



## TEXAS ETHICS COMMISSION MEETING MINUTES

### Public Meeting Minutes

June 12, 2025, 1:00 p.m.

Capitol Extension, Room E1.014

Austin, Texas 78701



**COMMISSIONERS PRESENT:** Randall H. Erben, Chair; Chris Flood, Vice Chair, Sean Gorman, Patrick W. Mizell, Geanie W. Morrison, Richard S. Schmidt, Joseph O. Slovacek, and Mark Strama.

**COMMISSIONERS NOT PRESENT:** None.

**STAFF PRESENT:** Neha Abhyankar, Brandon Barrett, Margie Castellanos, Carmen Dalpiaz, David Guilianelli, Jessie Haug, Cristina Hernandez, Jordan Hunn, J.R. Johnson, Natalie McDermon, Amy Padilla, Mark Pillsbury, Lindsay Powers, Marie Primm, Patti Shannon, Seth Smith, James Tinley, Samantha Vasquez, and Bill Wilson.

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## MINUTES

These minutes are a summary record of the Commission's actions at the meeting. For a detailed record of discussions and statements made by persons speaking at the meeting, please consult the video recording located on the Texas House of Representatives' audio/video website here: <https://house.texas.gov/video-audio/capitol-events/>.

The minutes reflect the order in which the items were heard.

### **Agenda Item 1: Call to Order; Roll Call.**

The meeting was called to order by Chair Erben. J.R. Johnson, Executive Director, called the roll. All Commissioners were present except Commissioner Schmidt.

### **Agenda Item 2: Discussion and possible action related to the appointment of an executive director and general counsel.**

Chair Erben briefed the Commission on this agenda item. In the Executive Session, James Tinley was appointed Executive Director and Natalie McDermon was appointed Interim General Counsel of the Texas Ethics Commission (Commission). The salaries of the Executive Director and General Counsel will be raised to the maximum amount set by law. Vice Chair Flood introduced the Commission's new Director of Enforcement, Marie Primm. **No action was taken.**

**Agenda Item 3: Formal Hearing pursuant to Section 571.126, Government Code and Subchapters C-H, Chapter 2001, Government Code: In the Matter of Daysi Marin, SC-3240109.**

Chair Erben Introduced this agenda item. Jordan Hunn, Deputy Director of Enforcement briefed the Commission on this agenda item. Respondent Daysi Marin was not present. The hearing proceeded on default. Motion by Vice Chair Flood for a Final Order with a civil penalty of \$12,438; second by Commissioner Morrison. **Motion passed by a vote of seven ayes.**

**Agenda Item 4: Discussion regarding dates for next quarterly Commission meeting.**

Chair Erben led the discussion on the next Commission meeting dates. Vice Chair Flood and Commissioners Gorman, Mizell and Strama responded with questions or comments. The tentative dates for the next Commission meetings are September 17, 2025 and December 10, 2025. **No action was taken.**

**Agenda Item 5: Approve minutes for the following meetings:**

- **Executive Session on March 11, 2025; and**
- **Public Meeting on March 11, 2025.**

Chair Erben briefed the Commission on this agenda item. Motion by Commissioner Gorman to approve the minutes in Agenda Item 5, as amended; second by Commissioner Mizell. **Motion passed unanimously.**

**Agenda Item 6: Discussion and possible action on the adoption or proposal and re-publication in the Texas Register regarding an amendment and re-adoption of Chapter 10 of the TEC Rules, related to Ethics Training Programs.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Motion by Vice Chair Flood to adopt agenda Item 6; second by Commissioner Slovacek. **Motion passed by a vote of seven ayes.**

**Agenda Item 7: Discussion and possible action on the adoption or proposal and re-publication in the Texas Register regarding amendments to Chapter 12, related to sworn complaint procedures including default orders, proposed settlements before a preliminary review hearing, and discovery during a preliminary review or before a formal hearing.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Motion by Vice Chair Flood to adopt Agenda Item 7; second by Commissioner Strama. **Motion passed by a vote of seven ayes.**

**Agenda Item 8: Discussion and possible action on the adoption or proposal and re-publication in the Texas Register regarding amendments to Chapter 18, related to the process to request a waiver or reduction for a civil penalty imposed for a late report and civil penalties imposed for**

**making a substantial correction to 8-day pre-election reports.**

James Tinley, General Counsel, briefed the Commissioner on this agenda item. Motion by Vice Chair Flood to adopt Agenda Item 8; second by Commissioner Mizell. **Motion passed by a vote of seven ayes.**

**Agenda Item 9: Discussion and possible action on the adoption or proposal and re-publication in the Texas Register regarding amendments to 1 Tex. Admin. Code § 20.1(17), relating to the principal purpose of a political committee.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Motion by Vice Chair Flood to adopt Agenda Item 9; second by Commissioner Gorman. **Motion passed by a vote of seven ayes.**

**Agenda Item 10: Discussion and possible action related to the progress and next steps regarding the TEC's comprehensive rule review plan.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Strama to publish the proposed Notice of Review in the Texas Register for public comment; second by Commissioner Slovacek. **Motion passed by a vote of seven ayes.**

**Agenda Item 11: Discussion and possible action on the proposal and publication in the Texas Register regarding re-adoption of Chapter 34 of the TEC rules, related to regulation of lobbyists.**

Chair Erben and James Tinley, General Counsel, briefed the Commission on this agenda item. Input from the public is requested on the Commission's comprehensive rule review of Chapter 34, relating to the regulation of lobbyists. **No action was taken.**

**Agenda Item 12: Discussion and possible action on the proposal and publication in the Texas Register regarding amendments to 1 Tex. Admin. Code § 18.31, regarding adjustments to reporting thresholds.**

Chair Erben and James Tinley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Slovacek to publish Agenda Item 12 in the Texas Register for public comment; second by Vice Chair Flood. **Motion passed by a vote of seven ayes.**

**Agenda Item 13: Advisory Opinion No. AOR-724: A corporation may not finance fundraising efforts for its connected political committee except from its "members . . . or the families of its . . . members." Tex. Elec. Code § 253.100(d)(5). Who qualifies as a "member" of a nonprofit corporation for purposes of the Section 253.100(d)(5) corporate-funded solicitation exception?**

James Tinley, General Counsel, briefed the Commission on this agenda item. Commissioner Mizell and Mr. Tinley responded with questions or comments. Motion by Commissioner Mizell

to adopt AOR-724; second by Commissioner Morrison. **Motion passed by a vote of seven ayes. AOR-724 is adopted.**

**Commissioner Schmidt joined the meeting virtually during the next agenda item.**

**Agenda Item 14:      Advisory Opinion No. AOR-725: Whether certain communications to legislators and their staff about a political party's rules, platform, and legislative priorities require a legislative advertising disclosure statement.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Ms. Rachel Palmer Hooper addressed the Commission. Motion by Commissioner Morrison to adopt AOR-725; second by Commissioner Gorman. **Motion passed unanimously. AOR-725 is adopted.**

**Agenda Item 15:      Advisory Opinion No. AOR-726: Whether the use of a logo created by a labor organization's political committee that resembles, but is different from, a city-created logo violates a law under the jurisdiction of the Texas Ethics Commission.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Andy Cates addressed the Commission. Chair Erben and Mr. Tinley responded with questions or comments. Motion by Commissioner Morrison to adopt AOR-726; second by Commissioner Gorman. **Motion passed unanimously. AOR-726 is adopted.**

**Agenda Item 16:      Advisory Opinion No. AOR-727: May an incorporated out-of-state political committee that accepts corporate contributions contribute to Texas state and local candidates, including to a specific-purpose committee, provided it does so from a separate account that only accepts contributions from individuals and that would otherwise come from permissible sources under Texas law? Second, assuming the contributions described under the facts above are permissible, does it matter if the out-of-state political committee is controlled by a non-candidate officeholder? Third, if control by a candidate leads to the conclusion that the out-of-state committee is prohibited from making the contributions described above, would it be permissible for the out-of-state committee to: (i) contribute to a Direct Campaign Expenditure Only Committee or (ii) make direct expenditures itself?**

James Tinley, General Counsel, briefed the Commission on this agenda item. **No action was taken.**

**Agenda Item 17:      Advisory Opinion No. AOR-729: Whether an employee of a state agency is subject to the Section 572.069 two-year waiting period before accepting employment for a particular employer after helping to select and purchase a software product from the potential employer.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Motion by

Commissioner Schmidt to adopt AOR-729; second by Vice Chair Flood. **Motion passed unanimously. AOR-729 is adopted.**

**Agenda Item 18: Advisory Opinion No. AOR-730: Whether a former employee of a state regulatory agency who worked on a schematic for a particular construction project may receive compensation from a private employer for services related construction management of the project.**

James Tinley, General Counsel, briefed the Commission on this agenda item. Motion by Vice Chair Flood to adopt AOR-730; second by Commissioner Schmidt. **Motion passed unanimously. AOR-730 is adopted.**

**Agenda Item 22: Election of Chair and Vice Chair of the Texas Ethics Commission.**

Chair Erben and Commissioner Schmidt briefed the Commission on this agenda item. Motion by Schmidt to nominate Vice Chair Flood as Chair of the Texas Ethics Commission and Commissioner Mizell as Vice Chair of the Texas Ethics Commission, to be effective at the conclusion of this meeting. **Motion passed unanimously.**

**Commissioner Schmidt left the meeting.**

**Agenda Item 19: Discussion and possible action on appeals of determinations made under 1 Tex. Admin. Code §§ 18.11, 18.25 and 18.26 relating to administrative waiver or reduction of a fine, for the following filers:**

**Staff Recommendation: Waiver**

- A. Ait, Melissa Belaid, Campaign Treasurer, McKinney Area Democratic Club (00083522)
- B. Corner, Christopher (00088293)
- C. Crain, Garry D. (00082814)
- D. Garrett, George, Campaign Treasurer, San Jacinto Republican Party (CEC) (80082)
- E. Harvey, Alycia (00085965)
- F. Holguin, Eric (00083896)
- G. Levvis, Justin, Campaign Treasurer, UA Plumbers & Pipefitters Local 100 PAC Fund (00052939)
- H. Makany-Rivera, Tanya (00086457)
- I. Montfort, Angelica, Campaign Treasurer, All Hat No Cattle PAC (00087722)
- J. Porter, Deidra, Campaign Treasurer, Vote Yes Silsbee Kids (Dissolved) (00088142)
- K. Shelby, Tracie M. (00085976)
- L. Snowden, Tara D. (00060389)

**Staff Recommendation: Reduction**

- M. Bragg, Robert, Campaign Treasurer, Make More Room For Our Kids (00080744)
- N. Clemmer, Richard L. (00085917)
- O. Fisher, Jacquelyne A., Campaign Treasurer, San Antonio Republican Women

(00015784)

- P. Miller, Kendall, Campaign Treasurer, Vote Yes Prosper (Dissolved) (00088038)
- Q. Sanders, Tricia, Campaign Treasurer, Funky East Dallas Democrats Political Action Committee (00084102)
- R. Saunders, Sean E., Campaign Treasurer, Galveston County Republican Party (CEC) (00060078)

**Staff Recommendation: No Further Reduction or Waiver**

- S. Bess, Danielle K. (00086211)
- T. Dekoning, Diane, Campaign Treasurer, Texas Tea Party Republican Women PAC (00031996)
- U. Peterson, Dean, Campaign Treasurer, El Paso County Republican Party (CEC) (00085813)
- V. Quarles, Aaron, Campaign Treasurer, Friends of Grayson College (00088747)

**Good Cause Determination Required**

- W. Childs, Staci (00086453)
- X. Hernandez, Laura, Campaign Treasurer, Our Fight, Our Future PAC (00087096)

Chair Erben and Natalie McDermon, Assistant General Counsel, briefed the Commission on this agenda item. The minutes reflect the order in which the items in Agenda Item No. 19 were heard.

**#A through L:** Tracie M. Shelby addressed the Commission. Motion by Vice Chair Flood to accept staff recommendations of waiver for Agenda Item 19, Nos. A through L; second by Commissioner Strama. **Motion passed by a vote of seven ayes.**

**#M:** Motion by Vice Chair Flood to accept staff recommendations for Agenda Item 19, No. B; second by Commissioner Slovacek. **Motion passed by a vote of seven ayes.**

**#N:** Motion by Commissioner Slovacek to adopt staff recommendation on Agenda Item 19, No. N; second by Commissioner Morrison. **Motion passed by a vote of seven ayes.**

**#O:** Motion by Commissioner Slovacek to adopt staff recommendation on Agenda Item 19, No. O; second by Commissioner Gorman. **Motion passed by a vote of seven ayes.**

**#P:** Motion by Commissioner Morrison to waive the late filing penalty on Agenda Item 19, No. P; second by Commissioner Mizell. **Motion passed by a vote of seven ayes.**

**#Q:** Tricia Sanders addressed the Commission. Vice Chair Flood responded with questions. Motion by Vice Chair Flood to waive the late filing penalty on Agenda Item 19, No. Q; second by Commissioner Slovacek. **Motion passed by a vote of seven ayes.**

**#R:** Sean Saunders addressed the Commission. Vice Chair Flood and Commissioner Slovacek responded with questions or comments. Motion by Commissioner Slovacek to waive the late filing penalty on Agenda Item 19, No. R; second by Vice Chair Flood. **Motion passed by a vote of seven ayes.**

**#S:** Danielle Bess addressed the Commission. Chair Erben responded with questions and comments. **No action was taken.**

**#T:** Diane DeKoning addressed the Commission. Chair Erben and James Tinley, General Counsel, responded with questions and comments. Motion by Commissioner Mizell to waive the late filing penalty on Agenda Item 19, No. T; second by Commissioner Slovacek. **Motion passed by a vote of seven ayes.**

**#U:** Dean Peterson addressed the Commission. Vice Chair Flood and Jessie Haug, Director of Computer Services, responded with questions or comments. Motion by Commissioner Slovacek to waive the late filing penalty on Agenda Item 19, No. U; second by Vice Chair Flood. **Motion passed by a vote of seven ayes.**

**#V:** Aaron Quarles addressed the Commission. Chair Erben, Vice Chair Flood and Ms. McDermon responded with questions or comments. Motion by Vice Chair Flood to waive the late filing penalty on Agenda Item 19, No. V; second by Commissioner Slovacek. **Motion passed by a vote of seven ayes.**

**#W:** Staci Childs addressed the Commission. Chair Erben, Vice Chair Flood and Ms. McDermon responded with questions or comments. Motion by Commissioner Slovacek to reduce the total remaining fine on Agenda Item 19, No. W to \$1,500, less the amount already paid through warrant hold, for a total of \$1,000; second by Vice Chair Flood. **Motion passed by a vote of six ayes; Commissioner Morrison voted no.**

**#X:** Brian Foucart addressed the Commission. Motion by Commissioner Mizell to waive the late filing penalty on Agenda Item 19, No. X; second by Commissioner Slovacek. **Motion passed by a vote of seven ayes.**

**Agenda Item 20:      Discussion and possible action regarding the termination of a campaign treasurer appointment for the following inactive candidates:**

**Individuals**

1. Ballantyne, Jr., Stephen P. (00081675)
2. Drake, Rusty W. (00088201)
3. Graves, James T. (00088216)

Chair Erben briefed the Commission on this agenda item. Motion by Commissioner Strama to adopt staff recommendations on Agenda Item 20; second by Commissioner Morrison. **Motion passed unanimously.**

**Agenda Item 21:      Briefing and discussion of legislation in the 89<sup>th</sup> Legislative Session, including status of Texas Ethics Commission legislative recommendations, the Sunset Advisory Commission report regarding the TEC, legislative outcomes related to the report, and actions taken or in-progress to implement recommendations made in the report.**

J.R. Johnson, Executive Director, briefed the Commission on this agenda item. Vice Chair Flood

responded with comments. **No action was taken.**

**Agenda Item 23: Adjourn.**

**Commission meeting adjourned by unanimous consent.**

Meeting adjourned at 2:51 pm.