



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 271

July 14, 1995

Whether a specific-purpose political committee formed to support a candidate must report the use of the candidate's personal equipment as a political contribution to the committee. (AOR-301)

The Texas Ethics Commission has been asked whether a specific-purpose political committee formed to support a candidate must report the use of the candidate's personal equipment as a political contribution to the committee.

Under the campaign finance law, title 15 of the Election Code, a specific-purpose political committee supporting a candidate has an identity separate from the candidate. The candidate and the committee are both required to file reports of contributions and expenditures.¹ If the candidate transfers money to the committee, the committee must report a contribution from the candidate.² Similarly, if the candidate transfers personal equipment to the committee for use in the campaign, the committee must report the use of the equipment as an in-kind contribution from the candidate.

As a practical matter, the distinction between a candidate and a specific-purpose committee supporting the candidate may be maintained for little more than bookkeeping purposes. In such circumstances, it may be difficult to determine whether the use of the candidate's personal equipment for campaign purposes should be characterized as the candidate transferring personal equipment to the committee or as the candidate himself using personal equipment for campaign purposes. The appropriate characterization is a matter for the candidate and the committee to determine. If the candidate and the committee determine that the candidate himself is simply using his personal equipment for campaign purposes, neither the candidate nor the committee is required to report the use of the equipment as a contribution. *See generally* [Ethics Advisory Opinion No. 116](#) (1993) (reimbursement for political use of personal equipment).

SUMMARY

A specific-purpose political committee supporting a candidate has an identity separate from the candidate. If the candidate makes a transfer to the committee, the committee must report a contribution from the candidate.

¹ Creating a specific-purpose committee to support a candidate confers no advantage on a candidate in terms of the reporting requirements and restrictions in the campaign finance law. A specific-purpose committee may be incorporated for liability purposes, however, without running afoul of the restrictions on corporate political activity. Elec. Code § 253.092.

² In contrast, a candidate's transfer of funds from a "personal" account to a "campaign" account is not a contribution and does not trigger any reporting requirement. [Ethics Advisory Opinion No. 230](#) (1994). *See generally* [Ethics Advisory Opinion No. 258](#) (1995) (regarding political expenditures from personal funds).