

Advisory Opinion

IECDB AO 2003-12

September 11, 2003

Gentry Collins
Executive Director
Republican Party of Iowa
621 East 9th
Des Moines, Iowa 50309

Dear Mr. Collins:

This opinion is in response to your letter of August 12, 2003, 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 68A and 68B and rules in Iowa Administrative Code chapter 351.

FACTUAL STATEMENT:

We understand you request this opinion in your capacity as the Executive Director of the Republican Party of Iowa. You advise us that many Republican candidates for office have used campaign funds for contributions to the Christian Coalition of Iowa (Coalition). The Board's staff has questioned whether these contributions are permissible from candidate campaign funds.

You further advise us that the contributions have been for the Coalition's annual dinner. Also, that many Republican candidates find key supporters through the Coalition and that several Coalition members contribute financially to legislative candidates. The largest gathering of the Coalition members is during their annual dinner and this provides an opportunity for legislators and candidates to meet Coalition members and introduce themselves.

QUESTION:

Is it permissible for candidates to use their campaign funds to make contributions to the Christian Coalition of Iowa for attendance at the Coalition's annual dinner?

OPINION:

Iowa Code section 68A.41(1)¹ in pertinent part states:

“A candidate and the candidate’s committee shall use campaign funds only for campaign purposes, educational and other expenses associated with the duties of office, or constituency services, and shall not use campaign funds for personal expenses or personal benefit.”

Iowa Code section 68A.41(2)“i” states that campaign funds may not be used for:

“Meals, groceries, or other food expense, except for tickets to meals that the candidate attends solely for the purpose of enhancing the candidacy or the candidacy of another person. However, payment for food and drink purchased for campaign related purposes and for entertainment of campaign volunteers is permitted.”

Based on the rationale set out in your request, the Board is of the opinion that attendance at the Christian Coalition of Iowa’s annual dinner is for “campaign purposes” and is done for the purpose of “enhancing the candidacy or the candidacy of another person.” Therefore, this type of contribution to the Coalition is a legitimate campaign expenditure and may be made from campaign funds.

In closing, a candidate who makes a contribution to the Coalition for the annual dinner should disclose on the candidate’s campaign disclosure reports that the expenditure is made for a dinner or attendance at a Coalition event.

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

¹ The campaign finance laws were renumbered from Chapter 56 to Chapter 68A effective July 1, 2003.