

Texas Election Codes Violated by “Protect Colleyville PAC”

IV. Statement of Facts

Quick Description of the Facts:

A PAC named “Protect Colleyville” ran a campaign in support of Nancy Coplen and Mike Taylor for Colleyville City Council as well as in opposition to a ballot proposition. This election was held May 9, 2015.

1. On May 7, 2015, the PAC filed

A) Their Treasurer Appointment;

B) Their 30-day report and;

C) Their 8-day report. This was two days prior to the election and long past the reported dates of the contributions and expenses. The PAC Failed to file any of the three required reports on time or at all.

THIS IS IN DIRECT VIOLATION OF:

Sec. 254.124. Additional Reports of Committee for Supporting or Opposing Candidate or Measure

(a) In addition to other required reports, for each election in which a specific-purpose committee supports or opposes a candidate or measure, the committee’s campaign treasurer shall file two reports.

(b) The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee’s campaign treasurer appointment is filed or the first day after the period covered by the committee’s last required report, as applicable, and continuing through the 40th day before election day.

(c) The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

2. The PAC, or someone, raised \$9,250 which they later reported, yet there was no filed PAC.

THIS IS IN DIRECT VIOLATION OF:

Sec. 253.031. Contribution and Expenditure Without Campaign Treasurer Prohibited

(b) A political committee may not knowingly accept political contributions totaling more than \$500 or make or authorize political expenditures totaling more than \$500 at a time when a campaign treasurer appointment for the committee is not in effect.

(f) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

3. The PAC, or someone, spent \$4,064, yet there was no filed PAC.

THIS IS IN DIRECT VIOLATION OF:

Sec. 253.031. Contribution and Expenditure Without Campaign Treasurer Prohibited

(b) A political committee may not knowingly accept political contributions totaling more than \$500 or make or authorize political expenditures totaling more than \$500 at a time when a campaign treasurer appointment for the committee is not in effect.

(f) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

4. The PAC mailed in favor / support of Nancy Coplen and Mike Taylor yet never filed their support of the candidates. Attached as Exhibit A and B are copies of the PAC's mailers which ask voters to vote for Mike Taylor and Nancy Coplen. Both of these mailers happened prior to an assignment of treasurer and the creation of the PAC.

THIS IS IN DIRECT VIOLATION OF:

Sec. 252.0031. Contents of Appointment by Specific-Purpose Committee

(a) In addition to the information required by Section 252.002, a campaign treasurer appointment by a specific-purpose committee for supporting or opposing a candidate for an office specified by Section 252.005(1) must include the name of and the office sought by the candidate. If that information changes, the committee shall immediately file an amended appointment reflecting the change.

(b) The name of a specific-purpose committee for supporting a candidate for an office specified by Section 252.005(1) must include the name of the candidate that the committee supports.

ALSO A VIOLATION OF

Sec. 253.031. Contribution and Expenditure Without Campaign Treasurer Prohibited

(b) A political committee may not knowingly accept political contributions totaling more than \$500 or make or authorize political expenditures totaling more than \$500 at a time when a campaign treasurer appointment for the committee is not in effect.

(f) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

5. Since May 7, 2015 the PAC has filed nothing. On their last report they showed \$5,430 on hand. They have either missed their last two semi annual reports required, or failed to file final reports. Either way, **there is at least \$5,430.08 unaccounted for.**

THIS IS IN DIRECT VIOLATION OF:

Sec. 254.123. Semiannual Reporting Schedule for Committee

(a) The campaign treasurer of a specific-purpose committee shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the committee'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 June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the committee'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.

Sec. 254.125. Final Report of Committee for Supporting or Opposing Candidate or Measure

- (a) If a specific-purpose committee for supporting or opposing a candidate or measure expects no reportable activity in connection with the election to occur after the period covered by a report filed under this subchapter, the committee's campaign treasurer may designate the report as a "final" report.
- (b) The designation of a report as a final report:
 - (1) relieves the campaign treasurer of the duty to file additional reports under this subchapter, except as provided by Subsection (c); and
 - (2) terminates the committee's campaign treasurer appointment.
- (c) If, after a committee's final report is filed, reportable activity with respect to the election occurs, the committee must file the appropriate reports under this subchapter and is otherwise subject to the provisions of this title applicable to political committees. A report filed under this subsection may be designated as a final report.

6. The same members of the SPAC setup a GPAC with the same name on May 11, 2015. Yet no notice was given to the filing authority, nor did they close out the SPAC.

THIS IS IN DIRECT VIOLATION OF:

Sec. 254.129. Notice of Change in Committee Status

- (a) If a specific-purpose committee changes its operation and becomes a general-purpose committee, the committee's campaign treasurer shall deliver written notice of the change in status to the authority with whom the specific-purpose committee's reports under this chapter are required to be filed.
- (b) The notice shall be delivered not later than the next deadline for filing a report under this subchapter that:
 - (1) occurs after the change in status; and
 - (2) would be applicable to the political committee if the committee had not changed its status.
- (c) The notice must indicate the filing authority with whom future filings are expected to be made.
- (d) A campaign treasurer commits an offense if the campaign treasurer fails to comply with this section. An offense under this section is a Class B misdemeanor.

I cordially ask that all these matters, and possibly others, be investigated and enforced.