



TEXAS ETHICS COMMISSION



****Overruled, Modified, Clarified, or Superseded****

ETHICS ADVISORY OPINION NO. 468

March 24, 2006

Whether corporate expenditures “for minimal time spent by a corporate employee to deliver a committee check in person at a local campaign event held in the same locale as the employee lives and during normal working hours” are permissible. (AOR – 531)

The Texas Ethics Commission has been asked to consider whether corporate expenditures “for minimal time spent by a corporate employee to deliver a committee check in person at a local campaign event held in the same locale as the employee lives and during normal working hours” are permissible as administrative expenses under section 253.100(a) of the Election Code.

The Election Code generally prohibits corporations from making political expenditures. Elec. Code § 253.094. There are several exceptions to that prohibition, however, including an exception that provides as follows:

A corporation, acting alone or with one or more other corporations, may make one or more political expenditures to finance the establishment or administration of a general-purpose committee.

Elec. Code § 253.100(a).

In [Ethics Advisory Opinion No. 132](#) (1999), we determined that expenses tied directly to a political committee’s support for or opposition to candidates or measures would not be administrative expenses.

Although this standard is often difficult to apply in specific circumstances, we conclude that expenditures for the delivery of a political committee contribution in the form of check to a candidate is an administrative expense if the delivery originates and is completed in the state of Texas. Therefore, an expenditure made by a corporation to deliver a political committee contribution in the form of a check from a general-purpose political committee to a candidate would constitute an administrative expenditure permitted by section 253.100 of the Election Code if the delivery originates and is completed in the state of Texas.

SUMMARY

An expenditure made by a corporation to deliver a political contribution in the form of a check from a general-purpose political committee to a candidate would constitute an administrative expenditure if the delivery originates and is completed in the state of Texas.