

Answer by letter-Blackmar

December 1, 1970

OPINION LETTER NO. 565



Honorable Thomas B. Burkemper
Prosecuting Attorney
Lincoln County Court House
Troy, Missouri 63379

Dear Mr. Burkemper:

This is an official opinion in response to your question as to whether a county political club, which raised some \$500 and spent that sum aiding political candidates of a particular political party, is required to file a report with the county recorder of deeds.

Your attention is directed to Section 129.200, RSMo 1969, which defines a political committee. That section reads as follows:

"Every two or more persons who shall be elected, appointed, chosen or associated for the purpose, wholly or in part, of raising, collecting or disbursing money, or of controlling or directing the raising, collection or disbursement of money for election purposes, and every two or more persons who shall cooperate in the raising, collection or disbursement, or in controlling or directing the raising, collection or disbursement, of money used or to be used in furtherance of the election or to defeat the election to public office of any person or any class or number of persons, or in furtherance of the enactment or to defeat the enactment of any law or ordinance, or constitutional provision, shall be deemed a 'political committee' within the meaning of sections 129.010 to 129.260."

Honorable Thomas B. Burkemper

Section 129.210 requires each political committee to appoint a treasurer. That section further provides:

". . . All money collected or received or disbursed by any political committee, or by any member or members thereof, for any of the purposes mentioned in section 129.200, and for which such committee exists or acts, shall be paid over and made to pass through the hands of the treasurer of such committee, and shall be disbursed by him; and it shall be unlawful and a violation of sections 129.010 to 129.260 for any political committee, or for any member or members of a political committee, to disburse or expend money for any of the objects or purposes mentioned in section 129.200 and for which such committee exists or acts, until the money so disbursed or expended shall have passed through the hands of the treasurer of such political committee."

Section 129.230 requires the treasurer of a political committee to file a statement of receipts and expenditures with the county recorder of deeds. That section reads:

"Every treasurer of a political committee, as defined in sections 129.010 to 129.260 and every person who shall act as such treasurer, shall, within thirty days after each and every election, whether state, county, city, municipal, township or district election, in or concerning or in connection with which he shall have received or disbursed any money for any of the objects or purposes mentioned in section 129.200, prepare and file in the office of the recorder of deeds of the county in which such treasurer resides a full, true and detailed account and statement, subscribed and sworn to by him before an officer authorized to administer oaths, setting forth each and every sum of money received or disbursed by him for any of the objects or purposes mentioned in section 129.200, within the period beginning ninety days before such election and ending on the day on which such statement is filed, the date of each receipt and each disbursement, the name of the person from whom received or to whom paid, and the object or purpose for which the same was received, and the object or purpose for which disbursed. Such statement shall also set forth

Honorable Thomas B. Burkemper

the unpaid debts and obligations, if any, of such committee, with the nature and amount of each, and to whom owing, in detail, and if there are no unpaid debts or obligations of such committee, such statement shall state such fact."

Therefore, in answer to your question, it would appear that the county political club is a political committee under the provisions of Section 129.200, RSMo 1969, since it has raised and disbursed money used in furtherance of the election of a class of persons. As a political committee, money collected by members of the committee must pass through the hands of the committee treasurer under the provisions of Section 129.210, RSMo 1969, and the treasurer must file a statement of receipts and expenditures of such money with the county recorder of deeds under the provisions of Section 129.230, RSMo 1969.

Yours very truly,

JOHN C. DANFORTH
Attorney General