

TEXAS ETHICS COMMISSION

P.O. Box 12070, Capitol Station
Austin, Texas 78711-2070

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August 22, 2016

Mr. Inocente "Chente" Quintanilla

**RE: Notice of Reporting Error
SC-3160243**

Dear Mr. Quintanilla:

The Texas Ethics Commission (Commission) met on August 15, 2016, to consider SC-3160243. 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 disclose principal occupation and employer information for contributors as required by section 254.0612 of the Election Code; and
2. did not disclose full names and addresses of persons receiving political expenditures as required by section 254.031(a)(3) of the Election Code.

The Commission **did not find credible evidence** that the respondent:

1. did not properly disclose the name of a political committee from which he received notice as required by section 254.061(3) of the Election Code; and
2. did not disclose the full name and address of a person receiving a political expenditure as required by section 254.031(a)(3) of the Election Code.

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The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

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

Notice from a Political Committee

1. It was contended that the respondent did not properly disclose the name of a political committee from which he received notice on the respondent's January 2016 semiannual report.
2. The report disclosed the committee's name as "texans for educational reform pac." The disclosed name is substantially similar to the committee's actual name, "Texas for Education Reform PAC."
3. It was also contended that the respondent did not properly disclose the address of the committee's campaign treasurer.
4. The report listed the campaign treasurer's address as "3104 Edloe #330 p.o. box 684606 austin tx 78768 houston, TX 77027." The complaint alleged the actual address is P.O. Box 684606, Austin, TX 78768." According to records on file with the Commission, the committee's campaign treasurer is listed with an address of 3104 Edloe #330, Houston, Texas 77027. The only substantive distinction between the information disclosed by the respondent and the address the complaint alleges is correct is the additional disclosure of a physical address by the respondent.
5. Credible evidence indicates that the information the respondent disclosed for the committee name is substantially similar to the actual name of the committee from which he received notice. In addition to the committee's mailing address, the address the respondent disclosed for the committee's campaign treasurer matches the information on file with the Commission. **Therefore, there is credible evidence of compliance with section 254.061(3) of the Election Code.**

Principal Occupation and Employer Information for Contributors

6. It was contended that the respondent did not disclose the principal occupation or job title and employer information for four contributors that were disclosed in the respondent's January 2016 semiannual report.
7. The respondent disclosed four contributions from different contributors of \$500 each, for which he did not provide principal occupation or job title and employer information. The respondent corrected the report on February 10, 2016, before the Commission notified the respondent of the complaint.
8. The respondent was required to disclose the principal occupation or job title and employer information for each contributor because each contribution equaled \$500. The respondent did not disclose the requisite information. **Therefore, there is credible evidence of noncompliance with section 254.0612 of the Election Code.**

Full Names and Addresses of Persons Receiving Political Expenditures

9. It was contended that the respondent did not properly disclose the actual payee of three political expenditures totaling \$792.64 in the January 2016 semiannual report.
10. The report disclosed the actual payee of two of the expenditures at issue as an automated teller machine. The respondent filed a correction to the January 2016 semiannual report to disclose the actual payees to whom the expenditures were made. The corrected reports identify the actual payees of the political expenditures at issue as campaign staff.
11. Credible evidence indicates that two of the political expenditures at issue were made as payments to staff. The respondent did not disclose the actual payees in the original January 2016 semiannual report. **Therefore, there is credible evidence of noncompliance with section 254.031(a)(3) of the Election Code with respect to those two expenditures.**
12. The report disclosed the actual payee of the third expenditure at issue as “KSM,” with an address of “8168 El Paso, TX 79901.” In response to the complaint, the respondent swore that the name of the payee is correct as disclosed and the address is 816 S. El Paso, El Paso, TX 79901.” Credible evidence indicates that the payee’s name is KSM Corporation.
13. Credible evidence indicates the information the respondent disclosed for the name and address of the payee at issue is substantially similar to the actual name and address of the payee at issue. **Therefore, there is credible evidence of compliance with section 254.031(a)(3) of the Election Code with respect to that expenditure.**

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:

In addition to the contents required by Sections 254.031 and 254.061, each report by a candidate for a statewide office in the executive branch or a legislative office must include, for each individual from whom the person filing the report has accepted political contributions that in the aggregate equal or exceed \$500 and that are accepted during the reporting period the individual’s principal occupation or job title, and the full name of the individual’s employer.

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 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-3160243.

Inocente "Chente" Quintanilla, Respondent

Date signed by Respondent

Executed original agreement received by the Commission on: _____.

Texas Ethics Commission

By: _____
Natalia Luna Ashley, Executive Director