

TEXAS ETHICS COMMISSION

IN THE MATTER OF
NORMAN ADAMS,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-2506117

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission met on September 8, 2005, to consider sworn complaint SC-2506117. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 254.123 of the Election Code, a law administered and enforced by the commission. To resolve and settle this complaint without further proceedings, the commission proposes this resolution to the respondent.

II. Allegation

The complaint alleges that you failed to file the January 2005 semiannual campaign finance report for the No Rain Tax PAC.

III. Facts Supported by Credible Evidence

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

1. The January 2005 semiannual campaign finance report was filed on August 26, 2005.
2. The report showed \$2,500 in contributions and \$4,263.29 in expenditures.

IV. Findings and Conclusions of Law

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

1. The campaign treasurer of a specific-purpose committee shall file two reports for each year, and the second report shall be filed not later than January 15. ELEC. CODE § 254.123.

2. Since the January 2005 semiannual report was not filed until August 26, 2005, there is credible evidence that the report was filed late.
3. Therefore, there is credible evidence that the respondent violated section 254.123 of the Election Code.

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 the campaign treasurer of a specific-purpose committee shall file two reports for each year, and the second report shall be filed no later than January 15. The respondent agrees to comply with this requirement of the law.

VI. Confidentiality

This order and agreed resolution describes a violation that the commission has determined is 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 violation described under Sections III and IV, including the nature, circumstances, and consequences of the violation, and after considering the sanction necessary to deter future violations, the commission imposes a \$500 civil penalty for the violation 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-2506117.

AGREED to by the respondent on this _____ day of _____, 20__.

Norman Adams, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director