

**TEXAS ETHICS COMMISSION**  
P.O. Box 12070, Austin, Texas 78711-2070  
(512) 463-5800

Jim Clancy, Chair  
Paul W. Hobby, Vice Chair  
Hugh C. Akin  
Wilhelmina Delco

Tom Harrison  
Bob Long  
Tom Ramsay  
Chase Untermeyer

## **AGENDA**

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Date and Time:	9:30 a.m., Wednesday, October 29, 2014
Location:	Room E1.014, Capitol Extension, Austin, Texas

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1. Call to order; roll call.
2. Communication to the Commission from the public.
3. Approve minutes for the following meetings:
  - Formal Hearing (John Gordon, Respondent, Sworn Complaint Nos. SC-3100246 and SC-31110224) – August 20, 2014;
  - Executive session (Discussion of pending lawsuits) – August 20, 2014;
  - Workshop on New Electronic Filing System – August 21, 2014;
  - AM public meeting – August 21, 2014; and
  - PM public meeting – August 21, 2014.

### **ADVISORY OPINIONS**

4. Staff report on the conduct that formed the basis for the conviction of former Virginia Governor Bob McDonnell and Texas Statutes, Commission Rules and Advisory Opinions on such conduct.
5. Staff presentation on Texas Statutes, Commission Rules, and Advisory Opinions on whether elected and appointed officials may accept food, transportation, lodging, entertainment, and gifts from lobbyists, contributors, or corporations.

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*For more information, contact Natalia Luna Ashley, Executive Director, at (512) 463-5800.*

**Discussion and possible action in response to the following Advisory Opinion Requests:**

6. Discussion of Opinion Request AOR-588: Whether an elected member of a board of a state agency in the executive branch may accept tuition, food, transportation, and lodging provided in connection with a seminar that is relevant to the member's official duties and for which the member does not provide any services.

This opinion request construes Chapter 36 of the Penal Code, Chapter 305 of the Government Code, and Title 15 of the Election Code.

7. Discussion of Opinion Request AOR-589: Whether a specific-purpose committee that is established by and for the purpose of supporting and assisting a person as both a candidate and an officeholder may use political contributions to purchase tickets to entertainment events for the person and the person's spouse and dependent children to attend and engage in campaign or officeholder activities.

This opinion request construes Section 253.035 of the Election Code.

8. Discussion of Opinion Request AOR-590: Whether an employee of a member of the Texas Legislature may, at the direction of the member and as a regular part of the employee's job duties, drive the member between the member's Austin residence and the Capitol and drive the member for personal appointments and errands.

This opinion request construes Section 39.02 of the Penal Code.

9. Possible action on identification of statutory recommendations, rules or advisory opinions necessary to provide fair and predictable guidance regarding whether elected and appointed officials may accept food, transportation, lodging, entertainment, and gifts from lobbyists, corporations, and other persons.

**POLITICAL COMMITTEES and DISCLOSURE**

10. Comments by Commissioners.
11. Comments by the Public.
12. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of Texas Ethics Commission Rules § 20.1(20) construing the

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definition of political committee so that grass roots participants that do not have as a principal purpose accepting political contributions or making political expenditures are not subject to disclosure requirements.

13. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Texas Ethics Commission Rules § 22.6 to define the phrase “acting in concert” for purposes of Election Code § 254.261 relating to direct campaign expenditures exceeding \$100.
14. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Texas Ethics Commission Rules §§ 20.327 and 20.427 relating to runoff reports filed by political committees.

### **ADDITIONAL RULEMAKING**

15. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Texas Ethics Commission Rules § 50.1 (Legislative Per Diem) relating to the legislative per diem required to be set under Article III, Section 24a, of the Texas Constitution.
16. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Texas Ethics Commission Rules § 6.1 (Definitions) to add a definition of the phrase “first responder.”
17. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Texas Ethics Commission Rules § 18.23 (Administrative Waiver of Fine).
18. Public discussion and possible action on the proposal and publication in the Texas Register of new Texas Ethics Commission Rules §§ 18.24 (General Guidelines for Other Administrative Waiver or Reduction of Fine), 18.25 (Administrative Waiver or Reduction of Fine: Report Type I), and 18.26 (Administrative Waiver or Reduction of Fine: Report Type II).
19. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Texas Ethics Commission Rules § 34.1 (Definitions) to add a definition of the term “influence.”
20. Public discussion and possible action on procedures for processing and resolving sworn complaints appropriate for resolution with an Assurance of Voluntary Compliance.

**POLICY**

21. Report from Subcommittee of Commissioners to consider recommendations for statutory changes to the 84<sup>th</sup> Legislature as required by § 571.073 of the Government Code.
22. Discussion and possible action on hosting the Council on Governmental Ethics Laws 2016 Conference.
23. Report from Nominating Committee of Commissioners for the positions of Chair and Vice Chair of the Texas Ethics Commission.
24. Comments by the Executive Director.
25. Comments by the Commissioners.
26. Adjourn.

**CERTIFICATION:** I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

Certifying Official & Agency Liaison: Natalia Luna Ashley,  
Executive Director

**NOTICE:** Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the Texas Ethics Commission will provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, and large print or Braille documents. In determining the type of auxiliary aid or service, the Commission will give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify Margie Castellanos at (512) 463-5800 or RELAY Texas at (800) 735-2989 two days before this meeting so that appropriate arrangements can be made. Please also contact Ms. Castellanos if you need assistance in having English translated into Spanish.