

TEXAS ETHICS COMMISSION

IN THE MATTER OF
ANTOINETTE LAWRENCE,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-2510178

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on May 11, 2006, to consider sworn complaint SC-2510178. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of sections 253.032(e), 254.031(a)(1), and 254.031(a)(3) of the Election Code, laws administered and enforced by the commission. To resolve this complaint without further proceedings, the commission proposes this resolution to the respondent.

II. Allegations

1. The complaint alleges that the respondent accepted political contributions from three out-of-state political committees without including in a campaign finance report either a statement of organization from the out-of-state political committees or the same information for the committees that would be included on a campaign treasurer appointment filed by a general-purpose political committee.
2. The complaint alleges that the respondent failed to include required information regarding two political expenditures on a campaign finance report.
3. The complaint alleges that the respondent failed to include required information regarding a political contribution on a campaign finance report.

III. Facts Supported by Credible Evidence

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

1. The respondent was a successful city council candidate in a November 2003 general election.
2. The respondent's campaign finance report due eight days before the November 2003 general election included a \$250 political contribution from an out-of-state political committee. The

- report did not include a statement of organization or campaign treasurer appointment information from the committee.
3. The respondent's January 2004 semiannual report included two contributions from two out-of-state political committees in the amounts of \$250 and \$500. The report did not include a statement of organization or campaign treasurer appointment information from the committee.
 4. The respondent's report due on the eighth day before the November 2003 general election included a \$250 political contribution that did not include the contributor's street address.
 5. The respondent's report due on the eighth day before the November 2003 general election included a \$150 political expenditure that did not include the payee's street address.
 6. The respondent's January 2004 semiannual report included a political expenditure of \$283.36 that did not include the payee's street address.
 7. In response to the complaint, the respondent filed corrected reports with the city filing authority. The reports indicate they were received by the city on February 23, 2006.

IV. Findings and Conclusions of Law

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

1. A candidate for public office is required to file a campaign finance report on January 15 of each year and, if the candidate has an opponent whose name is to appear on the ballot, on the thirtieth and eighth day before the election day. ELEC. CODE §§ 254.063, 254.064(c).
2. A candidate who accepts political contributions totaling \$500 or less from an out-of-state political committee shall include with a campaign finance report either: (1) the same information for the out-of-state political committee required for general-purpose committees by sections 252.002 and 252.003 of the Election Code; or (2) a copy of the committee's statement of organization filed as required by law with the Federal Election Commission. ELEC. CODE § 253.032(e), 1 T.A.C. § 22.7(d).
3. The reports show that the respondent accepted a political contribution of \$500 or less from three separate out-of-state political committees without including the required information in two campaign finance reports. Therefore, there is credible evidence that the respondent violated section 253.032(e) of the Election Code in connection with these contributions.
4. A candidate's campaign finance report must include the amount of political contributions from each person that in the aggregate exceed \$50 and that are accepted during the reporting period, in addition to the full name and address of a person making the contributions and the dates of the contributions. ELEC. CODE § 254.031(a)(1).

5. The respondent's eight-day pre-election report disclosed a \$250 political contribution and did not include the contributor's street address, but only included the contributor's city, state, and zip code. Therefore, there is credible evidence that the respondent violated section 254.031(a)(1) of the Election Code in connection with that political contribution.
6. A candidate's campaign finance report must include the amount of political expenditures that in the aggregate exceed \$50 and that are made during the reporting period, in addition to the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures. ELEC. CODE § 254.031(a)(3).
7. The respondent's reports disclosed two political expenditures in the amounts of \$150 and \$283.36 and did not include the payees' street addresses, but only included the city and state of one payee and the city, state, and zip code of the other payee. Therefore, there is credible evidence that the respondent violated section 254.031(a)(3) of the Election Code in connection with these expenditures.

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 candidate who accepts political contributions totaling \$500 or less from an out-of-state political committee shall include with a campaign finance report either: (1) the same information for the out-of-state political committee required for general-purpose committees by sections 252.002 and 252.003 of the Election Code; or (2) a copy of the committee's statement of organization filed as required by law with the Federal Election Commission. The respondent also acknowledges that a candidate's campaign finance report must include the amount of political contributions from each person that in the aggregate exceed \$50 and that are accepted during the reporting period, in addition to the full name and address of a person making the contributions and the dates of the contributions. The respondent also acknowledges that a candidate's campaign finance report must include the amount of political expenditures that in the aggregate exceed \$50 and that are made during the reporting period, in addition to the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures. 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 are 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 violations, 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-2510178.

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

Antoinette Lawrence, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director