

ARKANSAS ETHICS COMMISSION

2020 WEST THIRD, SUITE 300

LITTLE ROCK, AR 72205

(501) 324-9600

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Director/Chief Counsel

MACK R. KOONCE

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Opinion No.92-EC-003

March 26, 1992

Mr. Merlyn R. Haubein, President  
Arkansas Grocers & Retail Merchants Association  
1123 South University, Suite 718  
Little Rock, AR 72204

Dear Ms. Haubein:

On March 10, 1992, this office received your request for an official opinion under authority of Initiated Act 1 of 1988 and Initiated Act 1 of 1990.

Your question, paraphrased, is:

"May an out-of-state political action committee contribute to an in-state political action committee, and if so, what are the monetary limits for such contributions?"

The answer to your question is, yes, an out-of-state PAC may contribute to an in-state PAC. The monetary limit of such contribution is two hundred dollars (\$200) per calendar year.

Arkansas law limits the amount that an approved political action committee may accept from any "person" to two hundred dollars (\$200) per calendar year. In addition, the laws render any political action committee which accepts in excess of two hundred dollars (\$200) per calendar year from any "person" a "prohibited political action committee",<sup>1</sup>

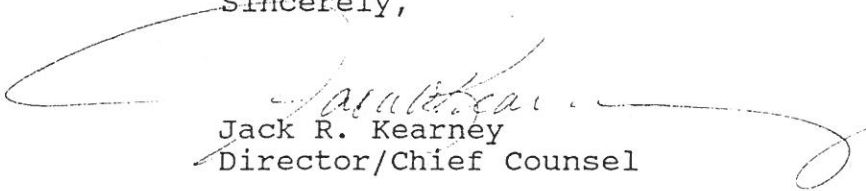
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<sup>1</sup>ACA §7-6-201 "(9) 'Approved political action committee' means any person who (A) receives contributions from one or more persons in order to make contributions to candidates, (B) does not accept any contribution or cumulative contributions in excess of two hundred dollars (\$200) from any person in any calendar year,

Mr. Merlyn R. Haubein, President  
Opinion No. 92-EC-003  
Page 2

Our law defines a "person" so as to include a political action committee and does not exempt, except, or otherwise exclude committee to committee transfers of funds from its contribution limitations.<sup>2</sup>

Sincerely,



Jack R. Kearney  
Director/Chief Counsel

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and (C) has been registered pursuant to Arkansas Code 7-6-215 for at least four (4) continuous months prior to making contributions to candidates. 'Approved political action committee' shall not include an organized political party as defined in Arkansas Code 7-1-101 (1), the candidate's own campaign committee, or an exploratory committee.

(10) 'Prohibited political action committee' means any person who receives contributions from one or more persons in order to make contributions to candidates but who does not meet the requirements of an approved political action committee. 'Prohibited political action committee' shall not include an organized political party as defined in Arkansas Code 7-1-101 (1), the candidate's own campaign committee, or an exploratory committee."

ACA §7-6-203 "(e) It shall be unlawful for any candidate for any public office or any person acting in the candidate's behalf to accept any contribution from a prohibited political action committee for any election. It shall be unlawful for any prohibited political action committee to make a contribution to a candidate for public office in an election."

<sup>2</sup>ACA §21-8-402 (13) "Person" means a business, individual, corporation, union, association, firm partnership, committee, club, or other organization or group of persons.