

# TEXAS ETHICS COMMISSION

IN THE MATTER OF  
HOLLY ANAWATY,  
RESPONDENT

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BEFORE THE  
TEXAS ETHICS COMMISSION  
SC-250570

## ORDER and AGREED RESOLUTION

### I. Recitals

The Texas Ethics Commission met on September 8, 2005, to consider sworn complaint SC-250570. A quorum of the commission was present. The commission determined that there is credible evidence of violations of sections 254.031(a)(8) and 254.157 of the Election Code, laws administered and enforced by the commission. To resolve this complaint without further proceedings, the commission proposes this resolution to the respondent.

### II. Allegations

The complaint alleges that the respondent failed to include the total amount of political contributions maintained at the end of the reporting period by a political committee on campaign finance reports and failed to timely file a campaign finance report.

### III. Facts Supported by Credible Evidence

Credible evidence available to the commission supports the following findings of fact:

1. The respondent has been the campaign treasurer of the Lockwood, Andrews & Newnam, Inc., political committee since March 2003.
2. During the time relevant to the complaint, the political committee filed campaign finance reports on a monthly schedule.
3. The respondent filed twenty campaign finance reports for the committee between September 2003 and May 3, 2005, that do not include the total amount of political contributions maintained at the end of the reporting period.
4. The reports at issue disclose a total of \$128,851 in political contributions and \$93,892 in political expenditures.

5. The documents disclose an average of \$28,697 in total political contributions maintained at the end of the reporting period for the monthly reports at issue.
6. The committee's campaign finance report due May 5, 2004, was filed on June 1, 2004.
7. The respondent was administratively assessed a late-filing penalty of \$500 for filing the report late, which the respondent paid on August 6, 2004.

#### **IV. Findings and Conclusions of Law**

The facts described in Section III support the following findings and conclusions of law:

1. A campaign treasurer of a general-purpose political committee must include on a campaign finance report the total amount of political contributions maintained as of the last day of the reporting period. ELEC. CODE §§ 254.031(a)(8), 254.151.
2. The respondent was the campaign treasurer of the committee during the period covered by each of the reports at issue and none of the reports included the total amount of political contributions maintained as of the last day of the reporting period. Therefore, there is credible evidence that the respondent violated section 254.031(a)(8) of the Election Code.
3. A campaign treasurer of a general-purpose political committee that files monthly reports must file a report not later than the fifth day of each month. ELEC. CODE § 254.157.
4. The respondent filed the committee's report at issue twenty-seven days late and therefore, there is credible evidence that the respondent violated section 254.157 of the Election Code. However, no additional civil penalty is assessed for this violation because the respondent already paid a civil penalty for this violation.

#### **V. Representations and Agreement by Respondent**

By signing this order and agreed resolution and returning it to the commission:

1. The respondent neither admits nor denies the facts described under Section III or the commission's findings and conclusions of law described under Section IV, and consents to the entry of this order and agreed resolution solely for the purpose of resolving this sworn complaint.
2. The respondent consents to this order and agreed resolution and waives any right to further proceedings in this matter.
3. The respondent acknowledges that a campaign treasurer of a general-purpose political committee must include on a campaign finance report the total amount of political contributions maintained as of the last day of the reporting period. The respondent also acknowledges that a campaign treasurer of a general-purpose political committee that files

monthly reports must file a report not later than the fifth day of each month. The respondent agrees to comply with these requirements of the law.

**VI. Confidentiality**

This order and agreed resolution describes violations that the commission has determined are neither technical nor *de minimis*. Accordingly, this order and agreed resolution is not confidential under section 571.140 of the Government Code and may be disclosed by members and staff of the commission.

**VII. Sanction**

After considering the seriousness of the violations described under Sections III and IV, including the nature, circumstances, and consequences of the violations, and after considering the sanction necessary to deter future violations, the commission imposes a \$2,150 civil penalty for the violations described under Sections III and IV.

**VIII. Order**

The commission hereby orders that if the respondent consents to the proposed resolution, this order and agreed resolution is a final and complete resolution of SC-250570.

AGREED to by the respondent on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Holly Anawaty, Respondent

EXECUTED ORIGINAL received by the commission on: \_\_\_\_\_.

Texas Ethics Commission

By: \_\_\_\_\_  
David A. Reisman, Executive Director