

TEXAS ETHICS COMMISSION

IN THE MATTER OF
PATRICIA (TRISH) GIBBINS,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-2410165

FINAL ORDER

Allegations

The allegation is that the respondent failed to provide the address of the payee and the purpose of the expenditure for expenditures over \$50 on candidate/officeholder campaign finance reports.

Findings of Fact

1. The respondent is Patricia (Trish) Gibbins, whose last known mailing address is #16 19th Avenue North, Texas City, Texas 77590-6121. The Notice of Hearing containing the allegation was mailed to the respondent on August 9, 2005. United States Postal Service records show that the notice was delivered on August 11, 2005.
2. The preliminary review hearing was held on September 8, 2005, at 3:42 p.m., by the Texas Ethics Commission in Austin, Texas.
3. The respondent did not file a reply to the Notice of Hearing and did not appear at the hearing.
4. The respondent was an unsuccessful incumbent candidate for re-election to the office of Galveston County Tax Assessor-Collector in the November 2004 election.
5. The respondent filed six campaign finance reports between July 16, 2003, and October 4, 2004, with the Galveston County Clerk. The reports disclosed 91 political expenditures totaling \$42,230.19. Sixty-seven of these expenditures either exceeded \$50 or added up to an amount that exceeded \$50 when aggregated with other political expenditures made to the same payee in the same reporting period. The expenditures at issue totaled \$41,739.69.
6. Each report included a separate sheet of paper that itemized the expenditures in chronological order and provided the check number, payee, and dollar amount of each expenditure. The reports did not include the purpose or the payee address for any expenditure.

Conclusions of Law

1. Disposition of this case is within the jurisdiction of the Texas Ethics Commission. GOV'T CODE § 571.061.
2. Notice of the hearing was mailed to the respondent. 1 T.A.C. § 12.21.
3. The allegation in the Notice of Hearing was deemed admitted as true in accordance with section 12.23, 1 Texas Administrative Code.
4. A filed campaign finance report must include the amount of political expenditures made in a reporting period that in the aggregate exceed \$50, in addition to the amount, full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures. ELEC. CODE § 254.031.
5. The evidence shows that none of the campaign finance reports at issue includes a payee address or a purpose for political expenditures made in a reporting period that in the aggregate exceeded \$50. Therefore, there is credible evidence that the respondent violated section 254.031 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:

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

David A. Reisman, Executive Director
Texas Ethics Commission