

APPENDIX

<i>State</i>	<i>Statute</i>	<i>Actions addressed</i>	<i>Punishment</i>	<i>Category</i>
Alabama	§ 17-5-16: Alabama Fair Campaign Practices Act (Fraudulent misrepresentation)	Misrepresenting oneself as being affiliated with a campaign with the intention of damaging that campaign	Fine of no more than \$2000 and/or county jail for no more than 1 year	Affiliation Statutes
Alaska	§ 15.13.095: False statements in telephone polling and calls to convince	Knowingly making a false statement about a candidate, or with reckless disregard	Money damages, punitive damages	Campaign Message Statutes
Alaska	§ 15.56.014(3): Campaign misconduct in the second degree	Making false statements about a candidate that would cause a “breach of the peace” or lead “a reasonable person” to question the honesty or integrity of a candidate	Class B misdemeanor—fine of no more than \$2000 and/or “imprisonment of not more than 90 days”	Campaign Message Statutes
Arizona	§ 16-925: Deceptive mailings; civil penalty	Mailing false information about an election using documents forged to look like they were sent from a governmental body in Arizona	Civil penalty, fine of \$500 or twice the cost of the mailing (whichever is higher)	Election Conduct Statutes
California	§ 18350: California Elections Code	Falsely presenting candidate as an incumbent	“Any violation of this section may be enjoined in a civil action brought by any candidate for the public office involved” Fine of no more than \$1000	Campaign Message Statutes
California	§ 18351: California Elections Code	Lying related to Elect. Code sections 11327, 13307—lying on a public candidate statement or sample recall ballot sent by the state to voters		Election Conduct Statutes
Colorado	§ 1-13-109 Sect 1(a): False or reckless statements relating to candidates or questions submitted to electors	Knowingly false statements meant to affect voters’ decisions in the election of a candidate or voting on a ballot question	Class 1 misdemeanor—up to 18 months in jail	Campaign Message Statutes

Colorado	§ 1-13-109 Sect 2(a): False or reckless statements relating to candidates or questions submitted to electors	Reckless false statements distributed to voters intended to affect the vote on a candidate or ballot question	Class 2 misdemeanor—up to 12 months in prison	Campaign Message Statutes
Connecticut	Sec. 9-363: Circulation of misleading instructions	Giving voters false information that could lead to their vote not being counted	Up to \$500 fine and/or up to 5 years in prison	Election Conduct Statutes
Connecticut	Sec. 9-368c: Misrepresentation of contents of a petition	Giving false information about what is in a petition	Class D felony—1–5 years in prison	Campaign Message Statutes
Delaware	§ 5136: Tampering with ballots or deceiving voters	Tampering with a ballot to deceive a voter or cause someone's vote to be eliminated	Up to \$200 fine and/or up to 2 years in prison	Election Conduct Statutes
Florida	§ 104.271: False or malicious charges against, or false statements about, opposing candidates	Candidate making false statements, with actual malice, about an opposing candidate	3rd degree felony—no more than 5 years in prison; fine of no more than \$5000	Campaign Message Statutes
Georgia	§ 21-2-575: Counterfeit ballots or ballot labels	Being in possession of counterfeit ballots	Felony—fine or up to \$10,000 and/or prison for 1–10 years	Election Conduct Statutes
Hawaii	§ 19-3(12): Election frauds	Disseminating false information about the “time, date, place, or means of voting”	Fine of between \$1000–\$5000 and/or prison for up to 2 years	Election Conduct Statutes
Idaho	§ 34-1714(d): Prohibited Acts—Penalties	Willfully circulating false information about the effect of a recall petition in order to get signatures	Felony—punishable by a fine of up to \$50,000 and a prison sentence of up to 5 years	Campaign Message Statutes
Idaho	§ 34-1714(f): Prohibited Acts—Penalties	Circulating a recall petition containing false or fictitious names	Felony—punishable by a fine of up to \$50,000 and a prison sentence of up to 5 years	Campaign Message Statutes

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Idaho	§ 34-1815: False statements spoken or written concerning a petition unlawful	Circulating false information about a petition	Punishable by a fine of up to \$5000 and/or prison/jail up to 2 years	Campaign Message Statutes
Kansas	§ 25-2414: Possessing false or forged election supplies	Possession of any kind of fake election materials “with intent to hinder or prevent a fair election”	Level 9, nonperson felony—6–12 months in prison depending on the defendant’s criminal history	Election Conduct Statutes
Kansas	§ 25-2424: False impersonation as party officer	Falsely presenting one’s self as the member of a political organization in order to influence a voter	Class A misdemeanor—county jail of no more than a year, and/or fine of no more than \$2500	Affiliation Statutes
Louisiana	§ 18:1463 B(1): Political material; ethics; prohibitions	Attaching incorrect ballot numbers to candidates	Affected candidate is entitled to a temporary or permanent injunction; if a permanent injunction is granted the defendant can be charged with the plaintiff’s legal fees; fine of no more than \$2000; “imprisoned (with or without hard labor) for not more than two years or both”	Election Conduct Statutes
Louisiana	§ 18:1463 B(2): Political material; ethics; prohibitions	Falsely alleging endorsement or support for a candidate by a person or group	Affected candidate is entitled to a temporary or permanent injunction; if a permanent injunction is granted the defendant can be charged with the plaintiff’s legal fees; fine of no more than \$2000; “imprisoned (with or without hard labor) for not more than two years or both”	Campaign Message Statutes
Louisiana	§ 18:1463 C(1): Political material; ethics; prohibitions	Making a statement you know or could be reasonably expected to know is false	Affected candidate is entitled to a temporary or permanent injunction; if a permanent injunction is granted the defendant can be charged with the plaintiff’s legal fees; fine of no more than \$2000; “imprisoned (with or without hard labor) for not more than two years or both”	Campaign Message Statutes

Louisiana	§ 18:1463 C(4)(a): Political material; ethics; prohibitions	Misrepresenting acting on behalf a candidate	Affected candidate is entitled to a temporary or permanent injunction; if a permanent injunction is granted the defendant can be charged with the plaintiff's legal fees; fine of no more than \$2000; "imprisoned (with or without hard labor) for not more than two years or both"	Affiliation Statutes
Massachusetts	M.G.L.A. 56 § 42: False statements relating to candidates or questions submitted to voters	Making a false statement that "tends to aid or injure" a candidate	Fine of no more than \$1000 or prison of no more than 6 months	Campaign Message Statutes
Michigan	§ 168.944: False designation of incumbency	Falsely presenting a candidate as the incumbent when he or she is not	Fine of no more than \$500 and/or imprisonment in county jail of no more than 90 days	Campaign Message Statutes
Minnesota	§ 211B.06: False Political and Campaign Material	Preparing, disseminating, or broadcasting false political ads or campaign materials about a candidate or potential effects of a ballot question	Fine of no more than \$3000 or jail for no more than 90 days	Campaign Message Statutes
Mississippi	§ 23-15-875: Prohibitions against charges with respect to integrity of candidate	Making false statements or accusations about a candidate; specifically aimed at "honesty, integrity and moral character" of candidates in private life	Fine of no more than \$1000 and prison sentence of no more than 1 year in jail	Campaign Message Statutes
Missouri	§ 115.631: Class one election offenses	Disseminating false information causing someone to cast a faulty ballot, disenfranchizing a voter	Felony—prison for no more than 5 years, and/or a fine of between \$2500–\$10,000	Election Conduct Statutes

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Montana	§ 13-35-225(3)(a): Election materials not to be anonymous—statement of accuracy § 666:6: False Documents, Names, or Endorsements	Campaign materials must contain a signed statement that the information on a candidate's voting record is accurate Creating fake campaign documents	Civil action brought by the commissioner or county attorney for a fine of \$500 Misdemeanor—a fine of up to \$2000 and prison for up to 1 year	Campaign Message Statutes Campaign Message Statutes
New Hampshire	§ 666:7: Publication of Forged Documents	Publishing documents in question in § 666:6	Felony—up to 7 years in prison and a fine of up to \$4000	Election Conduct Statutes
New Hampshire New Mexico	§ 666:7-a: Impersonation of candidates § 1-20-9(A): Falsifying election documents	Placing a phone call during which one pretends to be a candidate Disseminating false information about the conduct of an election	Misdemeanor—a fine of up to \$2000 and prison for up to 1 year Fourth degree felony—18 months imprisonment, fine of up to \$5000	Affiliation Statutes Election Conduct Statutes
North Carolina	§ 163-274 a(8): Certain acts declared misdemeanors	Circulating derogatory reports knowing they are false or with reckless disregard	Class 2 misdemeanor—no more than 60 days in jail and a \$1000 fine	Campaign Message Statutes
North Dakota	§ 16.1-10-04: Publication of false information in political advertisements	Including false information in a political advertisement or news release, statements that are “deceptive or misleading”	Class A misdemeanor—no more than 1 year in prison and no more than \$2000 in fines	Campaign Message Statutes
Ohio	§ 3517.21: Infiltration of campaign—election of candidate	(A)(1) gaining employment on a campaign with intent to impede that campaign;	Prison of no more than 6 months and/or fine of no more than \$5000	Affiliation Statutes
Ohio	§ 3517.21: false statements in campaign materials—election of candidate	(B)(1) falsely imply incumbency;	Prison of no more than 6 months and/or fine of no more than \$5000	Campaign Message Statutes

Ohio	§ 3517.21: false statements in campaign materials—election of candidate	False statement of: (B)(2) schooling or training of a candidate, (3) prof. license, (4, 5) criminal conviction, (6) mental disorder, (7) military discipline, (8) falsely identify the source of a statement, (9) false statement of voting record of a candidate, (10) general false statements about a candidate, made knowingly or with reckless disregard, intended to influence the outcome of an election	Prison of no more than 6 months and/or fine of no more than \$5000	Campaign Message Statutes
Ohio	§ 3517.21: Infiltration of campaign—issues	(A)(1) infiltrate an advocacy campaign in order to impede it	Prison of no more than 6 months and/or fine of no more than \$5000	Affiliation Statutes
Ohio	§ 3517.22: Infiltration of campaign—false statements in campaign materials—issues	(B)(1) falsely identify the source of a statement, (2) circulate false information knowingly or with reckless disregard	Prison of no more than 6 months and/or fine of no more than \$5000	Campaign Message Statutes
Oregon	§ 260.532: False publication relating to candidate or measure	Campaign material that “contains a false statement of material fact relating to any candidate, political committee or measure”	Civil penalty—awards economic and non-economic damages “as defined in ORS 31.710, or \$2500, whichever is greater”; it also includes a retraction requirement; may require the losing party to pay the prevailing party’s attorney fees	Campaign Message Statutes
Oregon	§ 260.550: Use of term “incumbent”	Falsely presenting candidate as an incumbent	1st violation—\$100 fine; 2nd violation—\$200; 3rd violation or more—\$250	Campaign Message Statutes

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Oregon	§ 260.555: Prohibitions relating to circulation, filing, or certification of initiative, referendum, or recall petition	(1) presenting false information about a ballot initiative or recall petition when attempting to obtain signatures in support of it; (2-5) signing a petition under false pretenses	Class C felony—no more than 5 years in prison, civil penalty not exceeding \$10,000	Campaign Message Statutes
South Dakota	§ 12-13-16: Publication of false or erroneous information on constitutional amendment or submitted question as misdemeanor	Giving misinformation about or printing a misstated version of a “constitutional amendment, question, law or measure”	Class 2 misdemeanor—30 days in county jail and/or \$500 fine	Campaign Message Statutes
Tennessee	§ 2-19-142: Knowingly publishing false campaign literature	Distributing campaign literature, that you know is false, in opposition to a candidate	Class C misdemeanor—no more than 30 days in jail and/or a fine of no more than \$50; may also include paying the opposing party’s attorney fees according to AG opinion (Cooper, 2009)	Campaign Message Statutes
Texas	Sec. 162.011: Presentation of false evidence of affiliation prohibited	Presenting false documents in order to participate in political party events	Class C misdemeanor	Affiliation Statutes
Utah	§ 20A-11-1103: False statements in relation to candidates forbidden	Making any false statement intended to influence the election of a candidate or outcome of a ballot question	Fine of no more than \$750	Campaign Message Statutes
Virginia	§ 24.2-1005.1: Communication of false information to registered voter	Giving voters false information about the date, time, and place of an election	Class 1 misdemeanor—fine of no more than \$2500 and/or jail for no more than 12 months	Election Conduct Statutes

Washington	§ 42.17A.335: Political advertising or electioneering communication—Libel or defamation per se	I(a) defamation of a candidate	Misdemeanor—no more than 90 days in county jail and/or no more than a fine of \$1000 (RCW 9.92.030)	Campaign Message Statutes
Washington	§ 42.17A.335: Political advertising or electioneering communication—Libel or defamation per se	I(b) false implication of incumbency	Misdemeanor—no more than 90 days in county jail and/or no more than a fine of \$1000 (RCW 9.92.030)	Campaign Message Statutes
Washington	§ 42.17A.335: Political advertising or electioneering communication—Libel or defamation per se	I(c) falsely stating an endorsement of a candidate	Misdemeanor—no more than 90 days in county jail and/or no more than a fine of \$1000 (RCW 9.92.030)	Campaign Message Statutes
West Virginia	§ 3-8-11: Specific acts forbidden	Publication of false statements “in regard to any candidate” that is intended to affect the election of that candidate	Fine of no more than \$10,000 and/or jail for no more than 1 year	Campaign Message Statutes
Wisconsin	§ 12.05: False representations affecting elections	“False representations pertaining to a candidate or referendum”	fine of no more than \$1000 and/or prison for no more than 6 months	Campaign Message Statutes
Wyoming	§ 22-26-107(a)(1), (2), (3): Falsifying election documents	(1) false voting instructions, (2) creating a copy of a ballot containing false information, (3) altering some election document (i.e. a nominating petition after it has been signed by a voter)	No more than 5 years imprisonment and/or a fine of no more than \$10,000	Election Conduct Statutes
Wyoming	§ 22-24-125(c): misrepresentation of petition	Deceiving someone in order to induce them to sign an “initiative or referendum petition”	Imprisoned for no more than 1 year and/or a fine of no more than \$1000	Campaign Message Statutes

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