



Alabama S.B. 96 – Political Telephone Call Disclosure

Background

S.B. 96 would require “any communication via phone bank or other automated telephone dialing service to be conducted” with a “notice at the beginning and ending of the phone call that the communication was a paid political advertisement, clearly identifying the identification of the person, nonprofit corporation, entity, principal campaign committee, or political action committee that paid for such communication.” S.B. 96 would also require “Any live or recorded telephone call” to “identify the name of the person calling and the candidate or campaign he or she is calling on behalf of.” These provisions would likely apply to survey and opinion research calls in a political or even a public opinion context in Alabama.

Status

S.B. 96 passed the House and is pending before the House Constitution Committee.

Political Telephone Polling is not “Political Advertising”

S.B. 96 would likely require campaign polls to declare themselves as “advertising”. Of course, research is not advertising or marketing, and this would stigmatize bona fide research telephone calls and impede participation in research studies.

Biasing Telephone Research

S.B. 96’s required disclosures of who paid for or commissioned a poll and their relationship to a political candidate or organization can bias the answers respondents provide to research questions, distorting the results of research and incontrovertibly harming the scientific research process.

Researchers go to great lengths to eliminate bias from all aspects of the research process, from the wording of questions to the accent of the interviewers. In most instances, the interviewer administering the questions is unaware who sponsored the research, or why. The bias that would result from the disclosures required in S.B. 96 would make it extremely difficult to produce scientifically and statistically valid data in Alabama.

MRA and AAPC Position on Deceptive Political Calls and “Push Polls”

The Marketing Research Association (MRA), the American Association of Political Consultants (AAPC) and the entire survey and opinion research profession are opposed to the practice of “push polling” and other deceptive political persuasion calls -- these are among the actual *intended* targets of S.B. 96. “Push polling” is abusive to voters, candidates, parties, and organizations. More broadly, each such call abuses the research profession by giving recipients a misleading and negative view of what research is and how it works -- making them much less likely to participate in future research studies.

MRA and AAPC Position on S.B. 96

MRA and AAPC are opposed to S.B. 96, absent an amendment explicitly excluding bona fide survey and opinion research calls. We look forward to working with the legislature to enact appropriate transparency measures that will expose fraudulent activity and combat the practice of “push polls”. This will protect Alabama voters and the scientific research process.