

TEXAS ETHICS COMMISSION

IN THE MATTER OF
KATHRYN WOOD,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-250574

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission met on September 8, 2005, to consider sworn complaint SC-250574. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 254.154 of the Election Code, a law administered and enforced by the commission. To resolve this complaint without further proceedings, the commission proposes this resolution to the respondent.

II. Allegations

The complaint alleges that the respondent failed to timely file a campaign finance report for a political committee.

III. Facts Supported by Credible Evidence

Credible evidence available to the commission supports the following findings of fact:

1. The respondent was the campaign treasurer of the Greater Houston Builders Association Home PAC at the time relevant to the complaint.
2. The committee's 8-day pre-election report due May 7, 2004, was filed on June 7, 2004.
3. The respondent was administratively assessed a late-filing penalty of \$3,500 for filing the report late and the commission reduced the penalty to \$1,000 on July 16, 2004. The penalty was paid on July 30, 2004.

IV. Findings and Conclusions of Law

The facts described in Section III support the following findings and conclusions of law:

1. A campaign treasurer of a general-purpose political committee that is involved in an election must file campaign finance reports not later than the 30th day and the 8th day before the election. ELEC. CODE § 254.154.
2. The respondent was the campaign treasurer of the committee during the period covered by the report at issue, which was filed late. Therefore, there is credible evidence that the respondent violated section 254.154 of the Election Code. However, no additional civil penalty is assessed for this violation because the respondent already paid a civil penalty for this violation.

V. Representations and Agreement by Respondent

By signing this order and agreed resolution and returning it to the commission:

1. The respondent neither admits nor denies the facts described under Section III or the commission's findings and conclusions of law described under Section IV, and consents to the entry of this order and agreed resolution solely for the purpose of resolving this sworn complaint.
2. The respondent consents to this order and agreed resolution and waives any right to further proceedings in this matter.
3. The respondent acknowledges that a campaign treasurer of a general-purpose political committee that is involved in an election must file campaign finance reports not later than the 30th day and the 8th day before the election. The respondent agrees to comply with this requirement of the law.

VI. Confidentiality

This order and agreed resolution describes a violation that the commission has determined is neither technical nor *de minimis*. Accordingly, this order and agreed resolution is not confidential under section 571.140 of the Government Code and may be disclosed by members and staff of the commission.

VII. No Sanction

After considering the seriousness of the violation described under Sections III and IV, including the nature, circumstances, and consequences of the violation, and after considering the sanction necessary to deter future violations, the commission imposes no civil penalty for the violation described under Sections III and IV.

VIII. Order

The commission hereby orders that if the respondent consents to the proposed resolution, this order and agreed resolution is a final and complete resolution of SC-250574.

AGREED to by the respondent on this _____ day of _____, 20__.

Kathryn Wood, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director