

MEDIA ADVERTISEMENTS

Citizen, Candidate, Political Party, Political and Referendum Committee Requirements

No media advertisement, except as provided for in G.S. 163-278.6(14) and G.S. 163-278.12 may be made by or on behalf of a candidate, political party, political or referendum committee:

- (1) Until the candidate campaign, political party, political or referendum committee has filed an Organizational Report with the appropriate Board of Elections;
- (2) Unless the advertisement is made by or through the treasurer of the political committee.

No media advertisement of any kind may be made by a treasurer, candidate, political party, political or referendum committee unless

- (1) It bears the legend or includes the statement: "**Paid for by... (or Sponsored by).....(Name of candidate, political, or referendum committee, individual)**".
- (2) The name used in the labeling required immediately above is the name that appears on the statement of organization if the sponsor is a political or referendum committee.
- (3) The sponsor states in the media advertisement its position:
 - (a) For or against the candidate; or
 - (b) For or against an opposing candidate if the media advertisement is made for or against a candidate.
- (4) The sponsor states in the media advertisement its position for or against the ballot measure if the media advertisement is for or against a ballot measure.

The requirements of (3) and (4) above do not apply to any print advertisement less than two inches by two inches in size, or to any radio or television advertisement of less than 20 seconds in length.

Opposition print advertisements from a political party or political committee which identify a candidate that the party or committee is opposing shall indicate in type no smaller than 12 point the name of the political party or political committee and the name of the candidate(s), if any, that are intended to benefit from the printed matter.

Effective January 1, 2000 when Council of State offices will be on the ballot, no **declared** candidate for these offices shall use or permit the use of State funds for any advertisement or public service announcement in a newspaper, on radio, or on television that contains that declared

candidate's name, picture, or voice, except in case of State or national emergency and only if the announcement is reasonably necessary to that candidate's official function. Declared means a public announcement of an intention to run.

The State Board of Elections has determined that the following items do not constitute media advertisements and therefore, **would not require a legend:**

- Buttons, bumper stickers, brochures, flyers, newsletters.
- * Window posters (approximately 14 x 22 inches and posters used in stores, on stakes in yards, etc.),
- Barn posters (3 x 5 foot, or similarly sized, posters used on the sides of buildings, on walls, etc., generally without paying rental costs).
- Brochures in tabloid form (not used as newspaper inserts), newsletters issued on a regular basis.
- Campaign paraphernalia such as balloons, shopping bags, nail files, etc., imprinted with a campaign message.

We call your attention to several campaign techniques that do qualify as media advertisements and **require a legend.**

- Billboards
- Sound-truck advertising
- Airplane streamers
- Advertisements placed in association publications or trade journals
- Commercial advertising displays usually found in airport lobbies, shopping centers, display windows, etc.
- Portable signs (lighted or non-lighted; some on wheels to be pulled around)

Media Requirements

The term media means broadcasting stations, carrier current stations, newspapers, magazines, periodicals, outdoor advertising facilities, billboards, newspaper inserts, and any person or individual whose business is polling public opinion, analyzing or predicting voter behavior or voter preferences (G.S. 163-278.6(5)).

- The media shall not publish or broadcast any **political** advertisement unless it bears the legend or includes the statement required.
- Each media shall require written authority for each political advertisement and said authorizations shall be available for public inspection during normal business hours.
- No media and no supplier of materials or services shall charge a fee higher than the normal commercial charges required for comparable advertising, materials, space, or services because the advertisement, material or services will be used in support of or in opposition to a candidate, political committee, or political party.