

The term "general election" as used in sec. 11.315, Stats., refers to "election" in contradistinction to "primary" and should not be construed to refer only to the November election in even-numbered years. (Issued to Eunice Niemi, December 19, 1975)

You have requested the Board's opinion whether section 11.315, Stats., applies only to the general election held in November of even-numbered years.

Section 11.315, Stats., provides: "Notwithstanding, ss. 11.12 (1), 11.14, 11.16 (3), 11.26 and 11.31, a candidate may personally make a disbursement from his own funds within 15 days after the general election . . . for the purpose of thanking his supporters. . . ."

Section 5.02, Stats., states: "In Title II, unless the context requires otherwise:

"(1)(a) 'Election' means all primaries and elections. . . ."

"(5) 'General election' means the election held in even-numbered years on the Tuesday after the first Monday in November. . . ."

While sec. 11.315, Stats., uses the term "general election," it is the Board's opinion that the context requires that said term be interpreted to mean "election" in contradistinction to "primary" and should not be narrowly construed to refer only to the November election in even-numbered years.

Thus, it is the Board's opinion that the legislature intended to permit candidates to purchase "thank-you" ads after any election in which they appeared on the ballot notwithstanding other provisions of the campaign finance law which would, otherwise, make such disbursements illegal and did not intend the term "general election" to be narrowly construed to allow this privilege only to candidates who appeared on the ballot in the November election of even-numbered years.