

DE 78-43 - October 19,1978

**Political Advertising; Use Of Political Party Name
ss. 106.142,106.143, F.S.**

To: Ms. Margaret O. Ferguson, Sea Coast Gardens, B-5, 2186 State Road A1A, Indian Harbour Beach, Florida 32937

Prepared by: Division of Elections

By your letter an opinion of this office was requested in answer to substantially the following question:

Does the use by a candidate in the general election of an abbreviation or nickname of a political party in political advertising comply with the requirements of s. 106.143(2), F.S.?

The Florida Election Code imposes certain restrictions and requirements upon political advertising. Broadly defined by law, that term encompasses virtually any "paid expression... other than the spoken word in direct conversation, which shall support or oppose any candidate or issue. . . ." s. 106.142, F.S.

A candidate for public office in the general election is required to "express the name of the political party of which the candidate is the nominee" in any political advertising, s. 106.143(2), F.S. This provision was included by the Legislature to assist the voter in determining of which party a particular candidate is the nominee.

Certain political parties are well known by abbreviations or nicknames. Some parties, particularly the two major parties, are widely recognized by symbols, such as an elephant or donkey.

But the use of such symbols does not appear to satisfy the statute as it does refer to the name of a party and a symbol is clearly not a name. However, an abbreviation of widely recognized nickname does seem to meet the statute's purpose and intent. The use of such would serve to clearly identify the political party to the public.

The purpose of the law is satisfied by using "Dem." or "D" instead of Democratic Party. Likewise, "Rep." or "R" may be used instead of Republican Party. Due to its widespread use, even the initials G. O.P. clearly convey the fact that a candidate is a Republican.

The listing above is certainly not to be considered definitive. Abbreviations or nicknames of political parties should only be used if they are widely known and well recognized by the general public. Otherwise, the informational service provided by the statute's requirement would be thwarted. Your question is answered in the affirmative.

SUMMARY

The use of widely recognized abbreviations or nicknames of political parties in political advertising by candidates in the general election complies with s. 106.143(2), F.S. Graphic symbols of political parties do not satisfy the statute.