

TEXAS ETHICS COMMISSION

IN THE MATTER OF
MARK STRAMA,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-2410171

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission met on January 13, 2005, to consider sworn complaint SC-2410171. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 572.023 of the Government Code, a law administered and enforced by the commission. To resolve this complaint without further proceedings, the commission proposes this resolution to the respondent.

II. Allegations

The respondent was an opposed candidate for Texas House of Representatives. The complainant alleges that the respondent failed to timely report information about business entities in which both he and two registered lobbyists had interests.

III. Facts Supported by Credible Evidence

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

1. The respondent filed a personal financial disclosure statement with the commission on the February 11, 2004, filing deadline.
2. On the report he disclosed that he had an interest in a partnership named "Trabulsi Family Partnership" and an interest in another partnership named "Trabulsi Investors Ltd."
3. On August 26, 2004, the respondent filed a corrected personal financial disclosure statement and an affidavit explaining that he was correcting the report to disclose that two relatives who were registered lobbyists also had interests in those partnerships.
4. At the November 2004 commission meeting, the commission waived the \$500 late-filing penalty that had been assessed against the respondent for failing to timely report the fact that he had interests in two partnerships in which registered lobbyists also had interests.

IV. Findings and Conclusions of Law

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

1. A personal financial disclosure statement must identify any partnership in which both the individual filing the statement and a person registered as a lobbyist have an interest. GOV'T CODE § 572.023(12).
2. The applicable filing deadline in this case was February 11, 2004.
3. Because the respondent did not disclose information required by section 572.023(12) of the Government Code by the applicable filing deadline, there is credible evidence that the respondent violated section 572.023 of the Government 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 personal financial disclosure statement must identify any partnership in which both the individual filing the statement and a person registered as a lobbyist have an interest. The respondent agrees to fully comply with this requirement 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. No Sanction

After considering the seriousness of the violations described under Sections III and IV, including the nature, circumstances, and consequences of the violations, and after considering the sanction necessary to deter future violations, the commission imposes no 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-2410171.

AGREED to by the respondent on this _____ day of _____, 20__.

Mark Strama, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director