

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

Date and Time: 9:00 a.m., Thursday, September 29, 2022
Location: Room E1.014, Capitol Extension, Austin, Texas

**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

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 September 28, 2022.
3. Recognition of Tom Ramsay.
4. Discussion and possible action regarding election of Chair and Vice Chair of the Texas Ethics Commission.
5. Discussion regarding dates for next quarterly Commission meeting.
6. Approve minutes for the following meetings:
 - o Public Meeting – May 12, 2022; and
 - o Pubic Meeting – August 1, 2022.

CTA TERMINATIONS

7. Discussion and possible action regarding the termination of a campaign treasurer appointment for the following inactive individuals and political committees:

INDIVIDUALS:

1. Larry McKinzie (00084539)

For more information, contact J.R. Johnson, General Counsel, at (512) 463-5800.

2. Marcus A. Nervis (00085544)
3. Billy E. Pierce (00085687)

POLITICAL COMMITTEES:

4. San Antonio Young Democrats, Rafael Alcoser III, Treasurer (00081448)
5. Balch Springs Fire Fighters Political Action Committee, Lindsay Jack Branton, Treasurer (00062490)
6. Texas Senate District 11, Travis A. Bryan I, Treasurer (00070095)
7. Move Tarrant Forward, Angela Darden, Treasurer (00085002)
8. Republican National Hispanic Assembly – Texas Chapter, Elizabeth Castro Gray, Treasurer (00085160)
9. Black Equity PAC, Eddie Johnson III, Treasurer (00084860)
10. Family and Economic Prosperity PAC, Matthew H. Logan II, Treasurer (00070400)
11. Better Together Project (MPAC), Sally A. McFeron, Treasurer (00084878)
12. Bowie County Patriots (MPAC), Steve Oglesby, Treasurer (00085061)
13. The Redacted Caucus, Caige M. Sutton, Treasurer (00085502)
14. LPCounties, Anastasia Wilford, Treasurer (00081870)
15. Change Texas PAC, Julian Wilson, Treasurer (00085509)

ADMINISTRATIVE APPEALS OF FINES

8. 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. Ramsey E. Cantu (00084315)
 2. Angie Parker (00054835)
 3. Vanessa F. Hicks-Calloway (00084152)
 4. Todd J. Rathner (00070798)
 5. Chioma Okoro (00082662)

RULEMAKING

Rule Adoption

9. Discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 8.11, regarding withdrawals of advisory opinion requests.
10. Discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 18.31, regarding the adjustments of reporting thresholds, and Ethics Commission Rules that are affected by the adoption of an amendment to 1 Tex. Admin. Code § 18.31, including §§ 20.62, 20.65, 20.217, 20.219, 20.220, 20.221, 20.275, 20.279, 20.301, 20.303, 20.313, 20.329, 20.331, 20.333, 20.401, 20.405, 20.431, 20.433, 20.434, 20.435, 20.553, 20.555, 22.1, 22.6, 22.7, 34.41, and 34.43.

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

Rule Publication

11. Discussion and possible action on the 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.

ADVISORY OPINIONS

12. 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 sections 253.094 of the Election Code.

13. Draft Advisory Opinion No. AOR-665: Whether an employee of a university system participates in a procurement or contract negotiation for the purposes of Section 572.069 of the Government Code when the employee informally recommends an attorney to provide outside legal services to the university system decision makers, but has no involvement in the formal selection process or negotiating the terms of the contract.

This opinion construes section 572.069 of the Government Code.

14. Draft Advisory Opinion No. AOR-668: Whether a government employee's direct communications with a potential contracting partner over the terms of a prospective deal constitutes participating in a procurement or contract negotiation under Section 572.069 of the Government Code. Whether Section 572.069 of the Government Code prohibits a former employee of a state agency from accepting employment from an affiliate of a person that was involved in procurements or contract negotiations in which the employee participated during his state service.

This opinion construes section 572.069 of the Government Code.

15. Draft Advisory Opinion No. AOR-670: Whether any of the State's revolving door provisions prohibit a former state employee from accepting certain employment.

This opinion construes sections 572.054 and 572.069 of the Government Code.

16. Draft Advisory Opinion No. AOR-667: Whether candidates for party precinct chair are subject to the campaign treasurer and campaign finance filing requirements of Title 15 of the Texas Election Code.

This opinion construes Title 15 of the Election Code

OTHER MATTERS

17. Discussion and possible action, including the appointment of a committee of commissioners, regarding recommendations for statutory changes to the 88th Legislature as required by section 571.073 of the Government Code.
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: J.R. Johnson, Interim 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.