

TEXAS ETHICS COMMISSION

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Austin, Texas 78711-2070

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August 22, 2016

Mr. Jeff L. Long

**RE: Notice of Reporting Error
SC-31506129**

Dear Mr. Long:

The Texas Ethics Commission (Commission) met on August 15, 2016, to consider SC-31506129. 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 the respondent:

1. did not properly report the total amount of political contributions on campaign finance reports as required by section 254.031(a)(6) of the Election Code;
2. did not include office sought, election type, and date of election on campaign finance reports as required by section 254.061(1) of the Election Code; and
3. did not report the purpose of political expenditures on campaign finance reports as required by section 254.031(a)(3) of the Election Code.

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

Total Amount of Political Contributions

1. It was contended that the respondent did not properly report the total amount of political contributions on his July 2014 semiannual report, and 30-day and 8-day pre-election reports for the November 4, 2014, election. The respondent did not select modified reporting on his

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campaign treasurer appointment for this election, and he had opponents whose names appeared on the ballot, and thus the respondent was required to file the 30-day and 8-day pre-election reports at issue.

2. The respondent reported \$0 in total unitemized political contributions of \$50 or less, and \$1,000 for the total amount of political contributions on his July 2014 semiannual report. The respondent did not itemize any political contributions on Schedule A (used to disclose political contributions) of the report. The respondent reported a total amount of political contributions of \$2,150 on his 30-day pre-election report. The respondent disclosed receiving political contributions, on Schedule A, of \$1,000 on October 3, 2012, \$1,000 on September 29, 2014, and \$100 on September 29, 2014. The respondent also disclosed, on the cover sheet of the report, \$50 of political contributions that were received, but not required to be itemized in the report. The respondent reported \$2,350 for the total amount of political contributions on his 8-day pre-election report. The respondent disclosed receiving political contributions, on Schedule A, of \$200 on October 13, 2014. The respondent also disclosed, on the cover sheet of the report, \$50 of political contributions that were received, but not required to be itemized in the report.
3. In response to the complaint, the respondent stated that he “inadvertently” included contribution amounts he had received in previous reporting periods in the total amount of political contributions on each report at issue. Also in response to the complaint, the respondent corrected his reports to reflect a total amount of political contributions of \$0 on his July 2014 semiannual report, \$50 on his 30-day pre-election report, and \$1,300 on his 8-day pre-election report.
4. The respondent included a \$1,000 political contribution and \$50 of unitemized political contributions that he received in a previous reporting period, in the total amount of political contributions for the three reports at issue. Also, the two political contributions that the respondent accepted on September 29, 2014, should have been disclosed in his 8-day pre-election report rather than in his 30-day pre-election report. The respondent corrected the reports at issue to properly disclose the total amount of political contributions. **There is credible evidence of noncompliance with section 254.031(a)(6) of the Election Code.**

Office Sought, Election Type, and Date of Election

5. It was contended that the respondent did not include the office sought, election date, and election type on the cover sheet of his 30-day pre-election report and did not include the office sought on the cover sheet of his 8-day pre-election report for the November 4, 2014, election. The respondent was a candidate for Position No. 3 on the Board of Directors for The Woodlands Township, in the November 4, 2014, election. The respondent left blank the sections for office sought, election date, and election type on the cover sheet of his 30-day pre-election report and left blank the section for office sought on the cover sheet of his 8-day pre-election report.
6. In response to the complaint, the respondent stated that he “accidentally skipped” those sections of the report. The respondent corrected his reports to disclose the omitted information.

7. The respondent was a candidate for Position No. 3 on the Board of Directors for The Woodlands Township, in the November 4, 2014, election. The respondent did not disclose the office sought on the two pre-election reports at issue or the required election information on his 8-day pre-election report. However, the omissions did not substantially affect disclosure. **Therefore, there is credible evidence of technical or *de minimis* noncompliance with section 254.061(1) of the Election Code.**

Purpose of Political Expenditures

8. It was contended that the respondent did not report the purpose of two political expenditures disclosed on the respondent's 8-day pre-election report for the November 4, 2014, election. The respondent disclosed a \$322.59 political expenditure to Proven Results Marketing on October 22, 2014, and a \$1,620 political expenditure to "Woodland [sic] Villagers [sic]" on October 16, 2014, and October 23, 2014. The respondent left blank the section of the report for disclosing the purpose of the political expenditures. The respondent corrected the report at issue to add the omitted purposes of the political expenditures.
9. The respondent was required to disclose the purpose of the two political expenditures at issue by reporting the category and description of the political expenditures on his 8-day pre-election report for the November 4, 2014, election. The respondent did not disclose the purpose of the two political expenditures in the original report. **Therefore, there is credible evidence of noncompliance with section 254.031(a)(3) of the Election Code.**

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 regarding similar allegations.
5. You acknowledge that:

A 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.

A campaign finance report must include the candidate's full name and address, the office sought, and the identity and date of the election for which the report is filed.

A campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 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.

You agree to comply with these requirements of the law.

This agreement describes some 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 \$100 assessment fee to the Commission.

This agreement is a final and complete resolution of SC-31506129.

Jeff L. Long, Respondent

Date signed by Respondent

Executed original agreement received by the Commission on: _____.

Texas Ethics Commission

By: _____
Natalia Luna Ashley, Executive Director