



Texas Ethics Commission ⁽¹⁾

Promoting Public Confidence in Government



Resources

Political Advertising Requirements

For comprehensive review of political advertising requirements, please refer to the Political Advertising Guide (/data/resources/advertising/Gpol_adv.pdf), available on our website. For answers to frequently asked questions, see below.

For questions about the use of public funds for political advertising, please refer to the Political Subdivision Guide (/data/resources/advertising/Bsub_adv.pdf) and School District Guide (/data/resources/advertising/Bsch_adv.pdf), both available on our website.

What is "Political Advertising"?

"Political advertising" means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that:

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or

(B) appears:

(i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or

(ii) on an Internet website (including a communication appearing on a social media website).

When can I begin advertising?

Candidates may begin advertising once they have a campaign treasurer appointment on file. The laws under the Commission's jurisdiction do not address when and where candidates may place signs. Questions about the 90-day timeline for placing signs must be directed to the Texas Department of Transportation (<https://www.txdot.gov/inside-txdot/division/right-of-way/campaign-signs.html>).

What are the requirements of a disclosure statement?

A political advertising disclosure statement **must contain** the words "political advertising" or any recognizable abbreviation, and must:

- (1) appear on one line of text or on successive lines of text on the face of the political advertising; or
- (2) be clearly spoken in the political advertising if the political advertising does not include written text.

The disclosure statement **must contain** the full name of:

- (1) the person who paid for the political advertising;
- (2) the political committee authorizing the political advertising; or
- (3) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

A disclosure statement is **not required** on:

- (1) tickets or invitations to political fund-raising events;
- (2) campaign buttons, pins, or hats, or on objects whose size makes printing the disclosure impractical, such as t-shirts, balloons, buttons, emery boards, hats, lapel stickers, small magnets, pencils, pens, pins, wooden nickels, and candy wrappers;
- (3) circulars or flyers that cost in the aggregate less than \$500 to publish and distribute.
- (4) an envelope that is used to transmit political advertising, provided that the political advertising in the envelope includes the disclosure statement; or
- (5) letterhead stationery if the letterhead contains the full name of one of the following:
 - (a) the person who paid for the political advertising;
 - (b) the political committee authorizing the political advertising; or
 - (c) the candidate authorizing the political advertising.
- (6) postings or re-postings on an Internet website if the person posting or re-posting is not an officeholder, candidate, or political committee and did not make an expenditure exceeding \$100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth;
- (7) an Internet social media profile webpage of a candidate or officeholder, if the webpage clearly and conspicuously displays the full name of the candidate or officeholder; and

(8) postings or re-postings on an Internet website if the advertising is posted with a link to a publicly viewable Internet webpage that either contains the disclosure statement or is an Internet social media profile webpage of a candidate or officeholder that clearly and conspicuously displays the candidate's or officeholder's full name.

What are the requirements of a "Highway Right-of-Way Notice"?

Political advertising signs must contain the following statement, in verbatim:

"NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE), TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY."

The highway right-of-way notice may appear on the reverse-side of a sign.

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