

TEXAS ETHICS COMMISSION

IN THE MATTER OF
TANDRA L. DICKEY,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-2705100

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on June 29, 2007, to consider sworn complaint SC-2705100. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 253.031 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 the respondent accepted political contributions and made political expenditures exceeding \$500 for a political committee that did not have a campaign treasurer appointment in effect.

III. Facts Supported by Credible Evidence

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

1. The Bastrop Independent School District (BISD) held a bond election on May 12, 2007. The respondent was the campaign treasurer for the Friends of BISD, a specific-purpose political committee created to support the bond measure.
2. Commission records show that the respondent filed a 30-day pre-election report and a campaign treasurer appointment on the same day, April 12, 2007.
3. The 30-day pre-election report totals indicated that the committee accepted approximately \$32,300 in political contributions other than loans, accepted a \$10,000 loan, and made approximately \$2,300 in political expenditures during the period covering January 24, 2007, through April 12, 2007.

4. The respondent filed an unsworn response to these allegations in which she states that she thought that she was supposed to file the treasurer appointment at the same time as the 30-day pre-election report. She states that she filed both on April 12, 2007.

IV. Findings and Conclusions of Law

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

1. A political committee may not knowingly accept political contributions totaling more than \$500 or make or authorize political expenditures totaling more than \$500 at a time when a campaign treasurer appointment for the committee is not in effect. ELEC. CODE § 253.031(b).
2. The respondent accepted political contributions and made political expenditures in excess of \$500 prior to the April 12, 2007, filing of the committee's campaign treasurer appointment. Therefore, there is credible evidence of a violation of section 253.031 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 a political committee may not knowingly accept political contributions totaling more than \$500 or make or authorize political expenditures totaling more than \$500 at a time when a campaign treasurer appointment for the committee is not in effect. 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 \$1,000 civil penalty.

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-2705100.

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

Tandra L. Dickey, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director