

TEXAS ETHICS COMMISSION

P.O. Box 12070, Capitol Station
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February 21, 2014

Mr. Abel Cisneros, Jr.
Campaign Treasurer
Latino Labor Leadership Political Action Committee

RE: Notice of Reporting Error
SC – 31310198
(Abel Cisneros, Jr., Respondent)

Dear Mr. Cisneros:

The Texas Ethics Commission (commission) met on February 13, 2014, to consider SC-31310198. A quorum of the commission was present. **The commission determined that there is credible evidence of reporting errors that do not materially defeat the purpose of disclosure.** To resolve and settle this case without further proceedings, the commission proposed this Notice of Reporting Error Agreement (agreement).

The commission **found credible evidence** that:

1. The respondent did not properly disclose political expenditures and total political expenditures, as required by section 254.031 of the Election Code.

The commission **did not find credible evidence** that:

1. The respondent did not identify the candidates supported or opposed and the officeholders assisted by the committee, as required by sections 254.151(4) and 254.151(5) of the Election Code.

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

1. It was contended that the respondent did not properly disclose total political expenditures in four campaign finance reports. Based on Schedule I (used to disclose non-political expenditures made from political contributions) of the reports at issue, the respondent was improperly

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categorizing administrative expenses and other political expenditures as non-political expenditures. Accordingly, the amount of total political expenditures was understated in the four reports at issue because the expenditures disclosed on Schedule I were not included in the expenditure totals. Regarding the January 2012 semiannual report, the respondent improperly categorized three expenditures totaling approximately \$4,030. Regarding the July 2012 semiannual report, the respondent improperly categorized seven expenditures totaling approximately \$10,560. Regarding the 30-day pre-election report, the respondent improperly categorized two expenditures totaling \$925. Regarding the July 2013 semiannual report, the respondent improperly categorized one expenditure totaling approximately \$70. Although the respondent disclosed the expenditures on Schedule I of the report schedules, someone viewing the expenditure totals section of the reports would not have been able to ascertain the true amount of total political expenditures. **Therefore, there is credible evidence of noncompliance with section 254.031 of the Election Code with respect to these reports.**

2. It was contended that the respondent did not disclose the name of each identified candidate supported or opposed by the committee, and each identified officeholder assisted by the committee in the "Committee Activity" section of the 30-day pre-election report for the November 6, 2012, general election. In the report at issue, the "Committee Activity" section of the cover sheet was left blank. However, there is no evidence that the committee supported or assisted any candidates or officeholders during the reporting period covered by the 30-day pre-election report at issue. **Therefore, there is credible evidence of compliance with sections 254.151(4) and 254.151(5) of the Election Code with respect to this report.**

By signing this agreement and returning it to the commission:

1. You consent to this agreement.
2. You accept the determinations made by the commission in this agreement.
3. You waive any right to further proceedings in this matter.
4. You understand and agree that the commission will consider this agreement in any future proceedings against you.
5. You acknowledge that:

Each campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period.

Title 15 of the Election Code treats administrative expenditures as political expenditures.

You agree to comply with these requirements of the law.

This agreement describes reporting errors that the commission has determined are neither technical nor *de minimis*. Accordingly, this agreement is not confidential under section 571.140 of the Government Code.

The respondent agrees to tender a \$250 assessment fee to the commission.

This agreement is a final and complete resolution of SC-31310198.

Abel Cisneros, Jr., Respondent
(Signature)

Date signed by Respondent

Executed original agreement received by the commission on: _____.

Texas Ethics Commission

By: _____
Executive Director