candidate's campaign. Example:

Paid for by Frank Smith
PO Box 292
Helena MT 59604
OR
Paid for by Smith for Senate
PO Box 292 Helena MT 59604

The candidate's campaign treasurer may be included, but is not required.

Political committees, such as political action committees, political party committees, and ballot issue committees, *must include the name of the committee treasurer*, as well as the mailing address of either the committee or the committee treasurer. Example:

Paid for by Support our Schools
Linda Evans, treasurer
PO Box 350 Helena MT 59604

What other information is required?

If a candidate's election is partisan, the communication *must state the candidate's party affiliation or include the party symbol*. The affiliation may be identified in the body of the communication or in the disclaimer.

Where should the disclaimer be placed?

The communications materials must clearly and conspicuously state the disclaimer. In the case of a message on TV or radio, the disclaimer should state: "Paid for by Smith for Senate, PO Box 292 Helena 59604." For print media, the disclaimer is usually placed at the bottom of the communication. On yard signs, billboards and other similar materials, the disclaimer must be placed on the front of the materials, and must be large enough to be clear and conspicuous—e.g., 1/4 inch tall (24 point) letters on yard signs and 1/2 inch tall (48 point) letters on highway signs.

What if my campaign material is too small to include a disclaimer?

If the material is too small, you must file a copy with the Commissioner of Political Practices, together with the required disclaimer information, at the time of publication or dissemination.

What if I unintentionally omitted the disclaimer?

Upon discovery of the omission, the person financing the communication must notify the Commissioner of Political Practices within five days and make every reasonable effort to bring the material into compliance. *No dissemination should be made of material that is not in compliance. (You must pull all TV, radio, newspaper ads, the posting of billboards, etc., until the materials have been corrected.)*

Clean Campaign Act

The **"Clean Campaign Act"** of 2007 requires candidates and committees supporting candidates to provide an opponent with copies of campaign advertising that is intended to be distributed within the 10 days prior to an election. The copies must be provided at the time the material is published, broadcast, disseminated, or otherwise made available to the public. The law applies to any campaign advertising in print or broadcast media.

The requirement does not apply if

1. identical material was already published or broadcast, or
2. the material does not identify or mention the opposing candidate.

Election material containing information about another candidate's voting record

This material must include:

1. a reference to the particular vote or votes upon which the information is based;
2. the disclosure of contrasting votes by the candidate on the same issue, if closely related
3. a verification statement that affirms, to the best of the signer's knowledge, the information supplied about the candidate's voting record is accurate and true.

If election material is prepared for a candidate, that *candidate must sign the verification statement.*

If election material is not prepared for a candidate, the person or legal agent of the person financing the communication *must sign the verification statement.*