



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 317

March 22, 1996

Whether a member of the legislature may use campaign contributions received in connection with campaigns for the legislature to campaign for another office. (AOR-353)

The Texas Ethics Commission has been asked to consider whether a member of the legislature may use campaign contributions received in connection with campaigns for the legislature to campaign for another office. As a general rule, the Texas Election Code does not prohibit the use of campaign contributions received in connection with one office to campaign for another office. In 1995, however, the legislature adopted a provision that prohibits use of contributions accepted in connection with certain judicial offices to make campaign expenditures for a nonjudicial office. Elec. Code § 253.161(b). Further, certain judicial candidates and officeholders may not use contributions accepted in connection with a nonjudicial office to make campaign expenditures for a judicial office. *Id.* § 253.161(a).¹

Federal law may restrict the use of contributions accepted in connection with state and local offices in Texas to make campaign expenditures for federal offices. Questions about federal law should be directed to the Federal Election Commission.

SUMMARY

As a general rule, the Texas Election Code does not prohibit the use of campaign contributions received in connection with one office to campaign for another office. There are, however, certain restrictions on using contributions accepted in connection with a nonjudicial office to make campaign expenditures in connection with a judicial office and on using contributions accepted in connection with a judicial office to make campaign expenditures in connection with a nonjudicial office. Also, federal law may restrict the use of contributions accepted in connection with a state or local office to make campaign expenditures in connection with a campaign for federal office.

¹ The restrictions in section 253.161 apply to political contributions accepted and expenditures made on or after June 16, 1995. S.B. 94, Acts 1995, 74th Leg., ch. 763, § 10(a)(1) (eff. June 16, 1995).