

Political Advertising is ...

advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or TV presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support or opposition in an election campaign.

“Mass communication” is a message intended to reach a large audience through any of the methods described above as well as periodicals, sample ballots, web sites, e-mails, text messages, social media, and other online or electronic formats enabling the exchange of communication.



Sending 100 or more identical or substantially similar letters, e-mails or text messages to specific recipients within a 30-day period is an example of mass communication.

FALSE POLITICAL ADVERTISING:

It is illegal to sponsor a political ad, with actual malice, that contains a statement constituting libel or defamation per se* if the statement:

- directly or indirectly implies a candidate has the support or endorsement of any person or organization when the candidate does not (unless the statement is made by the person or organization),
- is a false statement of material fact about a candidate,** or
- falsely represents that a candidate is an incumbent.**

*See [RCW 42.17A.335\(2\)](#) for a definition of libel and defamation per se.

**Unless a candidate is making a statement about him or herself or the statement is made by the candidate’s agent about the candidate.

It is also illegal to:

- use an assumed name for sponsor identification in a political ad;
- distribute campaign material deceptively similar in design or appearance to the voter and candidate pamphlets published by the Secretary of State, or
- use the state seal or its likeness to assist or defeat a candidate.

Other [political advertising brochures](#) available from the Public Disclosure Commission:

Independent Expenditure Ads & Electioneering Communications

Electioneering Communications Guide



 **Public Disclosure Commission**
Shining Light on Washington Politics Since 1972

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GENERAL REQUIREMENTS

Party preference must be included in any form of advertising about a candidate seeking election to a partisan office, regardless of who sponsors the ad. Acceptable abbreviations that may be used for party preference are:

Communist—Com
Constitution—CP
Democrat—D, Dem, Demo
Independent or unaffiliated—Ind, Indep
Libertarian—L, LP, LBT, LBTN
Progressive—P, PP, Prog
Republican—R, GOP, Rep (use Rep only if it does not falsely imply the candidate is an incumbent State Representative)
Socialist—Soc
Socialist Workers—Soc Workers, SWP
Official symbols or logos adopted by the state committee of the party may be used in lieu of other identification.

Sponsor Identification is required for political advertising, except for certain types of ads that are listed in the far-right column. (There are no exemptions for party preference.) The “sponsor” is the candidate, committee, or other person who pays for the ad. When the person buying the ad is an agent for another person or is otherwise reimbursed, the sponsor is the ultimate spender. When no payment is demanded or the cost is not readily ascertainable, the sponsor is the person who arranges for the ad to be displayed or broadcast.

The PDC's Independent Expenditure Ads & Electioneering Communications brochure explains the unique Sponsor ID requirements for those types of ads.

When **candidate photos** are used in an ad, at least one of them must have been taken within the last five years and it can be no smaller than the largest candidate photo in the ad.

Do not falsely imply incumbency in a political advertisement about a candidate who does not hold the office. Recommended format: **Elect** Tracy Jones Auditor or Tracy Jones **for** Auditor.

MORE ABOUT SPONSOR ID

Use the words “paid for by” or “sponsored by” followed by the sponsor’s name & address. Include all sponsors’ names & addresses, if there are multiple sponsors. A political committee must include its Top 5 contributors’ names when sponsoring an ad about a ballot measure with a cost of at least \$1,000 in the aggregate. (Top 5 = the five largest contributors who gave more than \$700 during the 12 months before the ad appears.)

PRINT ADS & WEBSITES—display sponsor ID and any party preference in an area set apart from the ad text on the first page of the ad. Use at least 10-point type; do not screen or half-tone the text. Exceptions—

BILLBOARDS/POSTERS: Use type that is at least 10% of the largest size type used in the ad.

SMALL ONLINE ADS WITH LIMITED CHARACTERS may display sponsor ID & party preference in an automatic display such as a mouse tip/rollover or nonblockable pop-up that remains visible for at least 4 seconds OR on a webpage that is conspicuously linked to the small ad and reached with one mouse click.

BROADCAST ADS, VIDEOS, and ONLINE AUDIO ADS—Clearly speak the sponsor’s name and any party preference. (Sponsor’s address not required) When necessary in TV or video ads, a political committee has the option of displaying its Top 5 contributor names on the screen for at least 4 seconds in letters greater than 4% of the visual screen height at a reasonable color contrast with the background. An abbreviations may be used when naming a Top 5 contributor, if the full name of the contributor has already been clearly spoken in the ad.

DESCRIBING CANDIDATES IN ADS

Incumbent is the person who is in the office now, regardless of whether s/he was appointed or elected.

Re-Elect means that the candidate holds the office now and is seeking another term in the same office OR that the candidate was elected to the office in the past, but is not the incumbent, in which case the ad must clearly state that the candidate is not the incumbent.

Retain can be used for any incumbent.

Return represents that the candidate holds, or has previously held the office being sought.

EXEMPT FROM SPONSOR ID

badges & badge holders	nail clippers & files
balloons	print newspaper ads (≤ one column inch)
brushes	noisemakers
bumper stickers (≤ 4”x15”)	official voter pamphlet
business cards	paper & plastic cups and plates
buttons	paperweights
cigarette lighters	pencils
clothing	pendants
coasters	pens
combs	pinwheels
cups	pocket protectors
emery boards	reader boards with moveable letters
envelopes	ribbons
erasers	rulers (≤ 12”)
Frisbees	shoe horns
glasses	skywriting
golf balls & tees	stickers (≤ 2-3/4”x1”)
hand-held signs	sunglasses
hats	sun visors
ice scrapers	swizzle sticks
key rings	tickets to fund raisers
knives	whistles
labels	yard signs (≤ 8’x4’)
letter openers	yo-yos
matchbooks	all similar items



The sponsor’s name & address may be left off of a political ad that meets all of the following criteria:

- the sponsor is an individual acting on his or her own behalf, independent of any candidate, political committee or organization, who personally produces and distributes the ad (or pays for it to be produced and/or distributed);
- the sponsor receives no contributions or other support to produce and distribute the ad;
- no more than \$50 in the aggregate is spent for online advertising or \$100 in the aggregate for any other type of advertising; and
- the advertising is EITHER distributed through the individual’s social media site, personal website, or similar online forum where information is produced and disseminated only by the individual OR a letter, flier, handbill, text or e-mail from the individual that does not appear in a newspaper or comparable mass publication.