

§1014. Publication or distribution of political public communications

1. Authorized by candidate. Whenever a person makes an expenditure to finance a public communication expressly advocating the election or defeat of a clearly identified candidate, the public communication, if authorized by a candidate, a candidate's authorized political committee or a candidate's or a candidate's authorized political committee's agents, must clearly and conspicuously state that the public communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the public communication. A public communication financed by a candidate or the candidate's committee is not required to state the address of the candidate or committee that financed the public communication. If a public communication that is financed by someone other than the candidate or the candidate's authorized committee is broadcast by radio, only the city and state of the address of the person who financed the public communication must be stated.

[PL 2025, c. 224, §7 (AMD).]

2. Not authorized by candidate. If a public communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or a candidate's or a candidate's authorized political committee's agents, the public communication must clearly and conspicuously state that the public communication is not authorized by any candidate and state the name and address of the person who made or financed the expenditure for the public communication, except that a public communication broadcast by radio is only required to state the city and state of the address of the person that financed the public communication. If the public communication is in written form, the public communication must contain at the bottom of the public communication in print that is no smaller in size than 12-point bold print, Times New Roman font, the words "NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE."

[PL 2025, c. 224, §7 (AMD).]

2-A. Other public communications. Whenever a person makes an expenditure to finance a public communication that names or depicts a clearly identified candidate and that is disseminated during the 28 days, including election day, before a primary election, during the 35 days, including election day, before a special election or during the period of time from Labor Day to the election day for a general election, the public communication must state the name and address of the person who made or financed the public communication and a statement that the public communication was or was not authorized by the candidate, except that a public communication broadcast by radio is only required to state the city and state of the address of the person that financed the public communication. The disclosure is not required if the public communication was not made for the purpose of influencing the candidate's nomination for election or election.

[PL 2025, c. 224, §7 (AMD).]

2-B. Top 3 funders; independent expenditures. A public communication that is funded by an entity making an independent expenditure as defined in section 1019-B, subsection 1 must conspicuously include the following statement:

"The top 3 funders of (name of entity that made the independent expenditure) are (names of top 3 funders)."

The information required by this subsection may appear simultaneously with any statement required by subsection 2 or 2-A. A public communication that contains a visual aspect must include the statement in written text. A public communication that does not contain a visual aspect must include an audible statement. This statement is required only for public communications made through broadcast, cable or satellite systems; Internet audio and video programming; direct mail; or newspaper or other periodical publications.

A broadcast, cable or satellite television communication or Internet video communication must include both an audible and a written statement. For a broadcast, cable or satellite television communication or Internet video communication 60 seconds or less in duration, the audible statement may be omitted. The top funders named in the required statement consist of the funders providing the highest dollar amount of funding to the entity making the independent expenditure since the day following the most recent general election day.

A. For purposes of this subsection, "funder" includes:

- (1) Any entity that has made a contribution as defined in section 1052, subsection 3 to the entity making the independent expenditure since the day following the most recent general election day; and
- (2) Any entity that has given a gift, subscription, loan, advance or deposit of money or anything of value, except for transactions in which a fair value is given in return, since the day following the most recent general election day. [PL 2025, c. 224, §7 (AMD).]

B. If funders have given equal amounts, creating a tie in the ranking of the top 3 funders, the tie must be broken by naming the tying funders in chronological order of the receipt of funding until 3 funders are included in the statement. If the chronological order cannot be discerned, the entity making the independent expenditure may choose which of the tying funders to include in the statement. A public communication may not be required to include the names of more than 3 funders. [PL 2025, c. 224, §7 (AMD).]

C. The statement required under this subsection is not required to include the name of any funder who has provided less than \$1,000 to the entity making the independent expenditure since the day following the most recent general election day. [IB 2015, c. 1, §3 (NEW).]

D. If only one or 2 funders must be included pursuant to this subsection, the public communication must identify the number of funders as "top funder" or "top 2 funders" as appropriate. If there are no funders required to be included under this subsection, no statement is required. [PL 2025, c. 224, §7 (AMD).]

E. When compiling the list of top funders, an entity making an independent expenditure may disregard any funds that the entity can show were used for purposes unrelated to the candidate mentioned in the public communication on the basis that funds were either spent in the order received or were strictly segregated in other accounts. [PL 2025, c. 224, §7 (AMD).]

F. The statement required under this subsection is not required in any public communication consisting of an audio broadcast of 60 seconds or less or a print communication of 20 square inches or less. [PL 2025, c. 224, §7 (AMD).]

G. If the list of funders changes during the period in which a recurring public communication is aired or published, the statement appearing in the public communication must be updated at the time that any additional payments are made for that public communication. [PL 2025, c. 224, §7 (AMD).]

H. The commission may establish by routine technical rule, adopted in accordance with Title 5, chapter 375, subchapter 2-A, forms and procedures for ensuring compliance with this subsection. Rules adopted pursuant to this paragraph must ensure that the information required by this subsection is effectively conveyed for a sufficient duration and in a sufficient font size or screen size when applicable without undue burden on the ability of the entity to make the public communication. The rules must also provide an exemption for types of public communications for which the required statement would be impossible or impose an unusual hardship due to the unique format or medium of the public communication. [PL 2025, c. 224, §7 (AMD).]

[PL 2025, c. 224, §7 (AMD).]

3. Broadcasting prohibited without disclosure. A person operating a broadcast, cable or satellite system within this State may not broadcast any public communication, as described in subsections 1 to 2-A, without an oral or written visual announcement of the disclosure required by this section. [PL 2025, c. 224, §7 (AMD).]

3-A. In-kind contributions of printed materials. A candidate, political committee or political action committee shall report on the campaign finance report as a contribution to the candidate, political committee or political action committee any contributions of in-kind printed materials to be used in the support of a candidate or in the support or defeat of a ballot question. Any in-kind contributions of printed materials used or distributed by a candidate, political committee or political action committee must include the name or title of that candidate, political committee or political action committee as the authorizing agent for the printing and distribution of the in-kind contribution.

[PL 2009, c. 190, Pt. A, §3 (AMD).]

3-B. Newspapers. A newspaper may not publish a public communication described in subsections 1 to 2-A without including the disclosure required by this section. For purposes of this subsection, "newspaper" includes any printed material intended for general circulation or to be read by the general public, including a version of the newspaper displayed on a website owned or operated by the newspaper. When necessary, a newspaper may seek the advice of the commission regarding whether or not a communication requires the disclosure.

[PL 2025, c. 224, §7 (AMD).]

4. Enforcement. A violation of this section may result in a civil penalty of no more than 100% of the amount of the expenditure in violation, except that an expenditure for yard signs lacking the required information may result in a maximum civil penalty of \$200. In assessing a civil penalty, the commission shall consider, among other things, how widely the public communication was disseminated, whether the violation was intentional, whether the violation occurred as the result of an error by a printer or other paid vendor and whether the public communication conceals or misrepresents the identity of the person who financed it. If the person who financed the public communication or who committed the violation corrects the violation within 10 days after receiving notification of the violation from the commission by adding the missing information to the public communication, the commission may decide to assess no civil penalty.

[PL 2025, c. 224, §7 (AMD).]

5. Telephone calls.

[PL 2025, c. 224, §7 (RP).]

5-A. Text messages. Text messages sent with the assistance of mass distribution technology that is paid for by a person must clearly and conspicuously state the name of the person who made or financed the expenditure if:

A. The text message expressly advocates the election or defeat of a candidate; or [PL 2023, c. 324, §8 (NEW).]

B. The text message contains a link to a website that expressly advocates the election or defeat of a candidate. [PL 2023, c. 324, §8 (NEW).]

[PL 2023, c. 324, §8 (NEW).]

5-B. Websites of candidate or political committee. A website or other Internet application available to the general public that is established by a party committee or a person that is required to register with the commission as a candidate or political action committee and that expressly advocates for the election or defeat of a candidate or that names a clearly identified candidate during the 28 days, including election day, before a primary election, during the 35 days, including election day, before a special election or during the period of time from Labor Day to the election day for a general election must state the name and address of the person who made or financed the expenditure for the website or

other Internet application and state that the website or other Internet application was or was not authorized by the candidate.

[PL 2025, c. 224, §7 (NEW).]

6. Exclusions. The requirements of this section do not apply to:

A. Handbills or other literature produced and distributed at a cost not exceeding \$100 and prepared by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; [PL 2011, c. 389, §13 (NEW).]

B. Campaign signs produced and distributed at a cost not exceeding \$100, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; [PL 2013, c. 494, §2 (AMD).]

C. Internet and e-mail activities costing less than \$100, as excluded by rule of the commission, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; [PL 2013, c. 494, §2 (AMD).]

D. Public communications in which the name or address of the person who made or authorized the expenditure for the public communication would be so small as to be illegible or infeasible, including public communications on items such as ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fundraisers and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section and in electronic media advertisements where compliance with this section would be impractical due to size or character limitations; [PL 2025, c. 224, §7 (AMD).]

E. Campaign signs that are financed by the candidate or candidate's authorized committee and that clearly identify the name of the candidate and are lettered or printed individually by hand; [PL 2025, c. 224, §7 (AMD).]

F. Prerecorded automated telephone calls paid for by the candidate that use the candidate's voice in the telephone call and that are made in support of that candidate; and [PL 2025, c. 224, §7 (NEW).]

G. Telephone surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients. [PL 2025, c. 224, §7 (NEW).]

[PL 2025, c. 224, §7 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1987, c. 188, §17 (AMD). PL 1989, c. 504, §§5,6,31 (AMD). PL 1991, c. 466, §37 (AMD). PL 1991, c. 839, §§8-10 (AMD). PL 1995, c. 483, §6 (AMD). PL

2003, c. 302, §1 (AMD). PL 2003, c. 510, §F1 (AMD). PL 2003, c. 510, §F2 (AFF). PL 2003, c. 599, §15 (AFF). PL 2005, c. 301, §§10-12 (AMD). PL 2005, c. 308, §1 (AMD). PL 2005, c. 542, §1 (AMD). PL 2007, c. 443, Pt. A, §9 (AMD). PL 2009, c. 183, §1 (AMD). PL 2009, c. 190, Pt. A, §§2, 3 (AMD). PL 2009, c. 652, Pt. A, §20 (AMD). PL 2011, c. 360, §1 (AMD). PL 2011, c. 389, §§10-13 (AMD). PL 2013, c. 362, §§1-3 (AMD). PL 2013, c. 494, §§1-3 (AMD). IB 2015, c. 1, §§3, 4 (AMD). PL 2019, c. 323, §§5, 6 (AMD). PL 2021, c. 132, §§5, 6 (AMD). PL 2023, c. 324, §8 (AMD). PL 2025, c. 224, §7 (AMD).

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