

TEXAS ETHICS COMMISSION

IN THE MATTER OF
CYNTHIA WHITE,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-2708177

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on December 11, 2007, to consider sworn complaint SC-2708177. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 254.031 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 disclose political contributions maintained on her July 2007 semiannual 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 a Denton County Commissioner.
2. The respondent appointed a campaign treasurer on March 30, 1999.
3. On July 16, 2007, the respondent filed a semiannual report and did not disclose the total political contributions maintained as of the last date of the reporting period.
4. The respondent filed a corrected report on August 27, 2007, disclosing approximately \$3,100 of total political contributions maintained as of the last day of the reporting period.

IV. Findings and Conclusions of Law

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

1. Each campaign finance report filed by a candidate must include, as of the last day of the reporting period for which the person is required to file a report, the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period. ELEC. CODE § 254.031.
2. Although the respondent filed the July 2007 semiannual report, she failed to indicate the total political contributions maintained as of the last day of the reporting period.
3. In response to the complaint, the respondent filed a corrected report that disclosed the total political contributions maintained as of the last day of the reporting period, however, this information was not disclosed in the original report. Therefore, there is credible evidence that the respondent violated section 254.031 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 each campaign finance report filed by a candidate must include, as of the last day of the reporting period for which the person is required to file a report, the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period. 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 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. 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 \$500 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-2708177.

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

Cynthia White, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director