

TEXAS ETHICS COMMISSION

IN THE MATTER OF

WALTER WAYNE CHRISTIAN,

RESPONDENT

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BEFORE THE

TEXAS ETHICS COMMISSION

SC-260248

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on September 21, 2006, to consider sworn complaint SC-260248. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 254.0612 of the Election Code, a law 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 disclose occupation, job title, and employer information regarding contributors in 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 is Walter Wayne Christian, a former state representative and successful candidate for state representative in the 2006 primary election.
2. The respondent's 30-day pre-election report for the 2006 primary disclosed ten political contributions of \$500 or more from individuals without including the principal occupation, job title, or employer of those contributors.
3. In response to the complaint, the respondent filed a corrected report that includes the principal occupation or job title and employer of each contributor at issue.
4. When the corrected report was filed, the report was considered late through the commission's administrative process. The respondent paid a \$500 late penalty for the report without requesting a waiver of the late penalty.

IV. Findings and Conclusions of Law

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

1. Each report by a candidate for a legislative office must include, for each individual from whom the person filing the report has accepted political contributions that in the aggregate equal or exceed \$500 and that are accepted during the reporting period: the individual's principal occupation or job title, and the full name of the individual's employer. ELEC. CODE § 254.0612.
2. The respondent's report discloses ten political contributions of \$500 or more from individuals but does not include the required principal occupation, job title, and employer information. Therefore, there is credible evidence that the respondent violated section 254.0612 of the Election Code by failing to properly include the information.

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 each report by a candidate for a legislative office must include, for each individual from whom the person filing the report has accepted political contributions that in the aggregate equal or exceed \$500 and that are accepted during the reporting period: the individual's principal occupation or job title, and the full name of the individual's employer. 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. No 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 \$500 late penalty previously paid by the respondent in connection with the report and the sanction necessary to deter future violations, the commission imposes no 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-260248.

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

Walter Wayne Christian, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director