

# TEXAS ETHICS COMMISSION

**IN THE MATTER OF**  
**RICARDO “RICK” FLORES,**  
**RESPONDENT**

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**BEFORE THE**  
**TEXAS ETHICS COMMISSION**  
**SC-3130224**

## **ORDER and AGREED RESOLUTION**

### **I. Recitals**

The Texas Ethics Commission (Commission) met on November 30, 2015, to consider sworn complaint SC-3130224. A quorum of the Commission was present. The Commission determined that there is credible evidence of violations of sections 254.031, 254.064, and 255.001 of the Election Code and section 20.61 of the Ethics Commission Rules, laws administered and enforced by the Commission. To resolve and settle this complaint without further proceedings, the Commission proposed this resolution to the respondent.

### **II. Allegations**

The complaint alleged that the respondent: 1) did not include a proper political advertising disclosure statement on political advertising; 2) did not disclose political contributions and political expenditures; 3) did not timely file a pre-election campaign finance report; and 4) did not cover the proper reporting period.

### **III. Facts Supported by Credible Evidence**

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

1. The respondent was the Webb County Sheriff from 2004-2008. The respondent was an unsuccessful candidate for Webb County Sheriff in the November 6, 2012, general election.

#### **Political Advertising Disclosure Statement**

2. The complaint alleged that the respondent’s campaign signs did not accurately report the source of funding. The complaint included a picture of one of the respondent’s signs. The respondent’s campaign sign stated:

for  
SHERRIFF  
Rick  
Flores  
“If we unite, we’ll get it right”  
[www.rickflores2012.com](http://www.rickflores2012.com)

3. The sign included the following statement on the bottom right-hand corner: “Paid political advertisement by the Committee to elect Rick Flores for Sheriff, Jorge Verdiguél, Treasurer.” The same individual was named as the respondent’s campaign treasurer on the respondent’s January 2012 semiannual report, and 30-day and 8-day pre-election reports filed for the November 6, 2012, general election.
4. The complaint alleged that no such political committee was registered with the Webb County Election Administration, Texas Ethics Commission, or Secretary of State. In response to the complaint, the respondent swore that he did have groups of supporters that were not registered with the county or Commission.
5. In response to written questions submitted to the respondent by the Commission, the respondent stated that he was responsible for ordering the political advertising signs and that the signs were printed with his prior consent.

### **Political Contributions**

6. The complaint alleged that the respondent did not provide the required information on Schedule T (used to disclose travel outside of Texas) of the 30-day and 8-day pre-election reports filed for the November 6, 2012, general election.

### 30-day Pre-election Report

7. The 30-day pre-election report disclosed three contributions from two contributors on Schedule T. The respondent entered “N/A” in the following boxes: 1) dates of travel, 2) name of person(s) traveling, 3) departure city or name of departure location, 4) destination city or name of destination location, 5) means of transportation, and 6) purpose of travel.
8. No in-kind contributions were disclosed on Schedule A (used to disclose political contributions), and the respondent disclosed \$0 for the total amount of political contributions on page two of the cover sheet.
9. In response to the complaint, the respondent swore that Schedule T was used in error in an attempt to report in-kind contributions, and that the in-kind contributions were not used for travel.

10. In response to written questions submitted to the respondent by the Commission, the respondent stated that one contributor provided an in-kind contribution to the respondent for radio advertisements worth \$3,088 on October 9, 2012. The respondent provided a letter in Spanish from the contributor stating that he contributed to the respondent's campaign for radio advertisements for an unknown amount. The respondent also stated that the other contributor donated cases of bottled water to the respondent's campaign. The respondent stated that documentation relating to the in-kind contributions at issue no longer exists.

#### 8-day Pre-election Report

11. The 8-day pre-election report disclosed four contributions from four contributors on Schedule T. The respondent entered "N/A" in the following boxes: 1) dates of travel, 2) name of person(s) traveling, 3) departure city or name of departure location, 4) destination city or name of destination location, 5) means of transportation, and 6) purpose of travel.
12. No in-kind contributions were disclosed on Schedule A and the respondent disclosed \$0 for the amount of total political contributions on page two of the cover sheet. The respondent disclosed \$3,088 for the amount of total political expenditures on page two of the cover sheet.
13. Regarding the first contributor, the respondent stated that there was only one in-kind contribution accepted for radio advertisement on October 9, 2012 (during the reporting period for the 30-day pre-election report). However, the respondent offers no explanation for why the same contributor was also disclosed on the respondent's 8-day pre-election report.
14. The respondent also stated that two other contributors donated bottled water to the respondent's campaign. Regarding the fourth contributor, the respondent stated that he could not recall her donating to his campaign. The respondent stated that documentation relating to the in-kind contributions at issue no longer exists.

#### **Political Expenditures**

15. The complaint alleged that the respondent did not disclose salaries paid to the campaign's employees on the January 2012 semiannual report. This allegation was based on nine expenditures totaling approximately \$890 reported by the respondent for food and gas purchases for campaign employees. The complaint also alleged that the respondent did not properly disclose the purpose of three expenditures totaling approximately \$2,190 in the 8-day pre-election report for the November 6, 2012, general election.
16. The Commission sent written questions to the respondent requesting more information regarding some of the expenditures at issue. The political expenditures at issue and the respondent's responses are as follows:

January 2012 Semiannual Report

- December 7, 2011, \$100 to “Campaign Employees” under the category of “Donation Campaign Food” with no description provided.
  - The respondent stated that he does not recall the individual campaign volunteers who paid for meal expenses. The respondent stated that he believes he reimbursed the volunteers for expenditures they made.
- December 12, 2011, \$302.50 to “Employee Gas” under the category of “Campaign Fuel” with no description provided.
  - The respondent stated that he does not recall the individual campaign volunteers who paid for fuel expenses for transporting voters to the polls. The respondent stated that he believes he reimbursed the volunteers for expenditures they made.
- December 12, 2011, \$76.77 to “Variety Meats” under the category of “Employees Dinner” with no description provided.
- December 23, 2011, \$100 to “Campaign Employees” under the category of “Camp Employees Gas & Food” with no description provided.
  - The respondent stated that he does not recall the individual campaign volunteers who paid for meal and fuel expenses. The respondent stated that he reimbursed the volunteers for expenditures they made.
- December 27, 2011, \$100 to “Shop & Save” under the category of “Employees Dinner” with no description provided.
- December 27, 2011, \$84.00 to “AT&T” under the category of “Employees Food” with no description provided.
- December 28, 2011, \$31.47 to “Chick-fil-A” under the category of “Employee Food” with no description provided.
- December 30, 2011, \$17.21 to “Don Pablo’s Restaurant” under the category of “Emp. Breakfast” with no description provided.

- January 3, 2012, \$2.50 to “ATM” under the category of “4 x \$20 Employee’s Food” with no description provided.
  - The respondent stated that this expenditure was for \$80 withdrawn from an ATM and used to purchase food for campaign volunteers.

17. In response to the complaint, the respondent swore that the employees referenced in the January 2012 semiannual report were actually unpaid volunteers.

#### 8-day Pre-election Report

- October 22, 2012, \$500 to “HEB Gas Station” with no category provided and a description of “Gas.”
- October 22, 2012, \$500 to “HEB Gas Station” with no category provided and a description of “Gas.”
- October 22, 2012, \$2,088 to “National Rentals” with no category provided and a description of “Rental Cars.”

#### **Total Political Contributions Maintained**

18. The complaint alleged that the respondent did not properly report total political contributions maintained on the 30-day and 8-day pre-election reports for the November 6, 2012, general election.
19. The totals page of the respondent’s January 2012 semiannual report disclosed total political contributions maintained of “-\$475.39.”
20. The totals page of the respondent’s 30-day pre-election report disclosed that he accepted no new political contributions during the period covered by the report and disclosed total political contributions maintained of \$0.00.
21. The totals page of the respondent’s 8-day pre-election report disclosed that he accepted no new political contributions during the period covered by the report and disclosed total political expenditures of \$3,088.00. The report also disclosed total political contributions maintained of \$0.00.
22. In response to the complaint, the respondent swore that his campaign was operating on a negative bank balance. In response to a request by the Commission, the respondent stated that the bank no longer maintains records regarding his account because the account has been

closed for over two years. The respondent provided an Internet printout of his campaign bank account showing no transaction history within the last two years.

### **Did Not Timely File 8-day Pre-election Report**

23. The complaint alleged that the respondent did not timely file the 8-day pre-election report for the November 6, 2012, general election. Election results for the November 6, 2012, general election maintained by Webb County indicate that the respondent was an opposed candidate in the election. The respondent did not elect to file reports on the modified reporting schedule on the CTA (Appointment of a Campaign Treasurer) filed on September 14, 2011.
24. The complaint included a copy of the 8-day pre-election report at issue that was received by the local filing authority on October 30, 2012. The report was due on October 29, 2012. The respondent admitted that the report was filed one day late due to confusion about whether he would appear on the ballot as a democrat or independent.
25. The report disclosed \$0 in total political contributions and approximately \$3,090 in total political expenditures. As previously mentioned, the report totals do not reflect the value of the in-kind contributions the respondent accepted during the reporting period for this report.

### **Did Not Cover the Proper Reporting Period**

26. The complaint alleged that the respondent did not cover the proper reporting periods on the 30-day and 8-day pre-election reports for the November 6, 2012, general election. The reports at issue covered the following reporting periods:
  - 30-day Pre-election Report covered the period of January 16, 2012, through October 7, 2012.
    - The 30-day Pre-election Report should have covered from January 16, 2012, (the first day after the period covered in the respondent's January 2012 semiannual report) through September 27, 2012.
  - 8-day Pre-election Report covered the period of October 30, 2012, through November 6, 2012.
    - The 8-day Pre-election Report should have covered from September 28, 2012, through October 27, 2012.
27. The reports at issue left a reporting gap beginning October 8, 2012, through October 29, 2012. The respondent swore that the gap was caused due to confusion as to whether he would be on the ballot as a democrat or independent. In response to a request for additional

information, the respondent stated that he placed his campaign on a break during the period beginning October 8, 2012, through October 29, 2012. He further stated that he does not recall receiving any political contributions or making any political expenditures during this time period.

#### IV. Findings and Conclusions of Law

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

##### Political Advertising Disclosure Statement

1. A person may not knowingly cause to be published, distributed, or broadcast political advertising containing express advocacy that does not indicate in the advertising that it is political advertising and the full name of the person who paid for the political advertising, the political committee authorizing the political advertising, or the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate. ELEC. CODE § 255.001(a). Political advertising that is authorized by a candidate, an agent of a candidate, or a political committee filing reports under this title shall be deemed to contain express advocacy. *Id.* § 255.001(b).
2. “Political advertising” means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that, in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television, or that appears in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication, or on an Internet website. *Id.* § 251.001(16).
3. The signs at issue clearly supported the respondent as a candidate for election to a public office and therefore were political advertising. The signs at issue included a disclosure statement identifying the signs as political advertisements paid for by the Committee to elect Rick Flores for Sherriff. The evidence indicates that there was no political committee in existence by that name, and that the advertising at issue was authorized by the respondent. Accordingly, the respondent was required to include his full name in the disclosure statement. The respondent did not include a correct disclosure statement on the signs at issue. Therefore, there is credible evidence of a violation of section 255.001(a) of the Election Code.

**Political Contributions**

4. A campaign finance report must include the amount of political contributions that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions. ELEC. CODE § 254.031(a)(1).
5. A campaign finance report must include the total amount or a specific listing of the political contributions of \$50 or less accepted and the total amount or a specific listing of the political expenditures of \$100 or less made during the reporting period. *Id.* § 254.031(a)(5).
6. Each campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period. *Id.* § 254.031(a)(6).
7. The description of an in-kind political contribution for travel outside of the state of Texas must provide the name of the person or persons traveling on whose behalf the travel was accepted, the means of transportation, the name of the departure city or the name of each departure location, the name of the destination city or the name of each destination location, the dates on which the travel occurred, and the campaign or officeholder purpose of the travel, including the name of the conference, seminar, or other event. Ethics Commission Rules § 20.52.

**30-day Pre-election Report**

8. Based on the respondent's response, it appears that the respondent attempted to report in-kind political contributions using Schedule T rather than Schedule A. The respondent swore that none of the in-kind contributions at issue were used for travel. Therefore, there is credible evidence of no violation of section 20.52 of the Ethics Commission Rules with regard to those three in-kind contributions.
9. Regarding the two in-kind contributions accepted for bottled water, it is unclear whether the value of the contributions exceeded \$50 in the aggregate. However, the respondent was required to include these in-kind contributions in the total amount of political contributions. The respondent disclosed \$0 in total political contributions on the cover sheet of the report at issue, and it is reasonable to assume that the in-kind contributions were valued over \$0. Thus, in the least, the respondent did not disclose the correct amount of total political contributions on the report at issue. Therefore, there is credible evidence of a violation of section 254.031(a)(6) of the Election Code.



10. Regarding the in-kind contribution accepted for the radio advertisements, the value of the contribution exceeded \$50 in the aggregate. Thus, the respondent was required to disclose the contribution on Schedule A and also provide the amount and date of the contribution and the full address of the person making the contribution, and he did not do so. Additionally, the respondent did not include the value of this in-kind contribution in the amount of total political contributions on the report at issue. Therefore, there is credible evidence of a violation of sections 254.031(a)(1) and 254.031(a)(6) of the Election Code with regard to this in-kind contribution.

#### 8-day Pre-election Report

11. Based on the respondent's response, it appears that the respondent attempted to report in-kind political contributions using Schedule T rather than Schedule A. The respondent swore that none of the in-kind contributions at issue were used for travel. Therefore, there is credible evidence of no violation of section 20.52 of the Ethics Commission Rules with regard to those four in-kind contributions.
12. Regarding the first contribution, it appears that there was no in-kind contribution for the radio advertisements accepted during the reporting period for the 8-day pre-election report. However, the respondent offered no explanation for why the contributor was disclosed on the 8-day pre-election report. Therefore, there is insufficient evidence of a violation of section 254.031(a)(1) of the Election Code.
13. Regarding the two in-kind contributions accepted for bottled water, it is unclear whether the value of the contributions exceeded \$50 in the aggregate. However, the respondent was required to include these in-kind contributions in the total amount of political contributions. The respondent disclosed \$0 in total political contributions on the cover sheet of the report at issue, and it is reasonable to assume that the in-kind contributions were valued over \$0. Thus, in the least, the respondent did not disclose the correct amount of total political contributions on the report at issue. Therefore, there is credible evidence of a violation of section 254.031(a)(6) of the Election Code.
14. Regarding the fourth contributor, the respondent stated that he does not recall this individual donating to his campaign and that he no longer maintains records of his political contributions. However, the respondent does not offer any explanation for why this contributor was disclosed on the original report. Thus, there is insufficient evidence to establish whether the respondent accepted an in-kind contribution from this contributor. Therefore, there is insufficient evidence of a violation of section 254.031(a)(1) of the Election Code.

**Political Expenditures**

15. A campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 and that are made during the reporting period, 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).
16. Each campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period. *Id.* § 254.031(a)(6).
17. The purpose of an expenditure means a description of goods, services, or other thing of value and must include a brief statement or description of the candidate, officeholder, or political committee activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure. Ethics Commission Rules § 20.61.
18. Political expenditures made out of personal funds by a staff member of an officeholder, a candidate, or a political committee with the intent to seek reimbursement from the officeholder, candidate, or political committee that in the aggregate do not exceed \$5,000 during the reporting period may be reported as follows if the reimbursement occurs during the same reporting period that the initial expenditure was made: (1) the amount of political expenditures that in the aggregate exceed \$100 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made and the dates and purposes of the expenditures; and (2) included with the total amount or a specific listing of the political expenditures of \$100 or less made during the reporting period. Except as provided previously, a political expenditure made out of personal funds by a staff member of an officeholder, a candidate, or political committee with the intent to seek reimbursement from the officeholder, candidate, or political committee must be reported as follows: the aggregate amount of the expenditures made by the staff member as of the last day of the reporting period is reported as a loan to the officeholder, candidate, or political committee; the expenditure made by the staff member is reported as a political expenditure by the officeholder, candidate, or political committee; and the reimbursement to the staff member to repay the loan is reported as a political expenditure by the officeholder, candidate, or political committee. *Id.* § 20.62.

January 2012 Semiannual Report

19. The respondent swore that his campaign employees were unpaid volunteers, and there was no evidence to indicate that the respondent did not otherwise disclose political expenditures for his campaign employee's salary. Therefore, there is credible evidence of no violation of sections 254.031(a)(3) and 254.031(a)(6) of the Election Code regarding that allegation.
20. Three of the expenditures totaling approximately \$500 named "Campaign Employees" or "Employee Gas" as the payee. Based on the respondent's response, it appears these expenditures were made to reimburse campaign volunteers for food or gas purchases that they made. The respondent was unable to provide any documentation relating to these expenditures. Thus, it is unclear whether these expenditures exceeded \$100 in the aggregate to any one vendor payee. Therefore, there is insufficient evidence of a violation of section 254.031(a)(3) of the Election Code and sections 20.61 and 20.62 of the Ethics Commission Rules with respect to those three expenditures.
21. Two expenditures to Shop & Save and AT&T exceeded \$100 in the aggregate and thus the respondent was required to provide a description, and he did not do so. Therefore, there is credible evidence of a violation of section 254.031(a)(3) of the Election Code and section 20.61 of the Ethics Commission Rules.
22. The remaining four expenditures at issue totaling approximately \$200 did not exceed \$100 in the aggregate to any one vendor payee. Thus, the respondent was not required to disclose an expenditure purpose. Therefore, there is credible evidence of no violation of section 254.031(a)(3) of the Election Code and section 20.61 of the Ethics Commission Rules with respect to those four expenditures.

8-day Pre-election Report

23. Regarding the three political expenditures totaling approximately \$3,090, each exceeded \$100 and thus was required to be itemized. The respondent was required to provide a description of the goods, services, or other thing of value. The respondent sufficiently described the goods or services, in this case gas and rental cars. However, the respondent did not provide a category for the expenditures. Therefore, there is credible evidence of violations of section 254.031(a)(3) of the Election Code and section 20.61 of the Ethics Commission Rules with respect to those three expenditures.

**Total Political Contributions Maintained**

24. Each report must include as of the last day of the reporting period, the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period. ELEC. CODE § 254.031(a)(8).
25. The total amount of political contributions maintained in one or more accounts includes balance on deposit in banks, savings and loan institutions and other depository institutions, and the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc. Ethics Commission Rules § 20.50(a).
26. The respondent submitted a general denial of the allegations and did not provide bank statements to show the actual amount of political contributions maintained as of the last day of each reporting period.
27. Regarding both the 30-day and 8-day pre-election reports for the November 6, 2012, general election, the complaint alleges that the reports should reflect a negative balance. However, the appropriate method of determining total political contributions maintained is by determining the balance of any and all accounts in which political contributions are maintained as of the last day of the reporting period, and the amount would never be disclosed as a negative balance. The respondent's sworn response indicates that he did not have any political contributions maintained during the reporting periods at issue. Accordingly, the respondent properly reported \$0 in the reports at issue. Therefore, there is credible evidence of no violation of section 254.031(a)(8) of the Election Code with regard to those two reports.

**Did Not Timely File 8-day Pre-election Report**

28. In addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports. ELEC. CODE § 254.064(a).
29. The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day. *Id.* § 254.064(c).
30. The evidence indicates that the respondent was an opposed candidate in the November 6, 2012, general election and was required to file an 8-day pre-election report with the local filing authority by October 29, 2012. The respondent did not file the report until the

following day, October 30, 2012. Therefore, there is credible evidence of a violation of section 254.064(c) of the Election Code.

### **Did Not Cover the Proper Reporting Period**

31. In addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports. ELEC. CODE § 254.064(a).
32. The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the candidate's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through the 40th day before election day. *Id.* § 254.064(b).
33. The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day. *Id.* § 254.064(c).
34. The 30-day pre-election report for the November 6, 2012, general election was required to cover a period through the 40th day before election day, in this case September 27, 2012. The respondent's report covered a period through October 7, 2012. Thus, there is credible evidence of a violation of section 254.064(b) of the Election Code.
35. The 8-day pre-election report for the November 6, 2012, general election was required to begin the 39th day before election day, in this case September 28, 2012. The report was also required to cover a period through the 10th day before election day, in this case October 27, 2012. The respondent's report covered a period of October 30, 2012, through November 6, 2012. Therefore, there is credible evidence of a violation of section 254.064(c) 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 finance report must include the amount of political contributions that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions.

A campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures.

For reporting required under section 254.031 of the Election Code, the purpose of an expenditure means a description of the category of goods, services, or other thing of value for which an expenditure is made and a brief statement or description of the candidate, officeholder, or political committee activity that is conducted by making the expenditure and an additional indication if the expenditure is an officeholder expenditure for living in Austin, Texas.

A campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period.

In addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports. The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the candidate's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through the 40th day before election day. The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

A person may not knowingly cause to be published, distributed, or broadcast political advertising containing express advocacy that does not indicate in the advertising that it is political advertising, and the full name of the person who paid for the political advertising, the political committee authorizing the political advertising, or the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

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 nature, circumstances, and consequences of the violations described under Sections III and IV, and after considering the sanction necessary to deter future violations, the Commission imposes a \$1,000 civil penalty.

**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-3130224.

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

\_\_\_\_\_  
Ricardo "Rick" Flores, Respondent

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

Texas Ethics Commission

By: \_\_\_\_\_  
Natalia Luna Ashley, Executive Director