

TEXAS ETHICS COMMISSION

IN THE MATTER OF § BEFORE THE
WILLIAM “BILL” WEDDLE, § TEXAS ETHICS COMMISSION
RESPONDENT § SC-31106168

FINAL ORDER

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

Findings of Fact

1. The respondent is William L. Weddle, whose last known mailing address is 806 Jefferson Street, Bastrop, Texas 78602. A sworn complaint was filed with the Texas Ethics Commission against the respondent on July 12, 2011. The Notice of Hearing was mailed to the respondent on November 7, 2011, by certified mail, return receipt requested, restricted delivery and delivery confirmation. United States Postal Service records indicate that the respondent received the Notice of Hearing on November 8, 2011.
2. The preliminary review hearing was held on December 14, 2011 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. The respondent was an opposed incumbent candidate for Justice of the Peace, Precinct 1, Bastrop County, in a November 2010 election.
5. The complaint alleged that the respondent did not timely file a January 2011 semiannual campaign finance report.
6. According to the records from the Bastrop County Elections Administrator, after the November 2010 election the respondent did not file a final report and did not file the January 2011 semiannual report by the January 18, 2011, deadline (the deadline was extended due to a weekend and holiday).
7. In response to the complaint, the respondent filed a July 2011 semiannual report on August 4, 2011, covering from October 24, 2010, through June 30, 2011. The respondent stated that the Bastrop County Elections Administrator granted an extension of the filing deadline until August 1, 2011. Although the report was not marked as a January 2011

semiannual report, the respondent covered the periods required by both semiannual reports.

Conclusions of Law

1. Disposition of this case is within the jurisdiction of the Texas Ethics Commission. GOV'T CODE § 571.061.
2. The respondent received legally sufficient notice of the hearing in this case. GOV'T CODE § 571.032 and 1 TAC § 12.21. The hearing was held in accordance with section 12.23, 1 Texas Administrative Code.
3. A candidate shall file a report not later than January 15. The report covers the period beginning July 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31. ELEC. CODE § 254.063(c).
4. If the deadline for a report falls on a Saturday, Sunday, or a legal state or national holiday, the report is due on the next regular business day. Ethics Commission Rules § 20.21(a).
5. A candidate has the duty to file semiannual reports until the candidate terminates his campaign treasurer appointment. The designation of a report as a final report terminates a candidate's campaign treasurer appointment. ELEC. CODE § 254.065.
6. According to the records from the Bastrop County Elections Administrator, the respondent did not file the January 2011 semiannual report by the January 18, 2011, deadline. The respondent was a candidate in the November 2010 election and to date has not filed a final report terminating his campaign treasurer appointment and filing requirements as a candidate. Thus, the respondent was required to file the January 2011 semiannual report by the January 18, 2011, deadline.
7. On August 4, 2011, after the complaint had been filed, the respondent filed a July 2011 semiannual report, which included the periods required by the January 2011 semiannual report (the July 2011 semiannual report was not part of the allegations). Because the respondent did not file the January 2011 semiannual report by the January 18, 2011, deadline there is credible evidence of a violation of section 254.063 of the Election Code.
8. Although the respondent stated that the elections administrator extended the deadline for the July 2011 semiannual report, the election administrator has no statutory authority to extend a filing deadline for a campaign finance report.
9. There is credible evidence that the respondent violated section 254.063 of the Election Code.

10. 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. GOV'T CODE § 571.173.

Therefore, the Texas Ethics Commission orders that:

1. The respondent pay to the Texas Ethics Commission, within 30 days of the date of this order, a civil penalty in the amount of \$500.

Order Date: _____

FOR THE COMMISSION

David A. Reisman
Executive Director
Texas Ethics Commission