

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

Steven D. Wolens, Chair
Chad M. Craycraft, Vice Chair
Jim Clancy
Randall H. Erben

Chris Flood
Mary K. “Katie” Kennedy
Tom Ramsay
Joseph O. Slovacek

PUBLIC MEETING AGENDA

Date and Time:	9:00 a.m., Wednesday, March 28, 2018
Location:	Room E1.014, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. Approve minutes for the following meetings:
 - Executive Session – January 30, 2018; and
 - Public Meeting – January 31, 2018.
3. Discussion regarding the next Texas Ethics Commission meeting.
4. Discussion and possible appointment of a Nominating Committee of Commissioners for the positions of Chair and Vice Chair of the Texas Ethics Commission.

ADMINISTRATIVE WAIVERS, REDUCTIONS, APPEALS OF FINES

5. Briefing, discussion, and possible action on appeal of fines increased by the Commission, and on appeals of determinations made under Ethics Commission Rules §§ 18.25 and 18.26 relating to administrative waiver or reduction of a fine, for the following individual: Kelley Sullivan (00081216).

ADVISORY OPINIONS

6. Discussion of Advisory Opinion Request No. AOR-625: Whether a communication relating to a measure election complies with section 255.003 of the Election Code.

This opinion request construes section 255.003 of the Election Code.

For more information, contact Seana Willing, Executive Director, at (512) 463-5800.

7. Discussion of Advisory Opinion Request No. AOR-626: Whether a candidate may request businesses to offer or confer a deal or discount to a person merely because that person has voted, and whether the candidate may create and distribute fliers advertising such a deal or discount.

This opinion request construes Chapter 36 of the Penal Code.

8. Discussion of Advisory Opinion Request regarding legislative bribery.

RULEMAKING

RULES FOR ADOPTION

9. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 6.1 and new Ethics Commission rules §§ 27.1 and 27.101, regarding when a declaration of intent (JDI) is required to for judicial candidates.
10. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of new Ethics Commission Rules §§ 12.31 and 12.33, regarding decorum and sanctions in sworn complaint proceedings.
11. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 20.5, regarding a county elections administrator or tax assessor-collector acting as the filing authority for campaign finance reports.
12. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 20.33, regarding the authority of the Commission or local filing authority to terminate an inactive filer's campaign treasurer appointment.
13. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of new Ethics Commission Rules § 12.36 (Assessment of Civil Penalty) and a repeal of Ethics Commission Rules § 18.27 (Sworn Complaints), clarifying the facts that the Commission will consider when assessing a civil penalty in the complaint process.
14. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 12.87 (Resolution of Preliminary Review Hearing), regarding procedures for preliminary review hearings.

PROPOSED RULES FOR PUBLICATION

15. Public discussion and possible action on the proposal and publication in the Texas Register of amendments to Ethics Commission Rules §§ 6.7, 12.53, 12.81, 12.83 and 12.84, and new Ethics Commission Rules § 12.82, regarding communications between commission staff and members.
16. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 26.1, regarding political advertising on the Internet.
17. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 12.13, regarding non-resident attorneys appearing before the commission.
18. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 18.7, regarding the late filing of a report when the Commission's office is closed.
19. Public discussion and possible action on the proposal and publication in the Texas Register of new Ethics Commission Rules in Chapter 12, regarding new procedural rules for the formal hearing process.
20. Public discussion and possible action on the proposal and publication in the Texas Register of new Ethics Commission Rules Chapter 16 (Facial Compliance Review & Full Audits), including §§ 16.1 – 16.11, regarding procedures for facial compliance reviews and audits.

OTHER POLICY MATTERS

21. Discussion of possible recommendations for statutory changes to the 86th Legislature as required by § 571.073 of the Government Code.
22. 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: Seana Willing, 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.