



Office of the City Clerk
P.O. Box 1293
Albuquerque, NM 87103
Phone (505) 924-3650
Fax (505) 924-3660
www.cabq.gov/clerk

RECEIVED

By Cristobal Rocha at 7:53 am, May 27, 2025

REQUEST ADVISORY OPINION FORM

City of Albuquerque
Board of Ethics & Campaign Practices

**All request forms must be submitted by email to cityclerk@cabq.gov
The Office of the City Clerk does not accept paper submissions.**

1. Complainant's Information			
Last Name Lee	First Name Eli		
Mailing Address PO Box 7073	City Albuquerque	State NM	Zip Code 87194
Daytime Phone Number (include area code) 505-440-1996	Email Address eli@swel.us		

2. Please briefly explain the nature of the real or potential conflict with which you are requesting an advisory opinion

According to the 2025 Rules Of The Board Of Ethics & Campaign Practices, the "secondary donor" disclaimer requires the following: "If any of the top five donors is a committee, organization, or other entity the disclaimer must also disclose the name of the top two donors of \$1,000 or more to that committee."

Our MFC, ABQ for All, may receive contributions from labor unions; private, for-profit companies; and 501(c)4 organizations. For each of these prospective donors, contributions to ABQ for All will likely come out of their general corporate funds and not from contributions that were earmarked to them for electioneering in Albuquerque's municipal election.

I seek the Board's advisory opinion on the following matters, and thank the Board for its consideration:

(continued on page 2)

3. Please provide all material facts regarding the real or potential conflict.

1. Under the secondary donor requirement, how is “secondary donor” defined? For example, is a member of a labor union who provides \$1,000 or more in membership dues a “secondary donor”? Is a customer of a private company who purchases a good or a service for \$1,000 or more a “secondary donor”? Is a donor who provides non-earmarked, general operating support to a 501(c)(4) nonprofit organization of \$1,000 or more a “secondary donor”?

2. Related, in the instance where a labor union, private company, or a 501(c)(4) organization is one of our top five donors; has sources of income that exceed \$1,000; but has not had any income of \$1,000 or more earmarked for the upcoming municipal election, would the secondary donor requirement apply to these entities at all?

3. Are there any entities, outside of individual donors, that fall outside of the broad definition of “a committee, organization, or other entity” and would therefore, be exempt from the secondary donor disclaimer requirement?

4. If the Board is unable to provide an advisory opinion prior to the need of our MFC to place a disclaimer on an advertisement, how would the Board advise we treat this secondary donor requirement?

Thank you for your attention to this matter.

Additional space for details from #3. Attach documentation of the material facts listed in #2 to this form and mark each separate document with a separate exhibit number.

Nothing further to add.