



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

December 11, 1989

ADVISORY OPINION NO. 89-6

- SYLLABUS: 1. Money from the Ohio Political Party Fund may be used to pay for administrative expenses associated with a party fund-raising drive. These include expenses related to the management of the event or activity, such as staff salaries, supplies and equipment, and the costs of food, entertainment, decorations, invitations, and rental of a facility. The funds raised by the drive may not be used for any purpose prohibited by Ohio Revised Code section 3517.18(B) and may not be co-mingled with funds used by the party for supporting or opposing candidates or ballot issues.
2. Moneys from the Ohio Political Party Fund may be transferred from the county executive committee to the state party, but only to the state party's segregated public funds account. Such transferred funds may only be used for the purposes permitted by Ohio Revised Code section 3517.18(A).

TO: Sue Ann Deeds, Treasurer, Lawrence County Republican Party Executive Committee

You have requested an opinion on the following questions:

1. May money from the Ohio Political Party Fund be used to pay for the expenses associated with a fund-raiser for the county party executive committee? May the proceeds from the fund-raiser be added to the executive committee's regular funds?
2. May money from the Ohio Political Party Fund be used to make a contribution from the county party executive committee to the Ohio Republican Party?

Your letter indicates that the county party may purchase such things as food, beverages, entertainment, and decorations for the fund-raiser. You have further indicated that the proceeds from the fund-raiser would be deposited into the executive committee's general fund which is used for both operational expenses of the party and contributions to candidate campaigns.

Division (A) of Ohio Revised Code section 3517.18 sets forth the sole purposes for which monies from the Ohio Political Party Fund may be used. Subsection (A)(3) permits the expenditure of such funds for the administration of party fund-raising drives. A fund-raising event is a type of fund-raising drive.

To answer your first question, the phrase "administration of party fund-raising" must be defined. Webster's Dictionary defines "administration"

as "direction" or "management." Administrative expenses, therefore, are those related to the management of the event, and include compensation paid for planning and coordinating the event, office supplies and equipment and food, entertainment, decorations, invitations, and rental of a facility. See, Advisory Opinion No. 89-2.

This commission has previously stated that Ohio Revised Code section 3517.18(B)(1) precludes the use of any funds received from a fund-raising event from being used to further the election or defeat of a candidate or to influence directly the outcome of any election if any expenses associated with the event are paid from Ohio Political Party Fund moneys. See Advisory Opinion No. 89-2. Therefore, if moneys from the Ohio Political Party Fund are used to pay the administrative costs of a party fund-raiser, the money raised may not be co-mingled with party funds that are used to support or oppose candidates or ballot issues. A separate bank account should be established for the proceeds to ensure that the moneys are not expended for prohibited purposes. If the county executive committee already has a separate "office" or "operating" account, this may be used.

With respect to your second question, there is no doubt that both county and state political party organizations may expend moneys from the Ohio Political Party Fund for the purposes set forth in Ohio Revised Code section 3517.18(A). The permissible expenditures include defraying of operating and maintenance costs associated with political party headquarters; organization of voter registration and get-out-the-vote campaigns; administration of party fund-raising drives; paid advertisements sponsored jointly by two or more qualified political parties to publicize the political party fund; direct mail campaigns or communications with registered voters of the party that are not related to any particular candidate or election; and preparation of reports required by law. Ohio Revised Code section 3517.18(B) sets forth purposes for which moneys from the Ohio Political Party Fund may not be used.

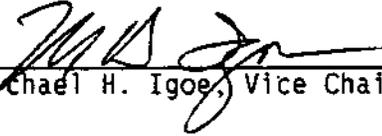
There is nothing in Ohio Revised Code section 3517.18 that requires a party to expend the moneys received from the Ohio Political Party Fund for its own headquarters, voter registration drives, fund-raising drives, communications, etc. Therefore, it is reasonable for a county executive committee to be able to transfer moneys from the Ohio Political Party Fund to the state party, but only where the moneys will be used for one of the permissible uses specified in Ohio Revised Code section 3517.18(A). Any such transfer must be deposited to the state party's public funds account and should be made payable to that account.

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

1. Money from the Ohio Political Party Fund may be used to pay for administrative expenses associated with a party fund-raising drive. These include expenses related to the management of the event or activity, such as staff salaries, supplies and equipment, and the costs of food, entertainment, decorations, invitations, and rental of a facility. The funds raised by the drive may not be used for any purpose prohibited by Ohio Revised Code section 3517.18(B) and may not be co-mingled with funds used by the party for supporting or opposing candidates or ballot issues.

2. Moneys from the Ohio Political Party Fund may be transferred from the county executive committee to the state party, but only to the state party's segregated public funds account. Such transferred funds may only be used for the purposes permitted by Ohio Revised Code section 3517.18(A).

APPROVED:



Michael H. Igoe, Vice Chairman

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