



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 209

May 13, 1994

Whether it is permissible to use political contributions to purchase, prepare, and mail congratulatory letters to parents upon the birth of a child or certificates to students upon graduation from high school or college. (AOR-232)

A member of the legislature has asked whether it is permissible to use political contributions to purchase, prepare, and mail congratulatory letters to parents upon the birth of a child or certificates to students upon graduation from high school or college. The legislator also asks whether it is permissible to use state employees and state resources for the same purposes.

We have stated that it is permissible for an officeholder to use political contributions to purchase, prepare, and mail Christmas cards. [Ethics Advisory Opinion No. 190](#) (1994). Similarly, we think it is permissible for an officeholder to use political contributions to purchase, prepare, and mail both congratulatory letters to parents upon the birth of a child and certificates to students upon graduation from high school or college.

The next question is whether it is permissible for an officeholder to use state employees and resources for those purposes. In [Ethics Advisory Opinion No. 190](#) we stated that a member of the legislature could not use state employees' work time and state resources to send Christmas cards. The basis of that opinion was an attorney general opinion that held that use of government resources to send Christmas cards was constitutionally impermissible.¹ Attorney General Opinion MW-36 (1979). Although we have found no attorney general opinion that considers the specific issue raised in this request, we think that congratulatory letters and graduation certificates are similar enough to Christmas cards to warrant concern about using state resources to send them. The attorney general is the appropriate source for a specific response to this question.

SUMMARY

It is permissible for an officeholder to use political contributions to purchase, prepare, and mail congratulatory letters to parents upon the birth of a child and certificates to students upon graduation from high school or college. The attorney general is the appropriate source for determining whether the constitution permits the use of state resources for such purposes.

¹ Apart from constitutional restrictions, the legislature itself is the appropriate body for determining whether a particular use of legislative resources is permissible. Members of the House of Representatives should consult the House Administration Committee or the House Ethics Advisor. Members of the Senate should consult the Secretary of the Senate or the Senate Ethics Advisor.