

TEXAS ETHICS COMMISSION

IN THE MATTER OF

BRANDON PITTS,
CAMPAIGN TREASURER,
RICHARDSON CITIZEN ALLIANCE,

RESPONDENT

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BEFORE THE

TEXAS ETHICS COMMISSION

SC-3130106 AND SC-3130351

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on December 2, 2013, to consider sworn complaints SC-3130106 and SC-3130351. A quorum of the commission was present. The commission determined that there is credible evidence of violations of sections 254.031, 254.151, and 254.154 of the Election Code, sections 20.61 and 20.62 of the Ethics Commission Rules, and section 571.1242 of the Government Code, laws administered and enforced by the commission. To resolve and settle these complaints without further proceedings, the commission proposed this resolution to the respondent.

II. Allegations

The complaints alleged that the respondent: 1) did not properly disclose in campaign finance reports political contributions and political expenditures; 2) did not properly disclose staff reimbursements; 3) did not properly disclose outstanding loans or the forgiveness of a loan; 4) did not properly disclose total political contributions maintained; 5) did not disclose principal occupation information for contributors; and 6) did not timely file a 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 Richardson Citizen Alliance (RCA), a general-purpose political committee that files with the commission.

Payee Addresses

2. Sworn complaint SC-3130351 alleged that the respondent did not properly disclose address information for the payees of five political expenditures totaling \$15,000 (\$3,000 to each

payee) that were disclosed on Schedule F (used to disclose political expenditures) of RCA's 30-day pre-election report for the May 14, 2011, uniform election. The expenditures at issue were made as \$3,000 contributions to five individual candidates. For all five payees at issue, the respondent disclosed the committee address for RCA as the address for the individual payees.

Disclosure of Political Expenditures

3. Sworn complaint SC-3130351 alleged that the respondent did not disclose as a political expenditure a loan repayment in the amount of \$2,842.95 in RCA's January 2012 semiannual report. The allegation was based on RCA's July 2011 semiannual report that disclosed an outstanding loan balance of \$58,000, and RCA's subsequent January 2012 semiannual report that disclosed the outstanding loan balance as \$55,157.05, but did not show a political expenditure for the \$2,842.95 difference.
4. In response to the complaint, the respondent acknowledged that RCA made a \$2,842.95 loan repayment on or around August 12, 2011. However, note that RCA's January 2012 semiannual report disclosed \$0 in total political expenditures and did not include as a political expenditure the \$2,842.95 loan payment.

Staff Reimbursement

5. The complaints alleged that the respondent did not disclose the actual vendor payee, address, date, and amount pertaining to the stated purpose of two political expenditures totaling approximately \$750 that were disclosed with one individual as the payee in RCA's 8-day pre-election report for the May 14, 2011, uniform election. One of the expenditures at issue for \$386.22 was an in-kind contribution to RCA. The transactions at issue were disclosed as follows:

Schedule F (used to disclose political expenditures)

- April 15, 2011, \$364.79 to the individual, under the category of "OTHER – Domain Names" with a description of "Registration of domain names"
- April 15, 2011, \$386.22 to the individual, under the category of "Office Overhead/Rental Expense" with a description of "Office supplies"

Schedule A (used to disclose political contributions)

- April 15, 2011, \$386.22 from the individual, with an in-kind description of "Domain Names & Supplies"

6. Based on RCA's treasurer appointment form, the individual payee is listed as a contribution and expenditure decision maker for RCA. The respondent also stated that the individual is a volunteer for RCA.
7. Regarding the \$364.79 expenditure for domain names, the expenditure was made to reimburse the stated individual for four separate expenditures he made to a vendor for the registration of a domain name for RCA. Two expenditures totaling approximately \$280 were made on July 17 and September 30, 2010. The other two expenditures totaling approximately \$90 were made on January 21 and January 22, 2011.
8. Regarding the \$386.22 expenditure for office supplies, the expenditure as reported consisted of three separate expenditures that were intended as political contributions to RCA by the individual for which the individual was not reimbursed by RCA.

Forgiveness of a Loan

9. Sworn complaint SC-3130351 alleged that the respondent did not disclose as a political contribution the forgiveness of a \$55,157.05 loan from an individual. The original loan for \$50,000 was made by the individual on January 19, 2011, and was disclosed on Schedule E (used to disclose loans) of RCA's 30-day pre-election report for the May 14, 2011, uniform election. On May 6, 2011, the same individual made another \$8,000 loan that was disclosed on Schedule E of RCA's July 2011 semiannual report. On or around July 12, 2011, the respondent made a \$2,842.95 loan repayment to the individual lender, which left the outstanding loan total at \$55,157.05.
10. The allegation was based on RCA's January 2012 semiannual report that disclosed an outstanding loan balance of \$55,157.05. RCA's subsequent July 2012 semiannual report disclosed the outstanding loan balance as \$0, but did not show a political expenditure or political contribution to account for the reduction.
11. In response to the complaint, the respondent acknowledged that the entire \$55,157.05 outstanding loan was forgiven by the individual lender in January 2012. The respondent stated that the loan was determined to be uncollectable by the lender because RCA did not have any funds in the account and did not have any foreseeable incoming contributions. Moreover, the respondent stated that the lender would have sought reimbursement if RCA had sufficient funds available.

Total Political Contributions Maintained

12. Sworn complaint SC-3130351 alleged that the respondent reported an incorrect balance for total political contributions maintained on six reports. In response to the complaint, the respondent provided copies of RCA's bank statements. The original disclosures along with the account balances shown on the bank statements were as follows:

- 30-day Pre-election Report (May 14, 2011, uniform election) – disclosed \$33,334.00; bank statement shows \$33,416.14; difference is \$82.14
- 8-day Pre-election Report (May 14, 2011, uniform election) – disclosed \$6,372.48; bank statement shows \$6,466.93; difference is \$94.45
- July 2011 Semiannual Report – disclosed \$2,842.95; bank statement shows \$2,842.95
- January 2012 Semiannual Report – disclosed \$0; bank statement shows \$0
- July 2012 Semiannual Report – disclosed \$0; bank statement shows \$0
- January 2013 Semiannual Report – disclosed \$0; bank statement shows \$0

Principal Occupation of Contributors

13. Sworn complaint SC-3130351 alleged that the respondent did not disclose on Schedule A (used to disclose political contributions) of RCA's 30-day and 8-day pre-election reports for the May 14, 2011, uniform election the principal occupation information for five individuals who made political contributions totaling \$3,000. Regarding the 30-day pre-election report, the respondent disclosed two political contributions totaling \$2,500 that were made from two individuals. The respondent did not disclose any principal occupation and employer information for the contributors.
14. Regarding the 8-day pre-election report, the respondent disclosed three political contributions totaling \$500 that were made from three individuals. The respondent did not disclose any principal occupation information for the contributors. However, the respondent disclosed employer information for each contributor that made the contributors' principal occupation reasonably apparent.

Timely Filing of Campaign Finance Report

15. Sworn complaint SC-3130351 alleged that the respondent did not timely file RCA's 30-day pre-election report for the May 14, 2011, uniform election. Based on commission records, the respondent filed the 30-day pre-election report at issue on April 15, 2011, which was one-day after the filing deadline. The report disclosed that RCA made political contributions to city council candidates and was involved in the May 14, 2011, uniform election.

Timely Response to Notice of a Sworn Complaint

16. Sworn complaint SC-3130106 was originally filed twice with the commission, but did not comply with the legal or technical form requirements. The complaint was filed a third time on March 11, 2013, and was accepted by the commission. The commission sent a notice of the sworn complaint to the respondent by delivery confirmation on March 12, 2013. According to the United States Postal Service's record of the delivery, the notice of this complaint was delivered on March 14, 2013. Based on the delivery date of the notice, the respondent was required to respond to the sworn complaint by March 28, 2013 (deadline extended due to holiday). The respondent's written response was postmarked on June 2, 2013, and received by the commission on June 4, 2013. Accordingly, the response was filed 66 days after the response deadline.
17. Regarding sworn complaint SC-3130351, the commission sent a notice of the sworn complaint to the respondent on March 20, 2013. According to the United States Postal Service's record of the delivery, the notice of this complaint was delivered on March 22, 2013. Based on the delivery date of the notice, the respondent was required to respond to the sworn complaint by April 8, 2013 (deadline extended due to holiday). The respondent's written response was postmarked on June 2, 2013, and received by the commission on June 4, 2013. Accordingly, the response was filed 55 days after the response deadline.

IV. Findings and Conclusions of Law

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

Payee Addresses

1. A campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 (\$50 until September 28, 2011) and that are made during the reporting period, the full name and address of the persons to whom political expenditures are made, and the dates and purposes of the expenditures. ELEC. CODE § 254.031(a)(3).
2. Regarding the five political expenditures totaling \$15,000, the respondent was required to disclose the full address of the persons to whom the expenditures were made because each political expenditure exceeded \$50 during the period. The respondent did not disclose the proper address for the five payees at issue. Therefore, there is credible evidence of violations of section 254.031(a)(3) of the Election Code.

Disclosure of Political Expenditures

3. A campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 (\$50 until September 28, 2011) and that are made during the

- reporting period, the full name and address of the persons to whom political expenditures are made, and the dates and purposes of the expenditures. ELEC. CODE § 254.031(a)(3).
4. Each campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period. *Id.* § 254.031(a)(6).
 5. An expenditure means a payment of money or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a payment. *Id.* § 251.001(6).
 6. A political expenditure means a campaign expenditure or an officeholder expenditure. *Id.* § 251.001(10).
 7. The respondent made a \$2,842.95 loan repayment on or around August 12, 2011. Accordingly, the respondent was required to disclose the loan repayment as a political expenditure in RCA's January 2012 semiannual report. The respondent did not disclose the expenditure and did not include the amount in the total political expenditures balance. Therefore, there is credible evidence of a violation of sections 254.031(a)(3) and 254.031(a)(6) of the Election Code.

Staff Reimbursement

8. Each campaign finance report must include the amount of political contributions that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions. ELEC. CODE § 254.031(a)(1).
9. Each campaign finance report must include the amount of loans that are made during the reporting period for campaign or officeholder purposes to the person or committee required to file the report and that in the aggregate exceed \$50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period. *Id.* § 254.031(a)(2).
10. A campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 (\$50 until September 28, 2011) and that are made during the reporting period, the full name and address of the persons to whom political expenditures are made, and the dates and purposes of the expenditures. *Id.* § 254.031(a)(3).

11. Each campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period. *Id.* § 254.031(a)(6).
12. An expenditure means a payment of money or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a payment. *Id.* § 251.001(6).
13. A political expenditure means a campaign expenditure or an officeholder expenditure. *Id.* § 251.001(10).
14. The purpose of an expenditure means a description of goods, services, or other thing of value and must include a brief statement or description of the candidate, officeholder, or political committee activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure. Ethics Commission Rules § 20.61.
15. Ethics Commission Rule § 20.62(b) states that a political expenditure made out of personal funds by a staff member of an officeholder, a candidate, or a political committee with the intent to seek reimbursement from the officeholder, candidate, or political committee must be reported as follows (if the reimbursement does not occur during the same reporting period in which the initial expenditure was made):
 - (1) the aggregate amount of the expenditures made by the staff member as of the last day of the reporting period is reported as a loan to the officeholder, candidate, or political committee;
 - (2) the expenditure made by the staff member is reported as a political expenditure by the officeholder, candidate, or political committee; and
 - (3) the reimbursement to the staff member to repay the loan is reported as a political expenditure by the officeholder, candidate, or political committee.
16. The statute of limitations for allegations of reporting violations is two years. Ethics Commission Rules § 12.5. Allegations relating to political contributions or expenditures that were required to be disclosed in a report that was due more than two years before a complying complaint's postmark date are not within the commission's sworn complaint jurisdiction.

17. Regarding the \$364.79 expenditure for domain names, the evidence indicates that the expenditure was made by RCA to reimburse a staff member for political expenditures made to a vendor for the registration of a domain name. Two of the expenditures totaling approximately \$280 were required to be disclosed in RCA's January 2011 semiannual report, which was a report that was due more than two years prior to March 11, 2013, and March 15, 2013, the dates the complaints were filed. Accordingly, the allegation as it relates to approximately \$280 in expenditures is outside the statute of limitations and cannot be considered by the commission. Regarding the remaining approximately \$90 in expenditures, the respondent would have been required to disclose and itemize the expenditures in RCA's 30-day pre-election report for the May 14, 2011, uniform election, which should have covered from January 1, 2011, through April 4, 2011. In addition, since the staff reimbursement did not occur during the same reporting period in which the two expenditures were made, the respondent was required to disclose the two expenditures totaling approximately \$90 as a loan to RCA. The respondent did not disclose the initial political expenditures, did not report a loan from the staff member, and did not include the expenditures in the totals section of the 30-day pre-election report at issue. Moreover, the purpose of the \$364.79 expenditure disclosed by the respondent did not indicate that the expenditure was made as a reimbursement. Therefore, there is credible evidence of violations of sections 254.031(a)(2), 254.031(a)(3), and 254.031(a)(6) of the Election Code and sections 20.61 and 20.62 of the Ethics Commission Rules with respect to approximately \$90 in expenditures.
18. Regarding the \$386.22 expenditure for office supplies, the expenditure consisted of political contributions to RCA, totaling approximately \$390. The respondent should have disclosed in RCA's 30-day pre-election report for the May 14, 2011, uniform election, an in-kind contribution on January 30, 2011, for \$51.94; an in-kind contribution on February 19, 2011, for \$299; an in-kind contribution on March 12, 2011, for \$11.90; and an in-kind contribution on March 13, 2011, for \$23.38. The in-kind contributions at issue were not disclosed until April 15, 2011. In addition, the respondent erroneously disclosed the transaction as a \$386.22 political expenditure and included the amount in RCA's 8-day pre-election report for the May 14, 2011, uniform election under the total political expenditure balance. Therefore, there is credible evidence of violations of sections 254.031(a)(1) and 254.031(a)(6) of the Election Code.

Forgiveness of a Loan

19. Each campaign finance report must include the amount of political contributions that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions. ELEC. CODE § 254.031(a)(1).

20. Each campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period. *Id.* § 254.031(a)(6).
21. Each campaign finance report must include any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds \$100, and the full name and address of each person from whom the amount is received, the date the amount is received, and the purpose for which the amount is received. *Id.* §§ 254.031(a)(9), (13).
22. “Political contribution” means a campaign contribution or an officeholder contribution. *Id.* § 251.001(5).
23. “Contribution” means a direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. *Id.* § 251.001(2).
24. “Campaign contribution” means a contribution to a candidate or political committee that is offered or given with the intent that it be used in connection with a campaign for elective office or on a measure. *Id.* § 251.001(3).
25. “In-kind contribution” means a contribution of goods, services, or any other thing of value, except money, and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make such a contribution. The term does not include a direct campaign expenditure. Ethics Commission Rule § 20.1(8).
26. Credible evidence indicates that sometime in January 2012, the \$55,157.05 outstanding loan balance owed by RCA was forgiven by the individual lender. The original loan was given to RCA with the intent that it be used in connection with RCA’s activities as a political committee. Moreover, both the original loan and the subsequent forgiveness thereof constituted direct or indirect transfers of money by the individual lender to RCA. Accordingly, the forgiveness of the loan by the individual lender was a political contribution to RCA that the respondent was required to disclose in RCA’s July 2012 semiannual report. The respondent did not disclose the forgiveness of the \$55,157.05 outstanding loan as a political contribution. Therefore, there is credible evidence of a violation of sections 254.031(a)(1) and 254.031(a)(6) of the Election Code.

Total Political Contributions Maintained

27. Each report must include as of the last day of the reporting period, 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(a)(8).

28. A *de minimis* error in calculating or reporting a cash balance under Subsection (a)(8) is not a violation of section 254.031. *Id.* § 254.031(a-1).
29. Regarding the 30-day and 8-day pre-election reports for the May 2011 uniform election, the errors in reporting political contributions maintained were in context *de minimis*. Therefore, there is credible evidence of no violation of section 254.031(a)(8) of the Election Code with respect to those reports.
30. Regarding the July 2011, January 2012, July 2012, and January 2013 semiannual reports at issue, the total political contributions maintained balances were correct. Therefore, there is credible evidence of no violation of section 254.031(a)(8) of the Election Code with respect to those reports.

Principal Occupation of Contributors

31. Each report by a campaign treasurer of a general-purpose committee must include the principal occupation of each person from whom political contributions that in the aggregate exceed \$50 are accepted during the reporting period. ELEC. CODE § 254.151(6).
32. Regarding the two contributions totaling \$2,500 that were disclosed in the 30-day pre-election report at issue, the respondent was required to provide the contributors' principal occupation because each contribution exceeded \$50. The respondent did not disclose principal occupation information for the two contributors at issue. Therefore, there is credible evidence of violations of section 254.151(6) of the Election Code with respect to that report.
33. Regarding the three contributions totaling \$500 that were disclosed in the 8-day pre-election report at issue, the respondent was required to provide the contributors' principal occupation because each contribution exceeded \$50. The respondent did not disclose principal occupation information for the three contributors at issue. However, the respondent disclosed employer information for each contributor that made the contributors' principal occupation reasonably apparent. In context, the omissions were not misleading and did not substantially affect disclosure. Therefore, there is credible evidence of technical or *de minimis* violations of section 254.151(6) of the Election Code with respect to that report.

Timely Filing of Campaign Finance Report

34. In addition to other required reports, for each election in which a general-purpose committee is involved, the committee's campaign treasurer shall file two reports. ELEC. CODE § 254.154(a).

35. The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required reports, as applicable, and continuing through the 40th day before election day. *Id.* § 254.154(b).
36. The respondent was the campaign treasurer for RCA during the periods at issue, and RCA was involved in the May 2011 uniform election. Therefore, the respondent was required to file RCA's 30-day pre-election report by April 14, 2011. The respondent filed RCA's 30-day pre-election report on April 15, 2011, which was one day after the filing deadline. Therefore, there is credible evidence of a violation of section 254.154(b) of the Election Code.

Timely Response to Notice of a Sworn Complaint

37. If the alleged violation in a sworn complaint is a Category One violation, the respondent must respond to the notice required by section 571.123(b) not later than the 10th business day after the date the respondent receives the notice. GOV'T CODE § 571.1242(a)(1). A respondent's failure to timely respond to a sworn complaint as required by subsection (a)(1) or (b)(1) is a Category One violation. *Id.* § 571.1242(c).
38. Regarding sworn complaint SC-3130106, the respondent's written response was postmarked on June 2, 2013, and received by the commission on June 4, 2013. Accordingly, the response was filed 66 days after the response deadline. Therefore, there is credible evidence of a violation of section 571.1242(c) of the Government Code.
39. Regarding sworn complaint SC-3130351, the respondent's written response was postmarked on June 2, 2013, and received by the commission on June 4, 2013. Accordingly, the response was filed 55 days after the response deadline. Therefore, there is credible evidence of a violation of section 571.1242(c) 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 these sworn complaints.
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: 1) each campaign finance report must include the amount of political contributions that in the aggregate exceed \$50 and that are accepted

during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions; 2) each campaign finance report must include the amount of loans that are made during the reporting period for campaign or officeholder purposes to the person or committee required to file the report and that in the aggregate exceed \$50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period; 3) each campaign finance report must include the amount of political expenditures that in the aggregate exceed \$100 (\$50 until September 28, 2011) and that are made during the reporting period, the full name and address of the persons to whom political expenditures are made, and the dates and purposes of the expenditures; 4) each campaign finance report must include the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period; 5) each report by a campaign treasurer of a general-purpose committee must include the principal occupation of each person from whom political contributions that in the aggregate exceed \$50 are accepted during the reporting period; 6) for each election in which a general-purpose committee is involved, the committee's campaign treasurer shall file two reports. The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day and covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required reports, as applicable, and continuing through the 40th day before election day; 7) the purpose of an expenditure means a description of goods, services, or other thing of value and must include a brief statement or description of the candidate, officeholder, or political committee activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure; and 8) political expenditures made out of personal funds by a staff member of an officeholder, a candidate, or a political committee with the intent to seek reimbursement from the officeholder, candidate, or political committee must be reported in accordance with section 20.62 of the Ethics Commission Rules.

The respondent also acknowledges that a respondent must respond to a notice of a sworn complaint that contains a Category One violation within 10 business days of receiving the notice of the sworn complaint, and failure to respond to a notice of a sworn complaint within the time required is a separate Category One violation.

The respondent agrees to comply with these requirements 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. Sanction

After considering the nature, circumstances, and consequences of the violations described under Sections III and IV, and after considering the sanction necessary to deter future violations, the commission imposes a \$750 civil penalty.

The respondent agrees that the Texas Ethics Commission, P. O. Box 12070, Austin, Texas 78711, must receive from the respondent full payment of the \$750 civil penalty no later than June 30, 2014, and agrees to waive any right to a hearing related to this sworn complaint. The respondent agrees that if the full amount is not received by June 30, 2014, the matter of the collection of the civil penalty will be referred to the Office of the Attorney General of Texas.

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 sworn complaints SC-3130106 and SC-3130351.

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

Brandon Pitts, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
Executive Director