

TEXAS ETHICS COMMISSION
P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800

Paul W. Hobby, Chair
Chase Untermeyer, Vice Chair
Hugh C. Akin
Jim Clancy

Wilhelmina Delco
Tom Harrison
Bob Long
Tom Ramsay

AGENDA

Date and Time:	9:30 a.m., Monday, February 1, 2016
Location:	Room E1.014, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. Comments by the Commissioners.
3. Approve minutes for the following meetings:
 - Executive Session (discussion of pending litigation) – November 30, 2015; and
 - AM Public Meeting – November 30, 2015.
4. Briefing and discussion on the new Electronic Filing Application for the implementation of House Bill 1295.

RULEMAKING

5. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 46.3 (Definitions), defining interested party for purposes of the House Bill 1295 to clarify that an interested party is a person with a controlling interest or a person who is an intermediary.
6. Public discussion and possible action on the proposal and publication in the Texas Register of the rules defining the meaning of “fact finding trip” for purposes of the lobby law.
7. Public discussion and possible action on the adoption and publication in the Texas Register of amendments to the following Ethics Commission Rules impacted by House Bill 1114, 84th Legislative Session, Regular Session: Ethics Commission Rules §§ 20.3 (Reports File with the Commission), 20.7 (Reports Filed with other Local Filing Authorities), and 20.315 (Termination of Campaign Treasurer Appointment).

For more information, contact Natalia Luna Ashley, Executive Director, at (512) 463-5800.

8. Public discussion and possible action on the adoption and publication in the Texas Register of amendments to the following Ethics Commission Rules impacted by House Bill 3517, 84th Legislative Session, Regular Session: Ethics Commission Rules §§ 34.1(5) (Definition of Independent Contractor): 34.46 (Registration under Section 305.0041 of the Government Code) and 34.73 (Reporting by Independent Contractor).

ADVISORY OPINIONS

Discussion and possible action in response to the following Advisory Opinions:

9. Discussion of Advisory Opinion Request Nos. AOR-596 and AOR-597: Application of Chapter 305 of the Government Code to an attorney's activities in response to certain invitations from members of the legislative branch to discuss pending legislation on behalf of the attorney's clients.

These opinion requests construe Chapter 305 of the Government Code.

10. Discussion of Advisory Opinion Request No. AOR-605: Regarding whether a public servant may accept a benefit from a potential donor in certain circumstances.

This opinion request construes Chapter 36 of the Penal Code.

11. Discussion of Advisory Opinion Request No. AOR – 606: Regarding whether an employee of a state agency may accept from persons regulated by the agency subscription fees for operating a website that complies publicly available information.

This opinion request construes Chapter 36 of the Penal Code and Section 572.051 of the Government Code.

12. Discussion of Advisory Opinion Request No. AOR – 607: Regarding whether a former officeholder who is provided housing by the state as a benefit of holding that office may use political contributions to pay the expenses for moving personal household items out of the housing and into storage and to the former officeholder's new personal residence.

This opinion request construes Section 253.035 of the Election Code.

OTHER POLICY MATTERS

13. Discussion and possible action on the Commission's authority to conduct random facial compliance reviews and full audits.
14. Discussion and the Commission's authority to initiate complaints and discussion and possible action on an amendment to Ethics Commission Rules § 12.53 (Commission Initiated Complaint) to clarify that process.
15. Discussion and possible action on the use of new resources to analyze filings data to ensure that the statutes enforced by the Commission are being complied with by those who are required to submit the filings.
16. Discussion and possible action on the level of disclosure of political expenditures made to political consultants.
17. Briefing, discussion, and possible action to waive or reduce certain penalties assessed for campaign finance reports, lobby reports and personal financial statements filed late due to issues with the new electronic filing application for the following individuals and political committees:

Casias, Robert A. (00068091)
Holzheuser, Steve G. (00020370)
Landwehr, Martha K. (00069447)
Lujan, III, John (00058435)
McPeters, Pamela (00070863)
Rodriguez, Jose Roberto (00066091)
Romanov, John Halloran, Treasurer, 'TAS-PAC', Texas Association of Staffing PAC (00016232)
Rozzell, David, Treasurer, Conservative Republicans of Katy PAC (00069528)
Rozzell, David, Treasurer, Katy Area Republican PAC (00069531)
Uresti, Tomas (00080143)
18. Briefing, discussion, and possible action on appeals to determinations made under Texas Ethics Commission Rules §§ 18.25 and 18.26 relating to administrative waiver or reduction of a fine, for the following individuals:

Franks, Michael A. (00037080)
Reyes, Paul (00067908)
19. Briefing, discussion, and possible action to waive or reduce the late-filing penalty in connection with a corrected report or to determine whether the corrected report

as originally filed substantially complied with the applicable law for the following individual:

Fourrier, Deneile L., Treasurer, Back the Bulldog Bond PAC (00080235)

20. Discussion and possible action regarding the termination of a campaign treasurer appointment of the following inactive political committees:

Central Texas Republican Women (00054439)

Coalition for Financial Freedom (00068754)

Moving Texas Forward (00066546)

RAB Law PAC (00065791)

Southeast Texas Stonewall Democrats (00069423)

Texans for Truth PAC (00070009)

21. Discussion and possible action regarding a form letter for political subdivisions with which campaign finance reports are filed to distribute to their filers.
22. Comments by the Executive Director.
23. Communication to the Commission from the public.
24. Adjourn.

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

Certifying Official & Agency Liaison: Natalia Luna Ashley,
Executive Director

NOTICE: Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the Texas Ethics Commission will provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, and large print or Braille documents. In determining the type of auxiliary aid or service, the Commission will give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify Margie Castellanos at (512) 463-5800 or RELAY Texas at (800) 735-2989 two days before this meeting so that appropriate arrangements can be made. Please also contact Ms. Castellanos if you need assistance in having English translated into Spanish.