

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 Question

A corporation may not finance fundraising efforts for its connected political committee except from its "members . . . or the families of its . . . members." Tex. Elec. Code § 253.100(d)(5). Who qualifies as a "member" of a nonprofit corporation for purposes of the Section 253.100(d)(5) corporate-funded solicitation exception? (AOR-724.)

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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 or opinions@ethics.state.tx.us.

Issued in Austin, Texas, on May 21, 2025.

TRD-202501747
Jim Tinley
General Counsel
Texas Ethics Commission
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Whether certain communications to legislators and their staff about a political party's rules, platform, and legislative priorities require a legislative advertising disclosure statement. (AOR-725.)

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Whether the use of a logo created by a labor organization's political committee that resembles, but is different from, a city-created logo violates a law under the jurisdiction of the Texas Ethics Commission. (AOR-726.)

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May an incorporated out-of-state political committee that accepts corporate contributions contribute to Texas state and local candidates, including to a specific-purpose committee, provided it does so from a separate account that only accepts contributions from individuals and that would otherwise come from permissible sources under Texas law? Second, assuming the contributions described under the facts above are permissible, does it matter if the out-of-state political committee is controlled by a non-candidate officeholder? Third, if control by a candidate leads to the conclusion that the out-of-state committee is prohibited from making the contributions described above, would it be permissible for the out-of-state committee to: (i) contribute to a Direct Campaign Expenditure Only Committee or (ii) make direct expenditures itself? (AOR-727.)

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Whether an employee of a state agency is subject to the Section 572.069 two-year waiting period before accepting employment for a particular employer after helping to select and purchase a software product from the potential employer. (AOR-729.)

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Whether a former employee of a state regulatory agency who worked on a schematic for a particular construction project may receive compensation from a private employer for services related construction management of the project. (AOR-730.)

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