

TEXAS ETHICS COMMISSION

The Texas Ethics Commission is authorized by the Government Code, §571.091, to issue advisory opinions in regard to the following statutes: the Government Code, Chapter 302; the Government Code, Chapter 305; the Government Code, Chapter 572; the Election Code, Title 15; the Penal Code, Chapter 36; and the Penal Code, Chapter 39. Requests for copies of the full text of opinions or questions on particular submissions should be addressed to the Office of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070, (512) 463-5800.

Ethics Advisory Opinion

EAO-588: Whether a member of the legislature may recover personal funds used to pay for both a vehicle and gas from a state-issued mileage reimbursement received for travel using a vehicle paid for with a combination of personal funds and political contributions. (AOR 681.)

SUMMARY

Yes. A member of the legislature may take reimbursement from a state-reimbursement for fuel purchased with personal funds. If the vehicle is paid for with a combination of personal funds and political contributions, the member may also prorate the remaining amount of the state-reimbursement for wear on the vehicle between his personal account and political account.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on June 28, 2023.

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Jim Tinley

General Counsel

Texas Ethics Commission

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Ethics Advisory Opinion

EAO-589: Whether a judicial candidate or officeholder may accept a political contribution after the normal fundraising period ends if the contribution is made and accepted with the intent that it be used for legal fees and costs arising from an election contest. (AOR 682, 683)

SUMMARY

Yes. A contribution made and accepted with the intent that it be used to defray expenses incurred in connection with a past election may be accepted after the normal fundraising period ends. Legal fees and costs arising from an election contest are expenses incurred in connection with a contested election.

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Jim Tinley

General Counsel

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