

**FAIR CAMPAIGN PRACTICES ACT
PERMITTED AND PROHIBITED ACTIVITIES
November 5, 2024 Election**

For purposes of the upcoming November 5, 2024 election, the following is a *brief* overview of the types of activities that are prohibited and permitted under the Fair Campaign Practices Act.

Prohibited Activities

Board members and District personnel cannot make any contributions using public resources, or use any public money received from any source, to urge people to vote for or against the District's mill levy ballot issue.

Remember: "Contributions" is a very broad term that includes not only money, but also items of perishable or nonpermanent value, goods, supplies, services, or participation in an election-related event, if the individual providing the items, goods, supplies, etc., is paid less than fair market value. **This also includes the use of government assets such as meeting space, telephones, copiers, fax machines, vehicles, internet, or computers.** Thus, Board members and personnel cannot use any District facilities, equipment, or property, including computer systems, telephones, and internet, to engage in activities in support of the District's mill levy ballot issue.

Permitted Activities as District Board Members and Personnel

- The District Manager or a Board member may spend up to \$50.00 of public money on letters, telephone calls, or other activities incidental to expressing their opinion on the District's mill levy ballot issue.
- The District may present a written factual summary of the arguments for and against the District's mill levy ballot issue. The summary cannot contain conclusions or opinions in favor of or against the ballot issue. It must simply and fairly summarize the issues for and against.
- The Board may adopt a Resolution of Advocacy in support of the District's mill levy ballot issue, and the District may report adoption of the Resolution through established, customary means.
- Board members and personnel may state, in objective terms, that an election is occurring, the date and time of the election, the issue that will be voted on, and that eligible electors are encouraged to vote.
- Board members and personnel may answer **unsolicited** questions about the election, even if the questions are asked of them while they are participating in District activities, duties, or events, or while on duty, wearing District apparel, or using a District vehicle.

Constitutional Right as Private Citizens

Board members and personnel have a constitutional right to express their personal opinions as private citizens on the District's mill levy ballot issue; however, when expressing personal opinions, Board members and personnel **must make it clear** that it is their **personal** opinion, not the opinion of the District or Board. For example, they might say, "Even though I am a Director, I am not speaking for the Board. I am speaking as a citizen of the community and I believe ..."; or, "I cannot represent the District's opinion, but my personal opinion is ...". **Such conversations must only be performed during personal time, and the Board member and personnel must take all reasonable steps to avoid creating confusion as to whether the opinion is personal or an official opinion of the District.** Accordingly, Board members and personnel must not engage in such conversations while participating in District activities, duties, or events; while on duty; while wearing any District apparel; while using a District vehicle; or under any other circumstance that could be construed as representing the District.

District Board members and personnel may use their personal time and money to urge electors to vote for or against the District's mill levy ballot issue. Such activities can only be performed during personal time and cannot be done on behalf of or through the District.