



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 434

October 12, 2001

Whether a candidate may use political contributions to compensate a niece or nephew for work in connection with the candidate's campaign. (AOR-482)

The Texas Ethics Commission has been asked whether a candidate may use political contributions to compensate a niece or nephew for work in connection with the candidate's campaign. The request letter states that the amount of the compensation would be based on the fair market value of the work.

A candidate may not use political contributions to pay himself or herself for campaign work, nor may a candidate use political contributions to pay a spouse or dependent child for campaign work. Elec. Code § 253.041(a). The prohibition does not, however, extend to the use of political contributions to pay a niece or nephew for campaign work.

The other relevant Election Code provision is the prohibition against converting political contributions to personal use. *Id.* § 253.035. The request letter states that the amount of the compensation paid to the niece or nephew would be based on the fair market value of the work. In that case, the use of political contributions to pay a niece or nephew for campaign work would be permissible.

SUMMARY

A candidate may use political contributions to pay a niece or nephew for campaign work in a situation in which the amount of compensation is based on the fair market value of the work performed.