



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 25

June 4, 1992

Use of political contributions to purchase electronic equipment for official use in a judge's courtroom or chambers. (AOR-30)

The Texas Ethics Commission has been asked to consider whether a judge, as an officeholder, may use political contributions to purchase electronic equipment for official use in the judges's courtroom or chambers. Title 15 of the Election Code governs the use of political contributions. "Political contribution," for purposes of title 15, means "a campaign contribution or an officeholder contribution." Elec. Code § 251.001(5). A campaign contribution to a candidate is a contribution "that is offered or given with the intent that it be used in connection with a campaign for elective office." *Id.* § 251.001(3). An officeholder contribution is a contribution that is given with the intent that it be used to defray certain expenses "incurred by the officeholder in performing a duty or engaging in an activity in connection with the office." *Id.* § 251.001(4)(A).

A candidate or officeholder may not convert political contributions or assets purchased with political contributions to "personal use." *Id.* § 253.035(a), (c). "Personal use" means a use that "primarily furthers individual or family purposes not connected with the performance of duties or activities as a candidate for or holder of a public office." *Id.* § 253.035(d). The requestor indicates that the equipment in question would be for official use in the judge's courtroom or chambers. Such use of an asset purchased with political contributions would not be a conversion to personal use. Therefore such use is permissible. The asset would be subject to the various provisions of title 15 of the Election Code applicable to an asset purchased with political contributions.

SUMMARY

A judge may use political contributions to purchase electronic equipment for official use in the judge's courtroom or chambers but may not convert the asset to personal use. The asset would be subject to the various provisions of title 15 of the Election Code applicable to an asset purchased with political contributions.