

**NEW YORK STATE  
BOARD OF ELECTIONS  
ADVISORY OPINION  
OPINION No. 25-01**

**DATE:** December 9, 2025

**QUESTION PRESENTED:**

Does Election Law § 14-130 permit use of regular campaign funds to pay for security measures, including non-structural security devices, structural security devices, professional security personnel and services, and cybersecurity software, devices, and services?

**DISCUSSION:**

At the outset, it is important to note that this Advisory Opinion relates only to the use of *ordinary* campaign funds (i.e., it does not apply to the use of public matching funds). For guidance on the use of public matching funds in the security context, *see* Opinion 25-01 of the Public Campaign Finance Board.

Election Law § 14-130, amended by Chapter 56 of the Laws of 2015, reads, *in relevant part*:

1. Contributions received by a candidate or a political committee may be expended for any lawful purpose. Such funds shall not be converted by any person to a personal use which is unrelated to a political campaign or the holding of a public office or party position.

...

3. For the purpose of this section, contributions “converted by any person to a personal use” are expenditures that are exclusively for the personal benefit of the candidate or any other individual, not in connection with a political campaign or the holding of a public office or party position. “Converted by any person to a personal use,” ... shall include, but not be limited to, expenses for the following:

- (i) Any residential or household items, supplies or expenditures, including mortgage, rent or utility payments for any part of any personal residence of a candidate or officeholder or member of the candidate’s or officeholder’s family that are not incurred as a result of, or to facilitate, the individual’s campaign, or the execution of his or her duties of public office or party position...

...

5. Nothing in this section shall prohibit an elected public officeholder from using campaign funds to facilitate, support, or otherwise assist in the execution or performance of the duties of his or her public office.

The facts, as presented, are as follows: multiple elected officials have reached out to the New York State Board of Elections inquiring as to whether campaign funds could be utilized for security expenses incurred by candidates and elected officials. Specifically, the inquiries contemplate security systems and other security measures that could be utilized and/or installed at the individual's home, district/campaign office(s), and/or at public appearances.

As justification for the inquiries, many of the elected officials cited the assassinations and attempted assassinations of state-level lawmakers in Minnesota. In one instance, an elected official cited direct threats that had been made against him. All made reference to the current political climate and an increase in threatening language used against elected officials.

The core test under Election Law § 14-130 is whether the expenditure bears a reasonable relationship to the holding of office or the campaign for office, and whether it is expressly prohibited. Security expenses do directly relate to running for or holding office, and they are not prohibited.

In general, security systems or security measures, are properly paid for using non-public campaign funds when the security measures bear a reasonable relationship to the holding of or running for office. Such use of campaign funds, even for a valid purpose, must also be reasonable in terms of cost, scope and duration in relation to the circumstances.

Each committee is in the best position to make the determination about security purchases, and any such reasonable determination is lawful. This opinion is consistent with the rule promulgated by the Federal Election Commission applicable to candidates for federal office (11 CFR 113.1 (g) (10)) which should be deemed instructive.<sup>1</sup>

## **HOLDING:**

It is the opinion of the Board, applying the applicable provisions of Election Law § 14-130 as outlined above, that reasonable security expenses related to the holding of a campaign for office or the holding of office itself may be paid for using ordinary (non-public) campaign funds.

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<sup>1</sup> 11 CFR 113.1 (g) (10): *Candidate and federal officeholder security*. The use of campaign funds to pay for the reasonable costs of security measures for a federal candidate, federal officeholder, member of their family, and employees—as defined in [26 CFR 31.3401\(c\)-1](#)—of the candidate's campaign or the federal officeholder's office, is not personal use, so long as the security measures address ongoing dangers or threats that would not exist irrespective of the individual's status or duties as a federal candidate or federal officeholder. Disbursements for security measures must be for the usual and normal charge for such goods or services. *Usual and normal charge* means, in the case of goods, the price of those goods in the market in which they are ordinarily purchased, and, in the case of services, the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered. Examples of such security measures include, but are not limited to:

- (i) Non-structural security devices, such as security hardware, locks, alarm systems, motion detectors, and security camera systems;
- (ii) Structural security devices, such as wiring, lighting, gates, doors, and fencing, so long as such devices are intended solely to provide security and not to improve the property or increase its value;
- (iii) Security personnel and services that are bona fide, legitimate, and professional; and
- (iv) Cybersecurity software, devices, and services.