

Advisory Opinion
IECDB AO 2000-04

April 20, 2000

TO ALL INTERESTED PERSONS:

Pursuant to Iowa Code section 68B.32A(11), the Iowa Ethics and Campaign Disclosure Board takes the opportunity to issue its opinion on the issue of individuals using campaign funds for the rental or purchase of formal wear to attend political functions. We note at the outset that the Board's jurisdiction is limited to the application of Iowa Code chapters 56 and 68B and rules in Iowa Administrative Code chapter 351. Whether some other statutory system, common law theory or agency rule applies to this issue is not covered by this opinion.

OPINION:

Iowa Code section 56.41(2) in pertinent part states:

"Campaign funds shall not be used for any of the following purposes:

d. Clothing or laundry expense of a candidate or members of the candidate's family"

While it can be argued that attendance at political events is part of an officeholder or candidate expense, the Board is of the opinion that subsection "d" prohibits the use of campaign funds for the purchase or rental of formal wear to attend political events.

In closing, the Board notes that campaign funds may be used to purchase articles of clothing that "expressly advocate" the election of the candidate and become political advertising. For example, campaign funds could be used to purchase t-shirts that say "Vote for John Doe". The Board urges any candidate to contact us for further guidance before making purchases of clothing that may be political advertising.

BY DIRECTION AND VOTE OF THE BOARD

Bernard McKinley, Board Chair
1st Vice-Chair Geraldine Leinen
2nd Vice-Chair James Albert
Gwen Boeke
Mark McCormick
Phyllis Peters

Submitted by: W. Charles Smithson, Board Legal Counsel