



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 458

November 12, 2004

Whether a former member of the Texas Legislature may use unexpended political contributions to make expenditures in connection with the position of United States Ambassador. (AOR-518)

A former state senator who is now a United States Ambassador has asked for an advisory opinion about the use of unexpended political contributions to purchase furnishings for use in his official residence and about the use of unexpended political contributions to host an evening of holiday entertainment for embassy staff members and their families. The request letter states that the furnishings in question would become the property of the United States government and would remain at the official residence for the use of future ambassadors.

A person who accepts a political contribution as a state or local candidate or officeholder in Texas may not convert the contribution to personal use. Texas Elec. Code § 253.035. "Personal use" does not include a use "connected with the performance of duties or activities as a candidate for or holder of a public office." *Id.* § 253.035(d).

In an earlier opinion, we concluded that the requestor could use political contributions accepted as a Texas candidate or officeholder for entertainment purposes in connection with the position of United States Ambassador. [Ethics Advisory Opinion No. 453](#) (2004). In this case, we conclude that the requestor may use political contributions to purchase furnishings for use in his official residence and to host an evening of holiday entertainment for embassy staff members and their families. See [Ethics Advisory Opinion No. 195](#) (1994) (expenditures for holiday party for staff is a permissible officeholder expenditure).

SUMMARY

A former state senator who is now a United States Ambassador may use political contributions accepted as a Texas candidate or officeholder to purchase furnishings for use in his official residence and to host an evening of holiday entertainment for embassy staff members and their families.