



# TEXAS ETHICS COMMISSION



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## ETHICS ADVISORY OPINION NO. 437

*November 9, 2001*

*Whether a former state officeholder may use surplus political contributions to make contributions to political party organizations. (AOR-487)*

The Texas Ethics Commission has been asked to consider whether a former state officeholder may use surplus political contributions to make contributions to the former state officeholder's national political party's state election committee; the former officeholder's party in a state other than Texas; the national political party's association of governors; or the national party's congressional or senatorial committee.

Title 15 of the Texas Election Code prohibits the conversion of political contributions to the personal use of a candidate or officeholder. Elec. Code § 253.035(a). Personal use does not include a remittance to the political party with which the person was affiliated when the person's name last appeared on a ballot. [Ethics Advisory Opinion No. 47](#) (1992). In that context, the party includes any generally recognized affiliate of the party. Therefore, a contribution to any generally recognized affiliate of the party would be a permissible use of unexpended political contributions.

### SUMMARY

A former state officeholder may contribute unexpended political contributions to any generally recognized affiliate of the political party with which the former state officeholder was affiliated when his name was last on the ballot.