

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

Steven D. Wolens, Chair  
Jim Clancy  
Chad M. Craycraft  
Randall H. Erben

Chris Flood  
Mary K. "Katie" Kennedy  
Tom Ramsay  
Joseph O. Slovacek

## **PUBLIC MEETING AGENDA**

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Date and Time:	8:00 a.m., Wednesday, January 31, 2018
Location:	Room E1.014, Capitol Extension, Austin, Texas

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1. Call to order; roll call.
2. Comments, if any, by the Commissioners.
3. Election of Vice Chair.
4. Approve minutes for the following meetings:
  - o Executive Session – November 13, 2017;
  - o Public Meeting - November 13, 2017;
  - o Executive Session – September 28, 2017; and
  - o Public Meeting – September 28, 2017
5. Discussion regarding the next Texas Ethics Commission meeting.
6. Briefing, discussion, and possible action to waive or reduce the late-filing penalty in connection with a corrected report or to determine whether the corrected report as originally filed substantially complied with the applicable law for the following individuals:
  1. Kim D. McMath, Treasurer, 'C2E' Committed to Excellence (00081914)
  2. Mark A. Stasney, Treasurer, 2017 Built 4 Kids (00081872)
  3. John C. 'Chris' Allen, Treasurer, Focus Irving PAC (00069672)

### **ADVISORY OPINIONS**

7. Discussion of Advisory Opinion Request No. AOR-623: Whether an associate judge may use in political advertising and campaign communications in

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*For more information, contact Seana Willing, Executive Director, at (512) 463-5800.*

connection with the associate judge's candidacy for district judge: 1) the title "associate judge" and 2) photographs depicting the associate judge in a judicial robe, sitting on the bench over which the associate judge currently presides.

This opinion request construes section 255.006 of the Election Code and Chapter 39 of the Penal Code.

8. Discussion of Advisory Opinion Request No. AOR-624: Whether a judge may use political contributions to pay the costs associated with membership in an organization that helps its members develop leadership skills.

This opinion request construes section 253.035 of the Election Code.

### **OTHER POLICY MATTERS**

9. Discussion and possible action regarding the agency's policies and procedures, if any, for handling criminal referrals in the administrative enforcement process and the sworn complaint enforcement process.
10. Discussion of Commissioner reimbursement policy for travel to meetings.
11. Discussion and possible action on the approval of a format for electronic filing of campaign finance reports, as proposed by Rockwall County.

### **RULEMAKING**

12. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 18.23, regarding extension of deadline or expedited waiver process for filing campaign finance reports for extraordinary circumstances.
13. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of new Ethics Commission Rules § 12.37 (Dismissal of Complaint After Public Disclosure), regarding the Commission's authority to dismiss a complaint filed by a complainant who publicly discloses confidential information regarding the complaint.
14. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 12.21 (Notice) and new Ethics Commission Rules § 12.84 (Notice of Preliminary Review Hearing) and § 12.103 (Notice of Formal Hearing), regarding notices and exchange of documents for hearings.

15. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of new Ethics Commission Rules § 12.28 (Production of Documents During a Preliminary Review), regarding procedures for production or inspection and subpoenas during preliminary review.
16. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 20.61 (Purpose of Expenditure), regarding the disclosure of political expenditures made in the form of in-kind contributions to candidates, officeholders, and political committees.
17. Public discussion and possible action on the proposal and publication in the Texas Register of new Ethics Commission Rules in Chapter 12, regarding new procedural rules for formal hearing process.
18. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 6.1 and new Ethics Commission rules §§27.1 and 27.101, regarding when a declaration of intent (JDI) is required to for judicial candidates.
19. Public discussion and possible action on the proposal and publication in the Texas Register of new Ethics Commission Rules §§12.31 and 12.33, regarding decorum and sanctions in sworn complaint proceedings.
20. Public discussion and possible action on the proposal and publication in the Texas Register of new Ethics Commission Rules Chapter 16 (Facial Compliance Review & Full Audits), including §§ 16.1 – 16.11, regarding procedures for facial compliance reviews and audits.
21. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 20.5, regarding a county elections administrator or tax assessor-collector acting as the filing authority for campaign finance reports.
22. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 20.33, regarding the authority of the Commission or local filing authority to terminate an inactive filer's campaign treasurer appointment.
23. 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: Seana Willing, 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.