

TEXAS ETHICS COMMISSION
P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800

Chase Untermeyer, Chair
Steven D. Wolens, Vice Chair
Hugh C. Akin
Jim Clancy

Chad M. Craycraft
Chris Flood
Mary K. "Katie" Kennedy
Tom Ramsay

AGENDA

Date and Time:	8:30 a.m., Wednesday, May 17, 2017
Location:	Room E1.014, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. **Executive session pursuant to Section 551.071, Government Code, Consultation with Attorneys; Closed Meeting.** Discussion of pending litigation to seek legal advice relating to the following:
 - A. Cause No. 14-06508-16; *Texas Ethics Commission v. Michael Quinn Sullivan*; in the 158th District Court of Denton County, Texas; and related cases, Cause No. 02-15-00103-CV, *Texas Ethics Commission v. Michael Quinn Sullivan*, in the Second Court of Appeals, Fort Worth, Texas; and Cause No. 15-09170, *Michael Quinn Sullivan v. Texas Ethics Commission*, in the Supreme Court of Texas.
 - B. Cause No. D-1-GN-14-002665; *Michael Quinn Sullivan v. Jim Clancy, Paul W. Hobby, Hugh C. Akin, Wilhelmina Delco, Tom Harrison, Bob Long, Tom Ramsay, and Chase Untermeyer, in their official capacities as Commissioners of the Texas Ethics Commission, and the Texas Ethics Commission, by and through its Executive Director, Natalia Luna Ashley, in her official capacity*; in the 345th Judicial District Court of Travis County, Texas.
 - C. Cause No. D-1-GN-14-001252; *Empower Texans, Inc. and Michael Quinn Sullivan v. State of Texas Ethics Commission, Natalia Luna Ashley, in her capacity as Executive Director of the Texas Ethics Commission, Tom Ramsay, individually and in his capacity as Commissioner, Paul Hobby, individually and in his capacity as Commissioner, Hugh C. Akin, individually and in his capacity as Commissioner, James T. Clancy, individually and in his capacity as Commissioner, Wilhelmina R. Delco, individually and in her capacity as Commissioner, Warren T. Harrison, individually and in his capacity as Commissioner, Robert K. Long, individually and in his capacity as Commissioner, and Charles G. Untermeyer, individually and in his capacity as Commissioner*; in

For more information, contact Seana Willing, Executive Director, at (512) 463-5800.

the 53rd Judicial District Court of Travis County, Texas; and related case, Cause No. 03-16-00019-CV; *Empower Texans, Inc. and Michael Quinn Sullivan v. The State of Texas Ethics Commission; Natalia Luna Ashley, in her capacity as Executive Director of the Texas Ethics Commission; Tom Ramsay, individually and in his capacity as Commissioner; Steven P. Wolens, individually and in his capacity as Commissioner; Hugh C. Akin, individually and in his capacity as Commissioner; James T. Clancy, individually and in his capacity as Commissioner; Wilhelmina R. Delco, individually and in her capacity as Commissioner; Mary K. Kennedy, individually and in her capacity as Commissioner; Chad M. Craycraft, individually and in his capacity as Commissioner; and Charles G. Untermeyer, individually and in his capacity as Commissioner*, in the Third Court of Appeals, Austin, Texas.

- D. Cause No. D-1-GN-15-004455; *Texas Ethics Commission v. Empower Texans, Inc. and Michael Quinn Sullivan*; in the 345th Judicial District Court of Travis County, Texas; and related case, Cause No., 03-16-00872-CV, *Empower Texans, Inc., and Michael Quinn Sullivan*, in the Third Court of Appeals, Austin, Texas.
- E. Civil Action No. 5:14-cv-00133-C; *Texas Home School Coalition Association, Inc. v. Matthew D. Powell, in his official capacity as District Attorney of Lubbock County, et al.*; in the United States District Court for the Northern District of Texas, Lubbock Division.
- F. Cause No. D-1-GN-16-000149, *Texas Home School Coalition Association, Inc. v. Texas Ethics Commission*; in the 261st Judicial District Court of Travis County, Texas; and related case, Cause No. 03-17-00167-CV, *Texas Home School Coalition Association, Inc. v. Texas Ethics Commission*, in the Court of Appeals for the Third District of Texas at Austin.
- G. Civil Action No. 1:13-cv-00916; *Mike Barnes v. Texas Ethics Commission*; in the United States District Court for the Western District of Texas, Austin Division; and related case, Cause No. D-1-GN-15-003454; *Mike Barnes v. Texas Ethics Commission*, in the 201st Judicial District Court of Travis County, Texas.
- H. Cause No. 2016-27417; *Briscoe Cain v. Charles G. Untermeyer, in his Official Capacity as Chairman and Commissioner of the Texas Ethics Commission and Natalia Luna Ashley, in her Official Capacity as Executive Director of the Texas Ethics Commission*; in the 270th Judicial District Court of Harris County, Texas.

- 3. Discussion of personnel issues, including candidates for Director of Enforcement.
- 4. Reconvene in open session.

For more information, contact Seana Willing, Executive Director, at (512) 463-5800.

5. Adjourn.

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements. Certifying Official & Agency Liaison: Seana Willing, Executive Director.

NOTICE: Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the Texas Ethics Commission will provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, and large print or Braille documents. In determining the type of auxiliary aid or service, the Commission will give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify Margie Castellanos at (512) 463-5800 or RELAY Texas at (800) 735-2989 two days before this meeting so that appropriate arrangements can be made. Please also contact Ms. Castellanos if you need assistance in having English translated into Spanish.

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AGENDA

Date and Time:	10:00 a.m., Wednesday, May 17, 2017
Location:	Room E1.014, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. Comments by the Commissioners.
3. Comments by the Executive Director.
4. Approve minutes for the following meetings:
 - o Executive Session – March 30, 2017; and
 - o Public Meeting – March 30, 2017.
5. Briefing and discussion of ethics legislation in the 2017 legislative session, including status of Ethics Commission legislative recommendations.

RULEMAKING

6. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 6.21 (Officers of the Commission).
7. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of rules regarding the disclosure of political expenditures to vendors and others, including an amendment to Ethics Commission Rules § 20.1 (Definitions) and § 20.61 (Purpose of Expenditure), and new Ethics Commission Rules § 20.56 (Expenditures to Vendors).
8. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 12.81 (Technical, Clerical, or De Minimis Violations), relating to the procedures for investigating

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and resolving technical and clerical violations of laws within the Commission's jurisdiction as provided by section 571.0631 of the Government Code.

9. Public discussion and possible action on the creation of a pending litigation committee.
10. Appointment of a Nominating Committee of Commissioners for the positions of Chair and Vice Chair of the Texas Ethics Commission.

ADVISORY OPINIONS

11. Discussion of Advisory Opinion Request No. 621: Questions regarding whether reimbursements for certain travel expenses to the executive director of a state agency are prohibited honoraria or benefits under Chapter 36 of the Penal Code, and whether the reimbursements are required to be reported on a personal financial statement.

This opinion request construes Chapter 36 of the Penal Code and Section 572.023 of the Government Code.

OTHER POLICY MATTERS

12. Briefing, discussion, and possible action on appeal of fines increased by the Commission, and on appeals of determinations made under Ethics Commission Rules §§ 18.25 and 18.26 relating to administrative waiver or reduction of a fine, for the following individuals and political committee:

1. Jeffrey Brooks (00070573)
2. Matthew Haertner (00070567)
3. Robert Thomas Ratliff (00031723)
4. John Halloran Romanow, Treasurer, 'TAS-PAC' Texas Assn. Of Staffing PAC (00016232)

13. Briefing, discussion, and possible action to waive or reduce the late-filing penalty in connection with a corrected report or to determine whether the corrected report as originally filed substantially complied with the applicable law for the following individuals and political committees:

1. C. Tucker Anderson, Treasurer, 'Neighbors PAC' Neighbors Health Advocacy Political Action Committee (00080970)
2. Scott E. Rozzell, Treasurer, Sarahjane Swanson Campaign (SPAC) (00080072)
3. Barbara Hawkins (00080284)

4. Carlos I. 'Charlie' Uresti (00035921)
 5. Deborah S. 'Debbie' Gibson, Treasurer, 'ABNA PAC' ZB, N.A. dba Amegy Bank) (00024835)
 6. Kenneth Besserman, Treasurer, Texas Restaurant Association Political Action Committee) (00015665)
 7. Douglas R. Deason, Treasurer, Texans for Jason Villalba (SPAC) (00067846)
 8. Rhett A. Bowers (00080443)
 9. John Halloran Romanow, Treasurer, 'TAS-PAC' Texas Assn. Of Staffing PAC (00016232)
 10. Gary W. Gates, Jr. (00051418)
14. Discussion and possible action regarding the termination of a campaign treasurer appointment for the following inactive individuals and political committee:

Individuals

1. Demetria Smith (00080343)
2. Andrew J. Condie (00080412)
3. Ruby Resendez (00080511)
4. Veronica Aleman (00080612)

Political Committee

5. Keith Houser, Treasurer, Citizens for Property Rights (00068064)
15. Reports more than 30 days late: Discussion and possible action regarding the imposition of an additional fine on the following filers:

Candidates/Officeholders

Jose David Garza (00080642)

Lobbyists

Charles Briscoe (00081049)
Anthony Haley (00051002)

16. Discussion and possible action on the approval of a format for electronic filing of campaign finance reports, as proposed by Travis County.
17. Communication to the Commission from the public.

18. Adjourn.

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements. Certifying Official & Agency Liaison: Seana Willing, Executive Director.

NOTICE: Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the Texas Ethics Commission will provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, and large print or Braille documents. In determining the type of auxiliary aid or service, the Commission will give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify Margie Castellanos at (512) 463-5800 or RELAY Texas at (800) 735-2989 two days before this meeting so that appropriate arrangements can be made. Please also contact Ms. Castellanos if you need assistance in having English translated into Spanish.

The draft meeting minutes will be available on our website the day before the meeting, at <https://www.ethics.state.tx.us/DraftMinutes>.

If you would like a copy of the draft minutes, please provide your email address below, and return this sheet to Ethics Commission staff at the meeting.

Email address:

EXHIBIT A

Text of Proposed Rule Amendment

The proposed new language is indicated by underlined text.

The deleted language is indicated by [~~striketrough~~] text.

Chapter 6. ORGANIZATION AND ADMINISTRATION

Subchapter B. OFFICERS AND EMPLOYEES OF THE COMMISSION

§6.21. Officers of the Commission.

- (a) The commission shall select a presiding officer and a vice-presiding officer.
- (b) Commission officers are elected annually by majority vote of the commission. The election shall take place at the first commission meeting held [~~scheduled~~] after June 1 [~~November 19~~] of each year. Each officer shall serve until his or her successor is selected.
- (c) The presiding officer and the vice-presiding officer shall be elected from different political party caucus lists.
- (d) The presiding officer may be re-elected; however, if a new presiding officer is elected it should be from a different political party caucus list than the former presiding officer.
- (e) [~~(e)~~] The presiding officer shall preside at all meetings of the commission. While presiding, the presiding officer shall direct the order of the meeting, appoint committees [~~subcommittees~~] and persons to chair committees, [~~subcommittees,~~] recognize persons to be heard at hearings, set reasonable and necessary time limits for speakers, and take other actions to clarify issues and preserve order. When the presiding officer is absent, the vice-presiding officer shall perform all duties of the presiding officer.
- (f) The presiding officer may perform the following actions of the commission:
 - (1) Sign previously approved subpoenas and orders;
 - (2) Schedule hearings and meetings;
 - (3) Timely respond to litigation matters on behalf of the commission when action is required before the next scheduled meeting and is within the scope of the authorization granted by the commission; and
 - (4) Respond to matters on behalf of the commission when action is required and is within the scope of the authorization granted by the commission.

(g) The presiding officer may appoint a commissioner as chair pro tem to preside over a hearing held by the commission.

SUBCOMMITTEE DRAFT

Text of Proposed Rules

The proposed new language is indicated by underlined text.
The deleted language is indicated by [~~strike~~through] text.

**Chapter 20. REPORTING POLITICAL CONTRIBUTIONS AND
EXPENDITURES**

Subchapter B. GENERAL REPORTING RULES

§20.1. Definitions.

(24) Vendor—Any person providing goods or services to a candidate, officeholder, political committee, or other filer under this chapter. The term does not include an employee of the candidate, officeholder, political committee, or other filer.

§20.56. Expenditures to Vendors.

(a) A political expenditure made by a vendor for a candidate, officeholder, political committee, or other filer, with the intent to seek reimbursement from the filer, shall be reported by the filer in accordance with this chapter as though the filer made the expenditure directly.

(b) A vendor of a candidate, officeholder, or specific-purpose committee for supporting a candidate or assisting an officeholder may not, in providing goods or services for the candidate, officeholder, or committee, make an expenditure that, if made by the candidate, officeholder, or committee, would be prohibited by Sections 253.035, 253.038, or 253.041, Election Code.

(c) A candidate, officeholder, or specific-purpose committee for supporting a candidate or assisting an officeholder may not use political contributions to pay or reimburse a vendor for an expenditure that, if made by the candidate, officeholder, or committee, would be prohibited by Sections 253.035, 253.038, or 253.041, Election Code.

§20.61. Purpose of Expenditure.

(a) For reporting required under Section 254.031 of the Election Code, the purpose of an expenditure means:

(1) A description of the category of goods, services, or other thing of value for which an expenditure is made. Examples of acceptable categories include:

...

(2) A brief statement or description of the candidate, officeholder, or political committee activity that is conducted by making the expenditure and an additional indication if the expenditure is an officeholder expenditure for living in Austin, Texas. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

(3) For purposes of this section, “consulting” means advice and strategy. “Consulting” does not include providing other goods or services, including without limitation media production, voter contact, or political advertising.

(b) An expenditure other than a reimbursement to a person, including a vendor, for more than one type of good or service must be reported by the filer as separate expenditures for each type of good or service provided by the person in accordance with this rule.

(c) [(b)] The description of a political expenditure for travel outside of the state of Texas must provide the following:

...

(d) [(e)] Except as provided by subsection (e) [(d)] of this section, this rule applies to expenditures made on or after July 1, 2010.

(e) [(d)] The requirement to include an additional indication if an expenditure is an officeholder expenditure for living in Austin, Texas, applies to an expenditure made on or after July 1, 2014.

(f) [(e)] Comments: ...

EXHIBIT A

Text of Proposed Rule Amendment

The proposed new language is indicated by underlined text.

The deleted language is indicated by ~~[striketrough]~~ text.

Chapter 12. SWORN COMPLAINTS

Subchapter C. INVESTIGATION AND PRELIMINARY REVIEW

§12.81. Technical, Clerical, or De Minimis Violations.

(a) A technical, clerical, or de minimis violation for purposes of §571.0631 of the Government Code may include a first-time allegation against a respondent for:

(1) Typographical or incomplete information on a campaign finance report that is not misleading and ~~[or]~~ does not substantially affect disclosure;

(2) Failure to include a disclosure statement on political advertising;

(3) Failure of a non-incumbent to use the word “for” in a campaign ~~[communication, where the]~~ communication that is not otherwise misleading;

(4) Failure to include the highway right-of-way notice on political advertising;

(5) Using a representation of the state seal by a person who is not an officeholder in political advertising that is not otherwise misleading;

(6) ~~[(5)]~~ Filing a late campaign finance report that [if the total amount of political contributions does not exceed \$2,500, the total amount of political expenditures does not exceed \$2,500, and the report] is not a report due 30 or 8 days before an election ~~[election,]~~ or a special pre-election ~~[report,]~~ report, and the alleged violations do not substantially affect disclosure;

(7) ~~[(6)]~~ Filing an incomplete or corrected campaign finance report that is not a report due 30 or 8 days before an election or a special pre-election report if:

(A) the total amount of incomplete or incorrectly reported political contributions does not exceed the lesser of 10% of the total amount of political contributions on the corrected report, or \$5,000; ~~[or]~~

(B) the total amount of incomplete or incorrectly reported political expenditures does not exceed the lesser of 10% of the total amount of political expenditures on the corrected report, or \$5,000; or

(C) the total amount of incomplete or incorrectly reported political contributions or political expenditures does not exceed the amount of the filing fee for a place on the ballot for the office sought or held by the respondent during the period covered by the report at issue, or, if there is not a set filing fee, \$500; [ø]

(8) Filing an incomplete or corrected campaign finance report if the incomplete or corrected information is not misleading and does not substantially affect disclosure, including:

(A) the filer's full name, address, office sought, or office held;

(B) the identity and date of the election for which the report is filed;

(C) the campaign treasurer's full name, address, or telephone number;

(D) the full name of each identified candidate or measure or classification by party of candidates supported or opposed by a political committee;

(E) the full name of each identified officeholder or classification by party of officeholders assisted by a political committee;

(F) the amount of total political contributions maintained as of the last day of the reporting period, if the error is a de minimis error as defined by §20.50 of this title;

(G) the purpose of a political expenditure; or

(H) the period covered by the report;

(9) [(7)] Failure to timely file a campaign treasurer appointment if, before filing the campaign treasurer appointment, the total amount of political contributions accepted does not exceed \$2,500 and the total amount of political expenditures made or authorized does not exceed \$2,500; [~~\$2,500~~.]

(10) Failure to disclose information related to an out-of-state political committee required by §20.29 or §22.7 of this title if the total amount of political contributions accepted from the committee does not exceed \$10,000 and the contributions are otherwise properly disclosed;

(11) Failure to disclose the principal occupation, job title, or employer of a contributor if the total amount of political contributions accepted from the contributor does not exceed \$15,000 and the contributions are otherwise properly disclosed;

(12) As a general-purpose committee, making a political contribution to another general-purpose committee without including in its campaign treasurer appointment the name of the recipient committee before making the contribution, if the contributing committee properly disclosed the contribution;

(13) Failure to file a termination report required by §20.317 or §20.417 of this title if the period covered by the termination report is included in a subsequently filed report;

(14) Filing a campaign finance report without using the form prescribed by the commission if the report:

(A) discloses all the information required by chapter 254 of the Election Code and this title;

(B) is substantially similar in size and format to the form prescribed by the commission; and

(C) is not misleading and does not substantially affect disclosure;

(15) Making a political contribution prohibited by §253.1611, Election Code, if the contribution does not exceed \$1,000 and is returned to the contributor; or

(16) Failure to timely respond to a sworn complaint if the response is no more than 30 days late and the respondent shows good cause for the late response.

(b) A technical, clerical, or de minimis violation for purposes of §571.0631 of the Government Code may include allegations against a respondent for:

(1) Typographical or incomplete information on a campaign finance report that is not misleading or does not substantially affect disclosure;

(2) Filing an incomplete or corrected campaign finance report if:

(A) the total amount of incomplete or incorrectly reported political contributions does not exceed the lesser of 5% of the total amount of political contributions on the corrected report, or \$2,500; or

(B) the total amount of incomplete or incorrectly reported political expenditures does not exceed the lesser of 5% of the total amount of political expenditures on the corrected report, or \$2,500; or [\$2,500.]

(3) Filing an incomplete or inaccurate campaign finance report by a general-purpose committee if, during the period covered by the report and during each of the two reporting periods preceding the period covered by the report, the committee did not:

(A) accept political contributions totaling \$3,000 or more;

(B) accept political contributions from a single person totaling \$1,000 or more; or

(C) make political expenditures totaling \$3,000 or more.

(c) During the review of a sworn complaint under Chapter 571, Subchapter E of the Government Code, if the executive director determines that all the alleged violations are technical, clerical, or de minimis under subsection (a) of this section, the executive director may enter into an assurance of voluntary compliance with the respondent. Before entering into an assurance of voluntary compliance, the executive director may require a respondent to correct the violations.

(d) During the review of a sworn complaint under Chapter 571, Subchapter E of the Government Code, if the executive director determines that all the alleged violations are technical, clerical, or de minimis under subsection (b) of this section, the executive director may enter into an agreed resolution with the respondent. Before entering into an agreed resolution, the executive director may require a respondent to correct the violations.

(e) An assurance of voluntary compliance or an agreed resolution entered into under this section is [~~are~~] confidential under §571.140 of the Government Code.

(f) An assurance of voluntary compliance or an agreed resolution entered into under this section may include a penalty not to exceed \$500.

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ETHICS ADVISORY OPINION NO. ____

May 17, 2017

Whether reimbursements for certain travel expenses to the executive director of a state agency are prohibited honoraria or benefits under chapter 36 of the Penal Code, and whether the reimbursements are required to be reported on a personal financial statement. (AOR-621)

The Texas Ethics Commission (commission) has been asked whether the reimbursements of certain travel expenses to the executive director of a state agency are permissible and whether the reimbursements must be reported on a personal financial statement.

Facts

The requestor of this opinion is the executive director (director) of a state agency that regulates a particular industry. The director states that a national voluntary association has as members government agencies with jurisdiction to administer laws within the states, the District of Columbia, and United States territories regulating the industry. The executive heads of the agencies are voting members of the association.¹ The association's board of directors is an executive committee that includes the executive heads of these agencies, including the director. The executive committee is responsible for the association's management and budget and has additional powers, including the authority to expend the association's funds and administer the association's annual national conference. The director is a member of the executive committee and attends the executive committee's biannual meetings.

The director describes a scenario in which the association reimburses the director for travel expenses to attend the executive committee meetings. The expenses include airfare to attend the meetings, which would be paid by the state agency, and expenses incurred by the director for meals and ground transportation. The association would reimburse the director for the airfare, meals, and ground transportation expenses, and the director would then reimburse the state agency for the airfare expense.² The director states that the state agency can legally pay for the travel expenses at issue and accept reimbursement for the expenses as a gift.³

¹ The association also has non-voting associate members, including other government regulatory organizations, trade associations, professional and service organizations representing industry businesses, and industry businesses.

² The director states that the association would also provide lodging for the director by paying a hotel directly.

³ The director states that one of the director's job duties is to represent the agency to stakeholders, other agencies, legislative members, the industry, and the public. The director refers to section 660.003 of the Government Code,

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Penal Code Restrictions

The director asks whether the reimbursement for the travel expenses are prohibited “honoraria” or “benefits” under chapter 36 of the Penal Code.

A public servant is prohibited from accepting an honorarium in consideration for services that the public servant would not have been requested to provide but for the public servant’s official position or duties. Penal Code § 36.07(a). Additionally, section 36.08 of the Penal Code prohibits a public servant from accepting a benefit from a person who is subject to the public servant’s jurisdiction. *Id.* § 36.08.⁴ A “benefit” is anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare the beneficiary has a direct and substantial interest. *Id.* § 36.01(3).

According to the facts presented, the state agency would be permitted to pay the travel expenses. In several opinions, we have held that a state agency employee who, at the direction of their employing agency, attends a seminar that is related to their work for the agency does not receive a “benefit” if the seminar fee is waived or if the employee receives food, transportation, or lodging to attend the seminar. *See* Ethics Advisory Opinion Nos. 130, n. 2 (1993) (agency with authority to accept gifts may accept a waiver of fees for an employee to attend a seminar relevant to the employee’s work for the agency, and acceptance of food provided at seminar would likely be permissible if the agency can pay for the food in those circumstances); 118 (1993) (state employee who, at the direction of his employing agency, attends a seminar relevant to his job is not obtaining a “benefit”); 63 (1992) (state employee accepting tuition, food, transportation, and lodging payable by the agency at a seminar relevant to the employee’s job, and at the direction of the agency, is not receiving a “benefit” and chapter 36 of the Penal Code does not apply because the benefit would be to the state); and 51 (1992) (state employee who, at the direction of his employing agency, attends a seminar to acquire information relevant to his job is not obtaining a “benefit”).⁵ In those circumstances, the benefit would be to the employee’s agency.

Based on the facts presented, the benefit of the reimbursement would be to the state agency, and the director would not receive a “benefit” for purposes of section 36.08 of the Penal Code by

which authorizes a state agency to pay a travel expense when certain conditions are met, including if the purpose of the travel clearly involves official state business and is consistent with the agency’s legal authority. *See* Gov’t Code § 660.003(e)(2). Based on those representations, we assume that the agency has authority to pay such expenses and to accept reimbursement for the expenses. *See generally* Ethics Advisory Opinion No. 31 (1992).

⁴ The prohibition on accepting benefits depends on the specific circumstances, including the public servant’s agency and official duties and the relationship that the person offering the gift has to the public servant or the agency. *See generally* Penal Code § 36.08.

⁵ *See also* Ethics Advisory Opinion No. 368 (1997) (waiver of a fee for a county judge to attend a legal seminar would be a benefit to the county, not to the judge, if the cost to attend the seminar would be reimbursable with county funds); Ethics Advisory Opinion No. 31 (1992) (private company presenting a program for state agency employees in their official capacity would be an expenditure to benefit the agency, not a lobby expenditure).

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accepting the reimbursement.⁶ Likewise, the director would not receive an “honorarium” for purposes of section 36.07(a) of the Penal Code by accepting the reimbursement because the benefit would be to the state agency.⁷

Personal Financial Statement Reporting Requirements

Section 572.023(b) of the Government Code requires a personal financial statement (PFS) to include an account of the financial activity of the individual required to file the statement for the preceding calendar year. Gov’t Code § 572.023(a). The PFS must include the identification of a person or other organization from which the individual receives a gift of anything of value in excess of \$250 and a description of each gift. *Id.* § 572.023(b)(7).

The PFS also must include the identification of any person providing transportation, meals, or lodging expenses, and the amount of the expenses, permitted under section 36.07(b) of the Penal Code.⁸ *Id.* § 572.023(b)(11). Section 36.07(b) of the Penal Code provides that the prohibition on accepting honoraria does not apply to transportation and lodging expenses in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent that those services are more than merely perfunctory, or from accepting meals in connection with such an event. Penal Code § 36.07(b). Payments of such expenses are required to be reported under section 572.023(b)(11) of the Government Code only if they are “honoraria.”⁹ Ethics Advisory Opinion No. 370 (1997).

Based on the facts presented, the reimbursement of the travel expenses at issue would be a benefit to the state agency and would not be a gift or honorarium to the director for purposes of section 36.07(a) of the Penal Code, and therefore would not be required to be reported as a gift, permissible honorarium, or otherwise on the director’s PFS.

SUMMARY

Based on the requestor’s facts described in this opinion, the executive director of a state agency would not receive an “honorarium” for purposes of section 36.07(a) of the Penal Code or a “benefit” for purposes of section 36.08 of the Penal Code by accepting a reimbursement of certain travel expenses that are payable by the state agency. The executive director would not be required to report the reimbursement on a personal financial statement.

⁶ Whether a particular state agency may accept gifts is governed by law outside the commission’s jurisdiction. Ethics Advisory Opinion No. 130 (1993). It is also for the particular agency to determine whether any reporting requirements apply to the acceptance of a gift.

⁷ See also Tex. Att’y Gen. Op. No. GA-0256, at 3 (2004) (an honorarium falls within the definition of “benefit”).

⁸ The PFS must also include various sources of income, certain types of assets and liabilities, and other activities, none of which are at issue in this opinion.

⁹ Information required by section 572.023(b)(11) of the Government Code is reported on Part XIII of the PFS form.

TEXAS ETHICS COMMISSION
MEMORANDUM

TO: Commissioners, Texas Ethics Commission
FROM: Amy S. Barden, Senior Legal Assistant
DATE: May 4, 2017
SUBJECT: Late Reports Memo – Appeals of Fines Increased by the Commission; and Appeals under Ethics Commission Rule 18.24(g)
Meeting Date: May 17, 2017

Fine Increase Appeals: Items #1 and #2 pertain to filers whose late fines were increased by the Commission at the February 2017 meeting. Typically, this action is not taken until a filer has been issued a warning of liability by registered mail and there is some indication that the registered letter was received at the address provided. On February 17, 2017, the Commission sent a letter to the filers regarding the fine increase. Subsequently, each filer submitted an affidavit requesting an appeal of the late fines and swearing that he never received the registered letter.

After further review of Commission records and the sworn statements of the filers, it appears that the filers did not receive the final late letter sent by registered mail, and therefore, the fines should not have been increased. Based on this information, the filers should be considered for waiver or reduction according to the waiver/reduction rules, as follows:

1. Jeffrey Brooks (70573)
Lobbyist

Report: annual lobby activities report due January 11, 2016
File date: February 21, 2017 (406 days late but within 1 day of realizing late)
Activity: none
Prior offenses: none
Penalty: \$1,000 (increased at the February 2017 meeting) – **waiver (based on new information)**

Basis: Not a critical report; Category B filer; no prior late-filing offenses in the last five years; fine increase should be excepted from the qualifying criteria based on new information.

New Information: On February 28, 2017, Mr. Brooks submitted an affidavit swearing that he never received any communications from the Commission because they were sent to his former lobby employer. He swore that his association with his former employer ended in May 2015, and he did not become aware of this issue until February 22, 2017. Based on this new information, Mr. Brooks qualifies for a waiver under the Commission rules.

2. Matthew Haertner (70567)
Lobbyist

Report: annual lobby activities report due January 11, 2016
File date: March 1, 2017 (414 days late but within 1 day of realizing late)
Activity: none
Prior offenses: none
Penalty: \$1,000 (increased at the February 2017 meeting) – **waiver (based on new information)**

Basis: Not a critical report; Category B filer; no prior late-filing offenses in the last five years; fine increase should be excepted from the qualifying criteria based on new information.

New Information: On March 1, 2017, Mr. Haertner submitted an affidavit swearing that he has not worked for his former lobby employer in more than a year and a half and never received any correspondence from the Commission because it was sent to his former employer. He swore that he did not become aware of this issue until February 28, 2017. Based on this new information, Mr. Haertner qualifies for a waiver under the Commission rules.

Rules Determination Appeals: The following filers submitted requests for an appeal regarding a determination previously made under section 18.25 or 18.26 of the Ethics Commission Rules (relating to Administrative Waiver or Reduction of Fine). The Commission may vote to affirm the determination made under the Ethics Commission Rules or make a new determination based on facts presented in an appeal. Note: Staff makes no recommendation regarding an appeal, unless specifically noted in bold.

REPORT TYPE I: NON-CRITICAL REPORTS

TEC Rules Determination: I-A – Levels Chart - Level 2.5 – Reduction to \$400 (Item 3):

3. Robert Thomas Ratliff (31723)
Former Member, State Board of Education

Report: semiannual report due January 17, 2017
File date: February 14, 2017 (28 days late)
Activity: none
Prior offenses: July 2015 and January 2016 semiannual reports (\$500 fines waived under I-A, Lev. 1)
Penalty: \$500 – reduction to \$400

Basis: Not a critical report; Category A filer; two prior late-filing offenses in the last five years; good cause shown.

On March 13, 2017, the Commission sent a determination letter informing Mr. Ratliff that he is eligible for a reduction of the late-filing penalty to \$400 under the Ethics Commission Rules. The letter requested that he remit the payment by April 12, 2017, or request appeal.

Request for Appeal: On March 21, 2017, the Commission received his appeal. In his appeal letter, Mr. Ratliff stated that he misunderstood the filing requirements and did not realize he still had an obligation to file reports as an officeholder after filing his "final" report. Mr. Ratliff requested an opportunity to appear before the Commission and offer testimony.

Note: Commission records show that Mr. Ratliff electronically filed a Final Report on April 4, 2016, which terminated his candidate campaign treasurer appointment (CTA). He remained an officeholder through December 31, 2016. When filing the final report, Mr. Ratliff completed the final report affidavit by checking boxes indicating that he was a current officeholder at the time and that he was aware that he remained subject to filing requirements applicable to an officeholder who does not have a CTA on file. On April 7, 2016, the Commission sent a letter acknowledging the Final Report, which stated the following in bold print: **Filing a final report does not terminate your responsibility to file reports as an officeholder. You will still be required to file semiannual reports of contributions and expenditures as an officeholder until you are replaced.** Commission records show that Mr. Ratliff timely filed the July 2016 semiannual report as an officeholder.

REPORT TYPE II: CRITICAL REPORTS

TEC Rules Determination: II-B – Formulas Chart (Item 4):

**4. John Halloran Romanow (16232)
Treasurer, 'TAS-PAC' Texas Assn. of Staffing PAC**

(This filer also has a corrected 8-day pre-election report at issue on Agenda Item 13, #9.)

Report: 30-day pre-election report due October 11, 2016
File date: February 9, 2017 (120 days late)
Activity: contributions = \$3,550.00; expenditures = \$1,555.00;
contributions maintained = \$7,163.56
Prior offenses: January 2014 semiannual report (\$500 fine waived by the Commission, I-B, Lev. 1)
Penalty: \$500 – no waiver

Basis: Critical report; Category B filer; total contributions are over \$3,000 for the reporting period; one prior late-filing offense in the last five years; good cause shown.

Formula: The fine is calculated at \$300 (good cause, 1 prior, 1st day late) + \$200 (next 2 days late @ \$100 per day) + \$0 (remaining 117 days late) = \$500. (The maximum statutory late fine for this report is \$500.)

On March 23, 2017, the Commission sent a determination letter informing Mr. Romanow that he is not eligible for a waiver or reduction of the \$500 late-filing penalty under the Ethics Commission Rules. The letter requested that he remit the payment by April 24, 2017, or request appeal.

Request for Appeal: On April 7, 2017, the Commission received Mr. Romanow's appeal. In his sworn statement, Mr. Romanow stated that he mistakenly filed a single late report on January 9, 2017, which included both the 30-day and 8-day pre-election report information. He stated that he was informed by Commission staff of his mistake on February 9, 2017, and immediately filed a corrected 8-day report (to cover only the 8-day reporting period) and a separate 30-day report.

Note: The electronic filing system requires separate reports to be filed for each major reporting deadline, in order to better track each filer's compliance with reporting requirements. If a PAC has reportable election-related activity in both the 30-day and 8-day pre-election reporting periods, the treasurer is required to file both reports. A single "combination" report (covering both periods) is not sufficient. For additional explanation regarding the corrections, please see Agenda Item 13, #9.

TEXAS ETHICS COMMISSION
MEMORANDUM

TO: Commissioners, Texas Ethics Commission
FROM: Amy S. Barden, Senior Legal Assistant
DATE: May 4, 2017
SUBJECT: Corrected Reports Memo
Meeting Date: May 17, 2017

Substantial Compliance (Items 1-6)

1. C. Tucker Anderson (80970)
Treasurer, 'Neighbors PAC' Neighbors Health Advocacy Political Action Committee

Report: 8-day pre-election report due October 31, 2016
Correction date: January 17, 2017
Activity report #1: contributions = \$33,290.84; expenditures = \$10,505.00;
contributions maintained = \$22,785.84
Activity report #2: contributions = \$33,290.84; expenditures = \$10,575.54;
contributions maintained = \$22,785.84
Prior corrections: none
Penalty: \$8,200
Recommendation: substantial compliance

Mr. Anderson corrected the original report to add two expenditures totaling \$70.54 on Schedule I (used for non-political expenditures). The total amount of the unreported expenditures does not exceed \$2,000.

Recommendation Based on Commission Guidelines: substantial compliance.

2. Scott E. Rozzell (80072)
Treasurer, Sarahjane Swanson Campaign (SPAC)

Report: 8-day pre-election report due October 31, 2016
Correction date: January 17, 2017
Activity report #1: contributions = \$49,816.81; expenditures = \$46,909.24;
contributions maintained = \$14,996.12
Activity report #2: contributions = \$49,816.81; expenditures = \$46,909.24;
contributions maintained = \$14,676.08
Prior corrections: none
Penalty: \$8,200
Recommendation: substantial compliance

Mr. Rozzell corrected the original report to add the payee zip codes for two expenditures totaling \$67.38 and to decrease the amount of total contributions maintained by \$320.04. None of the changes to the incorrectly reported activity exceed \$2,000.

Recommendation Based on Commission Guidelines: substantial compliance.

Corrected Reports Memo

Page 2

3. **Barbara Hawkins (80284)** **State Representative**

Report: 8-day pre-election report due October 31, 2016
Correction date: January 29, 2017
Activity report #1: contributions = \$16,873.38; expenditures = \$10,187.30;
contributions maintained = \$20,007.00
Activity report #2: contributions = \$15,623.38; expenditures = \$10,187.30;
contributions maintained = \$20,007.00
Prior corrections: none
Penalty: \$9,400
Recommendation: substantial compliance

Representative Hawkins corrected the original report to remove a duplicate contribution entry of \$1,250 on Schedule A1 (used for monetary political contributions). The amount of the incorrectly reported contribution does not exceed \$2,000. **Recommendation Based on Commission Guidelines: substantial compliance.**

4. **Carlos I. 'Charlie' Uresti (35921)** **State Senator**

Report: 8-day pre-election report due February 22, 2016
Correction date: February 14, 2017
Activity report #1: contributions = \$318,989.64; expenditures = \$162,607.31;
contributions maintained = \$184,381.11
Activity report #2: contributions = \$328,964.64; expenditures = \$162,607.31;
contributions maintained = \$184,381.11
Prior corrections: none
Penalty: \$10,000
Recommendation: substantial compliance

Senator Uresti corrected the original report to add a \$9,975 in-kind contribution on Schedule A2 (used for non-monetary political contributions). The amount of the unreported contribution does not exceed \$10,000 and does not exceed 10% of the total contributions. **Recommendation Based on Commission Guidelines: substantial compliance.**

Corrected Reports Memo

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5. Deborah S. 'Debbie' Gibson (24835) Treasurer, 'ABNA PAC' ZB, N.A. dba Amegy Bank

Note: The filer filed two corrections to the report at issue.

Report: 8-day pre-election report due October 31, 2016
Correction date: January 17, 2017, and February 10, 2017
Activity report #1: contributions = \$2,758.57; expenditures = \$2,000.00;
contributions maintained = \$115,270.17
Activity report #2: contributions = \$2,758.57; expenditures = \$2,000.00;
contributions maintained = \$114,860.41
Activity report #3: contributions = \$2,428.97; expenditures = \$2,000.00;
contributions maintained = \$113,239.09
Prior corrections: 8-day pre-election report due May 2, 2014 (substantial compliance by Commission)
Penalty: \$10,000
Recommendation: substantial compliance

On January 17, 2017, Mrs. Gibson filed the first correction (report #2 above) to the original report to decrease the amount of total contributions maintained by \$409.76. The change in the amount of total contributions maintained does not exceed \$2,000. **Recommendation Based on Commission Guidelines: substantial compliance.**

On February 10, 2017, Mrs. Gibson filed the second correction (report #3 above) to remove 24 contributions from company employees totaling \$329.60 and to decrease the amount of total contributions maintained by \$1,621.32. She also removed two returned political contributions totaling \$523.08 from Schedule K (used for interest, credits, gains, refunds, and contributions returned to the filer). None of the changes to the incorrectly reported activity exceed \$2,000. **Recommendation Based on Commission Guidelines: substantial compliance.**

6. Kenneth Besserman (15665) Treasurer, Texas Restaurant Association Political Action Committee

Report: 8-day pre-election report due October 31, 2016
Correction date: March 1, 2017
Activity report #1: contributions = \$10,625.50; expenditures = \$71,604.83;
contributions maintained = \$162,776.38
Activity report #2: contributions = \$10,625.50; expenditures = \$71,104.83;
contributions maintained = \$162,776.38
Prior corrections: none
Penalty: \$10,000
Recommendation: substantial compliance

Mr. Besserman corrected the original report to remove a \$500 expenditure from Schedule F1 (used for political expenditures from political contributions). The amount of the incorrectly reported expenditure does not exceed \$2,000. **Recommendation Based on Commission Guidelines: substantial compliance.**

Reductions (Items 7-8)

**7. Douglas R. Deason (67846)
Treasurer, Texans for Jason Villalba (SPAC)**

- 1) Report: 8-day pre-election report due February 22, 2016
Correction date: February 24, 2017 (approximately 1 year after primary election date)
Activity report #1: contributions = \$132,801.09; expenditures = \$136,970.18;
contributions maintained = \$36,716.38
Activity report #2: contributions = \$159,817.79; expenditures = \$136,970.18;
contributions maintained = \$36,716.38
Prior corrections: none
Penalty: \$10,000
Recommendation: reduce to \$2,000

Mr. Deason corrected the original report to add two in-kind contributions from a GPAC totaling \$27,016.70. The amount of the unreported contributions is approximately 20% of the total contributions. The correction was filed approximately one year after the primary election. **Recommendation Based on Commission Guidelines: reduction to \$2,000 for report (1).**

- 2) Report: 8-day pre-election report due October 31, 2016
Correction date: February 24, 2017 (approximately 4 months after general election date)
Activity report #1: contributions = \$222,543.21; expenditures = \$109,654.12;
contributions maintained = \$58,534.35
Activity report #2: contributions = \$336,508.53; expenditures = \$109,654.12;
contributions maintained = \$58,534.35
Prior corrections: none
Penalty: \$10,000
Recommendation: reduce to \$2,000

Mr. Deason corrected the original report to add five in-kind contributions from a GPAC totaling \$113,965.32. The amount of the unreported contributions is approximately 35% of the total contributions. The correction was filed approximately four months after the general election. **Recommendation Based on Commission Guidelines: reduction to \$2,000 for report (2).**

In the affidavit filed with each corrected report, Mr. Deason explained that in July 2015 the campaign began using a new e-mail address for campaign correspondence. He stated that one of the contributors, Texans for Lawsuit Reform PAC, continued to send notices of in-kind contributions to the old e-mail address that had been shut down and a number of in-kind contributions went unreported. Mr. Deason swore that once the mistake was discovered, he filed the corrections to include the omitted contributions within 14 business days. He further swore:

This error was completely unintentional, and the original report was filed in good faith. I have never – and would never – consciously attempt to conceal this or any other contributor's support, as evidenced by the monetary contributions from this contributor that appear in my reports, or the fact I've included their endorsement on [the candidate/officeholder's] website.

Corrected Reports Memo

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8. Rhetta A. Bowers (80443) Candidate, State Representative

Report: 8-day pre-election report due October 31, 2016
Correction date: November 10, 2016 (2 days after election date)
Activity report #1: contributions = \$27,073.20; expenditures = \$13,459.82;
contributions maintained = \$2,563.00
Activity report #2: contributions = \$13,536.60; expenditures = \$6,729.91;
contributions maintained = \$2,563.00
Prior corrections: none
Penalty: \$1,400
Recommendation: reduce to \$500

Mrs. Bowers corrected the original report to remove \$13,536.60 from the lump sum total of unitemized contributions and to remove \$6,729.91 from the lump sum total of unitemized expenditures. Mrs. Bowers explained that her treasurer was filing a copy of the report in a binder and discovered that the contributions and expenditures were entered twice on the report. She stated that after further research, they determined that all contributions and expenditures were uploaded and itemized in the electronic report. The totals were calculated by the software from the itemized entries and also manually entered by mistake in the unitemized lump sum total fields. This resulted in the total amounts being doubled. Mrs. Bowers stated that she corrected the report as soon as the error was discovered. The amount of the changes in contributions and expenditures is over 50% of the total. The correction was filed two days after the general election. **Recommendation Based on Commission Guidelines: reduction to \$500.**

Reconsiderations: No Recommendation (Items 9-10)

**9. John Halloran Romanow (16232)
Treasurer, 'TAS-PAC' Texas Assn. Of Staffing PAC**

(This filer also has an appeal for a late 30-day pre-election report at issue on Agenda Item 12, #4.)

Note: The filer filed two corrections to the report at issue.

Report: 8-day pre-election report due October 31, 2016
Correction date: January 9, 2017, and February 9, 2017
(first correction filed 2 months after election date)
Activity report #1: contributions = -0-; expenditures = -0-;
contributions maintained = \$7,163.56
Activity report #2: contributions = \$4,020.00; expenditures = \$11,055.00;
contributions maintained = \$7,163.56
Activity report #3: contributions = \$470.00; expenditures = \$9,500.00;
contributions maintained = \$7,163.56
Prior corrections: none
Penalty: \$7,400 (reduced to \$1,000 at the March 2017 meeting)

On October 28, 2016, Mr. Romanow filed the original 8-day report covering 07/01/2016 – 10/29/2016 (no 30-day pre-election report was filed). The original 8-day report disclosed no activity except the amount of total contributions maintained.

On January 9, 2017, Mr. Romanow filed the first correction (report #2 above) to the original report to add \$4,020 total contributions and \$11,055 in expenditures. He stated, "I mistakenly thought that I would report my activity on the Semiannual report and not the 8 Days Before the Election report." He stated that while speaking with the Commission's help desk in January 2017, he learned that he was required to disclose the PAC's reportable activity that occurred in the reporting period, including all election-related activity, on the pre-election report. Commission records show that this was not Mr. Romanow's first time to file pre-election reports. The first correction was filed two months after the general election.

While reviewing the first correction in February 2017, Commission staff found that some of the activity actually occurred in the 30-day reporting period, and therefore, a 30-day pre-election report was required. On February 8, 2017, Commission technical support staff contacted Mr. Romanow to assist him in filing another correction to the 8-day report and in filing the missing 30-day report (see Agenda Item 12, #4). On February 9, 2017, Mr. Romanow filed the second correction (shown as report #3 above) to correct the period covered start date for the 8-day report and to remove the 30-day activity (eight contributions totaling \$3,550, and three expenditures totaling \$1,555).

At the March 2017 meeting, the Commission voted to reduce the penalty for the corrections to \$1,000. On April 7, 2017, Mr. Romanow respectfully requested that the Commission reconsider its decision. In the request for reconsideration, Mr. Romanow swore that when he was informed of his mistake by the Commission he filed a corrected report immediately. He also stated:

I am a volunteer for my industries trade association. It is very difficult to keep up to date with the TEC's filing system and the changes that are made regularly. It is not possible for me to continue volunteering if I am subject to such large fines.

Corrected Reports Memo

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10. Gary W. Gates, Jr. (51418) Candidate, Railroad Commissioner

Report: 8-day pre-election report due February 22, 2016
Correction date: May 18, 2016 (approximately 3 months after election date)
Activity report #1: contributions = -0-; expenditures = \$1,041,131.43; loans = -0-
contributions maintained = \$81,441.57; outstanding loans = \$2,000,000.00
Activity report #2: contributions = -0-; expenditures = \$1,041,131.43; loans = \$1,000,000.00
contributions maintained = \$1,081,441.54; outstanding loans = \$3,000,000.00
Prior corrections: 8-day pre-election report due December 1, 2014 (fine waived by the Commission)
Penalty: \$9,000 (no waiver at the February 2017 meeting)

Mr. Gates corrected the original report to add three loans from a financial institution totaling \$1 million and increase the amount of outstanding loans by \$1 million. He also increased the amount of total contributions maintained by \$1 million. (Technically, bank loans are not required to be included in the total contributions maintained.) Mr. Gates explained that on approximately May 17, 2016, while discussing campaign finance with his campaign consultant, he discovered that "certain information may have been presented incorrectly in previous reports." He stated that he instructed the consultant to "immediately review all old reports and correct any misinformation, regardless of whether or not those discrepancies would ever be discovered by anyone outside our campaign." The amount of the unreported loans is significant and the amount of the increase in total outstanding loans is over 50% of the total. The correction was filed almost three months after the primary election.

At the February 2017 meeting, the Commission voted to not waive the \$9,000 penalty, expressing concern regarding the late addition of such large loans. The Commission also had some questions about the explanation of the correction and wanted more information regarding the nature of the loans.

On March 21, 2017, Mr. Gates respectfully requested that the Commission reconsider its decision. In the request for reconsideration, Mr. Gates stated that he would like the opportunity to present his case to the Commission.

Texas Ethics Commission
MEMORANDUM

TO: Commissioners, Texas Ethics Commission

FROM: Ian M. Steusloff, General Counsel

DATE: May 4, 2017

SUBJECT: Termination of Campaign Treasurer Appointments

CANDIDATE

1. Demetria Smith (00080343)

Last report filed: February 1, 2016
Treasurer appointment filed: November 16, 2015
Office sought: State Representative, District 149

2. Andrew J. Condie (00080412)

Last report filed: February 4, 2016
Treasurer appointment filed: December 8, 2015
Office sought: District Attorney, multi-county, District 24

3. Ruby Resendez (00080511)

Last report filed: February 22, 2016
Treasurer appointment filed: December 11, 2015
Office sought: State Representative, District 116 24

4. Veronica Aleman (00080612)

Last report filed: February 22, 2016
Treasurer appointment filed: December 22, 2015
Office sought: State Senator, District 21

POLITICAL COMMITTEES

5. Citizens for Property Rights (00068064)
Keith Houser, Treasurer

Last report filed: March 14, 2016
Treasurer appointment filed: November 1, 2015

Texas Ethics Commission
MEMORANDUM

TO: Commissioners, Texas Ethics Commission

FROM: Seana Willing, Executive Director

DATE: May 4, 2017

SUBJECT: Agenda Item: Reports More Than 30 Days Late; Imposition of
Additional Fine
Meeting Date: May 17, 2017

Listed below are filers whose reports are more than 30 days late. These filers have been issued a warning of liability by registered mail, as required by either section 254.042, Election Code (campaign finance), or section 305.033(c), Government Code (lobby). At this meeting, you may vote to increase the penalty to an amount not to exceed \$10,000, as set out by the applicable statute noted above. Staff recommendation is to increase the penalty in each case by \$500, for a total penalty of \$1,000.

Campaign Finance Reports

Candidates/Officeholders

1. Jose David Garza (00080642)

Candidate for County Party Chair

Semiannual Report due 1/17/2017 – Report not filed; \$500 penalty not yet paid and not referred to AG because not yet at referral threshold.

Previous violations:

- 30-Day Pre-Election Report due 2/1/2016 – Report filed late; \$500 penalty waived because of no previous violations and no activity.

Lobbyists

2. Charles Briscoe (00081049)

Annual Lobby Activities Report due 1/10/2017 – Report not filed; \$500 penalty not yet paid and not referred to AG because not yet at referral threshold.

Previous violations: None.

3. Anthony Haley (00051002)

Annual Lobby Activities Report due 1/10/2017 – Report not filed; \$500 penalty not yet paid and not referred to AG because not yet at referral threshold.

Previous violations:

- Lobby Activities Report due 01/11/2016 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/12/2015 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/10/2013 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/10/2012 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/10/2011 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/11/2010 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/12/2009 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/10/2008 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/10/2007 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 10/11/2005 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 09/12/2005 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 08/10/2005 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/12/2004 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 12/10/2003 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 11/11/2003 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 10/10/2003 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 09/10/2003 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 08/11/2003 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 07/10/2003 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 06/10/2003 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 01/10/2003 – Report not filed; \$500 penalty paid.
- Lobby Activities Report due 01/10/2002 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 12/10/2001 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 11/13/2001 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 10/10/2001 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 09/10/2001 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 08/10/2001 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 07/10/2001 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 06/11/2001 – Report filed late; \$500 penalty paid.
- Lobby Activities Report due 05/10/2001 – Report filed late; \$500 penalty paid.



DANA DEBEAUVOIR TRAVIS COUNTY CLERK

PHONE: (512) 554-9188
WWW.TRAVISCOUNTYCLERK.ORG
MAILING ADDRESS: PO. BOX 149325, AUSTIN, TEXAS 78714-9325
5501 AIRPORT BOULEVARD AUSTIN, TEXAS 78751
1000 GUADALUPE AUSTIN, TEXAS 78701

RECORDING, ELECTIONS, COMPUTER RESOURCES, ACCOUNTING, AND ADMINISTRATION DIVISIONS
MISDEMEANOR RECORDS, CIVIL/PROBATE/COMMISSIONERS COURT MENUELS AND RECORDS MANAGEMENT DIVISIONS

April 19, 2017

MIO #35060

VIA ELECTRONIC MAIL

Ms. Seana Willing, Executive Director
Texas Ethics Commission
201 East 14th St., 10th Floor
Austin, TX 78701

Dear Ms. Willing,

This letter is to request to place an item on the Texas Ethics Commission May 17, 2017 meeting agenda to review a proposed change in how the Travis County Clerk's office receives campaign finance reports. Travis County Elections Administration is requesting permission to use **EasyCampaignFinance** from a vendor, EasyVote.

The EasyCampaignFinance module is a comprehensive campaign finance software package that provides election offices with a robust online tool to automate the filing and management of the necessary forms for campaign finance reporting designed to meet state requirements. If you require further information on the software from EasyVote, you may contact Mr. Jason Barnett, Director of Business Development at 512-378-3834.

Travis County local filers will not be required to use this electronic feature, it is optional. Currently, the Travis County Clerk's office posts campaign finance reports on its website and utilizing the proposed new method will not change the current practice; in fact the searchable features of the software will enable more comprehensive information searches.

Enclosed with this letter is an overview of the proposed software and background materials. We appreciate your consideration and look forward to meeting with the Commissioners to discuss a new way of receiving campaign finance reports from local Travis County filers.

If you require further information, please do not hesitate to contact me at 512-854-4728 or via email, Michael.Winn@traviscountytx.gov.

Sincerely,

Michael Winn
Director of Elections, Travis County

Enclosures

TRAVIS COUNTY ELECTIONS — CAMPAIGN FINANCE SECURITY FORM

This document is the undersigned's submission for the purpose of receiving access to file electronic campaign related reports with Travis County Elections. (This document is NOT for use by those required to file with the Texas Ethics Commission.)

Name:	Last First Middle
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Committee Name: (if Committee)	
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Mailing Address:	Street City State ZIP
------------------	--

Contact Phone:	Area Code Phone Number Extension
----------------	--

Email Address:	
----------------	--

Signature and Affirmation:	I swear or affirm, under penalty of perjury, that I am the person required by law under the Texas Ethics Commission jurisdiction to file Campaign Finance reports with Travis County Elections. _____ Signature
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Return to Travis County Elections, 5501 Airport Blvd., Austin, TX 78751

The Travis County Elections Office is seeking a Campaign Finance System for receiving and processing of disclosure reports that improve efficiency for this office, the elected officials and candidates using the system, and the general public accessing the system's data. The Travis County Elections Office is interested in a campaign finance system that includes the following requirements and/or features:

- **Cloud Based**
Reducing the need for hardware/software support from the County IT department.
- **SaaS pricing model with no long term contracts**
Eliminating the need for a significant upfront investment.
- System specifically designed for Campaign Finance and supported by individuals with a clear understanding of Campaign Finance and Elections law.
- US based support
- **Secure Electronic Submission**
Candidates can quickly and efficiently submit their filings securely online, via a standard web browser. Within the module, each candidate completes, submits and updates all required forms. Submissions are time-stamped and cataloged by the system, ensuring an audit trail.
 - Each electronic submission will contain a sworn statement by the person required to file the report along with their digitized signature per Tex. Elec. 254.036(h) and in compliance with commission specifications.
- **Detailed Search & Reporting**
Election staff can view a complete history of all campaign finance events including form submissions and communication with the office.
- **Public Display**
Having a hosted system outside the county network, Election staff can quickly post submitted reports for public viewing without the need to first submit them to the county IT department for approval. The public interface will provide access to current and archived reports for candidates.
- **Automated Communication & Notifications**
Election staff can easily and quickly communicate with candidates, directly or en masse via the system's online tool. Reporting deadlines and other regulatory initiated notifications are pushed to the appropriate campaign staff. Other custom notifications can be created/set by the election administrator.
- **Import Candidate History**
The system will allow us to import and or save historical information for candidates.
- **Searchable Document Retention System Tied to Statute**
Stores documents for the statutory retention period by candidate file or document type with a time stamp built in to know when the document can be discarded. System may include a search feature for ease of locating documents.

- **Personalized and Secure Candidate Profile**

Allow each new candidate to access the system, create an account, a profile, and allow them to submit forms or complete process(es) applicable to their situation.

What Makes EasyCampaignFinance Stand Out from the Competition?

- Cloud based software with US support both locally and virtually;
- User friendly system with a dedicated portal for each user (county staff, candidate/ official, and public);
- Software is scalable to fit the evolving needs of the county and/or changes to law or regulation;
- Dedicated team of experts in the areas of campaign finance and elections both at the local and state level.

SECURITY

The EasyCampaignFinance system uses the Microsoft Azure platform which always included the following security features:

- **Identity and access management** – Azure Active Directory helps ensure that only authorized users can access your environments, data, and applications, and provides multi-factor authentication for highly secure sign-in.
- **Encryption** – Azure uses industry-standard protocols to encrypt data as it travels between devices and Microsoft datacenters, and crosses within datacenters.
- **Secure networks** – Azure infrastructure relies on security practices and technologies to connect virtual machines to each other and to on-premises datacenters, while blocking unauthorized traffic. Azure Virtual Networks extend your on-premises network to the cloud via a site-to-site virtual private network (VPN).
- **Threat management** – Microsoft Antimalware protects Azure services and virtual machines. Microsoft also uses intrusion detection, denial-of-service (DDoS) attack prevention, penetration testing, data analytics, and machine learning to constantly strengthen its defense and reduce risks.
- **Compliance** – We comply with both international and industry-specific compliance standards and participate in rigorous third-party audits, which verify our security controls.

EasyCampaignFinance Candidate Filing Instructions

This document gives detailed instructions, step by step, for the filing of reports by candidates including e-signature.

EasyCampaignFinance Candidate Instructions

1. Open browser of choice (IE, Firefox, Chrome, Safari, etc.)
2. Enter: easyvote.county.com in address bar
3. Click on Officials/Candidates at top right
4. Click Register (there is a video to the left after you click Register – if you need further assistance)
 - a. Select your County/City from drop down menu
 - b. Enter your email address
 - c. Enter your first name
 - d. Enter your last name
 - e. Cell Phone is optional
 - f. Choose the office you are running for from the drop down menu under Office Occupying/Running for
 - g. Enter code in box
 - h. Click REGISTER
 - i. You will be sent an email thanking you for registering
 - ii. After the Filing Clerk has approved you – you will receive an e-mail with a link to click to complete your registration.
 - iii. After your registration is completed – you will be ready to login and begin submitting your documents.

To Submit Documents

1. Follow Steps 1-3 from above
2. Click on Login
 - a. Enter your email that you registered with
 - b. Enter the **password** (if you forgot your password – click the link "Forgot Password?"
 - c. Click Login
 - d. Click on File Reports (Instruction Video is a 5 minute video to give you instructions on how to complete the forms.)
 - i. Click Wizard/Upload next to the form that you want to complete
 - ii. Click Start Wizard
 - iii. The forms are broken down in to small snippets (after you complete each page – click NEXT STEP
 - iv. You will always be able to view your document before submitting (in pdf format) – if your document is complete on the review page – click E-Sign/Submit
 - v. Enter the **code on the right (security code)**
 - vi. Check the box next to "By checking this box you are certifying that statements on this form are complete, true and accurate."
 - vii. Click Submit
 - viii. You will be defaulted back to the front page
 - ix. Click on My Submissions and look under STATUS and you will see that your form has been Submitted
 - x. When the Filing Clerk has accepted your form – the Submitted will be changed to Accepted
 - xi. When the Filing Clerk has faxed your form to Ethics – the Accepted will be changed to Faxed to Ethics

-
- xii. When you look under STATUS and it says NEW – that means that you have not E-Signed/Submitted your form.

EasyCampaignFinance Administration Filing Instructions

This document gives detailed instructions, step by step, for the filing from County level for the Elections Office.

EasyCampaignFinance Administration Initial Set-Up

A. Logging into System

1. Double Click the EasyVote Icon on your desktop
2. Enter your username (you will have to put the cursor in the box)
3. Enter your password
4. Choose Location from drop down menu
5. Click Login

B. Admin Tab (Single Click ONLY)

1. Click County Setup
2. Enter County Name (i.e. Franklin – do not include the word county)
3. Enter Address – City, State and Zip
4. Enter Phone and Fax number
5. Enter Filer ID (this is the Q number issued to you by the Ethics Department)
6. Upload County Logo (must be .png)
 - a. Click Upload under County Logo
 - b. Locate file on your computer
 - c. Click Open
 - d. Click Save Changes
 - e. Click Close This Form

C. Campaign Finance Tab (Single Click ONLY)

1. Dashboard is viewable only – you must click on Officials tab to work documents
2. Officials (once candidate has green check beside name you can begin accepting documents from them and uploading documents to public site)
 - a. To ACCEPT/REJECT document and send to ethics
 1. Highlight candidate/elected official name
 2. Highlight document name on right under Uploads/Filings
 3. Click Edit/View to Change name of Document, Click Save Changes, Click Close This Form
 4. Click Reject/Accept – Click Accept Submission to ACCEPT – Enter Reason if you want to REJECT and then Click Reject
 5. Once submission has been ACCEPTED – highlight document name and click Send to Ethics – If will ask if you are sure – click YES – it will ask if you want to make public – click YES
 - b. To Upload Scanned Document
 1. Find document and drag and drop under Uploads and Filings
 2. Once document has been dropped under the correct tab you can change date, type of document and description – click UPLOAD DOCUMENT

3. You would need to click on Edit/View and under Status click the circle beside ACCEPTED – click Save Changes – click Close This Form
4. You would then follow the steps above to Send to Ethics
3. All activity
 - a. This tab show all activity for all candidates/elected officials)

TABS ACROSS TOP

1. Access Request (this tab is used to approve candidate/elected official access)
 - a. Highlight name
 - b. Click Accept/Active or Deny/Inactive (if you click Deny – give reason)
2. Update Blog (like a personal website for candidates)
 - a. Click New Blog Entry
 - b. Choose Expiration Date
 - c. Enter a Subject
 - d. If applicable, insert URL
 - e. Enter information that you want your candidates/elected officials to know)
 - f. Click Save
 - g. Click Close This Form
3. Send Bulk E-Mail
 - a. Choose the candidates/elected officials you would like to send e-mail
4. Send Bulk SMS
 - a. Choose the candidates/elected officials you would like to send text
5. Email Content
 - a. You can personalize any of the emails that are automated. DO NOT remove the links that we have in the emails that have them to click to reset password or click to complete registration)
 - b. After Thank You, put in your contact information
 - c. You can change all email content before you have to Save Change
 - d. When all emails are complete – click Save Changes
 - e. Click Close This Form
6. Resend Invites (used if candidate/elected official does not complete registration)
 - a. When you click Resend Invites – it will resend the email asking them to complete their registration (at this time it sends to everyone that has not completed their registration – 2015 release you will be able to choose who to send to)
7. Doc Due Dates
 - a. Double Click on the dates that documents are due (at this point everything defaults to CCDR being due – but with new release in 2015 you will be able to select which document will be due)
 - b. You must enter document due dates for each of the four (4) tabs (Less than \$2500, \$2500 or More, \$5000 or More, Non Election Year)
 - c. Click Close This
8. Office List (you must enter each office that is elected in your city/county)
 - a. Click New Office

-
- b. Enter Name of Office
 - c. Click Save

EasyVote's Internal System Recovery Documents

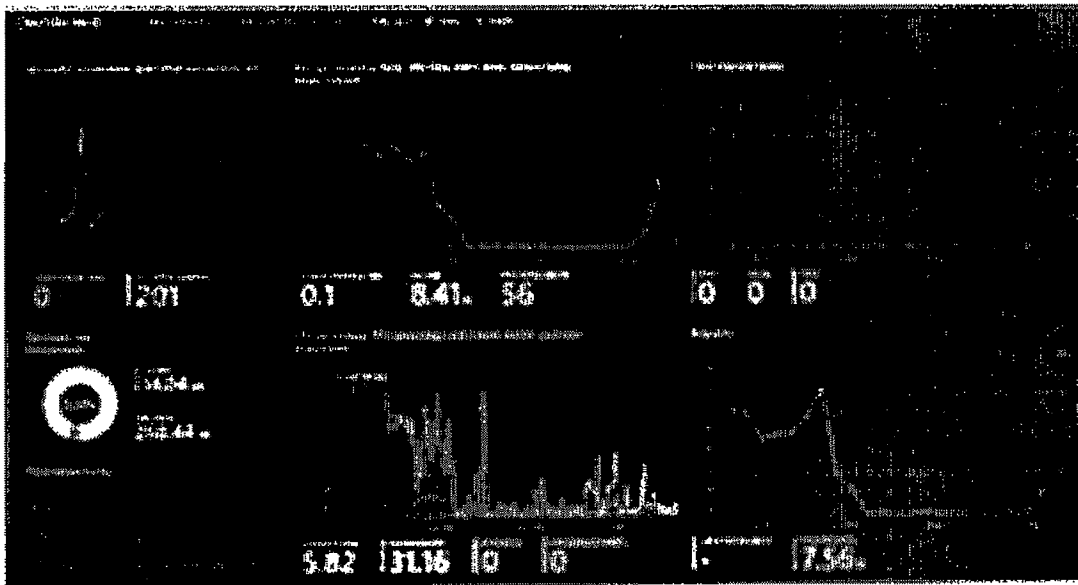
Further explanation of the backbone of EasyVote's backbone of their platform and enterprise performance.

EasyVote System Recovery

1 Introduction

EasyVote is based on a SaaS (Software as a Service) model and operates with the assumption that all of our customers have access to an Internet connection. That being said, SaaS must be available 99.6% of the time so that no customers experience outages due to the infrastructure that we supply being inaccessible at any time. Since EasyVote is entirely based on a green field build out on Microsoft Azure, the benefits of Cloud Based computing are inherited from the core of the Azure redundant and scalable architecture.

Azure provides the highest enterprise level performance and recovery tools as well as services that warn of saturation points before they become a problem. Below is one of the Azure dashboards that are used 24/7 to ensure the level of performance required by our customers.



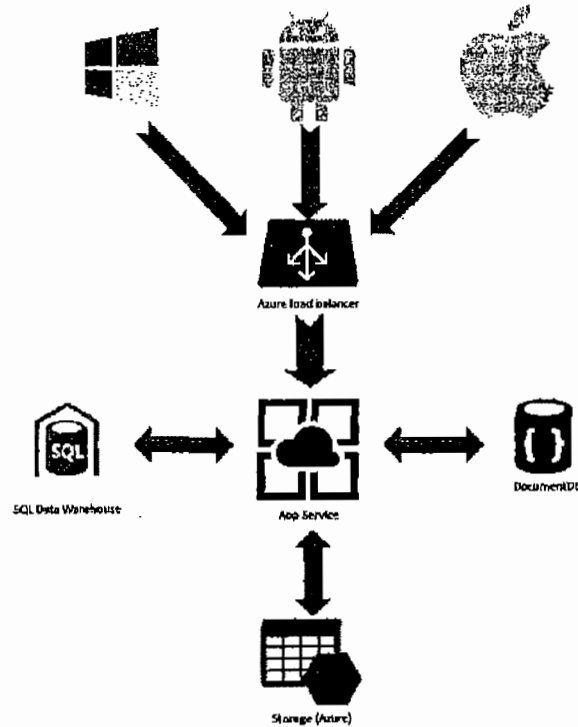
These dashboards allow the creation of Alerts that will send SMS and Emails to warn our administrators of any possible performance hampering issues.

1.1 Scale Out, Not Up

Adding more hardware is preferable to upgrading hardware. This is a new standard in the world of Cloud computing. As demand increases the Azure Auto Scale feature will initialize more hardware to handle the load, and as the load requirements diminish, hardware is taken offline.

2 Services and Data

EasyVote is built on your data, our services and the network. Below is a representation of how the data and services are assembled to allow continuous access to all of these services and your data.



Each part and level of EasyVote is built on a geographically redundant service and the SQL server has an added layer of protection called "Active geo-replicated". This means that each SQL Server service is running on hardware that is physically located at different data centers around the United States.

NOTE: No data or services are allowed outside the U.S. borders.

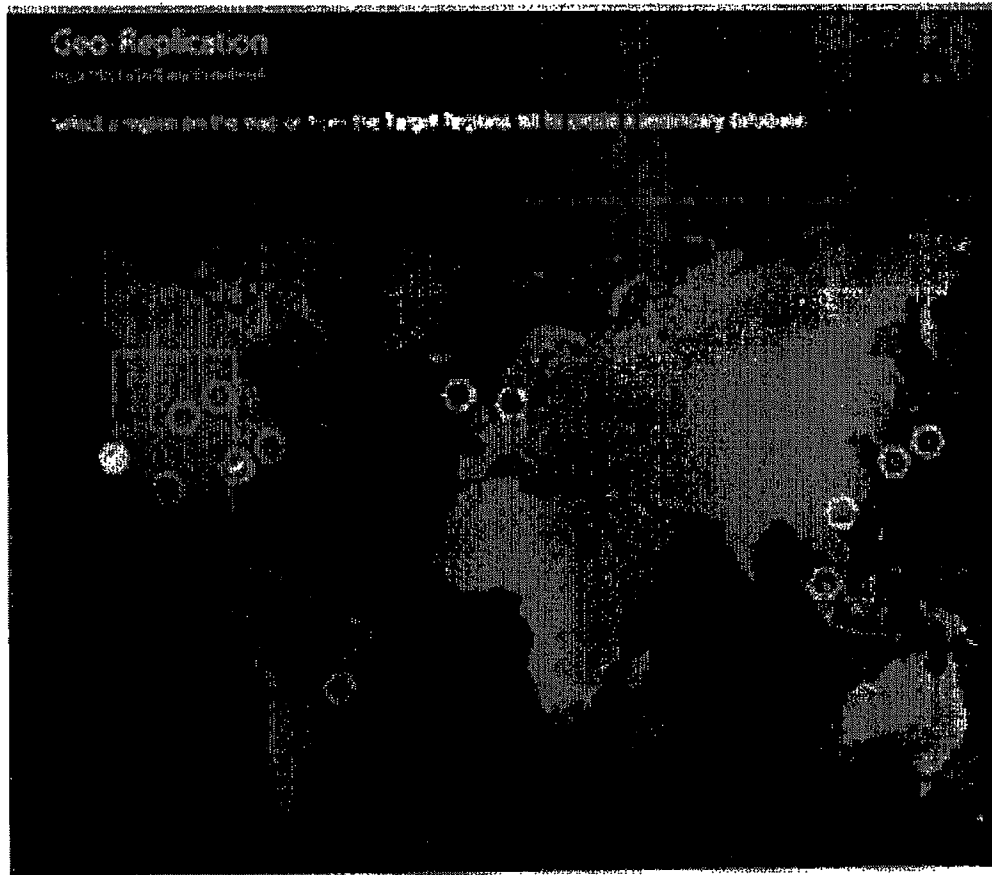
2.1 SQL Server Details

The backbone of any searchable data storage is of course the database. With today's rise of the **NoSQL** databases, EasyVote has integrated this new technology into the appropriate places and taken full advantage of these new techniques.

EasyVote uses a hybrid approach by utilizing SQL based storage (Azure MSSQL Server) and NoSQL storage (Azure DocumentDB) to ensure the best performance as well as the maximum flexibility to satisfy our customer's feature requests.

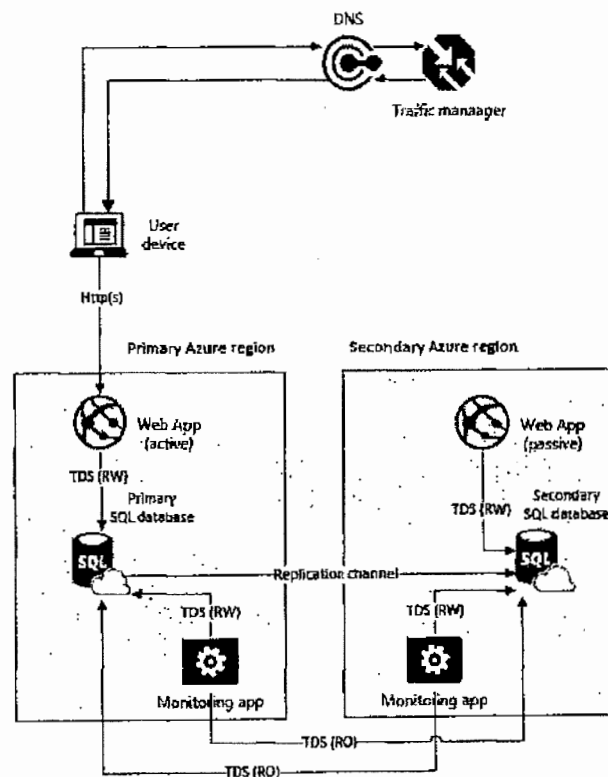
The EasyVote Microsoft SQL Server is replicated in Virginia as well as California. The physical separation of the primary and secondary databases ensures that your data is always available.

Log Shipping ensures that the databases are always in sync with each other so that when an issue arises, the Auto Fail Over will forward all SQL statements and queries to the secondary database. Once the issue is resolved the Fail Over recovery mechanism will resync the primary database and restore all edited data to the newly recovered production database.



Here are some more details about the Active geo-replication aspects of Azure SQL Server:

- Database-level disaster recovery goes quickly when you've replicated transactions to databases on different SQL Database servers in the same or different regions.
- Cross-region redundancy allows applications to recover from permanent loss of a datacenter caused by natural disasters, catastrophic human errors, or malicious acts.
- Online secondary databases are readable, and they can be used as load balancers for read-only workloads such as reporting.
- With automatic asynchronous replication, after an online secondary database has been seeded, updates to the primary database are automatically copied to the secondary database.



2.2 Disaster Recover Drills for SQL Server

Once a month, EasyVote DevOps performs a disaster recover drill. There is about a 25 second delay once the FAILOVER command is executed on the SQL Server and the secondary database takes over. All data is replicated before the test fail over is execute. Below is the TSQL command to execute to perform a test.

```
ALTER DATABASE <MyDB> FAILOVER;
```

In the event that disaster has occurred, the failover can be performed manually or automatically. Sometimes the automatic fail over does not react fast enough so the DevOps team can force the failover immediately by running the command below.

```
ALTER DATABASE <MyDB> FORCE FAILOVER ALLOW_DATA_LOSS;
```

2.3 File Storage

Azure File Storage is automatically protected from failure by the Microsoft Data Centers redundant servers and disk drives. This is a guaranteed service that requires no maintenance or testing from the DevOps as it is always available with a 99.90% uptime.

2.4 DocumentDB (NoSQL)

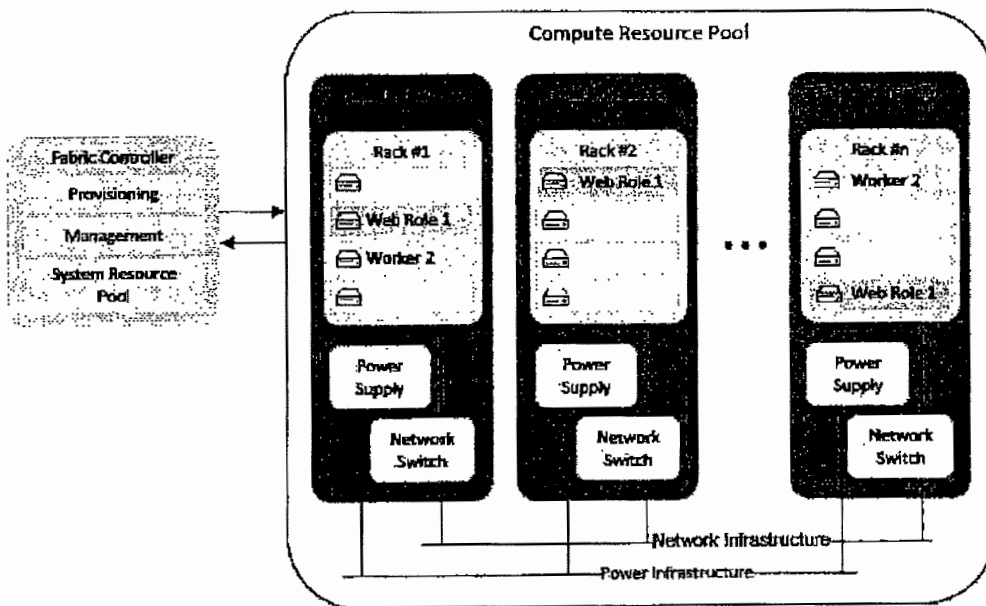
Azure DocumentDB is an enterprise level generic document (JSON/XML) storage and querying service that allows EasyVote to store unstructured data in a safe and efficient architecture.

DocumentDB has a 99.99% uptime and is by far the safest location for your custom fields and Campaign finance documents.

3 Web App Services

The Azure Fabric Controller (FC) is responsible for provisioning and monitoring the condition of the Azure compute instances. The Fabric Controller checks the status of the hardware and software of the host and guest machine instances. When it detects a failure, it enforces SLAs by automatically relocating the VM instances. The concept of fault and upgrade domains further supports the compute SLA.

When multiple role instances are deployed, Azure deploys these instances to different fault domains. A fault domain boundary is basically a different hardware rack in the same datacenter. Fault domains reduce the probability that a localized hardware failure will interrupt the service of an application. You cannot manage the number of fault domains that are allocated to your worker or web roles. The Fabric Controller uses dedicated resources that are separate from Azure hosted applications. It has 100% uptime because it serves as the nucleus of the Azure system. It monitors and manages role instances across fault domains. The following diagram shows Azure shared resources that are deployed and managed by the FC across different fault domains.



4 Summary

By building the EasyVote platform on a proven enterprise level Cloud service, an unprecedented level of reliability and consistency is derived from the massive hardware and software investments of Microsoft.

From: Michael Winn <Michael.Winn@traviscountytexas.gov>
To: Ian Steusloff <Ian.Steusloff@ethics.state.tx.us>
Date: 5/3/2017 5:45 PM
Subject: Re: {EXTERNAL} EasyCampaignFinance module

Ian,

I assume you are referencing Travis County where you mention Denton County in your response. The answer is yes for Travis County on all six items you mentioned. The dynamics are the same in terms of processes. Please let me know if you have additional questions.

Regards,

Michael

□ from Michael's □ □

> On May 3, 2017, at 5:11 PM, Ian Steusloff <Ian.Steusloff@ethics.state.tx.us> wrote:

>

> Dear Mr. Winn,

>

> I'm reviewing your submission for the Texas Ethics Commission's
> consideration of your request to approve the use of the
> EasyCampaignFinance software package. It appears that the software is
> substantially similar to software that the Commission considered at a
> previous meeting in February 2017 that was submitted by Denton County.
> In their request, Denton County had stated the following:

>

> 1. Candidates would be able to submit their filings securely online via
> a standard web browser. Submissions are time-stamped and cataloged by
> the system, ensuring an audit trail.

>

> 2. All of the forms on the website will be exact recreations of the
> forms created by the Texas Ethics Commission, specifically in a fillable
> PDF format.

>

> 3. Elected official/candidate/public access will be directly through
> the Denton County website.

>

> 4. For security purposes, prior to an elected official/candidate being
> granted access to use the application, they will be required to request
> access with Travis County Elections, by paper document with a "wet"
> signature.

>

> 5. Denton County Elections will maintain their current practice of
> allowing members of the public to request a hard copy of any filing that
> is maintained by the system.

>

> 6. The filing system sends automatic notifications to filers by e-mail
> when they register, when their registration is approved, when a new
> document is submitted or accepted, and when reports are due 5, 10, or 15
> days before a filing deadline. Filers can also see the status of
> submitted documents in their user profile activity page.

>

>

> Do those facts apply to the software that Travis County proposes to
> use? Please let me know as soon as possible, as we are preparing this
> item for the Commission's consideration at their next meeting. Thank
> you.

>
> Regards,
>
>
> Ian M. Steusloff
> General Counsel
> Texas Ethics Commission
>
>
>

TEXAS ETHICS COMMISSION
P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800

Chase Untermeyer, Chair
Steven D. Wolens, Vice Chair
Hugh C. Akin
Jim Clancy

Chad M. Craycraft
Chris Flood
Mary K. "Katie" Kennedy
Tom Ramsay

AGENDA

Date and Time: 3:30 p.m., Wednesday, May 17, 2017
Location: Room E1.014, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. Contested Case Proceeding: Sworn Complaint Nos. SC-31404104 and SC-31405130, In the Matter of Sid Miller, Respondent. Prehearing conference.
3. Adjourn.

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

Certifying Official & Agency Liaison: Seana Willing
Executive Director

NOTICE: Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the Texas Ethics Commission will provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, and large print or Braille documents. In determining the type of auxiliary aid or service, the Commission will give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify Margie Castellanos at (512) 463-5800 or RELAY Texas at (800) 735-2989 two days before this meeting so that appropriate arrangements can be made. Please also contact Ms. Castellanos if you need assistance in having English translated into Spanish.

For more information, contact Seana Willing, Executive Director, at (512) 463-5800.