



TEXAS ETHICS COMMISSION



****Overruled, Modified, Clarified, or Superseded****

ETHICS ADVISORY OPINION NO. 78

October 23, 1992

Whether a member of the legislature may use political contributions to pay for business and personal phone calls not involving state business. (AOR-III)

A member of the legislature has asked the Texas Ethics Commission whether he may use political contributions to pay for business and personal phone calls not involving state business from his Austin office to his hometown.

Title 15 prohibits the personal use of political contributions. Elec. Code § 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." Elec. Code § 253.035(d); *see id.* § 253.035(d), (i) (listing specific expenditures that do not constitute "personal use"). Because the requestor describes the calls in question as business and personal calls "not involving state business," paying for the calls out of political contributions would be an illegal personal use of political contributions.

SUMMARY

A member of the legislature may not use political contributions to pay for business and personal phone calls not involving state business.