

# TEXAS ETHICS COMMISSION

IN THE MATTER OF  
LYNN C. DAVENPORT,  
RESPONDENT

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BEFORE THE  
TEXAS ETHICS COMMISSION  
SC-31708131

## ORDER and AGREED RESOLUTION

### I. Recitals

The Texas Ethics Commission (Commission) met on January 30 and 31, 2018, and considered sworn complaint SC-31708131. A quorum of the Commission was present. The Commission determined that there is credible evidence of violations 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 adopted this resolution.

### II. Allegations

The complaint alleged that the respondent did not properly disclose political contributions in the 30-day and 8-day pre-election reports for the May 6, 2017, election.

### III. Facts Supported by Credible Evidence

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

1. At all times relevant to the complaint, the respondent was a candidate for Richardson Independent School District Trustee, Place 7, in the May 6, 2017, uniform election.

#### Contributor Addresses

2. The complaint alleged that the respondent did not properly disclose the addresses for 44 individuals who made political contributions totaling \$9,450 in her 30-day pre-election report. The complaint also alleged that the respondent did not disclose complete addresses for nine individuals who made political contributions totaling \$950 in her 8-day pre-election report. Each contribution at issue exceeded \$50.
3. The contributions at issue were disclosed on Schedule A1 (used to disclose monetary political contributions) of the respondent's 30-day pre-election report and 8-day pre-election report for the May 6, 2017, uniform election. For all 44 contributors at issue in the respondent's 30-day pre-election report, the respondent disclosed only the city, state, and zip code, but did not provide the street name or street number. For all nine

contributors at issue in the respondent's 8-day pre-election report, the respondent did not disclose any address information.

4. In response to the complaint, the respondent acknowledged the omissions. The respondent corrected the 30-day pre-election report and the 8-day pre-election report after the complaint was filed and disclosed complete address information for all contributors at issue.

#### **IV. Findings and Conclusions of Law**

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

##### **Contributor Addresses**

1. Each campaign finance report must include the amount of political contributions from each person 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).
2. Regarding the 44 contributions at issue in the 30-day pre-election report and the nine contributions at issue in the 8-day pre-election report, the respondent was required to provide an address for each contributor because they each made political contributions that exceeded \$50 during the reporting period. For 44 of the contributions at issue totaling \$9,450 in the 30-day pre-election report, the respondent did not disclose the street address for the contributors when the report was originally filed. For nine of the contributions at issue totaling \$950 in the 8-day pre-election report, the respondent did not disclose any address information for the contributors when the report was originally filed. Therefore, there is credible evidence of violations of section 254.031(a)(1) 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 must include the amount of political contributions from each person 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. The respondent agrees to 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. 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 \$250 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-31708131.

AGREED to by the respondent on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Lynn C. Davenport, Respondent

EXECUTED by the Commission on: \_\_\_\_\_.

Texas Ethics Commission

By: \_\_\_\_\_  
Seana Willing, Executive Director