Political advertising disclaimers

Michigan Press Association would like to clarify the different types of political ads and the disclaimers that are required with each. We hope the following chart helps!

Keep in mind that nothing prevents the advertiser from including in their ad the name and address of the person or entity paying for the ad. Moreover, nothing prevents the newspaper from requiring that people place in their private independent ads the name address of the person or persons paying for the ad.

Disclaimers are not required by law for independent expenditures, i.e. expenditures that are not made by political parties or political committees.

It is our recommendation that you have a policy that requires the name of the person paying for the ad to be contained in the ad. This is not a matter of law but of accountability to the newspaper and the readership.

If you have any questions, please contact Lisa McGraw at 517.372.2424 or lisa@michiganpress.org.

TYPE OF AD	Ad paid for by Candidate or Candidate Committee	Ad about candidate, not paid for by candidate committee but another registered committee	Ballot Committee	Ad about candidate or ballot proposal, but an independent expenditure. i.e. not a registered committee.
DISCLAIMER	Paid for by Committee to elect _____ and address.	Not authorized by any candidate committee but paid for with regulated funds.	Paid for by the Committee to support Ballot____ with regulated funds	Nothing
EXAMPLE	VOTE FOR JOE! Paid for by the Committee to elect Joe and campaign address	VOTE FOR JOE! Not authorized by any candidate committee; paid for with regulated funds	VOTE YES ON PROPOSAL A! Paid for by the committee to support Prop. A with regulated funds.	VOTE YES ON PROPOSAL A!

MICHIGAN PRESS ASSOCIATION

Michigan Press Association
Michigan Newspapers, Inc.
827 N. Washington Ave. • Lansing, MI • 48906
www.michiganpress.org

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Lansing, MI 48906
517.372.2424

Election checklist for newspapers

Newspapers do not have to accept political ads, allow politicians access to their news columns or run letters-to-the-editor.

Only political advertising by candidates and ballot committees must contain an identification statement which says, "Paid for by the Mary Jones for Dog-catcher Committee with regulated funds," but it is not a bad idea for a newspaper to create advertising requirements beyond that.

You can't charge higher rates for political ads than you would charge other advertisers for the same space under similar conditions.

Don't offer or charge different rates for different candidates. The difference between the regular rate and the lower rate will be viewed as an in kind political contribution. Since corporations cannot make political contributions, offering lower rates to some candidates and not others could put you in violation of Campaign Finance Laws.

You can offer volume discounts as long as the volume discount is offered to all candidates.

Watch for last-minute changes designed to take advantage of your deadlines. Weekly papers with early deadlines are particularly vulnerable.

Political advertisers want their ad copy to be kept confidential prior to publication in the newspaper. However, newspapers must do their best to ensure the accuracy of the assertions in the ad. The newspaper is responsible for everything they publish. To that end, if you have a question as to where the information in the ad came from (i.e. "candidate B is a known thespian") call the campaign placing the ad and ask them for their source of information (like a playbill) so you can cite the ad.

As an added precaution, you could talk to the newsroom. They generally know a lot about the candidates they are covering. If you do this however, make sure the newsroom understands the content of the ad is confidential until published. Several political ad experts have complained about their ads floating around the newsroom and the failure of a newspaper to maintain confidentiality until the ad is published as reason for not running newspaper advertising.

You are responsible for the content of any political ad you publish and candidates may sue the newspaper rather than the opposing candidate when a mistake is made.

You are allowed to editorially favor one candidate over another by running ads for one candidate and none for the other. Equal time rules do not apply to newspapers. But the ad rate for the candidate must be the same as for a regular advertiser. Any reduction in rate may be treated as an in kind campaign contribution. Likewise, if you run ads for more than one candidate, all candidates must be treated equally.

If you have any further questions about publishing political ads please contact Lisa McGraw at 517.372.2424 or by email at lisa@michiganpress.org.