

ETHICAL PRACTICES BOARD

First Floor South, Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603

**THE FOLLOWING PUBLICATION DOES NOT IDENTIFY
THE REQUESTER OF THE ADVISORY OPINION, WHICH IS NONPUBLIC DATA**
under Minn. Stat. § 10A.02, subd. 12(b) (1994 Minn. Laws, ch. 377, sec. 1)

RE: Noncampaign Disbursement for replacement of stolen campaign signs

ADVISORY OPINION # 256

SUMMARY

The cost of replacing campaign lawn signs which were stolen before they were ever used is a noncampaign disbursement to the extent that it does not exceed the cost of the stolen signs.

FACTS

As a candidate with a principal campaign committee registered with the Ethical Practices Board, you request an advisory opinion based on the following facts:

1. Your principal campaign committee purchased lawn signs for your campaign and reported the cost of the signs as a campaign expenditure.
2. The signs were stolen before they were ever used in the campaign.
3. Your committee had to purchase new signs to replace the stolen signs.

ISSUE

Is the cost of replacing campaign signs which were stolen before they could ever be used a noncampaign disbursement?

OPINION

Yes, the cost of replacing campaign signs which were stolen before they were used is a noncampaign disbursement to the extent that the cost does not exceed the cost of the original signs. Any cost for replacement signs which exceeds the cost of the original signs is a campaign expenditure.

In reaching this conclusion, the Board relies on the facts that (1) the original signs had never been used; that is, the committee never obtained any campaign benefit from them and (2) the inability to use the original signs was caused by external events not within the control of the committee.

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Carolyn D. Rodriguez, Chair
Ethical Practices Board