

BALLOT CAMPAIGNING FACT SHEET **ELECTED OFFICIALS**

Campaign Finance and Conflict of Interest/Ethics laws generally permit elected officials to state their viewpoints and positions on any ballot question. However, state laws prohibit elected officials from engaging in a campaign to influence voters concerning a ballot question using public resources.¹ This Fact Sheet is intended to provide guidance to elected City officials regarding what actions they may and may not take relating to a ballot question.

IF YOU ARE AN ELECTED OFFICIAL:
(Mayor; City Councilor; School Committee Member; Area Council Member)

YOU CAN:

- Provide information and documents related to the ballot question to individuals or groups that request such information
- Post public documents about the ballot question to the City's website
- Provide copies of documents related to the ballot question that are presented at a public meeting to the attendees of the meeting *at the meeting* (i.e., make a reasonable number of copies available to persons attending an official meeting)
- Discuss and take a position on a ballot question at a public meeting
- Discuss and take a position on a ballot question at an informational meeting sponsored by a private group
- Hold an informational forum concerning a ballot question
- Speak to the press
- Inform persons of how they may obtain information regarding the ballot question. For example, although an official may not use a city email address to distribute information or advocacy regarding the ballot question, they may use a city email address to send a newsletter advising the recipient that they can visit the City website for information and include a link

¹ * Public resources include, but are not limited to: City funds, City Computers, City email addresses, City staff time, City vehicles

- As an elected body, vote to take a position on the ballot question and issue an official statement reporting that position
- Distribute an official statement on the elected body’s position on the ballot question by any means which official actions are usually reported using city resources, e.g. posting on bulletin boards, posting on the City website, etc.
- Serve on a ballot question committee
- Perform services for a ballot question committee
- Use personal funds to contribute to a ballot question committee

YOU CANNOT:

- Distribute unsolicited information regarding the ballot question using City resources. This prohibition applies whether the material that is distributed advocates for or against the ballot question or simply purports to be objective and factual. This also includes distributing official statements of an elected body’s position. As noted above, if public resources are used, such statements may only be distributed through the means which official actions are usually reported.
- Use city resources to explicitly direct or encourage individuals to vote for or against the ballot question.

This Fact Sheet is intended to be a convenient reference guide for elected City of Newton officials acting in their official city capacity. Detailed discussions regarding permissible and prohibited political activities of municipal officials can be found in the following advisories promulgated by the State Ethics Commission and Office of Campaign and Political Finance (“OCPF”):

[State Ethics Commission Advisory 11-1](#)
[OCPF Campaign Finance Guide](#)
[OCPF-IB-91-01](#)
[OCPF-IB-92-02](#)

For guidance regarding the use of an elected official’s campaign resources, including websites, emails, social media, etc., please refer to OCPF Campaign Finance Activity Guides and Fact Sheets found at <https://ocpf.us/Home/Publications#tabGuides> or contact the Office of Campaign and Political Finance at (617) 979-8300.

If you have additional questions, please contact the City Law Department.