

# TEXAS ETHICS COMMISSION

IN THE MATTER OF

DANIEL STUNDA,  
CAMPAIGN TREASURER,  
TEAMSTERS LOCAL 19,

RESPONDENT

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BEFORE THE

TEXAS ETHICS COMMISSION

SC-31105124

## ORDER and AGREED RESOLUTION

### I. Recitals

The Texas Ethics Commission (the commission) met on January 31, 2013, to consider sworn complaint SC-31105124. A quorum of the commission was present. The commission determined that there is credible evidence of violations of sections 253.032, 254.031, 254.151, 254.153, and 254.154 of the Election Code, laws 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, as the campaign treasurer of a general-purpose committee, the respondent: 1) did not disclose on one or more campaign finance reports information required for a political contribution from an out-of-state political committee; 2) did not disclose on one or more campaign finance reports the full name of political contributors, total political expenditures, and political contributions maintained; 3) did not disclose on one or more campaign finance reports the name of each identified candidate or classification by party of candidates supported or opposed by the committee, indicating whether the committee supports or opposes each listed candidate or classification by party of candidates; 4) did not disclose on one or more campaign finance reports the name of each identified officeholder or classification by party of officeholders assisted by the committee; 5) did not disclose on Schedule C-1 (Corporate or Labor Organization Contributions) of the campaign finance report the identification of any contribution from a corporation or labor organization made and accepted under subchapter D, chapter 253 of the Election Code; 6) accepted political contributions from corporations or labor organizations; 7) made labor organization

contributions to candidates or officeholders; 8) did not timely file semiannual reports; and 9) did not file a pre-election report.

### **III. Facts Supported by Credible Evidence**

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

1. The respondent is the campaign treasurer of the general-purpose committee Teamsters Local 19.
2. The reports at issue are the 8-day pre-election report for the November 2009 general election, the 30-day and 8-day pre-election reports for the November 2010 general election, and the July 2009, January 2010, July 2010, and January 2011 semiannual reports.

#### **Filing of Reports**

3. The complaint alleged that the respondent did not timely file the July 2009 semiannual report. The report was due on July 15, 2009. The respondent filed the report on July 19, 2009. The commission imposed a \$500 civil penalty on the respondent through the administrative process. The respondent paid the civil penalty on November 17, 2009.
4. The complaint alleged that the respondent did not timely file the July 2010 semiannual report. The report was due on July 15, 2010. The respondent filed the report on July 16, 2010. The commission imposed a \$500 civil penalty on the respondent through the administrative process. The respondent paid the civil penalty on August 30, 2010.
5. The complaint alleged that the respondent did not file the 8-day pre-election report for the November 2009 general election. The allegation was based on the fact that activity was disclosed on the January 2010 semiannual report that was in connection with the November 2009 general election and occurred during the 8-day pre-election reporting period for that report. The report was due on October 26, 2009. The respondent filed the report on June 14, 2011. The report disclosed that the committee accepted one political contribution on September 2, 2009, of approximately \$3,060 from the committee's affiliate federal committee, and made one political expenditure on October 15, 2009, of \$500 to a candidate in a November 2009 city election.
6. The complaint alleged that the respondent did not file a 30-day pre-election report for the November 2010 general election. The allegation was based on the fact that activity was disclosed on the 8-day pre-election report for the November 2010 general election that was in connection with the November 2010 general election and occurred during the 30-day pre-election reporting period for that report. The report was due on October 4, 2010, and covered

the period from July 1, 2010, through September 23, 2010. The respondent filed an 8-day pre-election report for the November 2010 general election on October 24, 2010. The report disclosed 12 political expenditures totaling \$13,000 that were contributions to candidates involved in the November 2010 general election. The expenditures were made between August 18, 2010, and September 15, 2010.

7. On June 14, 2011, the respondent filed the 30-day pre-election report for the November 2010 general election. The report disclosed that the committee accepted a political contribution on July 26, 2010, of approximately \$3,280 and a political contribution on September 14, 2010, of approximately \$3,540, from the committee's affiliate federal committee. The contributions were originally disclosed on the committee's January 2011 semiannual report. The report also disclosed the 12 political expenditures totaling \$13,000 that were contributions to candidates made between August 18, 2010, and September 15, 2010. The report also disclosed as a political expenditure, a September 15, 2010, payment of \$450 that was made to the League of Women Voters Educational Fund as a contribution toward the 2010 educational voter pamphlet. The expenditure was disclosed as a non-political expenditure on the 8-day pre-election report for the November 2010 general election. The report also disclosed an August 31, 2010, political expenditure of \$500 that was made to the Texas Ethics Commission for an administrative civil penalty for a late report. The expenditure was disclosed as a non-political expenditure on the January 2011 semiannual report.

#### **Identification of Candidates Supported or Opposed and Officeholders Assisted**

8. The complaint alleged that the respondent did not identify each candidate supported or opposed and each officeholder assisted by the committee during the reporting period on the 8-day pre-election report for the November 2010 general election and the January 2010 and 2011 semiannual reports.
9. On the January 2010 semiannual report, the "Committee Activity" section of the report cover sheet was left blank. The report disclosed on Schedule F (used to disclose political expenditures) two expenditures totaling \$1,000 that were contributions to a candidate.
10. On the 8-day pre-election report for the November 2010 general election, the "Committee Activity" section of the report cover sheet was left blank. As discussed in the previous section, the report disclosed on Schedule F 12 political expenditures totaling \$13,000 that were contributions to candidates involved in the November 2010 general election.
11. On the January 2011 semiannual report, the "Committee Activity" section of the report cover sheet was left blank. The report disclosed on Schedule F the same 12 political expenditures

totaling \$13,000 that were contributions to candidates involved in the November 2010 general election that were disclosed on the 8-day pre-election report.

12. Information showing the identified candidates supported by the committee was readily apparent to anyone who may have viewed Schedule F of the reports.

### **Total Political Expenditures**

13. The complaint alleged that on the January 2011 semiannual report the total political expenditures amount should have been \$1,500. The respondent disclosed \$1,000 for this amount.

14. The respondent's affidavit stated:

Reported an incorrect "total political expenditures": In fact, the PAC mistakenly reported a \$500.00 penalty on schedule I, rather than schedule F. A corrected report for the time period has been filed.

15. The respondent filed a corrected January 2010 semiannual report on June 14, 2011. The respondent also filed a runoff report for the December 3, 2009, runoff election. The respondent removed the \$500 administrative civil penalty expenditure for a late report which was made on November 20, 2009, from the January 2010 semiannual report and disclosed it on the runoff report. As stated above, there was no requirement for the respondent to file a runoff report for the December 3, 2009, runoff election. Therefore, the expenditure was required to be reported on the January 2010 semiannual report as originally disclosed. As the respondent stated in his affidavit, the expenditure should have been disclosed as a political expenditure instead of as a non-political expenditure. This \$500 expenditure should have been included in the total political expenditures amount which would have made the amount \$1,500.

### **Contributions Maintained**

16. The complaint alleged that the respondent disclosed an incorrect balance for contributions maintained on the 8-day pre-election report for the November 2010 general election and the July 2010 and January 2011 semiannual reports or, in the alternative, if the balance for contributions maintained was correct, that the respondent failed to report additional contributions or expenditures. The respondent provided the committee's bank statements to the commission.

17. On the July 2010 semiannual report, the respondent disclosed \$0 for contributions maintained. The complaint alleged that the amount should be \$27,673.67. The respondent filed a corrected report that disclosed \$26,682.67 for contributions maintained.
18. On the 8-day pre-election report for the November 2010 general election, the respondent disclosed \$20,002.61 for contributions maintained. The complaint alleged that the amount should be \$14,673.67. The committee's bank statement shows that its bank balance on the last day of the reporting period, October 23, 2010, was \$19,552.61.
19. On the January 2011 semiannual report, the respondent disclosed \$19,552.61 for contributions maintained. The complaint alleged that the amount should be \$7,543.61. The committee's bank statement shows that its bank balance on the last day of the reporting period, December 31, 2010, was \$19,552.61.

**Name and Federal Election Commission Identification Number of Out-Of-State Committee Contributor**

20. The complaint alleged that the respondent did not fully disclose the name of the contributor "IBT DRIVE" on the July 2009 semiannual report. The report disclosed contributions of approximately \$7,910 from this contributor.
21. The complaint alleged that by not disclosing the out-of-state PAC identification number of this contributor, the respondent did not fulfill the requirements of section 253.032 of the Election Code.
22. The July 2009 semiannual report did not include any out-of-state committee information for the contributor at issue.
23. There is a committee that files with the Federal Election Commission (FEC) by the name "D.R.I.V.E. – Democrat, Republican, Independent Voter Education (The PAC of the International Brotherhood of Teamsters)." There is not a committee by this name or a similar name that is currently on file with the Texas Ethics Commission.
24. The respondent corrected the report at issue to disclose the FEC identification number of the contributing committee and to change the name of the contributor to "DRIVE-Democrat Republican Independent Voter Education."

**Labor Organization Contributions**

25. The complaint alleged that the respondent violated section 253.003(b) of the Election Code by knowingly accepting political contributions that the respondent knew were made in

violation of chapter 253 of the Election Code. Section 253.094 of the Election Code prohibits a labor organization from making a political contribution that is not authorized by subchapter D of chapter 253 of the Election Code. The only contributions that a labor organization is authorized to make to a political committee that supports or opposes candidates or assists officeholders are political expenditures to finance the establishment or administration of a general-purpose committee as authorized by section 253.100 of the Election Code. The complaint alleged that the respondent violated this prohibition when he accepted political contributions from a labor organization as disclosed on the January 2010 and 2011 semiannual reports. The following entries on Schedule A (used for political contributions) of the January 2010 semiannual report are at issue:

09/02/2009	\$3,063.51	International Brotherhood of Teamsters [corrected to “DRIVE-Democrat Republican Independent Voter Education; out-of-state PAC (ID# C00032979)” on the 8-day pre-election report for the November 2009 election]
12/10/2009	\$6,197.51	International Brotherhood of Teamsters [corrected to “DRIVE-Democrat Republican Independent Voter Education; out-of-state PAC (ID# C00032979)”]

26. The following entries on Schedule A of the January 2011 semiannual report are at issue:

07/26/2010	\$3,277.01	International Brotherhood of Teamsters [corrected to “DRIVE-Democrat Republican Independent Voter Education; out-of-state PAC (ID# C00032979)” on the 30-day pre-election report for the November 2010 election]
09/14/2010	\$3,542.93	International Brotherhood of Teamsters [corrected to “DRIVE-Democrat Republican Independent Voter Education; out-of-state PAC (ID# C00032979)” on the 30-day pre-election report for the November 2010 election]

27. The FEC Committee, number C00032979, D.R.I.V.E. – Democrat, Republican, Independent Voter Education (The PAC of the International Brotherhood of Teamsters) disclosed giving each of the contributions at issue.

28. The complaint alleged that the respondent violated section 254.151(8) of the Election Code by not including on a separate page or pages of the January 2010 and 2011 semiannual reports the identification of contributions from a labor organization. As disclosed above, the committee’s reports disclosed the acceptance of political contributions totaling

approximately \$16,080 from International Brotherhood of Teamsters. The evidence indicated the contributions at issue were from a political committee.

29. The complaint alleged that the respondent knowingly made or authorized a political contribution in violation of chapter 253 of the Election Code as prohibited by sections 253.003(a) and 253.094 of the Election Code and knowingly made or authorized a political expenditure in violation of chapter 253 of the Election Code as prohibited by sections 253.004(a) and 253.094 of the Election Code. The complaint alleged that the respondent made expenditures, in the form of contributions to candidates or officeholders, that were made from illegal contributions from a labor organization, International Brotherhood of Teamsters. As noted, the contributions at issue were from a political committee.

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

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

##### **Filing of Reports**

1. The campaign treasurer of a general-purpose committee shall file two reports for each year as provided by this section. The first report shall be filed not later than July 15. The second report shall be filed not later than January 15. The first report shall be filed not later than July 15 covering the period beginning January 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under subchapter F of chapter 254 of the Election Code, as applicable, and continuing through June 30. The second report shall be filed not later than January 15 covering the period beginning July 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under subchapter F of chapter 254 of the Election Code, as applicable, and continuing through December 31. ELEC. CODE § 254.153.
2. In addition to other required reports, for each election in which a general-purpose committee is involved, the committee's campaign treasurer shall file two reports. The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable, and continuing through the 40th day before election day. The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day. ELEC. CODE § 254.154.

3. The respondent filed the July 2009 semiannual report four days late and the July 2010 semiannual report one day late. Therefore, there is credible evidence of violations of section 254.153 of the Election Code. The respondent previously paid the \$500 civil penalties imposed through the administrative process for filing the reports late.
4. The respondent filed the 8-day pre-election report for the November 2009 City of Houston election one year seven months and 19 days late. The respondent filed the 30-day pre-election report for the November 2010 general election eight months and 10 days late. Therefore, there is credible evidence of violations of section 254.154 of the Election Code.

### **Identification of Candidates Supported or Opposed and Officeholders Assisted**

5. Each report by a campaign treasurer of a general-purpose committee must include the name of each identified candidate or measure or classification by party of candidates supported or opposed by the committee, indicating whether the committee supports or opposes each listed candidate, measure, or classification by party of candidates, and the name of each identified officeholder or classification by party of officeholders assisted by the committee. ELEC. CODE §§ 254.151(4) and (5).
6. The activity at issue for which a violation may be found appears to be candidate, not officeholder, related. Therefore, there is credible evidence of no violation of section 254.151(5) of the Election Code.
7. Although the committee reports at issue disclosed political expenditures to candidates on Schedule F, the reports did not disclose the information in the "Committee Activity" section of the cover sheets. However, the disclosures on Schedule F of the reports at issue made apparent the names of the candidates supported. Therefore, there is credible evidence of technical or *de minimis* violations of section 254.151(4) of the Election Code.

### **Total Political Expenditures**

8. Each report must include the total amount of all political expenditures made during the reporting period. ELEC. CODE § 254.031(a)(6).
9. The respondent did not include an expenditure of \$500 in the total political expenditures amount on the January 2011 semiannual report. Therefore, there is credible evidence of a violation of section 254.031(a)(6) of the Election Code.

### **Contributions Maintained**

10. A 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. ELEC. CODE § 254.031(a)(8).

11. A *de minimis* error in calculating or reporting a cash balance under Subsection (a)(8) is not a violation of this section. ELEC. CODE § 254.031(a-1).
12. The total amount of political contributions maintained in one or more accounts includes balance on deposit in banks, savings and loan institutions and other depository institutions, and the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc. Ethics Commission Rules § 20.50(a).
13. Regarding the July 2010 semiannual report, the respondent originally disclosed \$0 for contributions maintained and then corrected this figure to disclose the correct amount, \$26,682.67. Therefore, there is credible evidence of a violation of section 254.031(a)(8) of the Election Code.
14. Regarding the 8-day pre-election report for the November 2010 general election, the respondent disclosed \$20,002.61 for contributions maintained. Based on the bank statement, the correct amount is \$19,552.61. The difference between the amount disclosed on the report and the correct amount did not exceed the lesser of 10% of the amount originally disclosed or \$2,500. Thus, the amount is *de minimis*. Therefore, there is credible evidence of no violation of section 254.031(a)(8) of the Election Code.
15. Regarding the January 2011 semiannual report, there is credible evidence of no violation of section 254.031(a)(8) of the Election Code.

**Name and Federal Election Commission Identification Number of Out-Of-State Committee Contributor**

16. Each 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, the full name and address of the person making the contributions, and the dates of the contributions. ELEC. CODE § 254.031(a)(1).
17. In a reporting period, a candidate, officeholder, or political committee may not knowingly accept political contributions totaling more than \$500 from an out-of-state political committee unless, before accepting a contribution that would cause the total to exceed \$500, the candidate, officeholder, or political committee, as applicable, receives from the out-of-state committee: (1) a written statement, certified by an officer of the out-of-state

- committee, listing the full name and address of each person who contributed more than \$100 to the out-of-state committee during the 12 months immediately preceding the date of the contribution; or (2) a copy of the out-of-state committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee. ELEC. CODE § 253.032(a).
18. A candidate, officeholder, or political committee shall include the statement or copy required by Subsection (a) as a part of the report filed under Chapter 254 that covers the reporting period to which Subsection (a) applies. ELEC. CODE § 253.032(d).
  19. A person who files a report with the commission by electronic transfer and who accepts political contributions from an out-of-state political committee required to file its statement of organization with the Federal Election Commission (FEC) shall either enter the out-of-state committee's federal PAC identification number in the appropriate place on the report or timely file a certified copy of the out-of-state committee's statement of organization that is filed with the Federal Election Commission. Ethics Commission Rules § 20.29(a).
  20. "Out-of-state political committee" means a political committee that: makes political expenditures outside this state; and in the 12 months immediately preceding the making of a political expenditure by the committee inside this state (other than an expenditure made in connection with a campaign for a federal office or made for a federal officeholder), makes 80 percent or more of the committee's total political expenditures in any combination of elections outside this state and federal offices not voted on in this state. ELEC. CODE § 251.001(15).
  21. The respondent did not disclose the full name of the contributor at issue of approximately \$7,910. Therefore, there is credible evidence of a violation of section 254.031(a)(1) of the Election Code.
  22. The respondent accepted contributions totaling approximately \$7,910 from an out-of-state committee. The respondent did not disclose the out-of-state PAC identification number of the contributor on the report or timely file a certified copy of the out-of-state committee's statement of organization that is filed with the FEC. Therefore, there is credible evidence of a violation of section 253.032 of the Election Code.

### **Labor Organization Contributions**

23. A person may not knowingly make a political contribution in violation of this chapter. ELEC. CODE § 253.003(a)

24. A person may not knowingly accept a political contribution the person knows to have been made in violation of chapter 253 of the Election Code. ELEC. CODE § 253.003(b).
25. A person may not knowingly make or authorize a political expenditure in violation of chapter 253 of the Election Code. ELEC. CODE § 253.004(a).
26. A corporation or labor organization may not make a political contribution that is not authorized by subchapter D, chapter 253, Election Code. ELEC. CODE § 253.094. That subchapter does not authorize a corporation or labor organization to make a political contribution to a candidate or officeholder or to a political committee that supports or opposes candidates or assists officeholders.
27. The prohibition applies to corporations that are organized under the Texas Business Corporation Act, the Texas For-Profit Corporation Law, the Texas Non-Profit Corporation Act, the Texas Nonprofit Corporation Law, federal law, or law of another state or nation. ELEC. CODE § 253.091.
28. A corporation, acting alone or with one or more other corporations, may make one or more political expenditures to finance the establishment or administration of a general-purpose committee. ELEC. CODE § 253.100(a).
29. A labor organization may engage in activity authorized for a corporation by this section. For purposes of this section, the members of a labor organization are considered to be corporate stockholders. ELEC. CODE § 253.100(c).
30. Each report by a campaign treasurer of a general-purpose committee must include on a separate page or pages of the report, the identification of any contribution from a corporation or labor organization made and accepted under Subchapter D, Chapter 253 of the Election Code. ELEC. CODE § 254.151(8).
31. The complaint alleged that the respondent violated section 253.003(b) of the Election Code by knowingly accepting political contributions that the respondent knew were made in violation of chapter 253 of the Election Code. The complaint alleged that the respondent accepted political contributions from the labor organization, International Brotherhood of Teamsters. The political contributions disclosed as coming from a labor organization were actually from the political committee associated with that labor organization. Therefore, there is credible evidence that the respondent did not violate section 253.003(b) of the Election Code.
32. The complaint alleged that the respondent violated section 254.151(8) of the Election Code by not including on a separate page or pages of the January 2010 and 2011 semiannual

reports the identification of contributions from a labor organization. The political contributions disclosed as coming from a labor organization were actually from the political committee associated with that labor organization. Therefore, there is credible evidence of no violation of section 254.151(8) of the Election Code.

33. The complaint alleged that the respondent knowingly made or authorized a political contribution in violation of chapter 253 of the Election Code as prohibited by sections 253.003(a) and 253.094 of the Election Code and knowingly made or authorized a political expenditure in violation of chapter 253 of the Election Code as prohibited by sections 253.004(a) and 253.094 of the Election Code by using contributions received from a labor organization to make political contributions and political expenditures. The political contributions disclosed as coming from a labor organization were actually from the political committee associated with that labor organization. Therefore, there is credible evidence that the respondent did not knowingly make a political contribution in violation of chapter 253 of the Election Code as prohibited by sections 253.003(a) and 253.094 of the Election Code or knowingly make or authorize a political expenditure in violation of chapter 253 of the Election Code as prohibited by sections 253.004(a) and 253.094 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: 1) the campaign treasurer of a general-purpose committee shall file two reports for each year as provided by section 254.153 of the Election Code. The first report shall be filed not later than July 15 covering the period beginning January 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under subchapter F of chapter 254 of the Election Code, as applicable, and continuing through June 30. The second report shall be filed not later than January 15 covering the period beginning July 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under subchapter F of chapter 254 of the Election Code, as applicable, and continuing through December 31; 2) in addition to other required reports, for each election in which a general-purpose committee is involved, the committee's

campaign treasurer shall file two reports. The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable, and continuing through the 40th day before election day. The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day; 3) each report by a campaign treasurer of a general-purpose committee must include the name of each identified candidate or measure or classification by party of candidates supported or opposed by the committee, indicating whether the committee supports or opposes each listed candidate, measure, or classification by party of candidates; 4) each report must include the total amount of all political expenditures made during the reporting period; 5) a 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; 6) each 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, the full name and address of the person making the contributions, and the dates of the contributions; and 7) in a reporting period, a candidate, officeholder, or political committee may not knowingly accept political contributions totaling more than \$500 from an out-of-state political committee unless, before accepting a contribution that would cause the total to exceed \$500, the candidate, officeholder, or political committee, as applicable, receives from the out-of-state committee: (1) a written statement, certified by an officer of the out-of-state committee, listing the full name and address of each person who contributed more than \$100 to the out-of-state committee during the 12 months immediately preceding the date of the contribution; or (2) a copy of the out-of-state committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee. A candidate, officeholder, or political committee shall include the statement or copy required by Subsection (a) of section 253.032 of the Election Code as a part of the report filed under Chapter 254 that covers the reporting period to which Subsection (a) applies. A person who files a report with the commission by electronic transfer and who accepts political contributions from an out-of-state political committee required to file its statement of organization with the Federal Election Commission (FEC) shall either enter the out-of-state committee's federal PAC identification number in the appropriate place on the report or timely file a certified copy of the out-of-state committee's statement of organization that is filed with the Federal Election Commission.

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 nature, circumstances, and consequences of the violations described under Sections III and IV, and the sanction necessary to deter future violations, the commission imposes a \$2,500 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-31105124.

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

\_\_\_\_\_  
Daniel Stunda, Respondent

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

Texas Ethics Commission

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