

TEXAS ETHICS COMMISSION

IN THE MATTER OF

ALICE UPSHAW-HAWKINS,

RESPONDENT

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BEFORE THE

TEXAS ETHICS COMMISSION

SC-3250115

RECEIVED

JUNE 11 2025

Texas Ethics Commission

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (TEC) met on September 17, 2025, to consider sworn complaint SC-3250115. A quorum of the TEC was present. The TEC determined that there is credible evidence of violations of Sections 254.063 and 254.064 of the Election Code.

To resolve and settle this complaint without further proceedings, the TEC adopted this resolution imposing a \$500 civil penalty. If the respondent does not pay the \$500 civil penalty within 30 days of the date of this Order, then the TEC orders that an additional \$2,500 civil penalty be imposed pursuant to Section 571.173 of the Government Code for delay in complying with this Order and Agreed Resolution, and that the agreed-upon penalty and the additional \$2,500 penalty be referred to the Office of the Attorney General of Texas for collection.

II. Allegations

The sworn complaint alleges that the respondent: 1) failed to file a campaign treasurer appointment, in violation of Section 252.001 of the Election Code; 2) accepted campaign contributions and/or made or authorized campaign expenditures at a time when she had no campaign treasurer appointment on file, in violation of Section 253.031 of the Election Code; and 3) as a candidate failed to file campaign finance reports, in violation of Sections 254.063 or 254.064 of the Election Code.

III. Findings of Fact and Conclusions of Law

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

1. The respondent was a successful incumbent candidate for the Corpus Christi ISD school board of trustees in the November 5, 2024 election.
2. The respondent filed a campaign treasurer appointment in 2016, and had not terminated it. Therefore, there is no credible evidence of any violation of Section 252.001 or 253.031 of the Election Code.

3. Credible evidence indicates that the respondent did not file a July 2024 or January 2025 semiannual campaign finance report, or a 30-day or 8-day pre-election report for the November 2024 election. The respondent accepted political contributions and made political expenditures during the pre-election reporting periods. Therefore, there is credible evidence of violations of Sections 254.063 and 254.064 of the Election Code.

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 and waives any right to further proceedings in this matter. The respondent consents to enforcement staff presenting this resolution to the Commissioners outside of the respondent's presence.
3. The respondent acknowledges that a candidate who has an opponent whose name is to appear on the ballot must file a pre-election campaign finance report not later than the 30th day before election day, and a second pre-election campaign finance report not later than the eighth day before election day, as well as two semi-annual reports every year, in compliance with requirements under Section 254 of the Election Code.
4. The respondent agrees to fully and strictly comply with the above requirements of law.

V. Confidentiality

This order and agreed resolution describe violations that the TEC 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 TEC.

VI. Sanction

The TEC may impose a civil penalty of not more than \$5,000 or triple the amount at issue, whichever amount is more. Tex. Gov't Code § 571.173. The TEC shall consider the below factors in assessing a sanction:

Factor 1: The Seriousness of the Violations

The respondent's failure to file her pre-election reports for the November 5, 2024 election was a serious violation because the respondent had substantial activity that she did not report until after the election.

Factor 2: The History and Extent of Previous Violations

The respondent has no previous violations.

Factor 3: The Demonstrated Good Faith of the Violator

The respondent cooperated with enforcement staff and filed the late reports.

Factor 4: The Penalty Necessary to Deter Future Violations

There is no reason to believe that the respondent intended to conceal any of her campaign activity. However, a penalty is necessary to deter future reporting violations by the respondent.

Factor 5: Any Other Matters that Justice May Require

None.

Conclusion

After considering the factors, the TEC imposes a \$500 civil penalty. If the respondent does not pay the \$500 civil penalty within 30 days of the date of this Order, then the TEC orders that an additional \$2,500 civil penalty be imposed pursuant to Section 571.173 of the Government Code for delay in complying with this Order and Agreed Resolution, and that the agreed-upon penalty and the additional \$2,500 penalty be referred to the Office of the Attorney General of Texas for collection.

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-3250115.

AGREED to by the respondent on this 10th day of June, 2025.

alice upshaw hawkins

Alice Upshaw-Hawkins, Respondent

EXECUTED by the TEC on: 9-18-25.

Texas Ethics Commission

By:


Executive Director