

Advisory Opinion

IECDB AO 2002-17

October 31, 2002

The Honorable Wayne Ford
State Representative
3108 36th St.
Des Moines, Iowa 50310

Dear Representative Ford:

This opinion is in response to your campaign treasurer's email of September 21, 2002, requesting an opinion from the Iowa Ethics and Campaign Disclosure Board. 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.

FACTUAL STATEMENT:

You presented Alicia Keys and Desmond Tu-Tu with awards to recognize their contributions to African-American youth. You paid for the awards from your personal funds and are now questioning if it would be permissible to do so from campaign funds.

QUESTION:

Is it permissible for you to purchase Humanitarian awards with campaign funds?

OPINION:

Iowa Code section 56.41 permits candidates to use campaign funds for "campaign purposes, educational and other expenses associated with the duties of office, or constituency services." We believe that the purchase of the award you described serves a campaign purpose and as a constituency service. Thus, it is permissible for you to purchase the award with campaign funds.

BY DIRECTION AND VOTE OF THE BOARD

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

Submitted by: W. Charles Smithson, Board Legal Counsel