

TEXAS ETHICS COMMISSION
P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800

Chad M. Craycraft, Chair
Mary K. “Katie” Kennedy, Vice Chair
Randall H. Erben
Chris Flood

Patrick W. Mizell
Richard S. Schmidt
Joseph O. Slovacek
Steven D. Wolens

MEETING AGENDA

Date and Time: 9:00 a.m., Wednesday, December 2, 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 Public Meeting – September 15, 2020; and
 - o Prehearing Conference in Sworn Complaint No. SC-3180254, In the Matter of Robert L. “Bob” Hall, III, Respondent.

ADMINISTRATIVE APPEALS OF FINES

- 5. 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. Nicole Booth, Lobbyist (00083524)
 - 2. IEA Political Action Committee, treasurer Shakeel Ahmed (00080061)
 - 3. Timothy Ottinger, Lobbyist (00069333)
 - 4. Rockwall Republican County Executive Committee General Purpose PAC, Treasurer Peter Flores (00056027)

ADVISORY OPINIONS

- 6. Draft Advisory Opinion No. AOR-637: Whether a for-profit limited liability company (LLC) may operate a contribution-processing website platform to be used by third parties to solicit, collect, and disperse political contributions to candidates as designated by third parties without having to register and report with the Commission.

This opinion construes Title 15 of the Election Code and 1 Tex. Admin. Code § 18.31.

RULEMAKING

Rule Adoption

- 7. Discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code §§ 18.23 and 18.24,

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

regarding changes to administrative waiver rules.

8. Discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to 1 Tex. Admin. Code § 50.1 (Legislative Per Diem) relating to the legislative per diem required to be set under Article III, Section 24a, of the Texas Constitution.

Rule Publication

9. Discussion and possible action on the proposal and publication in the Texas Register of amendments to 1 Tex. Admin. Code § 20.434 (Alternate Reporting Requirements for General-Purpose Committees) to correct errors in cross-references to other rules.
10. Discussion and possible action on the proposal and publication in the Texas Register of amendments to 1 Tex. Admin. Code § 18.15 (Additional Fine), regarding procedures for increasing fines.

OTHER POLICY MATTERS

11. Discussion regarding recommendations for statutory changes to the 87th Legislature as required by Tex. Gov't Code § 571.073.
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.