



MEC
OPINION NO.

1996-06-131

STATE OF MISSOURI
MISSOURI ETHICS COMMISSION
P.O. BOX 1254
JEFFERSON CITY, MISSOURI 65102

573/751-2020
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July 1, 1996

COPY

At the June 1, 1996 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is the Commission's response to your questions:

1. *Can a continuing committee give a contribution in the maximum amount allowed covering both the primary and general elections at one time? (e.g., \$500 to a candidate for state representative).* No. A continuing committee cannot give more than the maximum amount allowed for an election during the time period that pertains to that election. Therefore, a continuing committee cannot give a contribution in the maximum amount allowed for both the primary and general elections at one time. (For example, a candidate for state representative may not receive \$500 at one time.)

This conclusion follows from the wording in two specific sections of the law. The contribution limitation language in Section 130.032.1, RSMo, says that certain amounts "made by or accepted from any person in any one election shall not exceed . . . "; it does not say certain amounts "made by or accepted from any person for any one election shall not exceed" In addition, Section 130.036.2, RSMo, states that unless a contribution is rejected and returned within five business days after its receipt, "it shall be considered received and accepted on the date received"

2. *If a combined contribution is not permissible, what are the beginning and ending dates for counting the contribution limits for the primary and the general elections?* The time limits for contributions for the primary election, to be held in August 1996, are January 1, 1995, the effective date of the law, through August 6, 1996. For the general election, the time limits begin August 7, 1996 and run through November 5, 1996.


3. *Are contributions which are made to a candidate after the general election to retire campaign debt counted toward the previous election or the next election?* Contributions collected after the general election will be counted toward the limitations of the next election.

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If you have any further questions, please feel free to contact this office.

Sincerely,


Charles G. Lamb
(Acting) Administrative Secretary

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NOTICE

Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.