



# TEXAS ETHICS COMMISSION



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## ETHICS ADVISORY OPINION NO. 348

*October 11, 1996*

*Whether an incumbent candidate for district judge may use campaign contributions received since October 1995 to repay a campaign loan from a 1992 campaign. (AOR-386)*

The Texas Ethics Commission has been asked to consider whether an incumbent candidate for district judge may use campaign contributions received since October 1995 to repay a campaign loan from a 1992 campaign.

In 1995 the legislature adopted the Judicial Campaign Fairness Act, which imposes campaign finance restrictions on certain judicial candidates. Elec. Code ch. 253, subch. F. A judicial candidate covered by the act may accept political contributions only during a specified period of time. *Id.* § 253.153. The act also imposes limits on the amount a judicial candidate may accept from various sources. *Id.* §§ 253.155, .157, .160. The act does not, however, prohibit a judicial candidate who has accepted contributions in accordance with those provisions from using the contributions to pay debts incurred in connection with past judicial campaigns. *See generally id.* § 253.161(b) (prohibiting use in connection with nonjudicial election of contributions accepted in connection with a judicial election). Therefore, a judicial candidate who has accepted contributions in accordance with the provisions of the Judicial Campaign Fairness Act may use those contributions to pay debts incurred in connection with a past judicial election.

### SUMMARY

A judicial candidate who has accepted contributions in accordance with the provisions of the Judicial Campaign Fairness Act may use those contributions to pay debts incurred in connection with a past judicial election.