

TEXAS ETHICS COMMISSION

IN THE MATTER OF
JENNIFER JACOBS,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-32304128

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (Commission) met on June 27, 2022, to consider sworn complaint SC-32304128. A quorum of the Commission was present. The Commission determined that there is credible evidence of a violation of Section 253.033 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. Allegation

The complaint alleged that as a candidate for Gun Barrel City's City Council, the respondent accepted political contributions from contributors in cash, which in the aggregate exceeded \$100, in violation of Section 253.033 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 non-incumbent candidate for Gun Barrel City's City Council.
2. On the respondent's 30-day pre-election report for the May 6, 2023 election, she disclosed accepting \$6,015 in contributions. On the report, she indicated with each itemized contribution the means by which she had accepted the contribution, writing "check," "cash," or "Venmo," as appropriate. According to the report, the respondent accepted \$2,715 in cash contributions. Of these cash contributions, \$2,315 exceeded \$100 in amount, including a \$2,000 cash contribution from one contributor.
3. In her sworn response to the complaint, the respondent admitted accepting the cash contributions. The respondent swore in her response that she refunded the cash

contributions that she had accepted.¹ The respondent further provided canceled checks and bank statements confirming that she returned the contributions.

4. A candidate, officeholder, or specific-purpose committee may not knowingly accept from a contributor in a reporting period political contributions in cash that in the aggregate exceed \$100. Tex. Elec. Code § 253.033.
5. Because the respondent accepted four political contributions in cash that in the aggregate exceeded \$100, there is credible evidence of violations of Section 253.033 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 a candidate, officeholder, or specific-purpose committee may not knowingly accept from a contributor in a reporting period political contributions in cash that in the aggregate exceed \$100.

V. 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.

VI. Sanction

After considering the nature, circumstances, and consequences of the violation described under Section III, and after considering the sanction necessary to deter future violations, the Commission imposes a \$250 civil penalty.

¹ The respondent included with her initial response a purported “corrected” report, from which she removed the returned cash contributions. After Commission staff informed her that the cash contributions must remain on the report, she filed a further corrected report restoring the cash contributions, and filed a subsequent report disclosing her return of the cash contributions as political expenditures, consistent with Section 254.031(a)(3) of the Election Code.

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-32304128.

AGREED to by the respondent on this _____ day of _____, 2023.

Jennifer Jacobs, Respondent

EXECUTED by the Commission on: _____.

Texas Ethics Commission

By: _____
J.R. Johnson, Executive Director