



# A SPECIAL SESSION MEANS RESTRICTIONS ON CAMPAIGN ACTIVITY



## Sec. 24.60.031. Restrictions on fund raising.

- (a) A legislative employee may not
- (1) **on a day when either house of the legislature is in regular or special session**, solicit or accept a contribution or a promise or pledge to make a contribution for a campaign for state or municipal office; however, a legislative employee may, except in the capital city or in the municipality in which the legislature is convened in special session if the legislature is convened in a municipality other than the capital city, solicit or accept a contribution, promise, or pledge for a campaign for state or municipal office that occurs during the 90 days immediately preceding the election for that office; or
  - (2) accept money from an event held **on a day when either house of the legislature is in regular or special session** if a substantial purpose of the event is to raise money on behalf of the legislative employee for political purposes; however, this paragraph does not prohibit a legislative employee from accepting money from an event held in a place other than the capital city or a municipality in which the legislature is convened in special session if the legislature is convened in a municipality other than the capital city during the 90 days immediately preceding an election for state or municipal public office in which the legislative employee is a candidate.
- (b) A legislator may not
- (1) **on a day when either house of the legislature is in regular or special session**, solicit or accept a contribution or a promise or pledge to make a contribution
    - (A) for the legislator's own campaign for state or municipal public office, unless the solicitation, acceptance, promise, or pledge occurs in a place other than the capital city or a municipality in which the legislature is convened in special session if the legislature is convened in a municipality other than the capital city during the 90 days immediately preceding the election in which the legislator is a candidate;
    - (B) for another candidate in an election for municipal, state, or federal office;
    - (C) to influence a state ballot proposition or question; or
    - (D) for a political party;
  - (2) accept money from an event held **on a day when either house of the legislature is in regular or special session** if a substantial purpose of the event is to raise money on behalf of the legislator's campaign for state or municipal public office; however, this paragraph does not prohibit a legislator from accepting money from an event held in a place other than the capital city or a municipality in which the legislature is convened in special session if the legislature is convened in a municipality other than the capital city during the 90 days immediately preceding a state or municipal election in which the legislator is a candidate; or
  - (3) in a campaign for state or municipal office, expend money that was raised **on a day when either house of the legislature was in a legislative session** by or on behalf of a legislator under a declaration of candidacy or a general letter of intent to become a candidate for public office; however, this paragraph does not apply to money raised in a place other than the capital city or a municipality in which the legislature is convened in special session if the legislature is convened in a municipality other than the capital city during the 90 days immediately preceding an election in which the legislator is a candidate.
- (c) In this section, "contribution" has the meaning given in AS 15.13.400. (§ 4 ch 127 SLA 1992; am § 27 ch 48 SLA 1996; am § 19 ch 74 SLA 1998; am §§ 2, 3 ch 106 SLA 2008)

*In other words:*

- \* ***No donation buttons on campaign websites***
- \* ***No "check back later" language***
- \* ***No fundraisers***



## *A little advice from the committee.*

The following information presents a brief overview only of the advisory opinions issued by the committee. To read the complete opinions, please go to:

<http://www.legis.state.ak.us/search/ethics/>

### **Advisory Opinion 15-03**

**Question:** Is it permissible for a legislator to use state resources to send legislative newsletters and other legislative communications by e-mail to recipients identifiable only by e-mail not by geographic location, therefore possibly reaching outside of the legislator's election district?

**Conclusion:**

1. A legislator should use caution when using legislative resources to deliver newsletters via e-mail without first knowing whether they are constituents.
2. Depending on the facts of that particular distribution, the committee may find that using legislative resources for that communication is permitted under the personal use exception (AS 24.60.030(a)(2)(A)). However, if a large number of non-constituents receive the distribution, the personal use exception may not apply.
3. "Fact-Specific Communications" as determined in AO 15-01 does not apply to legislative newsletters, but it may apply to other legislative communications. The committee defined "Fact-Specific" as a one or two page electronic information communication about a matter of statewide interest. (Please see the conclusion in AO 15-01 for more details.)

### **Advisory Opinion 17-01**

**Question:** Does the Ethics Act permit a legislator to accept a donation of space in a shopping mall for use as a legislative office during the interim between legislative sessions?

**Conclusion:** The committee advises against accepting the gift of office space because the gift:

1. Is prohibited by the Act's limitation on gifts under AS 24.60.080(a)(1);
2. May create the appearance of a conflict of interest under AS 24.60.030(e).

