

# TEXAS ETHICS COMMISSION

IN THE MATTER OF

NATHAN WEBB,

RESPONDENT

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§

BEFORE THE

TEXAS ETHICS COMMISSION

SC-31608181CI

## FINAL ORDER

The Texas Ethics Commission (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

#### Background

1. The respondent is Nathan Webb, whose last known mailing address is 5817 ½ Victor Street, Dallas, Texas 75214. The Commission met on August 15, 2016, and on its own motion initiated this sworn complaint. The first Notice of Hearing was mailed to the respondent on March 1, 2017, by certified mail, return receipt requested, restricted delivery, and delivery confirmation. United States Postal Service (USPS) records indicate that the first Notice of Hearing was delivered to the respondent on March 11, 2017. A second Notice of Hearing, with a change in time for the hearing, was mailed to the respondent on March 16, 2017, by Lone Star Overnight (LSO). LSO records indicate that the second Notice of Hearing was delivered to the respondent on March 17, 2017.
2. The preliminary review hearing was held on March 30, 2017, by the Commission in Austin, Texas.
3. The respondent did not file a reply to the Notice of Hearing and did not appear at the hearing.

#### Personal Financial Statement

4. The respondent was an independent candidate for State Representative, District 108, in the November 2016 general election.
5. The respondent filed his Declaration of Intent with the Secretary of State as an independent candidate for State Representative, District 108, on December 14, 2015.
6. The respondent was required to file a personal financial statement (PFS) with the Commission by February 12, 2016.

7. The respondent failed to file the required PFS with the Commission.
8. The Commission sent notices to the address provided by the respondent. On March 10, 2016, the Commission sent the respondent a late letter. On May 2, 2016, the Commission sent the respondent a second late letter. On May 31, 2016, the Commission sent the respondent a third late letter by registered mail. According to USPS records of the delivery, a notice was left on June 3, 2016, at the address provided by the respondent. The notice was returned to the Commission unclaimed on June 26, 2016.

### **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. *Id.* § 571.032 and 1 TAC § 12.21. The hearing was held in accordance with section 12.23, 1 Texas Administrative Code.
3. Except as provided by Section 572.0211, a state officer, a partisan or independent candidate for an office as an elected officer, and a state party chair shall file with the commission a verified financial statement complying with Sections 572.022 through 572.0252. GOV'T CODE § 572.021.
4. An individual who is a partisan or independent candidate for an office as an elected officer shall file the financial statement required by this subchapter not later than the later of the 60th day after the date of the regular filing deadline for an application for a place on the ballot in the general primary election or February 12. *Id.* § 572.027(a).
5. "Elected officer" includes a member of the legislature. *Id.* § 572.002(4)(A).
6. The respondent was an independent candidate for State Representative, District 108, in the November 2016 general election. His candidacy as an independent candidate for an office as an elected officer in 2016 required him to file a PFS by February 12, 2016. Records on file with the Commission reflect that the respondent did not file the PFS. Thus, there is credible evidence of a violation of section 572.027 of the Government Code.
7. The Texas Ethics Commission may impose a sanction against the respondent of not more than \$5,000 or triple the amount at issue, whichever 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 \$1,500.

Order Date: \_\_\_\_\_

FOR THE COMMISSION

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Seana Willing  
Executive Director  
Texas Ethics Commission