



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 260

May 12, 1995

Whether a legislator may use for personal purposes a laptop computer owned by the state. (AOR-290)

A member of the legislature has asked whether he may use for personal purposes a laptop computer owned by the state. The legislator states that each member of the House of Representatives is allowed to take a laptop computer owned by the state to his or her district. The question raised is whether legislators may use for personal purposes computers owned by the state.

A member of the legislature may not misuse a thing of value belonging to the state with the intent to obtain a benefit or with the intent to harm or defraud another. Penal Code § 39.02. It is a matter for the legislature, subject to constitutional limitations, to determine the appropriate uses for legislative resources. *See* Tex. Const. art. III, § 51 (prohibition on the use of state funds for private purposes). It is also up to the legislature to determine whether there are circumstances in which a member of the legislature may use state property for personal purposes and reimburse the state for any costs to the state. *See generally* [Ethics Advisory Opinions Nos. 172, 164](#) (1993) (regarding use of state property by state officers or employees).

SUMMARY

It is a matter for the legislature, subject to constitutional limitations, to determine the appropriate uses for legislative resources. It is also up to the legislature to determine whether there are circumstances in which a member of the legislature may use for personal purposes computers owned by the state and reimburse the state for any costs to the state.