

TEXAS ETHICS COMMISSION

IN THE MATTER OF
STEPHEN TRUESDELL,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-260243

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (the commission) met on September 21, 2006, to consider sworn complaint SC-260243. A quorum of the commission was present. The commission determined that there is credible evidence of a violation of section 253.037(b) of the Election Code, a law administered and enforced by the commission. To resolve and settle this complaint without further proceedings, the commission proposes this resolution to the respondent.

II. Allegation

The complaint alleges that the respondent, as the campaign treasurer of a general-purpose committee, made political contributions to two other general-purpose committees at a time when the other committees were not listed in the campaign treasurer appointment of the contributor committee.

III. Facts Supported by Credible Evidence

Credible evidence available to the commission supports the following findings of fact:

1. The respondent is the former campaign treasurer of the Austin Fire Fighters PAC (AFFP), a general-purpose committee.
2. The respondent filed a runoff election report for a February 14, 2006, city runoff election. The report disclosed a January 18, 2006, contribution of \$1,000 to the Travis County Republican Party, which is a general-purpose committee. The report also disclosed a January 19, 2006, contribution of \$1,000 to the Travis County Democratic Party, which is also a general-purpose committee.
3. The AFFP had not disclosed the Travis County Republican Party or the Travis County Democratic Party on its campaign treasurer appointment as general-purpose committees to which the AFFP intended to make political contributions.

IV. Findings and Conclusions of Law

The facts described in Section III support the following findings and conclusions of law:

1. A general-purpose committee may not knowingly make a political contribution to another general-purpose committee unless the other committee is listed in the campaign treasurer appointment of the contributor committee. ELEC. CODE § 253.037(b).
2. AFFP made political contributions to two other general-purpose committees at a time when those political committees were not listed in the campaign treasurer appointment of AFFP. The respondent, as a member of and the campaign treasurer for AFFP at the time in question, was responsible for its failure to amend the campaign treasurer appointment before making the contributions to the other two committees. Therefore, there is credible evidence that the respondent violated section 253.037(b) of the Election Code.

V. 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 facts described under Section III or the commission's findings and conclusions of law described under Section IV, 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 general-purpose committee may not knowingly make a political contribution to another general-purpose committee unless the other committee is listed in the campaign treasurer appointment of the contributor committee. The respondent agrees to comply with this requirement of the law.

VI. 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.

VII. Sanction

After considering the seriousness of the violation described under Sections III and IV, including the nature, circumstances, and consequences of the violation, and after considering the sanction

necessary to deter future violations, the commission imposes a \$200 civil penalty for the violation described under Sections III and IV.

VIII. 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-260243.

AGREED to by the respondent on this _____ day of _____, 20__.

Stephen Truesdell, Respondent

EXECUTED ORIGINAL received by the commission on: _____.

Texas Ethics Commission

By: _____
David A. Reisman, Executive Director