

1                   **Advisory Opinion Request 2016-01 (Draft B)**

2                   Dear Ms. Pollard:

3                   We are responding to your advisory opinion request concerning the application of the Oklahoma  
4                   Ethics rules to expenditures and contributions made by candidate committees to political parties.

5                   You ask, in effect, the following questions:

6

7                   1.       **May a candidate committee make an expenditure to purchase a ticket to attend an**

8                   **event hosted by a political party committee where the purpose of the event is fund-**

9                   **raising for the political party prior to the availability of surplus fund provisions in**

10                  **Rule 2.48?**

11

12                  2.       **May a candidate committee make an expenditure to purchase a ticket to attend an**

13                  **event hosted by a political party committee where the purpose of the event is not**

14                  **fund-raising for the political party prior to the availability of surplus fund**

15                  **provisions in Rule 2.48?**

16

17                  3.       **May a candidate committee make an expenditure to purchase a sponsorship**

18                  **package for an event hosted by a political party where the sponsorship package may**

19                  **include advertising benefits to the candidate such as a reserved table with multiple**

20                  **tickets to the event, signage identifying the candidate's sponsorship, identification in**

21                  **the program of the event, and identification in electronic presentations at the event?**

4. May a candidate committee make an expenditure to a political party committee to purchase tangible goods or services benefitting the campaign such as printing, postage, mailing lists, polling data, and other promotional items or services?
  5. May a candidate committee make an expenditure to a political party committee to purchase a booth or other space for advertising or campaigning purposes at a political party event? Space for advertising may include a table and designated area to post and distribute campaign materials, opportunities to recruit volunteers, an opportunity to address the attendees at the event, and opportunities to solicit and receive contributions.
  6. If the answer to question 1, 2, 3, 4, or 5 is yes, are such expenditures considered contributions and, if so, what are the contribution limits?
  7. If the answer to question 6 is yes, are these contributions allowed by Rule 2.43, which allows candidate committee funds to “be used to make ordinary and necessary campaign expenses” or Rule 2.44, which allows candidate committee funds to be used for “officeholder expenses”?

## Background

Ethics Rule 2.2 broadly defines the term “contribution” as “any gift, subscription, loan, guarantee or forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to, or anything of value given to, or an expenditure other than an independent

1 expenditure made on behalf of, a political party, political action committee or candidate  
2 committee, but shall not include the value of services provided without compensation by an  
3 individual who volunteers those services.” Previous Ethics Rule 257:10-1-20 allowed candidate  
4 committees to transfer surplus funds “to the state, county or congressional district committee of a  
5 political party, not to include an affiliated or connected entity of a political party.” Previous  
6 Ethics Rule 257:10-1-20 allowed a candidate committee to designate funds as surplus funds at  
7 any time, regardless of whether the seat being sought by the candidate was decided.

8

9 In a similar fashion to the previous Ethics Rules, Ethics Rule 2.48 allows candidate committees  
10 to use surplus funds to be “contributed to a political party committee in any amount not to  
11 exceed Twenty-five Thousand Dollars (\$25,000.00) in the aggregate.” However, in contrast to  
12 the previous rules, Ethics Rule 2.48 only allows surplus funds to exist when the funds are “not  
13 otherwise obligated following the election at which the office for which the candidate committee  
14 was formed has been determined...” Thus, previous Ethics Rules allowed a candidate to  
15 designate surplus funds at any time whereas current Ethics Rules allow a candidate to designate  
16 surplus funds only after the office being sought is determined.

17

18 In the past, candidate committees engaged in a variety of activities and expenditures with  
19 political parties that were unquestioned due to the lack of a time requirement in the surplus funds  
20 provisions. Current Ethics Rules place the time restriction on contributions to political parties  
21 raising the questions presented in this opinion about contributions and expenditures to political  
22 parties by candidate committees where the activities and expenditures arguably fit the definition  
23 of campaign expenses or officeholder expenses. In essence, the broad question presented is this:

Do the Ethics Rules prohibit a candidate committee from making expenditures to political parties prior to the availability of surplus funds, or do the Ethics Rules permit some expenditures by candidate committees to political parties as ordinary and necessary campaign expenses or officeholder expenses?

## Discussion

The Oklahoma Ethics Commission promulgates rules of ethical conduct for campaigns for elective state office pursuant to the Oklahoma Constitution, Article XXIX, § 3. Rules relating to campaign finance and ethical conduct for campaigns for elective state office are promulgated as Rule 2 of the Oklahoma Ethics Rules. These rules will govern our analysis of your questions.

**I. May a candidate committee make an expenditure to purchase a ticket to attend an event hosted by a political party committee where the purpose of the event is fund-raising for the political party prior to the availability of surplus fund provisions?**

Yes, under certain conditions, a candidate committee may use campaign funds to purchase a ticket from a political party to attend an event where the purpose is to fund-raise for the political party prior to the availability of surplus funds provisions. Ethics Rule 2.2 defines “contribution” as, “Any gift, subscription, loan, guarantee or forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to, or anything of value given to, or an expenditure other than an independent expenditure made on behalf of, a political party, political action committee or candidate committee, but shall not include the value of services provided

1 without compensation by an individual who volunteers those services.” The Ethics Rules broadly  
2 define the term “contribution” to include all types of payments and conveyances to political  
3 parties without any exceptions. Therefore, any payment to a political party for the purchase of a  
4 ticket to attend a fund-raising event is a contribution to the political party.

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6 We conclude above that any payment made to a political party for a fund-raising event is a  
7 contribution to the political party. In light of this conclusion, we must examine whether a  
8 candidate committee may make a contribution to the political party prior to the availability of  
9 surplus funds provisions. Ethics Rule 2.48 states, “Surplus funds of a candidate committee are  
10 those funds not otherwise obligated following the election at which the office for which the  
11 candidate committee was formed has been determined which, in the candidate’s discretion, are  
12 not required to be used for campaign expenses or officeholder expenses.” Once the office is  
13 decided, a candidate may dispose of surplus funds as described in Ethics Rule 2.48, which  
14 allows, in part, for surplus funds to be “contributed to a political party committee in any amount  
15 not to exceed Twenty-five Thousand Dollars (\$25,000.00) in the aggregate.” Therefore, after the  
16 candidate’s office is decided, a candidate is permitted to use surplus to make contributions to  
17 political parties, which includes purchasing tickets to political party fund-raising events.

18

19 The question remains, if a payment made to a political party for a ticket to a fund-raising event is  
20 a contribution, are there any circumstances where a candidate committee is permitted to make a  
21 contribution to the political party prior to the availability of surplus funds provisions in Ethics  
22 Rule 2.48? Ethics Rule 2.43 states, “Contributions to a candidate committee may be used to  
23 make expenditures for ordinary and necessary campaign expenses, for contributions to another

1 candidate committee, for operating expenses of the committee or for other purposes not  
2 otherwise prohibited by law or these rules.” Ethics Rule 2.44 states, “Contributions to a  
3 candidate committee of a candidate who is elected to the office for which the contributions were  
4 accepted may be used to make expenditures for officeholder expenses until the expiration of the  
5 term, resignation or other vacation of the office.” Ethics Rules 2.43 and 2.44, which allow  
6 candidate committees to expend funds for ordinary and necessary campaign expenditures and  
7 officeholder expenses, provide some support for expenditures to political parties when such  
8 expenditures fit the categories of campaign expenses or officeholder expenses.

9

10 We recognize that Ethics Rule 2.2 provides a broad definition of the term “contribution” to  
11 include any payment without exception. We also recognize that only the surplus funds provision  
12 of Ethics Rule 2.48 provides for candidate committee contributions to political parties. Finally,  
13 we recognize that Ethics Rules 2.43 and 2.44 allow candidate committees to expend funds for  
14 ordinary and necessary campaign expenses and officeholder expenses.<sup>1</sup> We must therefore  
15 resolve the apparent conflict between restrictions on contributions from candidate committees to  
16 political parties and permissive expenditures by candidate committees for campaign expenses  
17 and officeholder expenses.

18

19 It is a difficult task to attempt to give effect to all provisions while maintaining the sanctity and  
20 purpose of the rules. On one hand, we recognize that campaign contributions are given to  
21 candidate committees for the purpose of furthering the mission of the campaign, and that purpose  
22 is to successfully elect the candidate and support the candidate’s office if successfully elected

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<sup>1</sup> Although not critical to the analysis in this advisory opinion, a current officeholder may use the balance of surplus funds transferred to a candidate committee seeking a future term to pay officeholder expenses of the current term. Funds raised for a future term may not be used to pay officeholder expenses of the current term.

1 through the payment of officeholder expenses. Contributions are not given to candidates for the  
2 purpose of passing through funds to a political party. If a contributor wishes to support a  
3 particular political party, the Ethics Rules permit that contributor to also give funds to the  
4 political party. This leads to our view that giving a contribution to a political party is inconsistent  
5 with the mission and purpose of candidate committees. We do not believe a contribution given to  
6 a candidate committee that is then passed on to a political party assists in electing the candidate.  
7 In addition, we believe it is the role of the political party to support and fund the party's  
8 candidate to get elected and not the role of the candidate to fund the political party. On the other  
9 hand, we recognize that political parties perform a vital role in the election process and have  
10 provided valuable opportunities and services to candidates during campaigns. This may include  
11 activities like holding events that give candidates access to voters and constituents, providing  
12 polling data or donor lists, selling signs and campaign materials, and providing postage and  
13 mailing services to campaigns. Thus, we must strike a balance between both interests and  
14 interpret our rules with due respect for all provisions.

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16 Therefore, we generally conclude that a campaign committee may make an expenditure to a  
17 political party prior to the availability of surplus funds when such expenditure is either an  
18 ordinary and necessary campaign expense under Rule 2.43 or an officeholder expense under  
19 Rule 2.44, provided the political party does not profit from the expenditure. This means the  
20 political party may charge an amount to the candidate committee that is substantially consistent  
21 with the cost to the political party. For example, if the political party is hosting a dinner with a  
22 speaker and the costs to the political party are approximately \$50 per person but the party is  
23 charging \$300 for a ticket, then a candidate committee could make an expenditure as a campaign

1 expense or officeholder expense of \$50 to the political party for a ticket to attend. The candidate  
2 committee would not be permitted to pay \$300 for a ticket under Rules 2.43 or 2.44. If the  
3 candidate committee wishes to pay a price of \$300 for the ticket, the committee must do so out  
4 of surplus funds provided for in Rule 2.48, respecting the timing and contribution limits within  
5 that rule.

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7 To address the specific question at hand, we conclude that a candidate committee may make an  
8 expenditure as either an ordinary and necessary campaign expense or officeholder expense to a  
9 political party for the purpose of purchasing a ticket to a fund-raising event prior to the  
10 availability of surplus funds provisions provided the political party does not profit from the  
11 expenditure. This means the political party may only charge an amount to the candidate  
12 committee that is substantially consistent with the cost to the political party. After the availability  
13 of surplus funds provisions, a candidate committee may pay any price for the ticket provided the  
14 candidate committee does not exceed the limit set forth in Rule 2.48.

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16 **II. May a candidate committee make an expenditure to purchase a ticket to attend**  
17 **an event hosted by a political party committee where the purpose of the event is**  
18 **not fundraising for the political party prior to the availability of surplus fund**  
19 **provisions in Rule 2.48?**

20

21 Yes, under certain conditions, a candidate committee may use campaign funds to purchase a  
22 ticket from a political party to attend an event where the purpose is not to fund-raise for the  
23 political party prior to the availability of surplus funds. Ethics Rule 2.2 defines “contribution” as,

“Any gift, subscription, loan, guarantee or forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to, or anything of value given to, or an expenditure other than an independent expenditure made on behalf of, a political party, political action committee or candidate committee, but shall not include the value of services provided without compensation by an individual who volunteers those services.” The Ethics Rules broadly define the term “contribution” to include all types of payments and conveyances to political parties without any exceptions. Therefore, any payment to a political party for the purchase of a ticket to attend a fund-raising event is a contribution to the political party.

Although we recognize that any expenditure to a political party by a candidate committee is a contribution to the political party, we rely on our reasoning in the response to question one for support in making such an expenditure prior to the availability of surplus funds. As discussed above, we conclude that a candidate committee may make an expenditure as either an ordinary and necessary campaign expense or officeholder expense to a political party for the purpose of purchasing a ticket to a an event that is not a fund-raising event prior to the availability of surplus funds provisions provided the political party does not profit from the expenditure. This means the political party may only charge an amount to the candidate committee that is substantially consistent with the cost to the political party. After the availability of surplus funds provisions, a candidate committee may pay any price for the ticket provided the candidate committee does not exceed the limit set forth in Rule 2.48.

**III. May a candidate committee make an expenditure to purchase a sponsorship package for an event hosted by a political party where the sponsorship package**

1           **may include advertising benefits to the candidate such as a reserved table with**  
2           **multiple tickets at the event, signage identifying the candidate's sponsorship,**  
3           **identification in the program of the event, and identification in electronic**  
4           **presentations at the event?**

5  
6       Yes, under certain conditions, a candidate committee may use campaign funds to purchase a  
7       sponsorship package from a political party prior to the availability of surplus funds. Ethics Rule  
8       2.2 defines "contribution" as, "Any gift, subscription, loan, guarantee or forgiveness of a loan,  
9       conveyance, advance, payment, distribution or deposit of money made to, or anything of value  
10      given to, or an expenditure other than an independent expenditure made on behalf of, a political  
11      party, political action committee or candidate committee, but shall not include the value of  
12      services provided without compensation by an individual who volunteers those services." The  
13      Ethics Rules broadly define the term "contribution" to include all types of payments and  
14      conveyances to political parties without any exceptions. Therefore, any payment to a political  
15      party for the purchase of a sponsorship package is a contribution to the political party.

16  
17      Although we recognize that any expenditure to a political party by a candidate committee is a  
18      contribution to the political party, we rely on our reasoning in the response to question one for  
19      support in making such an expenditure prior to the availability of surplus funds. As discussed  
20      above, we conclude that a candidate committee may make an expenditure as either an ordinary  
21      and necessary campaign expense or officeholder expense to a political party for the purpose of  
22      purchasing a sponsorship package prior to the availability of surplus funds provisions provided  
23      the political party does not profit from the expenditure. This means the political party may only

charge an amount to the candidate committee that is substantially consistent with the cost to the political party. In practice it may be difficult to determine the cost to the political party for services such as advertising; however, our interpretation does not change because some costs may be difficult or impossible to ascertain. In cases where costs cannot be determined, an expenditure by a candidate committee prior to the availability of surplus funds may be prohibited if a political party cannot ensure the party is not profiting from the candidate committee. After the availability of surplus funds provisions, a candidate committee may pay any price for the sponsorship package provided the candidate committee does not exceed the limit set forth in Rule 2.48.

**IV. May a candidate committee make an expenditure to a political party committee to purchase tangible goods or services benefitting the campaign, such as printing, postage, mailing lists, polling data, and other promotional opportunities?**

Yes, under certain conditions, a candidate committee may use campaign funds to purchase tangible goods or services from a political party prior to the availability of surplus funds. Ethics Rule 2.2 defines “contribution” as, “Any gift, subscription, loan, guarantee or forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to, or anything of value given to, or an expenditure other than an independent expenditure made on behalf of, a political party, political action committee or candidate committee, but shall not include the value of services provided without compensation by an individual who volunteers those services.” The Ethics Rules broadly define the term “contribution” to include all types of payments and

1 conveyances to political parties without any exceptions. Therefore, any payment to a political  
2 party for the purchase of tangible goods or services is a contribution to the political party.

3

4 Although we recognize that any expenditure to a political party by a candidate committee is a  
5 contribution to the political party, we rely on our reasoning in the response to question one for  
6 support in making such an expenditure prior to the availability of surplus funds. As discussed  
7 above, we conclude that a candidate committee may make an expenditure as either an ordinary  
8 and necessary campaign expense or officeholder expense to a political party for the purpose of  
9 purchasing tangible goods or services prior to the availability of surplus funds provisions  
10 provided the political party does not profit from the expenditure. This means the political party  
11 may only charge an amount to the candidate committee that is substantially consistent with the  
12 cost to the political party. After the availability of surplus funds provisions, a candidate  
13 committee may pay any price for the tangible goods or services provided the candidate  
14 committee does not exceed the limit set forth in Rule 2.48.

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16       **V. May a candidate committee make an expenditure to a political party committee**  
17           **to purchase a booth or other space for advertising or campaigning purposes at a**  
18           **political party event? Space for advertising may include a table and designated**  
19           **area to post and distribute campaign materials, opportunities to recruit**  
20           **volunteers, an opportunity to address the attendees at the event, and**  
21           **opportunities to solicit and receive contributions.**

1 Yes, under certain conditions, a candidate committee may use campaign funds to purchase space  
2 for advertising or campaigning purposes from a political party prior to the availability of surplus  
3 funds. Ethics Rule 2.2 defines “contribution” as, “Any gift, subscription, loan, guarantee or  
4 forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to,  
5 or anything of value given to, or an expenditure other than an independent expenditure made on  
6 behalf of, a political party, political action committee or candidate committee, but shall not  
7 include the value of services provided without compensation by an individual who volunteers  
8 those services.” The Ethics Rules broadly define the term “contribution” to include all types of  
9 payments and conveyances to political parties without any exceptions. Therefore, any payment to  
10 a political party for the purchase of space for advertising purposes is a contribution to the  
11 political party.

12

13 Although we recognize that any expenditure to a political party by a candidate committee is a  
14 contribution to the political party, we rely on our reasoning in the response to question one for  
15 support in making such an expenditure prior to the availability of surplus funds. As discussed  
16 above, we conclude that a candidate committee may make an expenditure as either an ordinary  
17 and necessary campaign expense or officeholder expense to a political party for the purpose of  
18 purchasing space for advertising or campaigning prior to the availability of surplus funds  
19 provisions provided the political party does not profit from the expenditure. This means the  
20 political party may only charge an amount to the candidate committee that is substantially  
21 consistent with the cost to the political party. In practice it may be difficult to determine the cost  
22 to the political party for services such as space for advertising or campaigning; however, our  
23 interpretation does not change because some costs may be difficult to ascertain. In cases where

1 costs cannot be determined, an expenditure by a candidate committee prior to the availability of  
2 surplus funds may be prohibited if a political party cannot ensure the party is not profiting from  
3 the candidate committee. After the availability of surplus funds provisions, a candidate  
4 committee may pay any price for the space to advertise or campaign provided the candidate  
5 committee does not exceed the limit set forth in Rule 2.48.

6

7 **VI. If the answer to question 1, 2, 3, 4, or 5 is yes, are such expenditures considered**  
8 **contributions and, if so, what are the contribution limits?**

9

10 We concluded in our responses to the previous questions that expenditures to political parties by  
11 candidate committees prior to the availability of surplus funds provisions are permitted with  
12 certain qualifications. We also concluded that such expenditures are considered contributions. To  
13 reiterate, Ethics Rule 2.2 defines “contribution” as, “Any gift, subscription, loan, guarantee or  
14 forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to,  
15 or anything of value given to, or an expenditure other than an independent expenditure made on  
16 behalf of, a political party, political action committee or candidate committee, but shall not  
17 include the value of services provided without compensation by an individual who volunteers  
18 those services.” The Ethics Rules broadly define the term “contribution” to include all types of  
19 payments and conveyances to political parties without any exceptions. Therefore, we again  
20 conclude that any expenditure by a candidate committee to a political party is a contribution to  
21 the political party whether such expenditure is made before or after the availability of surplus  
22 funds provisions. The only contribution limit in the Ethics Rules for contributions from candidate

1 committees to political party committees is found in the surplus funds provisions of Ethics Rule  
2 2.48.

3 **OPTION 1:** Thus, there is an aggregate contribution limit of \$25,000 for a candidate committee  
4 to make contributions to political parties for the duration of the candidate committee's existence.

5 **OPTION 2:** Thus, there is an aggregate contribution limit of \$25,000 for a candidate committee  
6 to make contributions to political parties when the contributions are made out of surplus funds  
7 pursuant to Rule 2.48. There are no corollary contribution limits prior to the availability of  
8 surplus funds found in the Ethics Rules. Therefore, when contributions are made by a candidate  
9 committee to a political party as an ordinary and necessary campaign expense pursuant to Rule  
10 2.43 or an officeholder expense pursuant to Rule 2.44 there are no contribution limits that apply.  
11 In these circumstances, the political party is acting in the capacity of a vendor to the candidate  
12 committee, and we do not provide for limitations on expenditures to vendors. Therefore, we  
13 adopt a similar view when a candidate committee is making expenditures to political parties for  
14 campaign expenses and officeholder expenses. In addition, because we have concluded the  
15 political party may not profit from expenditures for campaign expenses and officeholder  
16 expenses, we believe the risk of improper contributions is minimized.

17 **OPTION 3:** Thus, there is an aggregate contribution limit of \$25,000 for a candidate committee  
18 to make contributions to political parties when the contributions are made out of surplus funds  
19 pursuant to Rule 2.48. This contribution limit does not apply to contributions made for the  
20 purpose of paying campaign expenses pursuant to Rule 2.43 or officeholder expenses pursuant to  
21 Rule 2.44. Instead, we look to the general contribution limits for political parties in Rule 2.31,  
22 which provides, "No person shall make, and no political party shall accept, a contribution to any  
23 political party committee in excess of Ten Thousand Dollars (\$10,000) in any calendar year,

1 except as otherwise permitted by law or these Rules.” Therefore, we adopt the general  
2 contribution limit to political parties of \$10,000 per year for candidate committees making  
3 expenditures to political parties for the payment of campaign expenses pursuant to Rule 2.43 or  
4 officeholder expenses pursuant to Rule 2.44. A candidate committee may then contribute to a  
5 political party an additional \$25,000 in the aggregate for duration of the candidate committee’s  
6 existence from surplus funds.

7

8       **VII. If the answer to question 6 is yes, are these contributions allowed by Rule 2.43,**  
9                   **which allows candidate committee funds to “be used to make ordinary and**  
10                  **necessary campaign expenses” or Rule 2.44, which allows candidate committee**  
11                  **funds to be used for “officeholder expenses”?**

12

13 We concluded in our response to question six that expenditures to political parties by candidate  
14 committees both before and after the availability of surplus funds provisions are contributions.  
15 Contributions made to political parties by candidate committees after the availability of surplus  
16 funds are made pursuant to Ethics Rule 2.48, which only places timing and total dollar amount  
17 limitations on the contributions. Thus, we do not need to consider whether contributions made  
18 after the availability of surplus funds provisions are either campaign expenses or officeholder  
19 expenses.

20

21 Contributions made to political parties by candidate committees under the qualifications  
22 discussed in this opinion prior to the availability of surplus funds provisions are only permitted  
23 when the expenditure qualifies as either an ordinary and necessary campaign expense pursuant to

Rule 2.43 or a nonreimbursed officeholder expense pursuant to Rule 2.44. If the expenditure or contribution does not qualify as either a campaign expense or officeholder expense, then it is not permitted. Whether any specific individual expenditure or contribution qualifies as a campaign expense or officeholder expense is a fact-specific question that cannot be addressed in this opinion. The fact scenarios discussed in questions one through five are generally the types of expenditures that could qualify as a campaign expense or officeholder expense; however, each individual expenditure or contribution must be judged on the specific facts and circumstances that exist at the time the expenditure or contribution is made.

Therefore, we conclude that any expenditure or contribution made to a political party by a candidate committee prior to the availability of surplus funds must be either an ordinary and necessary campaign expense or a nonreimbursed officeholder expense. Contributions made for any other purpose are not permitted prior to the availability of surplus funds provisions in Rule 2.48. Once surplus funds are available, contributions may generally be made to a political party for any lawful purpose provided the limitations in Rule 2.48 are followed.

**Therefore, it is the official opinion of the Ethics Commission:**

1. Ethics Rule 2.2 broadly defines the term “contribution” to include any payment without exception.
  2. Any payment or expenditure to a political party by a candidate committee is a contribution as defined in Ethics Rule 2.2.
  3. A contribution may be made to a political party from a candidate committee prior to the availability of surplus funds provisions only if the contribution qualifies as an

1           **ordinary and necessary campaign expense pursuant to Ethics Rule 2.43 or a**  
2           **nonreimbursed officeholder expense pursuant to Ethics Rule 2.44 and the political**  
3           **party does not receive a profit from the contribution.**

4.       **Contributions from a candidate committee to a political party committee are subject**  
5           **to a \$25,000 aggregate contribution limit for the duration of the candidate**  
6           **committee's existence pursuant to Ethics Rule 2.48.**
7.       **A candidate committee expenditure to purchase a ticket to a political party fund-**  
8           **raising event is a contribution to the political party. Such a contribution may be**  
9           **made pursuant to surplus funds provisions of Ethics Rule 2.48. A contribution may**  
10          **also be made prior to the availability of surplus funds provisions if the contribution**  
11          **qualifies as an ordinary and necessary campaign expense pursuant to Ethics Rule**  
12          **2.43 or a nonreimbursed officeholder expense pursuant to Ethics Rule 2.44 and the**  
13          **political party does not receive a profit from the contribution. In this circumstance,**  
14          **the political party may only receive a contribution from the candidate committee for**  
15          **an amount that is substantially consistent with the cost to the political party.**
16.       **A candidate committee expenditure to purchase a ticket to a political party event**  
17          **that is not a fund-raising event is a contribution to the political party. Such a**  
18          **contribution may be made pursuant to surplus funds provisions of Ethics Rule 2.48.**  
19          **A contribution may also be made prior to the availability of surplus funds**  
20          **provisions if the contribution qualifies as an ordinary and necessary campaign**  
21          **expense pursuant to Ethics Rule 2.43 or a nonreimbursed officeholder expense**  
22          **pursuant to Ethics Rule 2.44 and the political party does not receive a profit from**  
23          **the contribution. In this circumstance, the political party may only receive a**

1 contribution from the candidate committee for an amount that is substantially  
2 consistent with the cost to the political party.

- 3 7. A candidate committee expenditure to purchase a sponsorship package from a  
4 political party is a contribution to the political party. Such a contribution may be  
5 made pursuant to surplus funds provisions of Ethics Rule 2.48. A contribution may  
6 also be made prior to the availability of surplus funds provisions if the contribution  
7 qualifies as an ordinary and necessary campaign expense pursuant to Ethics Rule  
8 2.43 or a nonreimbursed officeholder expense pursuant to Ethics Rule 2.44 and the  
9 political party does not receive a profit from the contribution. In this circumstance,  
10 the political party may only receive a contribution from the candidate committee for  
11 an amount that is substantially consistent with the cost to the political party.
- 12 8. A candidate committee expenditure to purchase tangible goods or services from a  
13 political party is a contribution to the political party. Such a contribution may be  
14 made pursuant to surplus funds provisions of Ethics Rule 2.48. A contribution may  
15 also be made prior to the availability of surplus funds provisions if the contribution  
16 qualifies as an ordinary and necessary campaign expense pursuant to Ethics Rule  
17 2.43 or a nonreimbursed officeholder expense pursuant to Ethics Rule 2.44 and the  
18 political party does not receive a profit from the contribution. In this circumstance,  
19 the political party may only receive a contribution from the candidate committee for  
20 an amount that is substantially consistent with the cost to the political party.
- 21 9. A candidate committee expenditure to purchase space for advertising or  
22 campaigning from a political party is a contribution to the political party. Such a  
23 contribution may be made pursuant to surplus funds provisions of Ethics Rule 2.48.

1           **A contribution may also be made prior to the availability of surplus funds**  
2           **provisions if the contribution qualifies as an ordinary and necessary campaign**  
3           **expense pursuant to Ethics Rule 2.43 or a nonreimbursed officeholder expense**  
4           **pursuant to Ethics Rule 2.44 and the political party does not receive a profit from**  
5           **the contribution. In this circumstance, the political party may only receive a**  
6           **contribution from the candidate committee for an amount that is substantially**  
7           **consistent with the cost to the political party.**