



Ohio Elections Commission
State Office Tower, 14th Floor
Columbus, Ohio 43266-0418
(614) 466-2585

July 17, 1989

Advisory Opinion No. 89-3

SYLLABUS: Pursuant to Ohio Revised Code section 3517.13(O), campaign funds may be used to pay for furniture for the office of a public officeholder, so long as such expenditures serve a purpose related to performance of the duties of the officeholder and such expenditures are reasonable in cost and form.

TO: George J. Tablack, Auditor, Mahoning County

You have requested an opinion on the following question:

Is it an allowable expenditure of campaign committee funds to purchase furniture for the county auditor's office which would be donated to Mahoning County with title permanently gained by the county?

You have stated that the furniture is a desk, couch, credenza, and side chairs.

Ohio Revised Code section 3517.13(O)(2) provides in relevant part that, "No beneficiary of a campaign fund [i.e. the candidate or officeholder for whose benefit the fund is established] shall convert or accept for personal or business use . . . anything of value from the beneficiary's campaign fund . . . except as reimbursement for: . . . (2) Legitimate, verifiable, ordinary and necessary prior expenses incurred by the beneficiary in connection with duties in the holding of public office."

Subdivision (2) of R.C. 3517.13(O) sets forth specific standards to be applied in determining whether an expenditure from campaign funds is permissible. This commission has in past opinions interpreted the word "legitimate" as meaning "true" or "valid" in the sense that the expenditure is truly related to a duty of a public office or one of the other categories set forth in R.C. 3517.13(O). The true or valid relationship is determined according to recognized principles or accepted standards. See Advisory Opinion No. 87-13. Moreover, if the expenditures are made in connection with the duties of a public officeholder, they must be ordinary and necessary, i.e., customary or usual and appropriate and helpful to accomplishing a particular end. See Advisory Opinion No. 87-4.

Expenditures for office furniture bear a rational relationship to the duties of the officeholder in that a furnished office is required for the performance of duties. Therefore, as long as such expenditures are reasonable in cost and form, they would be legitimate, ordinary and necessary under the law.

For the reasons stated herein, it is the opinion of the Ohio Elections Commission that:

Pursuant to Ohio Revised Code section 3517.13(O), campaign funds may be used to pay for furniture for the office of a public officeholder, so long as such expenditures serve a purpose related to performance of the duties of the officeholder and such expenditures are reasonable in cost and form.

APPROVED:



Larry H. James, Chairman

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