

351—4.39 (68A) Specific items exempted from or subject to attribution statement requirement; multiple pages. 2009 Iowa Code Supplement section 68A.405 as amended by 2010 Iowa Acts, Senate File 2354, section 4, and by 2010 Iowa Acts, Senate File 2195, section 7, and rule 351—4.38(68A) require the placement of a “paid for by” attribution statement on published material that expressly advocates for or against a clearly identified candidate or ballot issue, with certain exceptions.

4.39(1) *Items exempted from requirement.* The requirement to place a “paid for by” attribution statement does not apply to the following:

- a. Editorials or news articles of a media organization that are not political advertisements.
- b. Small items upon which the inclusion of the attribution statement would be impracticable, such as campaign signs 32 square feet or smaller that have been placed or posted on real property, bumper stickers, pins, buttons, pens, pencils, emery boards, matchbooks and, except as set out in subrule 4.39(2), items that are smaller than 2 inches by 4 inches. For purposes of this rule, 32 square feet is the total dimension of the campaign sign regardless of whether or not both sides of the sign are used for campaign advertising.
- c. T-shirts, caps, and other articles of clothing that expressly advocate for or against a candidate or ballot issue.
- d. Radio advertisements, live telephone calls, or auto-generated telephone messages.
- e. Published material placed by an individual who acts independently and spends \$100 or less of the individual’s own resources to expressly advocate the passage or defeat of a ballot issue.

4.39(2) *Items subject to requirement.* The requirement to place a “paid for by” attribution statement applies to the following:

- a. Published material such as campaign signs larger than 32 square feet that have been placed or posted on real property, billboards, posters, portable sign carriers, and signs affixed or painted to the side or top of a building or vehicle. A campaign sign placed on a building or vehicle shall contain the appropriate attribution statement regardless of the size of the sign.
- b. Published material in a newspaper, magazine, shopper, or other periodical regardless of the size of the material.
- c. Direct mailings, flyers, brochures, postcards, or any other form of published material that is larger than 2 inches by 4 inches and not otherwise set out in 351—4.39(68A).
- d. Campaign Web sites. A blog that is not owned or controlled by a candidate or committee is not required to include an attribution statement disclosing who paid for the costs of the blog. A political advertisement on a blog is required to include the appropriate attribution statement disclosing who paid for the advertisement.
- e. Television, video, and motion picture advertising. The attribution statement shall be displayed on the advertisement in a clearly readable manner for at least four seconds.

4.39(3) *Multiple pages.* If the published material consists of more than one page, the “paid for by” attribution statement need only appear on one page of the material. For a campaign Web site, the attribution statement need only appear on the home page of the site. A scratch pad need only include the attribution statement on the pad and not on each individual page of the pad.

This rule is intended to implement 2009 Iowa Code Supplement section 68A.405 as amended by 2010 Iowa Acts, Senate File 2354, section, 4, and by 2010 Iowa Acts, Senate File 2195, section 7.