STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

ATTORNEY GENERAL OPINION by ERIC J. BISTROW* CHIEF DEPUTY ATTORNEY GENERAL August 27, 2013	No. I13-007 (R13-015) Re: Campaign Finance

To: Ken Bennett
Arizona Secretary of State

Questions Presented

You have asked for an opinion on the following questions regarding 2013 Laws Ch. 98 (H.B. 2593), which amended various campaign finance statutes:

1. May a candidate's committee accept up to the maximum contributions for both the primary and general elections prior to the primary election?

2. Must there be two different accounting systems for primary contributions and general contributions?

3. If a candidate's committee may accept general election contributions in the primary election period, may a candidate's committee spend general election contributions for the purpose of influencing the outcome of the primary election?

4. Under the current law, a candidate's committee may accept contributions for a committee organized for a past election. Is this still the case for the new bifurcated contribution

limits? For example, if a candidate's committee did not accept the maximum primary contribution limit from an individual for the primary election may the candidate's committee retroactively accept up to the maximum primary election contribution limits from the individual after the primary election?

5. May candidates' committees assign contributions they receive that are above the maximum allowed for the primary election to their general election allocation for that contributor?

6. Who determines whether the contribution is for the primary or general election (the contributor or the candidate's committee)? If it is the candidate's committee, is the treasurer required to ask the contributor? Under current law, a contributor must indicate certain information along with the contribution; it would seem this would continue under the new law, requiring the allocation to come from the contributor.

7. May 16-341 candidates, who qualify for direct placement on the general election ballot, accept primary election contributions?

8. Does the language "from a single source a contribution of at least one thousand dollars" apply to one individual contribution or an aggregate amount from an individual during the twenty-day pre-election time period (emphasis added)?

9. What is the election period for an office that may span more than one primary and general election? For example, for a municipal office with a four-year staggered term, could a candidate's committee receive the maximum contributions for the primary and general in year two of his/her term, even though not on the ballot, and then receive additional maximum contributions in year three (his/her election year)? Said another way, does the primary and

general cycle follow the particular seat, like the federal model, or does it apply any time there is a primary and general election?

10. What are the restrictions, if any, for funds in existing candidate's committee accounts on the effective date of this legislation?

11. Finally, this law becomes effective on September 13, 2013, at which time municipal candidates can receive up to $2,500 from contributors per election. However, September 13th is after the municipal primary in Phoenix, but before the end of the primary election reporting period. Therefore, could a candidate's committee in this municipal election receive $2,500 for the primary on September 14th and another $2,500 for the general at the same time?

Summary Answers

1. Yes, a candidate committee may accept up to the maximum contributions for both the primary and general elections prior to the primary election.

2. Yes, a candidate committee must establish two separate accounting systems for primary and general election contributions and expenditures. The best practice might be to set up two separate candidate committees, but the statutes do not necessarily require it.

3. Yes, a candidate committee may spend general election contributions for the purpose of influencing the outcome of the primary election, subject to the contribution limits.

4. Yes, a candidate committee may accept contributions for the primary election up to the contribution limits after the primary election has occurred for the purpose of retiring outstanding debts incurred by the primary election committee.

5. Yes, a candidate committee that receives a contribution in excess of the primary contribution limit may transfer the excess to the general election committee, to the extent that both limits have not yet been reached.

6. The candidate committee should make best efforts to ascertain the contributor's intentions, but otherwise may assume that any contribution is intended for the next upcoming election, to the extent that the contribution limit for that election has not already been reached.

7. Yes, write-in candidates under A.R.S. § 16-341 may accept contributions for both the primary and general elections up to the statutory maximums.

8. The language in A.R.S. § 16-913.01 requiring special reporting of contributions of at least one thousand dollars applies to an individual contribution rather than an aggregate amount from an individual.

9. A candidate committee may only accept contributions for a single primary election and general election. Candidates who are not running in a particular election cycle due to their terms of office, may accept contributions for a primary and a general election, but contributions accepted early (during their non-election cycle) must be counted against the contribution limits for the election cycle that they will be participating in.

10. Existing funds in a candidate's committee on the effective date of H.B. 2593 are subject to the laws in existence when the contributions were accepted.

11. Municipal candidates may accept contributions up to the maximum limit for the general election on or after September 13, 2013 and may accept contributions up to the maximum limit for the primary election to the extent necessary to retire debt.

Background

The Arizona Legislature enacted H.B. 2593, amending portions of A.R.S. §§ 16-901 and -905 and creating a new section A.R.S. § 16-913.01. The relevant changes are set forth below:

> **16-901(7).** "Election" means any election for any initiative, referendum or other measure or proposition or a primary, general, recall, special or runoff election for any office in this state other that the office of precinct committeemen and other than a federal office. For THE purposes of sections 16-903 and 16-905, the general election ~~includes~~ DOES NOT INCLUDE the primary election.

> **16-905. Contribution limitations; civil penalty; complaint**
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> A. For an election other than for a statewide office, a contributor shall not give and an exploratory committee, a candidate or a candidate's campaign committee shall not accept contributions of more than:
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> 1. For an election for a legislative office, ~~four hundred eighty-eight~~ TWO THOUSAND FIVE HUNDRED dollars[1] from an individual.
>
> 2. For an election other than for a legislative office, ~~three hundred ninety~~ TWO THOUSAND FIVE HUNDRED dollars from an individual.
>
> 3. For an election for a legislative office, ~~four hundred eighty-eight~~ TWO THOUSAND FIVE HUNDRED dollars from a single political committee, excluding a political party, not certified under subsection G of this section to make contributions at the higher limits prescribed by paragraph 5 of this subsection and subsection B, paragraph 3 of this section.
>
> 4. For an election other than for a legislative office, ~~three hundred ninety~~ TWO THOUSAND FIVE HUNDRED dollars from a single political committee, excluding a political party, not certified under subsection G of this section to make contributions at the higher limits prescribed by subsection B, paragraph 3 of this section.

[1] The contribution limits set forth in § 16-905 are reduced by twenty percent by the Citizens Clean Election Act, as set forth in A.R.S. § 16-941(B). The relevant contribution limits for all offices set forth in A.R.S. § 16-905 are $2,000 per election for subsections (A)(1) through (4) and $4,000 for subsection (A)(5). The examples used in this Opinion reflect the reduced contribution limits.

5. ~~Two~~ FIVE thousand dollars from a single political committee, excluding a political party, certified pursuant to subsection G of this section.

B. For an election for a statewide office, a contributor shall not give and an exploratory committee, a candidate or a candidate's committee shall not accept contributions of more than:

1. ~~One~~ TWO thousand ~~ten~~ FIVE HUNDRED dollars from an individual.

2. ~~One~~ TWO thousand ~~ten~~ FIVE HUNDRED dollars from a single political committee, excluding a political party, not certified under subsection G of this section to make contributions at the higher limits prescribed by subsection A, paragraph 5 of this section and paragraph 3 of this subsection.

3. Five thousand ten dollars from a single political committee excluding political parties certified pursuant to subsection G of this section.

C. A candidate ~~shall not~~ MAY accept contributions from ~~all~~ political committees, excluding political parties, ~~combined totaling more than:~~

~~1. For an election for a legislative office, sixteen thousand one hundred fifty dollars.~~

~~2. For an office other than a legislative office or a statewide office, ten thousand twenty dollars.~~

~~3. For a statewide office, one hundred thousand one hundred ten dollars~~ AS OTHERWISE PRESCRIBED IN THIS SECTION AND A CANDIDATE IS NOT RESTRICTED AS TO THE AGGREGATE TOTAL THAT A CANDIDATE MAY LAWFULLY RECEIVE FROM ALL POLITICAL COMMITTEES, EXCLUDING POLITICAL PARTIES.

D. A nominee of a political party shall not accept contributions from all political parties or political organizations combined totaling more than ten thousand twenty dollars for an election for an office other than a statewide office, and one hundred thousand one hundred ten dollars for an election for a statewide office.

E. An individual ~~shall not~~ MAY make contributions ~~totaling more than five thousand six hundred ten dollars in a calendar year to state and local candidates and political committees contributing to state or local candidates. Contributions to political parties and contributions to independent expenditure committees are exempt from the limitations of this subsection~~ AS OTHERWISE PRESCRIBED BY THIS SECTION, AND AN INDIVIDUAL IS NOT RESTRICTED AS TO THE AGGREGATE TOTAL THAT AN INDIVIDUAL MAY GIVE.

16-913.01. Additional reporting by candidate campaign committees; single contribution; civil penalty

A. IN ADDITION TO ANY OTHER FILINGS REQUIRED BY LAW, A CANDIDATE OR A CANDIDATE'S CAMPAIGN COMMITTEE SHALL GIVE NOTICE TO THE FILING OFFICER IF THE CANDIDATE OR COMMITTEE RECEIVES FROM A SINGLE SOURCE A CONTRIBUTION OF AT LEAST ONE THOUSAND DOLLARS LESS THAN TWENTY DAYS BEFORE THE DAY OF THE ELECTION.

B. THE NOTICE PRESCRIBED BY THIS SECTION SHALL BE FILED WITHIN SEVENTY-TWO HOURS AFTER RECEIPT OF THE CONTRIBUTION AND SHALL INCLUDE THE DATE OF RECEIPT, THE NAME OF THE CONTRIBUTOR AND THE AMOUNT OF THE CONTRIBUTION. CONTRIBUTIONS THAT ARE SUBJECT TO THE NOTICE PRESCRIBED BY THIS SECTION SHALL BE INCLUDED IN THE NEXT REGULAR REPORT FILED PURSUANT TO SECTION 16-913. FOR THE PURPOSES OF THIS SECTION, THE DATE OF RECEIPT OF A CONTRIBUTION IS THE DATE THE CANDIDATE'S CAMPAIGN COMMITTEE OBTAINS POSSESSION OF THE CONTRIBUTION.

C. A CANDIDATE'S CAMPAIGN COMMITTEE THAT KNOWINGLY VIOLATES THIS SECTION AND A PERSON WHO KNOWINGLY VIOLATES THIS SECTION ARE LIABLE IN A CIVIL ACTION FOR A CIVIL PENALTY OF UP TO THREE TIMES THE AMOUNT IMPROPERLY REPORTED.

Analysis

1. May a candidate's committee accept up to the maximum contributions for both the primary and general elections prior to the primary election?

Yes. The new legislation specifies in subsection 1, amending A.R.S. § 16-901(7), that the general election does not include the primary election when the term "election" is used in sections 16-903 and 16-905. This amendment reverses the previous version of A.R.S. § 16-901(7), which stated that the general election includes the primary election. Because there are now two elections within each election cycle—the primary and the general—candidates may accept contributions up to the contribution limit for each such election, enabling candidates to accept two times the maximum contribution limit for each election cycle.

Neither H.B. 2593 nor other election statutes impose limitations on the timing of receipt of contributions for an election other than *after* filing a statement of organization for the political committee (A.R.S. § 16-902.01(A)), designating an account to deposit contributions (A.R.S. § 16-902(C)), and designating a political committee for each election to serve as the candidate's campaign committee (A.R.S. § 16-903(A)). This facet of the newly revised Arizona statutory regime is similar to the federal campaign finance system, which requires that a campaign committee may only accept contributions when a treasurer has been designated and is holding office. 11 C.F.R. § 102.7(a), (b). The treasurer must be designated in the statement of organization for the campaign committee. 11 C.F.R. § 102.2(a)(iv).

2. Must there be two different accounting systems for primary contributions and general contributions?

Yes. The primary election and the general election are *separate* elections. A.R.S. § 16-901(7). The campaign contribution limits apply separately for each election. A.R.S. § 16-905(I)(1). A candidate must designate a political committee for each election to serve as the candidate's campaign committee under A.R.S. § 16-903(A), and may have only one campaign committee designated for each election under A.R.S. § 16-903(C). The candidate may have

more than one campaign committee simultaneously in existence. *Id.* The candidate may either designate a separate committee for each election or one committee that will be the campaign committee for both elections. However, in either case, the treasurer for the campaign committee must comply with the recordkeeping requirements for each election.

Note that under the federal system, the campaign committee also must use a system to separate contributions received for the general election before the primary election has occurred, including the use of separate accounts for each election or the use of separate books and records for each election. 11 C.F.R. § 102.9(e).

3. If a candidate's committee may accept general election contributions in the primary election period, may a candidate's committee spend general election contributions for the purpose of influencing the outcome of the primary election?

Yes. As stated above, the campaign limits and campaign committee requirements apply separately to each election, even if one political committee is designated to serve as the candidate's campaign committee for both elections. Under the statute, a candidate's campaign committee can transfer or contribute monies to another campaign committee designated by the same candidate, *subject to the contribution limits*, if both committees have been designated for an election in the same year. A.R.S. § 16-905(F)(2).[2] Because the campaign committees for the primary election and the general election would be designated in the same year (even if it is the same committee), the candidate can transfer monies between the two committees subject to the contribution limits.

For example, if a legislative candidate received a contribution of $500 for his primary election fund and another $500 for his general election fund, he could transfer the $500 from the general election fund to the primary fund and spend the entire $1,000 to influence the outcome of

[2] H.B. 2593 did not amend this subsection.

the primary. If however, the candidate had $1,500 contributed by the same donor to each fund, he could not transfer the entire amount from one fund to the other, as the total amount ($3,000) would exceed the contribution limit for the primary election or the general election. The committee could, however, transfer up to $500 from one fund to the other.

Note that under the federal system, all contributions received by affiliated committees—including authorized committees of the same candidate for the same election to federal office—are considered to be made or received by a single political committee. 11 C.F.R. § 110.3(a)(1)(i). Funds and assets may be freely "transferred without limit between a candidate's principal campaign committee and the candidate's other authorized committees for the same office during the same election." FEC Campaign Guide at 59.

4. Under the current law, a candidate's committee may accept contributions for a committee organized for a past election. Is this still the case for the new bifurcated contribution limits?

Yes. Under A.R.S. § 16-913(E), the Legislature expressly recognized that a candidate's campaign committee may remain active after the election due to outstanding debts, and that the committee may receive a contribution or make an expenditure to pay down the debt. *See also* A.R.S. § 16-901(5)(a)(i) (defining a contribution to include anything of value given the purpose of retiring debt). The committee may not terminate under the statute unless it files a termination statement certifying that it will no longer receive contributions or make disbursements, and that the committee has no outstanding debts or obligations. A.R.S. § 16-914. The Legislature made no express or implied changes to these statutes in enacting H.B. 2593.

Note that under the federal system, the candidate may accept contributions after the election only to the extent that the contributions do not exceed net debts from such election, the

contributions are designated for that election, and the contributions do not exceed the contribution limits in effect on the date of the election. 11 C.F.R. § 110.1(b)(3)(i) and (iii).

5. May candidates assign contributions they receive that are above the maximum allowed for the primary election to their general election allocation for that contributor?

Yes. As stated above, the campaign limits and campaign committee requirements apply separately to each election, even if one political committee is designated to serve as the candidate's campaign committee. Under the statute, a candidate's campaign committee can transfer or contribute monies to another campaign committee designated by the same candidate, *subject to the contribution limits*, if both committees have been designated for an election in the same year. A.R.S. § 16-905(F)(2). Because the campaign committees for the primary election and the general election would be designated in the same year (even if it is the same committee), the candidate can transfer monies between the two, subject to the contribution limits. But when the limits have been reached by the same contributor for both elections, the excess contribution must be returned.

For example, a candidate committee may split a single contribution of $4,000 evenly between her primary election campaign fund and her general election campaign fund. Likewise, a candidate who receives a contribution of $3,000 could designate $1,000 to the primary election fund and the remaining $2,000 to the general election fund, or vice versa, or any other combination such that neither account accepts more than the contribution limit for a single election. The candidate committee, through its treasurer, should attempt to determine the contributor's preference as to which account should reach the maximum limitation first. *See* Response to Question # 6 below.

Note that under 11 C.F.R. § 110.1(b)(5)(ii)(B), candidates may redesignate contributions that exceed the limits for the primary election to the general election subject to the following:

(a) The contribution was made before the primary election;

(b) The contribution was not designated for a particular election;

(c) The contribution would exceed the applicable limit on contributions for the primary election if accepted for such election;

(d) The contribution would not exceed the applicable limit on contributions for the general election if redesignated;

(e) The committee must notify the contributor of the excess contribution that was redesignated and must notify the person of the right to request a refund.

If the contributor designated the contribution, the campaign committee must request a written redesignation of the contribution. 11 C.F.R. § 110.1(b)(5)(ii)(A).

6. Who determines whether the contribution is for the primary election or general election (the contributor or the candidate's committee)?

Arizona law does not address this specific issue. In cases where a candidate has two separate committees for the primary election and for the general election, the contributor should provide sufficient information to determine whether, or in what amounts, the contribution is intended for the primary or general election. For example, a check made out to "Candidate X – Primary 2014" would probably not be intended for Candidate X's general election candidate committee. Such circumstances illustrate why establishing separate committees is the better practice.

Under A.R.S. § 16-904(D), a political committee, through its treasurer, must exercise its best efforts to obtain the required information in order to prepare the itemization required on a campaign finance report. This information includes the mailing address, occupation and employer, of each individual contributor and the mailing address and identification number of

each political committee contributor. Arizona law neither requires a committee to ask nor prohibits a political committee from asking a contributor whether a given contribution is intended for the primary election or the general election.

In lieu of specific information from the contributor, the best practice appears to be a presumption that the contribution was intended for the next election to occur. If the contribution occurred prior to the primary and that contributor had not already given the maximum amount for that election, then the committee should designate the contribution as one for the primary election. If the contribution occurred after the primary election and before the general election, the committee should presumably designate the contribution as one for the general election.

A contribution is generally defined as anything of value made for the purpose of influencing an election. A.R.S. § 16-901(5). Although a contribution made after an election cannot influence that election, an exception exists for "a contribution made to retire campaign debt." A.R.S. § 16-901(5)(a)(i). Accordingly, if a contribution is made after the primary election and before the general election, it can be applied to the primary election committee where the primary election candidate committee incurred debt. In such circumstances, it falls to the committee's treasurer to use best efforts to glean the contributor's intentions.

For example, if a candidate committee receives a contribution prior to the August primary election date and cannot determine the contributor's intentions, the contribution presumably goes to the committee account for the upcoming primary election. If the candidate committee receives a contribution in September, it presumably is intended for use in the general election unless the candidate lost the primary election. If, however, the candidate lost the primary election and had no debt, the committee must dispose of surplus monies as required by A.R.S. § 16-915.01.

Note that under the federal system, the contributor's designation controls. If the contributor makes no designation, the contribution is allocated to the candidate's next election. 11 C.F.R. § 110.1(b)(2)(ii). Therefore, "an undesignated contribution made after the candidate has won the primary, but before the general election, applies toward the contribution limit for the general election." FEC Campaign Guide at 22.

7. May 16-341 candidates who qualify for direct placement on the general election ballot accept primary election contributions?

Yes. A candidate who is not a member of a political party that selects its candidates through a primary election can get on the ballot under A.R.S. § 16-341. A candidate is defined under A.R.S. § 16-901(2) as an "individual who receives or gives consent for receipt of a contribution for his nomination for or election to any office in this state other than a federal office." Candidates who file under A.R.S. § 16-341 are candidates as defined in § 16-901 and they are subject to and entitled to the same contribution limits as other candidates.

Note that under the federal system, independent and non-major party candidates who are not involved in a primary election are entitled to a primary limit. Such candidates must choose one of the following dates as their "primary" date and, until that date, may collect contributions that count toward the contributor's primary limits: (1) the last day on which, under state law, a candidate may qualify for a position on the general election ballot; or (2) the date of the last major primary election, caucus, or convention in that state. FEC Campaign Guide at 22.

8. Does the language "from a single source a contribution of at least one thousand dollars" apply to one individual contribution or an aggregate amount from an individual during the twenty-day pre-election time?

The new statute, A.R.S. § 16-913.01, requires a candidate's campaign committee to report each contribution received from a single source of at least one thousand dollars less than twenty days before the day of the election. The statutory language – "receives from a single source a contribution of at least one thousand dollars" – is unambiguous. It does not apply to aggregate contributions. If the Legislature had intended to aggregate contributions in lesser amounts, it could have done so. For example, in the same bill, the Legislature removed the previous language in A.R.S. § 16-905 that established aggregate limits for individual contributors in a given calendar year as well as aggregate limits that a candidate committee could accept from all contributors. In enacting H.B. 2593, the Legislature removed those aggregate limits when it could have retained them or could have adopted the existing concept of aggregate contributions in A.R.S. § 16-913.01.

9. What is the election period for an office that may span more than one primary and general election?

Certain offices are subject to elections every two years while other offices have terms of four or six years. Accordingly, you have asked whether candidates for the latter category of offices are entitled to contribution limits for primary and general elections held during years in which they are not actually running.

Analysis begins with the definition of candidate, which is an "individual who receives or gives consent for receipt of a contribution for his nomination for or election to any office in this state other than a federal office." A.R.S. § 16-901(2). A candidate is necessarily someone running for a particular office in a particular election, e.g., for the office of secretary of state in 2014. There is only one primary election and one general election for that office. Those elections will be held in August and November of 2014. Unless a vacancy occurs, that office

will not be on the ballot again until August and November of 2018. However, there will be an intervening primary election and general election for different offices in August and November of 2016.

No statute precludes a person from filing an exploratory committee or even a candidate committee well in advance of the election for that particular office; however, a person may have only one exploratory committee at a given time. A.R.S. § 16-903(C). In the example above, a person seeking to run for the office of secretary of state in 2018 could file as an exploratory committee or a candidate committee and could begin accepting contributions. A.R.S. § 16-903(G). The committee could accept contributions up to the maximum amount per contributor for the primary election and for the general election for that office. Although those contributions could be accepted any time before the 2018 election, there is only one primary election and one general election for which the office will be on the ballot. Therefore, a candidate committee may only accept contributions attributable to a single primary election and a single general election for that office, regardless of the timing.

10. What are the restrictions, if any, for funds in existing candidates' committee accounts on the effective date of this legislation?

Funds existing in a candidate's committee on the effective date of this legislation were subject to the limitations set forth in the previous versions of A.R.S. § 16-905 and remain subject to all other campaign finance statutes. Prior to September 13, 2013, a candidate running for legislative office, for example, could not accept a contribution from an individual contributor exceeding $390.00. On and after September 13, 2013, that same candidate can potentially accept up to $2,000.00 for the primary and another $2,000.00 for the general election. Assuming that the existing funds in this hypothetical candidate's committee accounts include a maximum pre-

H.B. 2593 contribution of $390.00, any additional contribution would have to be identified as one for the primary or for the general election (or attributed as set forth above in response to question #6), but in any event must not exceed the maximum for that election. In other words, if the next election is the primary, and the same individual wants to contribute to this legislative candidate, the maximum available contribution would be $1,610, the difference between the limit of $2,000 and the existing contribution of $390. A candidate committee with existing funds for the upcoming elections during this transitional phase from the old version of A.R.S. § 16-905 and the new version will have to decide whether existing funds are for the primary election or for the general election and then account for additional contributions accordingly.

To the extent that existing funds in a candidate's committee coffers are transfers from other candidate committees in previous years or personal funds, they do not count against any contribution limitations set forth in A.R.S. § 16-905. *See* A.R.S. § 16-915.01 regarding transfers of surplus monies from a previous election to a subsequent committee.

11. Effective date (9/13/13) and the Municipal Elections in Phoenix.

The City of Phoenix election for City Council is on August 27, 2013 and the runoff election, if necessary, will be held on November 5, 2013. These dates are the same for the City of Tucson's municipal election. Consequently, the primary or first election will be held before H.B. 2593 takes effect. As set forth above in response to Question #6, contributions are defined as anything of value given for the purpose of influencing an election, but may also include anything of value given to retire campaign debt. A.R.S. § 16-901(5). Candidates in the municipal elections during the 2013 election cycle may accept contributions up to the maximum for the general election (or runoff election) and may accept additional contributions up to the

maximum for the primary election only to retire debt incurred by the candidate's primary committee.

Conclusion

The Legislature changed the campaign finance system for candidates in Arizona state elections when it enacted H.B. 2593. A candidate now has the ability to accept funds for the primary election and for the general election, up to statutory maximums. The candidate must establish an accounting system to accurately register contributions made in each election. The candidate may transfer funds and debts between the two accounts in accordance with campaign finance statutes. Candidates can accept contributions up to those two maximums at any time before the elections occur, and can continue to accept contributions up to those maximums after the elections occur to the extent needed to retire debt. The dual contribution limits apply equally to major party candidates who participate in primary elections and non-major party candidates who qualify at the outset of their campaigns for the general ballot. A candidate may only accept contributions for a single primary election and a single general election for the office sought regardless of whether the particular jurisdiction holds another primary election and general election between the time that the individual files his exploratory or candidate committee and the time that the elections for that office will actually be held. Finally, candidates and their committees are urged to review, and required to comply with, all campaign finance statutes, including those not amended by H.B. 2593.

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*Under the Attorney General's policy of avoiding conflicts of interest and the appearance of impropriety, Attorney General Thomas C. Horne has recused himself from any participation in formulating this Opinion. Eric J. Bistrow, Chief Deputy Attorney General, has been designated to serve as the acting Attorney General for purposes of this Opinion.