

TEXAS ETHICS COMMISSION

IN THE MATTER OF
AMY BRUMLEY,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-2604130

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on July 14, 2006, to consider sworn complaint SC-2604130. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 254.124 of the Election Code, a law administered and enforced by the commission. To resolve and settle this complaint without further proceedings, the commission proposes this resolution to the respondent.

II. Allegation

The complaint alleges that the respondent failed to timely file her 30-day pre-election campaign finance report.

III. Facts Supported by Credible Evidence

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

1. The respondent is the campaign treasurer for a specific-purpose committee that supported an opposed candidate for county clerk.
2. The respondent filed the committee's 30-day pre-election report on February 13, 2006. The report was due on February 6, 2006.

IV. Findings and Conclusions of Law

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

1. In addition to other required reports, the campaign treasurer of a specific purpose committee that supports or opposes a candidate or measure in an election is required to file two reports.

The first report shall be filed not later than the 30th day before election day. ELEC. CODE § 254.124.

2. The respondent failed to timely file the report. Therefore, there is credible evidence that the respondent violated section 254.124 of the Election 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 campaign treasurer of a specific purpose committee that supports an opposed candidate must file a campaign finance report no later than the 30th day before the election. The respondent agrees to comply with this requirement of the law.

VI. Confidentiality

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

VII. Sanction

After considering the seriousness of the violation described under Sections III and IV, including the nature, circumstances, and consequences of the violation, and after considering the sanction necessary to deter future violations, the commission imposes a \$200 civil penalty for the violation described under Sections III and IV.

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-2604130.

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

Amy Brumley, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director