

TEXAS ETHICS COMMISSION

IN THE MATTER OF
MICHAEL L. GLOVER,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-240101

FINAL ORDER

The Texas Ethics Commission, having heard this case and voting to find violations of laws under its jurisdiction, makes the following Findings of Fact and Conclusions of Law:

Findings of Fact

1. The respondent is Michael L. Glover, whose last known mailing address is 4622 Garvie Lane, Brookshire, Texas 77423-9413. A sworn complaint was filed with the Texas Ethics Commission against the respondent on January 2, 2004. The Notice of Hearing was mailed to the respondent on August 16, 2004, by certified mail, return receipt requested, restricted delivery.
2. The preliminary review hearing was held on September 10, 2004, at 2:22 p.m., by the Texas Ethics Commission in Austin, Texas.
3. The respondent was an opposed candidate for county commissioner in the November 5, 2002, general election.
4. The respondent acknowledges that he did not file a 30-day pre-election report on or before October 7, 2002.
5. The respondent acknowledges that he did not file an 8-day pre-election report on or before October 28, 2002.

Findings and Conclusions of Law

1. Disposition of this case is within the jurisdiction of the Texas Ethics Commission. GOV'T CODE § 571.061.
2. The respondent received legally sufficient notice of the hearing in this case. GOV'T CODE § 571.032, and 1 T.A.C. § 12.21.

3. The allegation in the Notice of Hearing was deemed admitted as true in accordance with sections 12.33 and 155.55, 1 Texas Administrative Code; sections 2001.058, 2003.021, and 2003.050 of the Government Code.
4. For each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person is required to file reports 30 days and 8 days before the election. ELEC. CODE § 254.064. The respondent had an opponent on the ballot in the November 5, 2002, general election and was therefore required to file the 30-day and 8-day pre-election reports. The respondent admits that he did not file those reports.
5. By failing to file a 30-day pre-election report by the October 7, 2002, deadline, the respondent violated section 254.064(b) of the Election Code.
6. By failing to file an 8-day pre-election report by the October 28, 2002, deadline, the respondent violated section 254.064(c) of the Election Code.
7. The Texas Ethics Commission may impose a sanction against the respondent of not more than \$5,000 or triple the amount at issue, whichever amount is greater. GOV'T CODE § 571.173.

Therefore, the Texas Ethics Commission orders that:

1. The respondent pay to the Texas Ethics Commission, within 30 days of the date of this order, a civil penalty in the amount of \$1,000.

Date: _____

FOR THE COMMISSION

Sarah Woelk
Acting Executive Director
Texas Ethics Commission