

**INFORMAL OPINION IO-1997-003  
ISSUED MAY 13, 1997**

You have asked:

*Do the Constitutional Ethics Rules [“the Rules”], Section 257:1-1-1 et seq. of the Rules of the Ethics Commission, 74 O.S. Supp. 1996, Ch. 62, App., permit those who purchase tickets to an annual dinner hosted as a fundraiser by a political party to report on their contributor statements the total cost of the event [determined by the face amount of the ticket] or may they report the amount in excess of the actual cost of the dinner?*

**FACTS**

You have advised that, as a means for raising funds, a political party [the “Party”] sometimes sells tickets for a \$50 per plate dinner, when the cost of the meal is \$20. The difference between the ticket price and actual cost goes into the Party’s coffers. You have asked whether the contribution to be reported by ticket purchasers, via the contributor statement, is the face amount [in this example, \$50] or the cost less value received [here, \$30].

**ANALYSIS**

The Rules define contribution broadly, but add exceptions.

**“Contribution”**

(1) means and includes:

\* \* \*

(E) sums paid for tickets for a political event such as a reception, rally, or a similar fundraising event; *however, the amount of any such contribution may be reduced for the purpose of complying with the reporting and contribution limitations requirements of Chapter 10 of this title, by the actual cost of consumables furnished by the committee in connection with the purchase of the tickets, and only the excess over the actual cost of the consumables shall be deemed a contribution;*

\* \* \*

257:1-1-2 [definition of *contribution*]

[emphasis added]

As the forgoing specifies, the ticket price to the fundraiser may be offset by the cost of the consumables furnished by the committee holding the event. In this instance, the purchaser of a ticket to a Party’s annual dinner may report as his contribution the difference between the ticket price of \$50 and the cost of the meal, which is \$20. The contribution to be reported on the contributor statement is thus \$30.

Under these facts, those purchasing tickets to the fundrasier are contributors, which the Rules define broadly as "... every person who makes a contribution." Before the Party may accept a single or family contribution exceeding \$50, or before accepting multiple contributions from a single source or family which exceed \$50 in the aggregate, those accepting contributions must obtain from each contributor a statement which shall include:

\* \* \*

- (1) the date the contribution was given;
- (2) the name and address, occupation [e.g. "retail sales clerk"] and employer [e.g. "Dillard"], or principal business activity of the contributor; a contribution from a person other than an individual or a committee shall be reported by the name of the person or committee and not the individual who signed the check;
- (3) the amount; if in-kind, a description of the contribution and a good faith estimate of its fair market value;
- (4) a declaration that the contribution is freely and voluntarily given from the contributor's personal property, if an individual, or the person or committee's property, if other than an individual;
- (5) a declaration that the contributor has not been directly or indirectly compensated or reimbursed for the contribution, if an individual, and, if a person other than an individual or a committee, that the person or committee has not been compensated or reimbursed for the contribution by persons:
  - (A) other than those from whom contributor statements have been received and of whom disclosure has or will be made; or
  - (B) if from persons exempted from the definition of political action committee, by other persons; and
- (6) the signature of the contributor, or in the case of a committee, the treasurer or, in the treasurer's absence, the deputy treasurer of the committee.

\* \* \*

257:10-1-2(b)

The Party must therefore collect a contributor statement from any ticket purchaser whose single or family [an individual, his or her spouse, if any, and all children under the age of eighteen (18) years residing in the same household] contribution exceeds \$50, or whose multiple contributions from a single source or family exceeds \$50 in the aggregate.

## CONCLUSION

**It is therefore the informal opinion of the Commission staff that the Constitutional Ethics Rules [supra] permit those who purchase tickets to an annual dinner hosted as a fundraiser by a political Party to report on their contributor statements the amount**

**in excess of the actual cost of the dinner, as opposed to the face amount of the ticket. Purchasers of such tickets are contributors to the Party. As such, they must fill out, sign and provide the Party with contributor statements once a single or family contribution exceeds \$50, or multiple contributions aggregate in excess of \$50.**

Please be aware that informal opinions are not official pronouncements of the Commission. Hence, this letter carries no greater weight than the views of any other citizen. The Commission is available to issue interpretations on matters arising from the Constitutional Ethics Rules and the Political Subdivisions Ethics Act. These are known as Ethics Interpretations. They are official and bind the future action of the Commission.