

HIDALGO COUNTY ADVERTISING POLICY

I. Hidalgo County ("County") is a local government and a political subdivision of the State of Texas. In accordance with Texas Local Government Code Section 263.251, the County may engage in the lease of advertising on and within County property, including both print and electronic advertisements displayed on the interior and exterior of County facilities. This Advertising Policy has been adopted by the Hidalgo County Commissioners Court in accordance with Section 263.251 of the Texas Local Government Code.

II. PURPOSE

The County may make designated space at County facilities available for limited types of advertising ("Permitted Advertising"). In doing so, the County does not intend to establish a public forum for general expression or public discourse, nor to accommodate all forms of advertising. All advertising must comply with this uniform, viewpoint-neutral policy. The County will not allow advertising classified as "Excluded Advertising," as defined in Section III below. By restricting Excluded Advertising, the County aims to: (a) maintain a professional and orderly advertising environment that supports revenue generation while minimizing disruption to facility operations; and (b) uphold a position of neutrality on political, religious, and other non-commercial issues that are subject to public debate.

III. PERMITTED ADVERTISING

The display of Permitted Advertising is intended to supplement revenue from taxes and other sources that support County operations. To maximize the benefits of advertising, the program must be managed to generate the highest practicable revenue, while ensuring the content remains appropriate, does not discourage community participation and preserves the County's public reputation.

To achieve these goals, the Hidalgo County Commissioners Court has adopted the following advertising regulations. All advertisements must comply with this policy and may not include content defined as Excluded Advertising in Section III.

Advertising Categories:

A. Commercial Advertising

Commercial Advertising refers to advertisements intended solely to promote or sell products, goods, or services. It does not include advertisements that combine commercial content with political or religious messages, issue advocacy, or statements expressing or promoting opinions related to any of the above.

B. Public Service Advertising

Public Service Advertising includes messages from government agencies, educational institutions, or tax-exempt nonprofit organizations that promote community, artistic, cultural, educational, health, or public safety events and initiatives. This type of advertising must not include commercial content or any direct or indirect references to religious, political, or advocacy issues. Upon request, nonprofit organizations must provide documentation verifying their tax-exempt status. If the sponsor of a public service advertisement is not clearly identifiable from the content, the advertisement must include a clear statement identifying the sponsor.

III. EXCLUDED ADVERTISING

Advertising may not be displayed or maintained if the content falls within any of the following categories of *Excluded Advertising*:

- i. Contains false, misleading, or deceptive information.
- ii. Is defamatory or likely to subject any person or group to scorn, ridicule, or harm to reputation.
- iii. Includes obscene or pornographic material.
- iv. Advocates for or incites imminent unlawful or violent behavior.
- v. Promotes the use of alcohol, tobacco, or related products.
- vi. Contains religious messages, symbols, or advocacy.
- vii. Contains political messages, endorsements, or advocacy.
- viii. Infringes on intellectual property rights, including unauthorized use of copyrighted material, trademarks, service marks, titles, or slogans.
- ix. Implies or suggests an endorsement by the County or the Center without prior written authorization.

For purposes of this Policy, the following definitions apply:

Religious Advertising refers to any advertisement that makes direct or indirect reference to religion, any religious belief system, deity or deities, or the existence, nonexistence, or nature of a deity. This includes references to religious creeds, denominations, beliefs, tenets, causes, or issues—whether in support of or opposition to any religion.

Political Advertising includes advertisements containing political content related to any ballot measure, initiative, petition, referendum, candidate for public office, political party, or political viewpoint. This includes advocacy for or against any such issue or individual, as well as any reference to or depiction of a political candidate in any context.

Unauthorized Endorsement Advertising refers to any advertisement that implies or explicitly states that the County endorses a particular product, service, event, program, or

point of view. This prohibition does not apply to advertisements for services, events, or programs in which the County is an official sponsor, co-sponsor, or participant.

IV. PUBLICATION AND ACCEPTANCE

The County shall publish notice of its intent to lease advertising space as follows and in accordance with County procurement standards.

- A. The notice will be published at least once in a newspaper of general circulation in Hidalgo County, no earlier than 30 days and no later than 14 days before the date the lease is awarded.
- B. The notice will also be posted continuously on the County's official website for the 14 days immediately preceding the award date.

The notice shall include the following information:

- i. A description of the advertising space available, including its specific location and details regarding the portion of any real or personal property it occupies;
- ii. A description of the procedure for submitting bids or proposals for the lease of the advertising space;
- iii. A statement that the Hidalgo County Commissioners Court reserves the right to reject any or all bids or proposals received;
- iv. A statement that the County reserves the right to reject any advertisement submitted after award; and
- v. A statement that the County reserves the right to remove any advertisement that it deems to later violate this policy.

V. ADMINISTRATION AND ENFORCEMENT OF POLICY

For any awarded vendor:

Prior to utilizing the advertising space, any and all proposed advertisements must be submitted to the Hidalgo County Executive Office, or designee, for approval in accordance with this policy. All determinations are final.

In the event an advertisement is rejected, the advertiser will be provided with written notice of the rejection, a copy of this Policy, and a clear explanation identifying the specific standard(s) with which the advertisement failed to comply.