

351—4.48(68A) Sham newspapers subject to campaign laws.

4.48(1) *Media exception inapplicable.* The owner, publisher, or editor of a sham newspaper is not entitled to the exceptions for media organizations provided in Iowa Code chapter 68A.

4.48(2) *Factors.* In determining whether or not a publication is entitled to the press exception, the board will consider the following factors:

- a.* Whether the publication is published and made available on a regular schedule or interval;
- b.* The proximity to the election in which the candidates and public affairs are discussed;
- c.* Whether the publication contains news items and articles of opinion of a general character separate from discussions concerning candidates and public affairs;
- d.* How widely the publication is circulated or is otherwise made available to the public in comparison to a targeted audience for potential campaign purposes;
- e.* Whether the publication discusses all candidates for a particular election or otherwise gives all candidates equal space; and
- f.* Whether the publication expressly advocates for the candidacy of any person.

This rule is intended to implement Iowa Code section 68A.503(5) "b."

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