

TEXAS ETHICS COMMISSION

IN THE MATTER OF
TIMOTEO GARZA,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-240109

FINAL ORDER

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

Findings of Fact

1. The respondent is Timoteo Garza, whose last known mailing address is 2392 Willow Trail, Eagle Pass, Texas 78852-3883. A sworn complaint was filed with the Texas Ethics Commission against the respondent on January 22, 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 2:25 p.m., by the Texas Ethics Commission in Austin, Texas.
3. On or about January 15, 2004, Respondent Garza failed to disclose on the January 2004 semiannual report his total political contributions maintained as of the last day of the reporting period.
4. On or about January 15, 2004, Respondent Garza failed to disclose on the January 2004 semiannual report the aggregate principal amount of all outstanding loans as of the last day of the reporting period.

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. By failing to disclose on the January 2004 semiannual report his total political contributions maintained as of the last day of the reporting period, Respondent Garza violated section 254.031(a)(8) of the Election Code.
5. By failing to disclose on the January 2004 semiannual report the aggregate principal amount of all outstanding loans as of the last day of the reporting period, Respondent Garza violated section 254.031(a)(2) of the Election Code.
6. 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 \$2,000.

Date: _____

FOR THE COMMISSION

Sarah Woelk
Acting Executive Director
Texas Ethics Commission