

# TEXAS ETHICS COMMISSION

IN THE MATTER OF  
CYNTHIA WHITE,  
RESPONDENT

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BEFORE THE  
TEXAS ETHICS COMMISSION  
SC-2705109 AND SC-2706115

## ORDER and AGREED RESOLUTION

### I. Recitals

The Texas Ethics Commission (the commission) met on June 29, 2007, to consider sworn complaint SC-2705109 and sworn complaint SC-2706115. A quorum of the commission was present. The commission determined that there is credible evidence of violations of section 254.063 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 failed to file semiannual campaign finance reports for January 2006, July 2006, and January 2007.

### III. Facts Supported by Credible Evidence

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

1. Both sworn complaints allege that the respondent, a successful candidate and officeholder for Commissioner of Denton County, Precinct 1, failed to file January 15, 2006, July 15, 2006, and January 15, 2007, semiannual campaign finance reports.
2. The respondent is an incumbent officeholder who appointed a campaign treasurer on March 30, 1999.
3. The respondent did not file a final report and did not terminate her campaign treasurer appointment.
4. The respondent did not file a semiannual campaign finance report in January 2006, July 2006, or January 2007.
5. On June 11, 2007, the respondent filed the January 2006, July 2006, and January 2007 semiannual campaign finance reports.

6. The reports filed on June 11, 2007, disclosed the following activity: January 2006 – \$3,000 in contributions and \$2,696.11 in expenditures; July 2006 – \$435 in contributions and \$0 expenditures, with a \$5,000 outstanding loan; January 2007 – \$0 contributions and \$0 expenditures.
7. The respondent admits to filing the three semiannual campaign finance reports after the due dates.

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

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

1. A candidate shall file two reports for each year, the first report shall be filed not later than July 15, and cover the period beginning January 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed, as applicable, and continuing through June 30; the second report shall be filed not later than January 15, and cover the period beginning July 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed, as applicable, and continuing through December 31. ELEC. CODE § 254.063.
2. The respondent filed a campaign treasurer appointment on March 30, 1999. The appointment triggered the requirement to file semiannual reports as a candidate.
3. The respondent never terminated her campaign treasurer appointment, thus, she never terminated the requirement to file semiannual reports as a candidate.
4. The respondent failed to timely file semiannual campaign finance reports for January 2006, July 2006, and January 2007. Therefore, there is credible evidence that the respondent violated section 254.063 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 these sworn complaints.
2. The respondent consents to this order and agreed resolution and waives any right to further proceedings in these matters.

3. The respondent acknowledges that a candidate shall file two reports for each year, the first report shall be filed not later than July 15, and cover the period beginning January 1, the day the candidate’s campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed, as applicable, and continuing through June 30; the second report shall be filed not later than January 15, and cover the period beginning July 1, the day the candidate’s campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed, as applicable, and continuing through December 31. 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 \$600 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-2705109 and SC-2706115.

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

\_\_\_\_\_  
Cynthia White, Respondent

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

Texas Ethics Commission

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