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Payment Rec'd 3-25-2024

**TEXAS ETHICS COMMISSION**

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**IN THE MATTER OF**  
  
**BRUCE TENTZER,**  
  
**RESPONDENT**

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**BEFORE THE**  
  
**TEXAS ETHICS COMMISSION**  
  
**SC-32306195**

**RECEIVED**  
**MAR 21 2024**  
**Texas Ethics Commission**

**ORDER**  
**and**  
**AGREED RESOLUTION**

**I. Recitals**

The Texas Ethics Commission (TEC) met on June 18, 2024, to consider sworn complaint SC-32306195. A quorum of the TEC was present. The TEC determined that there is credible evidence of a violation of Sections 253.003(a) and 253.094(a) of the Election Code, laws administered and enforced by the TEC. To resolve and settle this complaint without further proceedings, the TEC adopted this resolution.

**II. Allegation**

The complaint alleged that, on behalf of his church, Abilene Hope Chapel, which is an assumed name of the International Church of the Foursquare Gospel, a California nonprofit corporation, the respondent made a monetary political contribution from corporate funds to Scott Beard, a candidate for Abilene’s city council, in violation of Sections 253.003(a) and 253.094(a) of the Texas Election Code.

**III. Findings of Fact and Conclusions of Law**

Credible evidence available to the TEC supports the following findings of fact and conclusions of law:

1. At all times relevant to the complaint, the respondent was the pastor of Hope 4 Life Church, which is also known as Abilene Hope Chapel. Abilene Hope Chapel is an assumed name of the International Church of the Foursquare Gospel, which is a nonprofit corporation incorporated in California.
2. Scott Beard is the senior pastor of FountainGate Church in Abilene, Texas. Beard was an unsuccessful candidate for Abilene’s city council in the May 6, 2023 election. On his 8-day pre-election report, Beard disclosed accepting a \$200 monetary contribution from “Hope Chapel Foursquare Church” (the church).

3. The sworn complaint linked this \$200 political contribution to a fundraising dinner for Scott Beard's campaign. The complaint included a flyer promoting the event, which noted that the price to attend the fundraiser was \$50 per ticket, or \$400 to reserve a table.
4. In his initial response to the complaint, the respondent claimed that the \$200 contribution attributed to his church was actually a contribution from him personally. In response to TEC staff's written questions, the respondent acknowledged that he paid the contribution by a \$200 check drawn on the church's account. The respondent explained that the money was drawn from a special church fund set aside to show appreciation to him as the church's pastor. He directed that the pastor appreciation funds be paid to Scott Beard to secure seats at Beard's campaign fundraiser for himself and three other individuals.
5. A corporation or labor organization may not make a political contribution that is not authorized by Subchapter D of Chapter 253 of the Texas Election Code. Tex. Elec. Code § 253.094(a). Section 253.094 of the Texas Election Code applies to Texas nonprofit corporations, as well as corporations organized under the law of another state or nation, such as California. *See id.* § 253.091. A person may not knowingly make a political contribution in violation of Chapter 253 of the Texas Election Code, which includes Section 253.094(a) of the Texas Election Code. *Id.* § 253.003(a).
6. As a pastor of the church alternatively known as Hope 4 Life, Abilene Hope Chapel, or the International Church of the Foursquare Gospel, the respondent made a \$200 political contribution from church funds to Scott Beard's campaign. The church is a California nonprofit corporation. There is therefore credible evidence of a violation of Sections 253.003(a) and 253.094(a) of the Election Code.
7. By a check dated May 2, 2023, before this sworn complaint was filed and before the May 6, 2023 election, Scott Beard's campaign returned the \$200 political contribution to the church (identified on the refund check as "Hope Chapel Foursquare Church").

#### **IV. Representations and Agreement by Respondent**

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

1. The respondent neither admits nor denies the findings of fact and conclusions of law described under Section III, 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 before any adversarial evidentiary hearings or argument before the TEC, and before any formal adjudication of law or fact by the TEC. The respondent waives any right to a hearing before the TEC or an administrative law judge and consents to TEC staff presenting this order and agreed resolution to the Commissioners outside of the respondent's presence. The respondent further waives any right to a post-hearing procedure established or provided by law. The TEC and respondent agree that the entry of this order and agreed resolution will be a full

and complete resolution of the sworn complaint identified in this order and agreed resolution.

3. The respondent acknowledges that a corporation or labor organization may not make a political contribution to a candidate or officeholder. The respondent further acknowledges that nonprofit corporations are subject to this restriction, including nonprofit corporations incorporated outside of Texas.
4. The respondent further acknowledges that a person may not knowingly make a political contribution in violation of the prohibitions contained in Chapter 253 of the Texas Election Code.

### **V. Confidentiality**

This order and agreed resolution describes a violation that the TEC 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 TEC.

### **VI. Sanction**

Section 571.177 of the Government Code directs the TEC to consider the following factors in assessing a sanction: 1) the seriousness of the violation, including the nature, circumstances, consequences, extent, and gravity of the violation; 2) the history and extent of previous violations; 3) the demonstrated good faith of the violator, including actions taken to rectify the consequences of the violation; 4) the penalty necessary to deter future violations; and 5) any other matters that justice may require.

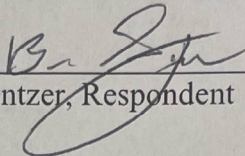
As a general matter, the TEC takes corporate contribution violations seriously, and has imposed substantial penalties in sworn complaints alleging corporate contribution violations where the circumstances justify them. *See, e.g., In re Valleywide Pharmacy*, SC-32210385 (Feb. 15, 2023). However, certain factors justify a reduced penalty for the violation in this complaint. First, while the funds that the respondent contributed to Beard's campaign were corporate in nature and origin, because they were set aside for the respondent's personal use, his choice to use them for the fundraiser tickets was not a flagrant violation. While a corporate contributor need not know that his contribution is illegal to commit a violation, that a particular contribution was a mistake rather than an intentional misuse of corporate funds is mitigating. Further, Beard refunded the contribution before the election. There are no prior sworn complaints against the respondent, and no special need for a large penalty to deter future violations.

Therefore, after considering the nature, circumstances, and consequences of the violation described under Section III, and after considering the applicable mitigating factors, the TEC imposes a \$200 civil penalty.

**VII. Order**

The TEC hereby orders that if the respondent consents to the proposed resolution, this order and agreed resolution is a final and complete resolution of SC-32306195.

AGREED to by the respondent on this 23<sup>rd</sup> day of March, 2024.

  
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Bruce Tentzer, Respondent

EXECUTED by the TEC on: **June 20, 2024**.

Texas Ethics Commission

By: **J.R. Johnson**  
J.R. Johnson, Executive Director