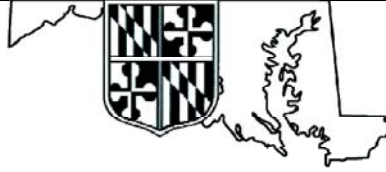


MARYLAND

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MARYLAND STATE BOARD OF ELECTIONS

May 14, 2008

Permissible Use of Campaign Funds - Travel and Other Expenses to Attend a Political Party National Convention

The Maryland State Board of Elections issues this guidance to clarify the permissible uses of state campaign funds towards travel and other related expenses for attending a political party national convention.

Pursuant to Election Law Article §1-101(y), a campaign expenditure must be used to promote or assist in the promotion of the success of a candidate, political party or question at an election. The Office of the Attorney General has opined that "any lawful expense... which enhances a candidate's election chances and would not be incurred if there were no potential candidacy, is a proper expenditure." See 70 OAG 96, 101 (1985). Since attending a national convention increases a candidate visibility, viability and fundraising potential which are actions in the promotion of a candidacy, and the attendance would not have occur but for the fact the individual is a candidate or a future candidate for office, a causal relationship exists between the expenditure and the candidate's election. Therefore, campaign funds may be expended on travel and other expenses relating to the attendance of a national political party convention.

However, the use of campaign funds for a spouse is not directly to the purpose of promoting a candidate's success. While there might be a slight relationship between the spouse's attendance and the candidate's election prospects, the nexus between the two are too tenuous to permit the use of campaign funds for this purpose. Additionally, an office holder who has announced his or her retirement cannot use funds for this purpose because there is no candidacy to promote.

Since the office of delegate to the national convention is a federal office, we recommend consulting with the Federal Election Commission with regards to any contribution limits or reporting requirements.

The Office of the Attorney General has been consulted and is in agreement with this guidance.