

**STATE OF TENNESSEE  
OFFICE OF THE ATTORNEY GENERAL**

**December 20, 2016**

**Opinion No. 16-45**

**Transfer of Campaign Contributions**

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**Question**

Whether Tennessee state law prohibits an elected state official running for federal office from making a contribution from his state campaign account to his federal campaign account.

**Opinion**

No, assuming that the funds are transferred from an unexpended balance of contributions in the state official's state campaign account and that the transfer is reported on the official's supplemental semiannual disclosure statement.

**ANALYSIS**

Tennessee Code Annotated § 2-10-114 identifies the manner in which unexpended balances in the campaign account of a candidate may be allocated after an election. Subsection (a)(1) provides that “[a]ny candidate for public office in this state shall allocate an unexpended balance of contributions after the election in one or more of several specified ways, one of which is that “[t]he funds may be retained or transferred to any campaign fund pursuant to Tennessee reporting requirements.” Tennessee Code Annotated § 2-10-106(a) provides that, “[i]f the final statement of a candidate shows an unexpended balance of contributions, continuing debts and obligations, or an expenditure deficit,” a supplemental semiannual statement of contributions and expenditures must be filed until the account shows no unexpended balance, continuing debts and obligations, expenditures, or deficit.

Accordingly, if an elected state official running for federal office has an unexpended balance of contributions in his state campaign account, Tenn. Code Ann. § 2-10-114(a)(1) would permit that official to transfer those unexpended funds from his state campaign account to his federal campaign account, provided that the transfer of funds is appropriately disclosed on the state official's supplemental semiannual disclosure statement as required under Tenn. Code Ann. § 2-10-106(a).

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