

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

Mary K. “Katie” Kennedy, Chair  
Randall H. Erben, Vice Chair  
Chad M. Craycraft  
Chris Flood

Patrick W. Mizell  
Richard S. Schmidt  
Joseph O. Slovacek  
Steven D. Wolens

## MEETING AGENDA

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Date and Time: 9:00 a.m., Wednesday, December 14, 2022  
Location: Room E1.014, Capitol Extension, Austin, Texas

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**INFORMATION ON HOW TO VIEW AND/OR PARTICIPATE IN THE ONLINE  
BROADCAST OF THIS MEETING WILL BE POSTED ON OUR WEBSITE ON THE  
DAY OF THE MEETING HERE:**

[https://www.ethics.state.tx.us/meetings/meetings\\_2020-2024.php#2022](https://www.ethics.state.tx.us/meetings/meetings_2020-2024.php#2022)

1. Call to order; roll call.
2. Discussion of, and possible action on, any unfinished business from the Executive Session or Public Meeting held on December 13, 2022.
3. Discussion regarding dates for next quarterly Commission meeting.
4. Approve minutes for the following meetings:
  - Executive Session – September 28, 2022; and
  - Public Meeting – September 29, 2022.

### RULEMAKING

#### Rule Adoption

5. Discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 22.37, regarding virtual currency contributions.
6. Discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 50.1 (Legislative Per Diem) relating to the legislative per diem required to be set under Article III, Section 24a, of the Texas Constitution.

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*For more information, contact J.R. Johnson, Executive Director, at (512) 463-5800.*

**Rule Publication**

7. Discussion and possible action regarding rules related to the administrative waiver or reduction of civil penalties for late filing, including the proposal and publication in the Texas Register of the repeal of 1 Tex. Admin. Code §18.23, and amendments to §§ 18.24 and 18.25.
8. Discussion and possible action on the proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 40.3 regarding the definition of “home address” as it relates to personal financial disclosures.

**ADVISORY OPINIONS**

9. Draft Advisory Opinion No. AOR-660: Whether a corporation subject to section 253.094 of the Texas Election Code may provide pro bono legal services to candidates or political committees in Texas for the purpose of challenging in court the interpretation or constitutionality of a Texas law or regulation subject to the jurisdiction of the Texas Ethics Commission.

This opinion construes section 253.094 of the Election Code and section 20.66 of the Texas Ethics Commission Rules.

10. Draft Advisory Opinion No. AOR-671: Whether a political committee may accept political contributions through a web portal shared with an incorporated association that established and administers the political committee.

This opinion construes Title 15 of the Election Code.

11. Draft Advisory Opinion No. AOR-672: Whether a written communication, created by a political subdivision and related to a measure, constitutes political advertising for purposes of the Election Code’s prohibition against using public funds for political advertising.

This opinion construes section 255.003 of the Election Code.

12. Draft Advisory Opinion No. AOR-673: Whether, under the Judicial Campaign Fairness Act, a general-purpose committee may make a maximum “campaign contribution” (up to \$25,000) to a state-wide judicial candidate and a maximum “officeholder contribution” (up to an additional \$25,000) before a general election.

This opinion construes Subchapter F of Chapter 253 of the Election Code.

13. Draft Advisory Opinion No. AOR-677: Whether expenditures made by a candidate to encourage donations to a local food bank are campaign expenditures when publicized by the candidate on a social media page that is also used for his campaign.

This opinion construes Chapters 253 and 254 of the Election Code.

#### **ADMINISTRATIVE WAIVER OF FINES**

14. Discussion and possible action on appeals of determinations made under Ethics Commission Rules §§ 18.11, 18.25 and 18.26 relating to administrative waiver or reduction of a fine, for the following filers:
  1. Residents for Accountability and Transparency, Marshall W. Sprigg treasurer (00081705)
  2. San Antonio Chapter Associated General Contractors Political Action Committee, Doug McMurry treasurer (00024566)

#### **OTHER MATTERS**

15. Discussion and possible action regarding recommendations for statutory changes to the 88<sup>th</sup> Legislature as required by section 571.073 of the Government Code.

#### **CTA TERMINATIONS**

16. Discussion and possible action regarding the termination of a campaign treasurer appointment for the following inactive political committee:

The Committee to Elect Gena Slaughter and Dorothea Ocker, District Judge Gena N. Slaughter, Acting Treasurer (00069231)

17. 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: J.R. Johnson, 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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