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ADVISORY OPINION NO. 2007-01 April 5, 2007

REAL OR HYPOTHETICAL SET OF CIRCUMSTANCES

Whether the Ethics in Government Act authorizes a candidate or a candidate campaign committee to make contributions of excess funds to nonprofit organizations that contain "Political Action Committee" or "P.A.C." in their organization's title.

ADVISORY OPINION

Contributions received by a candidate or a candidate campaign committee in excess of expenditures needed to defray ordinary and necessary expenses may be used as contributions to nonprofit organizations. O.C.G.A. § 21-5-33(b)(1)(A).

Therefore, a candidate or a candidate campaign may make contributions to a nonprofit organization if that organization is incorporated as a nonprofit entity under the Georgia Nonprofit Code, O.C.G.A. § 14-3-101 et seq., or meets the requirements of a nonprofit entity under the Internal Revenue Code, 26 U.S.C.S. § 501 et seq.

Prepared by Tom Plank