

# TEXAS ETHICS COMMISSION

IN THE MATTER OF  
JOE SLOVACEK,  
RESPONDENT

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BEFORE THE  
TEXAS ETHICS COMMISSION  
SC-250577

## ORDER and AGREED RESOLUTION

### I. Recitals

The Texas Ethics Commission met on September 8, 2005, to consider sworn complaint SC-250577. A quorum of the commission was present. The commission determined that there is credible evidence of violations of section 254.031(a)(8) 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 include the total amount of political contributions maintained by the committee at the end of the reporting period on seven campaign finance reports.

### III. Facts Supported by Credible Evidence

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

1. At all times relevant to the complaint, the respondent was the campaign treasurer of the Houston Realty Breakfast Club political committee.
2. Seven of the committee's campaign finance reports filed between September 2003 and May 3, 2005, did not disclose the total amount of political contributions maintained at the end of the reporting period.
3. The seven reports at issue disclosed a total of \$66,602 in political contributions and \$83,808.88 in political expenditures.
4. Corrections to each report at issue were filed in response to this complaint. Six of the reports disclose an average of \$26 in total political contributions maintained at the end of the reporting period. The seventh report, which was a monthly report due November 5, 2003, disclosed \$8,756.96 in total political contributions maintained at the end of the reporting period.

#### **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 must include on a campaign finance report the total amount of political contributions maintained as of the last day of the reporting period. ELEC. CODE § 254.031(a)(8).
2. Seven of the committee's campaign finance reports at issue did not include the total amount of political contributions maintained as of the last day of the reporting period when they were originally filed. The respondent was the campaign treasurer of the committee during the period covered by each of the reports. Therefore, there is credible evidence that the respondent violated section 254.031(a)(8) of the Election Code.

#### **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 must include on a campaign finance report the total amount of political contributions maintained as of the last day of the reporting period. The respondent agrees to comply with these requirements of the law.

#### **VI. Confidentiality**

This order and agreed resolution describes violations 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. Sanction**

After considering the seriousness of the violations 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 a \$100 civil penalty for the violations 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-250577.

AGREED to by the respondent on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Joe Slovacek, Respondent

EXECUTED ORIGINAL received by the commission on: \_\_\_\_\_.

Texas Ethics Commission

By: \_\_\_\_\_  
David A. Reisman, Executive Director