



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 237

December 9, 1994

Whether a legislator may use political contributions to purchase furniture to use in an apartment in Austin. (AOR-265)

A member of the legislature has asked whether he may use political contributions to purchase furniture to use in an apartment in Austin. The requestor does not ordinarily reside in Austin but maintains an apartment in Austin for use in connection with his legislative service.

The Election Code prohibits the conversion of political contributions to personal use. Elec. Code § 253.035(a). The statute specifically excepts from the definition of personal use "payment of rent, utility, and other reasonable housing or household expenses incurred in maintaining a residence in Travis County by members of the legislature who do not ordinarily reside in Travis County [other than payments for the purchase of real estate]." *Id.* §§ 253.035(d)(1), 253.038. We think reasonable household expenses include expenditures for furniture. Although it is permissible to rent or purchase furniture, furniture purchased from political contributions could not be converted to personal use at the end of a legislator's tenure in office and would need to be disposed of in a manner consistent with section 254.204 of the Election Code.

SUMMARY

A member of the legislature who does not ordinarily reside in Travis County may use political contributions to lease or purchase furniture for a residence in Travis County.