

TEXAS ETHICS COMMISSION
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Mary K. “Katie” Kennedy, Vice Chair
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Patrick W. Mizell
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MEETING AGENDA

Date and Time: 9:00 a.m., Tuesday, September 15, 2020
Via online broadcast

**INFORMATION ON HOW TO VIEW AND/OR PARTICIPATE IN THE ONLINE
BROADCAST OF THIS MEETING WILL BE POSTED ON OUR WEBSITE ON
THE DAY OF THE MEETING HERE:**

https://www.ethics.state.tx.us/meetings/meetings_2020-2024.php#2020

1. Call to order; roll call.
2. **Executive session pursuant to Section 551.071, Government Code, Consultation with Attorneys, and Section 551.074, Government Code, Personnel Matters; Closed Meeting.**
 - A. Discussion of pending litigation to seek legal advice relating to the following:
 - i. Cause No. D-1-GN-17-001878: *Texas Ethics Commission v. Michael Quinn Sullivan*, in the 250th Judicial District Court in Travis County, Texas; Cause No. 03-17-00392-CV: *Michael Quinn Sullivan v. Texas Ethics Commission*, in the Third Court of Appeals at Austin, Texas; and Cause No. 18-0580: *Michael Quinn Sullivan v. Texas Ethics Commission*, in the Supreme Court of Texas.
 - ii. Cause No. D-1-GN-15-004455: *Texas Ethics Commission v. Empower Texans, Inc. and Michael Quinn Sullivan*, in the 345th Judicial District Court of Travis County, Texas; and related case, Cause No. 03-16-00872-CV: *Empower Texans, Inc., and Michael Quinn Sullivan v. Texas Ethics Commission*, in the Third Court of Appeals, Austin, Texas.
 - B. Discussion of personnel matters

For more information, contact Anne Temple Peters, Executive Director, at (512) 463-5800.

- C. Reconvene in open session.
- 3. Discussion regarding dates for next quarterly Commission meeting.
- 4. Approve minutes for the following meetings:
 - o Executive Session – June 19, 2020; and
 - o Public Meeting – June 19, 2020.

TREASURER TERMINATIONS AND APPEALS OF FINES

- 5. Discussion and possible action regarding the termination of a campaign treasurer appointment for the following inactive filers:
 - 1. Rio Grande Valley Apartment Assn. PAC, treasurer Chad W. Anderson (00037999)
 - 2. North Texas Committee on Judicial Excellence, treasurer Casey K. Bingham (00083096)
 - 3. Galveston Maritime Business Association Political Action Committee, treasurer Jonathan T. Edwards (00082769)
 - 4. Southside Today, PAC, treasurer Lorenzo Gonzalez (00081596)
 - 5. Move Hutto Forward, treasurer James Guzman (00083734)
 - 6. Texas Students United, treasurer Gabrielle Harris (00081393)
 - 7. SFA College Democrats, treasurer Gabrielle Harris (00083801)
 - 8. Vote Yes for Sweeny ISD, treasurer Dusty Lee Hopkins (00083712)
 - 9. Strategic International Development PAC, treasurer Prisylla Ann Jasso (00083277)
 - 10. Conservative Tea Party of Texas, treasurer David Leib (00080652)
 - 11. Texans for Pro-Life, treasurer David Leib (00080653)
 - 12. CodeRED TEXAS, treasurer Angie Morrison (00083596)
 - 13. Asian Leaders, treasurer Angie Morrison (00083597)
 - 14. Election Integrity Advocates, treasurer Nathan G. Schwarz (00083567)
 - 15. A Better Texas PAC, treasurer Michael J. Warner (00083091)
- 6. Discussion and possible action 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 filers:
 - 1. Elizabeth Choate (00066252)
 - 2. Mary E. Williams (00084541)
 - 3. Charles Lauersdorf (00082133)

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ADVISORY OPINIONS

7. Draft Advisory Opinion No. AOR-636: Whether an apparel company may contract with candidates, political parties, and political committees to design, manufacture, market, and fulfill sales of campaign merchandise in return for a portion of the sales proceeds, and, if so, whether such a business model involves any reportable campaign contributions.

This opinion construes Tex. Elec. Code § 251.001 and 1 Tex. Admin. Code § 20.1(3).

8. Amendment to Advisory Opinion No. EAO-556, issued June 19, 2020, to correct typographical error: Whether a registered lobbyist can be “present” at an event via videoconference technology. (AOR-635)

This opinion construes Sections 305.006(f) and 305.024(a) of the Government Code.

RULEMAKING

Rule Adoption

9. Discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 18.31, regarding the adjustments of reporting thresholds, and Ethics Commission Rules that are affected by the adoption of an amendment to 1 Tex. Admin. Code § 18.31, including §§ 20.62, 20.65, 20.217, 20.219, 20.220, 20.221, 20.275, 20.279, 20.301, 20.303, 20.313, 20.329, 20.331, 20.333, 20.401, 20.405, 20.433, 20.434, 20.435, 20.553, 20.555, 22.1, 22.6, 22.7, 34.41, and 34.43.

Rule Publication

10. Discussion and possible action on the proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code §§ 18.23 and 18.24, regarding changes to administrative waiver rules.
11. Discussion and possible action on the proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 50.1 (Legislative Per Diem) relating to

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the legislative per diem required to be set under Article III, Section 24a, of the Texas Constitution.

12. 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: Anne Temple Peters, 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.