

Answered by letter (Burns)

March 28 , 1969



OPINION LETTER NO. 81



Honorable Charles S. Broomfield
State Representative
87th District
4801 North Lister
Kansas City, Missouri

Dear Mr. Broomfield:

This is in response to your request for an opinion concerning the legality of offering gifts to encourage voters to register. Enclosed with your request was a copy of an advertisement distributed by a Development Company stating in part:

" "Because we feel it is vital for each NKC resident to exercise his right at the ballot box, the Development Company is offering a \$10 gift certificate to all of its residents who can prove they have registered since January, 1968. We hope this inducement will help sand more of Northtown's voters to the polls."

We are unable to find any provisions in the statutes of Missouri making unlawful a corporation's or an individual's promising to pay or to give a gift certificate to another person who registers as a voter. Chapter 129 RSMo, the corrupt practice law of Missouri, does contain many sections relating to unlawful activities in connection with elections but does not make unlawful giving a gift certificate to one who registers as a voter.

Section 129.680 RSMo makes unlawful certain activities regarding registration of voters but nowhere in such section is there found any provision prohibiting the offering of a gift or reward to an individual who registers to vote.

Section 129.010 RSMo provides that a person shall be deemed guilty of bribery when he directly or indirectly offers or promises any money or valuable consideration to any voter in order to induce such voter to vote or refrain from voting.

However, it is our view that such section does not in anyway relate to registration of voters but relates only to inducing an individual to vote

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or refrain from voting.

In the absence of any statute making unlawful the offering of a gift or reward for registering as a voter, it is our view that such offering of a gift or reward is not unlawful.

Yours very truly,

JOHN.C. DANFORTH
Attorney General