

# CAMPAIGN FINANCE EXPENDITURES

**Contributions received by a candidate or a political committee may be expended for any lawful purpose, but shall not be used for any personal use unrelated to a political campaign or the holding of public office or party position. (R.S. 18:1505.2(I))**

**When completing Candidate Report - Form 102, Schedule E-1, each expenditure should include the name of the recipient of the funds, the complete address of the recipient, the date of the expenditure, the amount, and a sufficient description in the purpose section to determine how the expenditure relates to the political campaign or holding of office.**



The following summary of prior opinions of the Board provide an illustrative list of expenditures deemed as an appropriate use of campaign funds:



## **Donations to Charitable Type Fundraising Events**

Candidates and elected officials, who are invited to make donations to or buy raffle tickets for church fairs, school auctions, and civic organization fund-raising events, can use campaign funds provided the expenditures are reasonable and customary.

## **Purchase/Lease of Telephone Equipment**

Candidates and elected officials can use campaign funds to purchase or lease answering machines, cell phones, or other types of telephone equipment provided the primary purpose of the equipment is to facilitate the campaign or the holding of public office.

## **Payment of Membership Dues in Organizations**

Elected officials can use campaign funds to pay membership dues in groups or organizations necessary to stay in touch with their constituency and/or enhance their professional standing. Such organizations could include the National Conference of State Legislatures, Common Cause, Public Affairs Research Council, etc.

## **Expenses of Operating a District Office**

Elected officials can use campaign funds for rental and operating expenses associated with the operation of a district office. However, campaign funds should not be used to compensate persons who would be considered "public employees."

## **Expenses for Attendance of Legislative Session**

Legislators can use campaign funds for transportation, meal and lodging expenses associated with attending session or committee meetings, to the extent the expenses are not otherwise reimbursed through the Legislature. Also, legislators can use campaign funds to pay for meals with constituents to discuss district business.

## **Clothing**

Elected officials and candidates cannot use campaign funds to pay for ordinary clothing expenses.

## **Flowers and Gifts to Constituents and Campaign Workers**

Elected officials who feel obligated because of their position to extend courtesies of providing flowers for funerals of deceased constituents, graduation gifts to young people in their district, or gifts for campaign workers can use campaign funds for such items provided they are reasonable and customary.

## **Mileage**

Elected officials and candidates can use campaign funds to pay for gas expenses for the use of a personal vehicle during the campaign or reimbursement for mileage. Elected officials and candidates should keep adequate records to support the reimbursement payments as related to the campaign or holding of public office.

## **Auction Items**

Candidate could use campaign funds to purchase items at church and school fair auctions, if they are reasonable and customary. However, the items purchased could not be used for a personal use (for example, a candidate who wins a computer at an auction cannot give it to his daughter). Any items purchased with campaign funds belong to the campaign and would have to be disposed of subject to the restrictions on the use of funds. For example, an item purchased could be donated back to the entity having the auction or to another charity, or used by the candidate's campaign or his holding of public office.

## **Meals**

Elected officials and candidates can use campaign funds to pay for meals at which campaign matters are discussed or at which governmental matters are discussed or to meet with constituents, which are not otherwise reimbursed by the governmental entity. Elected officials and candidates should keep adequate records to support the payment of the meal as related to the campaign or holding of public office.

**Effective August 1, 2014, R.S. 18:1505.2(I) prohibits the use of campaign funds to purchase immovable property or a motor vehicle.**

**The Court of Appeal, First Circuit, in *La. Board of Ethics v. Holden*, 2012-1127 (La. App. 1 Cir. 6/25/13) 121 So.3d 113, concluded, citing the district court's reasoning, that when the candidate derived no personal benefit and the candidate believed that the expenditures were related to the holding and responsibilities of his office, which included taking action and making decisions for the benefit, protection and/or aid of his constituents, the expenditures for a constituent's funeral, to sponsor a constituent's attendance at a youth group, and to donate to an organization that afforded children the opportunity to visit other parts of the world were permissible.**

**Surplus funds may be: (1) returned to contributors on a pro rata basis, (2) given as an IRS-approved charitable donation, (3) expended in support of or opposition to another candidate, a proposition, or a political party, or (4) maintained for future campaigns.**

**Credit card expenditures should be itemized to disclose the name of the business at which the credit card was used and the date of that transaction, not the name of the credit card company and the date of payment to the credit card company.**

**If expenditures are made on your behalf as a candidate by a public relations or advertising firm, or other agent, those expenditures should be itemized to disclose to whom payments were made, the amount of the expenditure, and the date of the expenditure. For example, if a firm purchases time to run an ad or pays a third party to develop a campaign flyer, that information should be provided to the candidate, so that the expenditure can specifically be reported by the candidate.**

**The following are examples of incomplete and complete reported expenditures:**



Incomplete: Dillard's 1/1/2013 Gift \$143.00  
Baton Rouge, LA



Complete: *Dillard's 1/1/2013 Wedding gift for \$143.00  
222 First Street  
Baton Rouge, LA  
constituent*



Incomplete: Jane Sneaux 1/2/2013 Reimbursement \$45.65  
333 Second Street  
Baton Rouge, LA



Complete: *Office Depot 1/2/2013 Copy supplies for \$45.65  
123 Third Street  
Baton Rouge, LA  
campaign office*



Incomplete: Ruth's Chris 11/24/2013 Meals \$206.95  
345 Second Street  
Baton Rouge, LA



Complete: *Ruth's Chris 11/24/2013 Meeting with \$206.95  
345 Second Street  
Baton Rouge, LA  
campaign manager*



Incomplete: John Doe 6/12/2013 Raffle Ticket \$40.00  
555 Main Street  
Baton Rouge, LA



Complete: *John Doe 6/12/2013 Raffle Ticket for \$40.00  
555 Main Street  
Baton Rouge, LA  
cancer patient  
fundraiser benefit*