

TEXAS ETHICS COMMISSION

IN THE MATTER OF

JULIE PICKREN,

RESPONDENT

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BEFORE THE

TEXAS ETHICS COMMISSION

SC-32202107

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (Commission) met on September 28, 2022, to consider sworn complaint SC-32202107. A quorum of the Commission was present. The Commission determined that there is credible evidence of violations of Sections 254.064(b) and 254.064(c) of the Election Code, laws administered and enforced by the Commission. To resolve and settle this complaint without further proceedings, the Commission proposed this resolution to the respondent.

II. Allegations

The complaint alleged that the respondent: 1) failed to file a 30-day pre-election report for the March 1, 2022 election, in violation of Section 254.064(b) of the Election Code; and 2) failed to file an 8-day pre-election report for the March 1, 2022 election, in violation of Section 254.064(c) of the Election Code.

III. Findings of Fact and Conclusions of Law

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

1. The respondent was a successful candidate for State Board of Education District 7 in the March 1, 2022 primary election and is on the ballot for the November 8, 2022 general election.

30-Day Pre-election Report

2. The complaint alleged that the respondent did not file her 30-day pre-election report, which was due by January 31, 2022.

3. The information submitted with the complaint showed that the respondent had not filed her 30-day pre-election report as of February 28, 2022, when the sworn complaint was filed with the Commission.
4. The respondent filed the report on February 28, 2022, the same day Commission staff called to notify her of the complaint. On the 30-day pre-election report, the respondent disclosed \$16,288.28 in total political contributions and \$218.78 in total political expenditures.
5. In response to the complaint, the respondent swore that the report had been completed by the filing deadline, but had not been submitted due to a failure to click the final “file” button. The respondent further swore that she was now aware of the issue and it would not happen again.
6. In addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports. Tex. Elec. Code § 254.064(a). 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 candidate’s campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed, as applicable, and continuing through the 40th day before election day. *Id.* § 254.064(b).
7. The respondent was a candidate in the March 1, 2022 election and had an opponent whose name appeared on the ballot. Therefore, the respondent was required to file a 30-day pre-election report by January 31, 2022. Credible evidence shows the respondent filed her 30-day pre-election report 28 days late, on February 28, 2022. Therefore, credible evidence indicates a violation of Section 254.064(b) of the Election Code.

8-Day Pre-election Report

8. The complaint alleged that the respondent did not file her 8-day pre-election report, which was due by February 22, 2022.
9. The information submitted with the complaint showed that the respondent had not filed her 8-day pre-election report as of February 28, 2022, when the sworn complaint was filed with the Commission.
10. The respondent filed her 8-day pre-election report on February 28, 2022, the same day Commission staff called to notify her of the complaint. On her 8-day pre-election report, the respondent disclosed \$2,630 in total political contributions and \$12,118.07 in total political expenditures.

11. In response to the complaint, the respondent swore that the report had been completed by the filing deadline, but had not been submitted due to a failure to click the final “file” button. The respondent further swore that she was now aware of the issue and it would not happen again.
12. In addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports. Tex. Elec. Code § 254.064(a). The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day. *Id.* §254.064(c).
13. The respondent was a candidate in the March 1, 2022 election and had an opponent whose name appeared on the ballot. Therefore, the respondent was required to file an 8-day pre-election report by February 22, 2022. Credible evidence shows the respondent filed her 8-day pre-election report 6 days late, on February 28, 2022. Therefore, credible evidence indicates noncompliance with Section 254.064(c) of the Election Code.

IV. 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 findings of fact and conclusions of law described under Section III, 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 in addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports: 1) 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 candidate’s campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed, as applicable, and continuing through the 40th day before election day; and 2) the second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day. The respondent agrees to fully and strictly comply with these requirements of law.

V. 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.

VI. Sanction

After considering the seriousness of the violations described under Section III, including the nature, circumstances, consequences, extent, gravity of the violations, and after considering the sanction necessary to deter future violations, the Commission imposes a \$500 civil penalty.

VII. 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-32202107.

AGREED to by the Respondent on this _____ day of _____, 2022.

Julie Pickren, Respondent

EXECUTED by the Commission on: _____.

Texas Ethics Commission

By: _____
J.R. Johnson, Executive Director