

TEXAS ETHICS COMMISSION

IN THE MATTER OF
RAYNALDO SALAZAR, JR.,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-991242

FINAL ORDER

The Texas Ethics Commission, having heard this case and voting to find violations of laws under its jurisdiction, makes the following Findings of Fact and Conclusions of Law:

Findings of Fact

1. The respondent is Raynaldo Salazar, Jr., whose last known mailing address is 1914 Laurel Oaks, Edinburg, Texas 78539-7347. A sworn complaint was filed with the Texas Ethics Commission against the respondent on December 30, 1999. The Notice of Hearing was mailed to the respondent on September 23, 2002, by certified mail, return receipt requested, restricted delivery.
2. The preliminary review hearing was held on October 11, 2002, at 1:16 p.m., by the Texas Ethics Commission in Austin, Texas.
3. The respondent did not file a reply to the Notice of Hearing and did not appear at the hearing.
4. At all times relevant to this complaint, the respondent held the position of Justice of the Peace, Precinct 4, Place 2. He filed an application for a place on the ballot on January 3, 2000, as a candidate for Justice of the Peace, Precinct 4, Place 1, in the March 14, 2000, primary election.
5. The complainant submitted pictures of both sides of several billboards that state: "HELPING YOU KEEP YOUR CHILDREN IN SCHOOL; JUDGE RAY SALAZAR HELPING YOU MAKE LIFE EASIER! PCT 4. PL 1." The billboards do not contain a right-of-way notice.

Conclusions of Law

1. Disposition of this case is within the jurisdiction of the Texas Ethics Commission. Section 571.061, Government Code.

2. The respondent received legally sufficient notice of the hearing in this case. Section 571.032, Government Code, and Section 12.21, 1 Texas Administrative Code.
3. The allegations in the Notice of Hearing that the respondent represented on billboards that he held a public office that he did not hold, and that his political advertising signs did not contain the required right-of-way notice, were deemed admitted as true in accordance with Sections 12.33 and 155.55, 1 Texas Administrative Code; Sections 2001.058, 2003.021, and 2003.050, Government Code.
4. By representing that he held the position of Justice of the Peace, Precinct 4, Place 1, when he actually held the position of Justice of the Peace, Precinct 4, Place 2, the respondent violated Section 255.006(b), Election Code.
5. By failing to include the right-of-way notice on his political advertising signs, the respondent violated Section 255.007(a), Election Code.
6. The Texas Ethics Commission may impose a sanction against the respondent of not more than \$5,000 or triple the amount at issue, whichever amount is greater. Section 571.173, Government Code.

Therefore, the Texas Ethics Commission orders that:

1. The respondent pay to the State of Texas, within 30 days of the date of this order, a civil penalty in the amount of \$400.

Date: _____

FOR THE COMMISSION

Tom Harrison
Executive Director
Texas Ethics Commission