

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

Steven D. Wolens, Chair
Hugh C. Akin, Vice Chair
Jim Clancy
Chad M. Craycraft

Chris Flood
Mary K. “Katie” Kennedy
Tom Ramsay
Chase Untermeyer

AGENDA

Date and Time:	10:30 a.m., Monday, November 13, 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:
 - Workshop Meeting – September 27, 2017;
 - Executive Session – September 28, 2017; and
 - Public Meeting – September 28, 2017

RULEMAKING

5. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of new Ethics Commission Rules § 12.36 (Assessment of Civil Penalty) and a repeal of Ethics Commission Rules § 18.27 (Sworn Complaints), clarifying the facts that the Commission will consider when assessing a civil penalty in the complaint process.
6. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of new Ethics Commission Rules § 12.37 (Dismissal of Complaint After Public Disclosure), regarding the Commission's authority to dismiss a complaint filed by a complainant who publicly discloses confidential information regarding the complaint.
7. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of amendments to Ethics Commission Rules § 12.85 (Preliminary Review Hearing) and § 12.87 (Resolution of Preliminary Review Hearing), regarding procedures for preliminary review hearings.

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

8. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 12.21 (Notice) and new Ethics Commission Rules § 12.84 (Notice of Preliminary Review Hearing) and § 12.103 (Notice of Formal Hearing), regarding notices and exchange of documents for hearings.
9. Public discussion and possible action on the proposal and publication in the Texas Register of new Ethics Commission Rules § 12.28 (Production of Documents During a Preliminary Review), regarding procedures for production or inspection and subpoenas during preliminary review.
10. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 20.61 (Purpose of Expenditure), regarding disclosure of the purpose of a political expenditure.
11. Public discussion and possible action on the proposal and publication in the Texas Register of new Ethics Commission Rules Chapter 16 (Facial Compliance Review & Full Audits), including §§ 16.1 – 16.11, regarding procedures for facial compliance reviews and audits.

ADVISORY OPINIONS

12. Discussion of Advisory Opinion Request No. AOR-623: Whether an associate judge may use in political advertising and campaign communications in connection with the associate judge's candidacy for district judge: 1) the title “associate judge” and 2) photographs depicting the associate judge in a judicial robe, sitting on the bench over which the associate judge currently presides.

This opinion request construes section 255.006 of the Election Code and Chapter 39 of the Penal Code.

OTHER POLICY MATTERS

13. Discussion and possible action on the approval of a format for electronic filing of campaign finance reports, as proposed by Galveston County.
14. Discussion regarding surveys to determine level of local filer compliance, including Form 1295 compliance.
15. Discussion regarding filer ability to perform “error check” in campaign finance reporting application.

16. 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 individual and political committees:
 1. Lawrence E. Meyers (00020530)
 2. Elizabeth Choate (00066252)
 3. James D. Morrison (00080120)
 4. Richard Knight, Jr., Treasurer, 'DCUA' Dallas Committee on Urban Affairs (00039199)
 5. Adnan Tovar, Treasurer, 'ROCKGPAC' Rockwall Republican Executive Committee General Purpose PAC (CEC) (00056027)
17. 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:
 1. Jeff W. Baldwin, Treasurer, 'GPPFPAC' Grand Prairie Fire Fighter's Political Action Committee (00068929)
 2. Terry L. Barker, Treasurer, Metrocrest Democrats (00080175)
 3. John C. 'Chris' Allen, Treasurer, Focus Irving PAC (00069672)
18. Communication to the Commission from the public.
19. 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.