



Disclosure Statements for Misleading Candidate Images

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A disclosure statement is required for paid communications to the public that advocate for or against candidates and contain misleading images, audio, or video of a candidate.

What types of communications are covered by the requirement?

- broadcast, cable or satellite communications,
- newspapers, direct mail, handbills or other printed literature,
- campaign signs or other outdoor advertising facilities,
- prerecorded automated telephone calls,
- communications over the Internet, only if they are placed or promoted for a fee on another person's website, digital device, application or advertising platform, or
- other types of public political advertising.

What advocacy for or against a candidate is covered?

The disclosure statement is required only if the paid communication:

- expressly advocates the election or defeat of a candidate, or
- names or depicts a clearly identified candidate and is disseminated to the public between Labor Day and the general election, during the 28 days before a primary election, or during the 35 days before a special election.

What kinds of images, audio, or video trigger the disclosure statement requirement?

The disclosure statement is required if a communication contains an image or an audio or video recording depicting a candidate's appearance, speech or conduct that:

- portrays the candidate saying or doing something that they did not say or do in a manner that is likely to deceive a reasonable person, or
- has been manipulated or altered in a manner that is likely to provide a reasonable person with a materially different understanding or impression of the candidate's appearance, action or speech.

What must be in the disclosure statement for covered communications?

The communication must contain the words: "THIS COMMUNICATION CONTAINS AUDIO, VIDEO AND/OR IMAGES THAT HAVE BEEN MANIPULATED OR ALTERED."

What are the placement and size requirements for the disclosure statement?

- Disclosure statements must be clear and conspicuous. A statement is not clear and conspicuous if it is difficult to read or hear, or if its placement is easily overlooked.
- Disclosure statements in a public communication made through cable, satellite, or broadcast television must conform with those portions of federal regulations 47 CFR § 73.1212(a)(2)(ii) and 47 CFR § 76.1615(a) which regulate text size and duration of sponsorship information. Specifically:
 - (1) the font size must be equal to or greater than 4% of the vertical picture height, and
 - (2) the text must appear for not less than four seconds.
- For public communications with a visual aspect other than television or video communications, the disclosure statement must appear in a font size that is 12-point or larger.

What about free communications?

The disclosure statement is required only if a person has made an expenditure for the communication.

What if a candidate, PAC, or party committee creates a website that is not promoted for a fee?

The disclosure statement is not required but the Commission recommends including the statement for informational purposes.

Note: This guidance may be updated for the 2026 election in response to questions received. Updated versions will be posted on the "Guides" pages for candidates and committees on www.maine.gov/ethics.

Do not substitute the information presented here for the applicable provisions of Maine Election Law and the Commission's Rules. The statutory and regulatory requirements are controlling in the event of any omission or error in this publication.

Disclosure statement requirement: [21-A M.R.S. § 1014\(5-C\)](#)

Definition of "public communication": [21-A M.R.S. § 1001\(4\)](#)

Definition of "express advocacy": [Commission Rules, 94-270 C.M.R. § 10\(2\)\(B\)](#)

Other relevant subsections: [21-A M.R.S. § 1014\(1\), \(2\), \(2-A\), \(2-B\) & \(5-B\)](#).