

Advisory Opinion

IECDB AO 2000-36

October 19, 2000

TO ALL INTERESTED PERSONS:

Pursuant to Iowa Code section 68B.32A(11), the Iowa Ethics and Campaign Disclosure Board takes the opportunity to issue its opinion on how old an individual must be in order to have reached the "age of majority" for purposes of being a campaign treasurer or political committee chair. We note at the outset that the Board's jurisdiction is limited to the application of Iowa Code chapters 56 and 68B and rules in Iowa Administrative Code chapter 351. Whether some other statutory system, common law theory or agency rule applies to this issue is not covered by this opinion.

OPINION:

Iowa Code section 56.3 in pertinent part states:

"Every candidate's committee shall appoint a treasurer who shall be an Iowa resident who has reached the age of majority. Every political committee shall appoint both a treasurer and a chairperson, each of whom shall have reached the age of majority."

We define "age of majority" under this section as an individual who has reached the age of 18 prior to the appointment. Therefore, any individual who is not at least 18 years of age is prohibited from serving as the treasurer of a candidate's committee or the treasurer or chairperson of a political committee.

In closing, individuals under the age of 18 are permitted to make campaign contributions so long as the provisions of rule 351 IAC 4.45 are met (money given voluntarily from funds controlled by the minor and not from funds given to the minor for purposes of making a contribution).

BY DIRECTION AND VOTE OF THE BOARD

Bernard McKinley, Board Chair
1st Vice-Chair Geraldine Leinen
2nd Vice-Chair James Albert

Gwen Boeke

Mark McCormick

Phyllis Peters

-Submitted by: W. Charles Smithson, Board Legal Counsel