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December 22, 1995

VIA FAX AND FEDERAL EXPRESS

N. Bradley Litchfield, Esq.
Associate General Counsel
Federal Election Commission
999 F Street, N.W.
Washington, D.C. 20463

COR 1995-48

Re: Advisory Opinion Request

Dear Mr. Litchfield:

We are requesting an opinion of behalf of Day for Senate, the principal campaign committee of Clinton Day, a candidate for the Republican nomination to the U.S. Senate in Georgia. Clinton Day is a Georgia state senator. We are seeking a ruling from the Federal Election Commission under 2 U.S.C. § 453 that federal law preempts Georgia state law regarding the receipt of contributions for federal office while the Georgia legislature is in session. The specific provision of the law in question is that portion of the Georgia Ethics in Government Act which provides:

No member of the General Assembly or that member's campaign committee or public officer elected state wide or campaign committee of such public officer shall accept a contribution during a legislative session.

O.C.G.A. § 21-5-35(a).

Please advise if Senator Day's federal campaign committee may accept federal political contributions while the Georgia legislature is in session. See FEC AO

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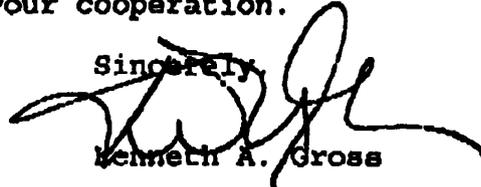
N. Bradley Litchfield
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1992-43 (January 28, 1993). Please note that the Georgia legislature goes in session on January 8, 1996.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Gross", written over the word "Sincerely,".

Kenneth A. Gross