

351—4.39(68A) Specific items exempted from or subject to attribution statement requirement; multiple pages.

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 paid advertisements.
- b. Small items upon which the inclusion of the attribution statement would be impracticable, such as bumper stickers, pins, buttons, pens, pencils, emery boards, matchbooks and, except as set out in subrule 4.39(2), other items that are smaller than 2 inches by 4 inches.
- 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 autogenerated 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 published material. The term “published material” means any newspaper, magazine, shopper, outdoor advertising facility, poster, direct mailing, brochure, website, campaign sign, television, video, or motion picture advertising. “Published material” includes all of the following:

- a. Advertising in a newspaper, magazine, shopper, or other periodical. An attribution statement shall be included regardless of the size of the material.
- b. Mailings and handouts. Direct mailings, flyers, brochures, postcards, or any other form of published material that is physically distributed and that is larger than 2 inches by 4 inches and not otherwise exempt in this rule shall include an attribution statement.
- c. Campaign websites. 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, but a political advertisement on a blog is required to include the appropriate attribution statement disclosing who paid for the advertisement.
- d. Campaign signs. Campaign signs smaller than 32 square feet on one side shall be exempt from the attribution statement requirement. However, a campaign sign placed on a building or vehicle shall contain the appropriate attribution statement regardless of the size of the sign.
- 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.
- f. Printed or electronic general public political advertising. For purposes of this rule, “printed or electronic general public political advertising” means a communication that is distributed by a candidate, candidate’s committee, PAC, state or county statutory political committee, or a person making an independent expenditure that:
 - (1) Includes express advocacy,
 - (2) Is distributed to 100 or more individuals, and
 - (3) Costs more than \$1,000 in the aggregate.

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 website, the attribution statement need only appear on the homepage of the site. A notepad need only include the attribution statement on the pad and not on each individual page of the pad.

This rule is intended to implement Iowa Code section 68A.405.

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