



TEXAS ETHICS COMMISSION



****Overruled, Modified, Clarified, or Superseded****

ETHICS ADVISORY OPINION NO. 24

June 4, 1992

Whether an unsalaried board member of a state agency may make political contributions to candidates for public office and speaker candidates. (AOR-29)

The Texas Ethics Commission has been asked to consider whether an unsalaried board member of a state agency may make political contributions to candidates for public office. Contributions to candidates for public office are governed by title 15 of the Election Code. Nothing in title 15 would prohibit any board member of a state agency from making contributions to candidates for public office.¹

The requestor also asks whether an unsalaried board member may make contributions to a candidate seeking election to the Office of Speaker of the House of Representatives. Contributions to speaker candidates are governed by chapter 302 of the Government Code. Section 302.018 provides as follows:

An elected officer or employee of the executive or judicial branch of state government may not contribute personal services, money, or goods of value to a speaker candidate's campaign.

That provision applies to employees and elected officers. It does not apply to appointed officers. Therefore an appointed officer may make contributions to a candidate for speaker. Chapter 302 does include a limitation on direct expenditures for correspondence that is applicable to any individual, including appointed officers:

An individual other than the speaker candidate may expend a total of not more than \$100 for the cost of correspondence to aid or defeat the election of a speaker candidate.

Gov't Code § 302.019(b). Therefore, an unsalaried state officer may make contributions to candidates for public office or to candidates for the Office of Speaker of the House of Representatives but may not expend more than \$100 for the cost of correspondence to aid or defeat the election of a speaker candidate.

SUMMARY

An unsalaried state officer may make contributions to candidates for public office or to candidates for the Office of Speaker of the House of Representatives but may not expend more than \$100 for the cost of correspondence to aid or defeat the election of a speaker candidate.

¹ An individual board member should, of course, be familiar with any possible restrictions in statutes applicable to his or her board.