



MEC  
OPINION NO.

1997.01.104

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

573/751-2020  
1-800/392-8660

February 14, 1997

COPY

At the January 21, 1997 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is the Commission's response to your question:

*The candidate received 6 checks that were lost before the treasurer could record the receipt, deposit the checks, and enter the receipt in the campaign disclosure report. Those contributors are being asked to write new checks. May the campaign attribute the contributions from the new checks to the 1996 campaign and amend previously filed reports?*

The Commission stated that the responsibility of the treasurer of each committee is outlined in section 130.036, RSMo. Subparagraph 3 of this section states: "Each contribution, regardless of the amount, shall be recorded by date received, name and address of the contributor and the amount of the contribution".

The candidate and the treasurer of a candidate committee have the responsibility for maintaining such records and for the reporting of such receipts and contributions when they are received. In the question presented to the Commission, these contributions were not reported when received by the candidate. They cannot be received subsequent to that election and be considered part of the contribution for that election. Therefore, if checks are re-written after the election, they should be reported during that time and will be applied to the limits for the candidate's next election.

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

Sincerely,

Charles G. Lamb, Ph.D.  
Administrative Secretary

MCR:bd

**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.**