



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 424

December 10, 1999

Whether section 255.001 of the Election Code requires that a political advertising disclosure statement be placed on candy wrappers printed with a candidate's political slogan. (AOR-467)

The Texas Ethics Commission has been asked whether section 255.001 of the Election Code requires that a political advertising disclosure statement be placed on candy wrappers printed with a candidate's political slogan.

The requestor would like to order small candies wrapped in paper that would be imprinted with a campaign slogan. The print area would be approximately one and an eighth square inches. The wrapper would be "political advertising," as that term is defined in Election Code section 251.001(16).¹

A person who enters into a contract to print "political advertising" must include certain information in the advertising. Elec. Code § 255.001(a). There is an exception to that requirement, however, for political advertising printed on "campaign buttons, pins, hats, or similar campaign materials. *Id.* § 255.001(b). In previous advisory opinions we have determined that items such as magnets, emery boards, and wooden nickels are similar to the campaign buttons and pins and are therefore not required to carry a disclosure statement. [Ethics Advisory Opinion Nos. 387](#) (1997), [184](#) (1994). Likewise, in this case, we conclude that the small candy wrappers are similar to buttons, pins, and hats and are therefore not required to bear a political advertising disclosure statement.

SUMMARY

Section 255.001 of the Election Code does not require that small candy wrappers imprinted with a candidate's political slogan include a political advertising disclosure statement.

¹ "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 in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication." Elec. Code § 251.001(16).