

TEXAS ETHICS COMMISSION

IN THE MATTER OF
BILL WEDDLE,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-3100375

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on December 7, 2010, to consider sworn complaint SC-3100375. A quorum of the commission was present. The commission determined that there is credible evidence of violations of section 254.031 of the Election Code, a law administered and enforced by the commission. To resolve and settle this complaint without further proceedings, the commission proposed this resolution to the respondent.

II. Allegations

The complaint alleged that the respondent failed to properly disclose the purpose of a political expenditure and failed to properly disclose the full address of persons making political contributions in his January 2010 semiannual report.

III. Facts Supported by Credible Evidence

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

1. At the time of the complaint, the respondent was a justice of the peace in Bastrop County.
2. On January 15, 2010, the respondent filed a semiannual report that disclosed:
 - \$3,482.97 in total political contributions
 - \$3,469.63 in total political expenditures
 - A political expenditure of \$375 to the Bastrop County Democratic Party, for which the respondent did not disclose the expenditure purpose or full payee address
 - A political expenditure of \$75 to the Texas Democratic Party for “Texas Van,” for which the respondent did not disclose the full payee address
3. The respondent left blank the portions of the report’s cover page used for disclosing total political contributions of \$50 or less unless itemized, total political expenditures of \$50 or less unless itemized, total political contributions maintained, and total outstanding loans. On

Schedule A (used for disclosing political contributions), the respondent itemized political contributions of \$50 or less. Although the respondent disclosed the city and state for political contributions and political expenditures exceeding \$50, the respondent did not disclose the street address or full mailing address of any political contributions or political expenditures.

4. In response to the sworn complaint allegations, the respondent submitted an affidavit in which he swore that he filed a corrected report that included the address of each contributor and vendor that was inadvertently left off of the original report. The respondent swore that he also corrected the report to disclose a \$375 in-kind contribution from the Texas State Democratic Party, which was originally reported as an expenditure to the Bastrop County Democratic Party.
5. On April 1, 2010, the respondent filed a corrected January 2010 semiannual report that disclosed:
 - \$3,857.97 in total political contributions
 - \$0 in total political expenditures of \$50 or less unless itemized
 - \$3,094.63 in total political expenditures
 - \$763.34 in total political contributions maintained
 - An in-kind political contribution of \$375 from the Texas State Democratic Party for “Access to ‘Texas Van,’” for which the respondent did not disclose the full contributor address
 - A political expenditure of \$75 to the Texas State Democratic Party for “Access to ‘Texas Van’ Voter Database,” for which the respondent did not disclose the full payee address
6. Additionally, on the corrected January 2010 semiannual report, the respondent left blank the portion of the report’s cover page used for disclosing total political contributions of \$50 or less unless itemized and total outstanding loans. On Schedule A, the respondent itemized political contributions of \$50 or less. The respondent added the street address or post office box address for other political contributions and political expenditures exceeding \$50.¹
7. On May 19, 2010, the respondent filed a second corrected January 2010 semiannual report that disclosed:
 - \$282.97 in total political contributions of \$50 or less unless itemized
 - \$3,575 in total political contributions
 - \$0 in total political expenditures of \$50 or less unless itemized
 - \$3,094.63 in total political expenditures
 - \$388.34 in total political contributions maintained

¹ The respondent did not include the street number for a political expenditure of \$150.

- An in-kind political contribution of \$375 from the Texas State Democratic Party for “Access to Texas Van – T.D.P. Voter database,” for which the respondent did not disclose the full contributor address
 - A political expenditure of \$75 to the Texas State Democratic Party for “Access to Texas Van T.D.P. Voter database,” for which the respondent did not disclose the full payee address
8. Additionally, on the second corrected January 2010 semiannual report, the respondent left blank the portion of the report’s cover page used for disclosing total outstanding loans. The respondent itemized four political contributions of \$50 or less on Schedule A, and did not itemize approximately \$280 in political contributions that were included in the totals portion of the corrected report’s cover page. The respondent included the street address or post office box address for itemized political contributions and itemized political expenditures exceeding \$50, with the exception of the political contribution from and the political expenditure to the Texas State Democratic Party.²

IV. Findings and Conclusions of Law

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

1. Each campaign finance report must include the amount of political contributions from each person that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions. ELEC. CODE § 254.031(a)(1).
2. Each campaign finance report must include the amount of loans that are made during the reporting period for campaign or officeholder purposes to the person or committee required to file the report and that in the aggregate exceed \$50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period. *Id.* § 254.031(a)(2).
3. Each campaign finance report must include the amount of political expenditures that in the aggregate exceed \$50 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures. *Id.* § 254.031(a)(3).

² The respondent did not include the street number for a political expenditure of \$150.

4. Each campaign finance report must include, as of the last day of a reporting period for which the person is required to file a report, the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period. *Id.* § 254.031(a)(8).
5. The respondent failed to include in his January 2010 semiannual report the full address for persons making political contributions and persons to whom political expenditures were made, the total amount of political contributions maintained, and the total amount of outstanding loans as of the last day of the reporting period. The respondent also disclosed a \$375 in-kind political contribution from the Texas State Democratic Party as a political expenditure to the Bastrop County Democratic Party. The respondent also failed to disclose the purpose for a \$75 political expenditure. The respondent filed corrected reports that added address information for certain political contributions and political expenditures, as well as the total amount of political contributions maintained. The corrected reports also added the \$375 in-kind political contribution from the Texas State Democratic Party for “Access to Texas Van – T.D.P. Voter database,” and disclosed the purpose for the \$75 political expenditure at issue. Therefore, there is credible evidence of violations of sections 254.031(a)(1), 254.031(a)(2), 254.031(a)(3), and 254.031(a)(8) 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 each campaign finance report must include the amount of political contributions from each person that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions. The respondent acknowledges that each campaign finance report must include the amount of loans that are made during the reporting period for campaign or officeholder purposes to the person or committee required to file the report and that in the aggregate exceed \$50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of

the reporting period. The respondent acknowledges that each campaign finance report must include the amount of political expenditures that in the aggregate exceed \$50 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures. The respondent acknowledges that each campaign finance report must include, as of the last day of a reporting period for which the person is required to file a report, the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period. 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 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 \$100 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-3100375.

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

Bill Weddle, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director