



Commission Update

Promoting Public Confidence in Government

TEXAS ETHICS
COMMISSION

What's New?

Rules/Advisory Opinions

- Comprehensive rule review continues
- New sworn complaint rules in place

Personnel

- New Commissioners
- New Executive Staff

Legislative Update

- Foreign Adversary Disclosures and lobby rules
- Payee home addresses redacted
- Pension adjustments delegated to TEC
- Sunset Bill did not pass

Case Law Update

- *Ex Parte Charette*
- *Ex Parte Stafford*
- *TEC v. Sullivan*

Personnel Update

New Commissioners

- Geannie Morrison replaces Katie Kennedy
- Mark Strama replaces Steve Wolens
- Chris Flood elected chair
- Pat Mizell elected vice-chair

New Executive Staff

- Marie Primm joins as Director of Enforcement
- Amanda Arriaga joins as General Counsel
- Jim Tinley appointed Executive Director

New Positions

- Two new attorney positions
- New project manager positions

Rules

Comprehensive rule review, plus more

Rule Review Guideposts

- Simplify and clarify
- Sync with statute, practice
- Seek public engagement

Comprehensive Review Continues

- Disclosure of Interested Parties (Chapter 46)
- Conflicts of Interest (Chapter 45)
- Political and Legislative Advertising (Chapter 26)

Lobby Rules

- No major changes proposed

Sworn Complaint Rules

- Discovery Control Plans
 - Limits durations and number of discovery requests
 - SB 869
- Settlement offers made earlier
- Preliminary review hearings set earlier

Advisory Opinions

Comprehensive rule review, plus more

EAO 620

- The requestor or the requestor's corporation may grant the use of the aircraft to legislators as long as it is used to transport the legislators to a conference or similar event where they provide a service.
- However, providing the aircraft appears to be a lobby expenditure that will likely trigger lobby registration and reporting obligations for the person providing the use of the aircraft.

EAO 622

- A legislative staff member may not accept outside employment assisting a registered lobbyist because such a dual role would put the legislative employee in a situation where he may reasonably be required or induced to disclose confidential information or where his official independence and judgement may be reasonably expected to be impaired.

EAO 616

- The generally applicable lobby registration and disclosure requirements apply to a person who lobbies on behalf of a tribal nation.

Legislative Update

Sunset bill fails, new disclosure rules, pensions get adjustments

Reporting Changes

- HB 551 (Swanson): Payee home address redacted
- HB 3575 (Noble): appraisal district candidates file CFRs with county not the appraisal district

Sworn Complaints

- SB 1220 (Hughes) courts must not imply an exhaustion requirement for
- SB 2781 (Birdwell) Limits civil penalty lobbying during two-year waiting period.
- SB 869 (Birdwell) Limits when TEC can toll sworn complaint deadline.

“Elected Class” Pensions

- SB 293 (Huffman): TEC must adjust pension formula every 5 years for the “elected class”

Foreign Adversaries

- HB 119 (Gerdes): Major restrictions on lobbying for a “foreign adversary”
 - No compensations threshold for registration
 - Cannot accept lobby compensation from foreign adversary
- SB 2514 (Hughes): All government employees and volunteers must report contacts with foreign adversaries

REPORT OF FOREIGN ADVERSARY CONTACT

FORM RFAC

INSTRUCTIONS: Per Tex. Gov't Code § 572.070, an employee or volunteer of a state agency or a political subdivision of this state shall report to the Texas Ethics Commission each interaction, communication, or meeting the employee or volunteer has with a person acting on behalf of a foreign adversary not later than the 30th day after the date of the interaction, communication, or meeting. A foreign adversary means a country: (1) identified by the United States Director of National Intelligence as a country that poses a risk to the national security of the United States in at least one of the three most recent Annual Threat Assessments of the U.S. Intelligence Community issued pursuant to Section 108B, National Security Act of 1947 (50 U.S.C. § 3043b); or (2) designated by the governor after consultation with the public safety director of the Department of Public Safety. As of August 2025, foreign adversaries include the People's Republic of China (PRC), the Islamic Republic of Iran (Iran), the Russian Federation (Russia), and the Democratic People's Republic of North Korea (North Korea).

Please fill out this form with as much detail as possible. Although you may not know all the information requested on the foreign adversary in question, please complete the fields to the best of your ability.

EMPLOYEE INFORMATION

LAST NAME: _____ FIRST NAME: _____ MI: _____
TITLE: _____ ORGANIZATION: _____
EMAIL ADDRESS: _____ PHONE: _____

DUTIES INVOLVE OFFICIAL CONTACT WITH FOREIGN ADVERSARIES: _____

FOREIGN ADVERSARY CONTACT INFORMATION

NAME: _____ ALIAS: _____
GENDER: _____ DATE OF BIRTH: _____ AGE: _____
CITY AND COUNTRY OF ORIGIN: _____
CITY AND COUNTRY OF RESIDENCE: _____
COUNTRY OF CITIZENSHIP: _____
DUAL CITIZENSHIP: _____ LEGAL PERMANENT RESIDENT: _____

FOREIGN ADVERSARY CONTACT EMPLOYER INFORMATION

CURRENT EMPLOYER (COUNTRY OR COMPANY): _____
TYPE OF BUSINESS OR ORGANIZATION: _____
JOB TITLE OR POSITION: _____ EMAIL ADDRESS: _____
EMPLOYER PHONE: _____ CONTACT NUMBER: _____
CURRENT EMPLOYER ADDRESS (street, city, state, zip code, country):

GOVERNMENT OWNED BUSINESS: _____

CONTACT DETAILS

DATE OF CONTACT: _____ CLOSE/CONTINUING CONTACT: _____
TYPE OF RELATIONSHIP: _____ CONTACT KNOWN SINCE: _____
LOCATION OF CONTACT: _____ WAS THIS THE FIRST CONTACT: _____
CONTACT METHOD: _____ IF NOT, PREVIOUS DATE(S) OF CONTACT: _____

PURPOSE OF CONTACT: _____

DID THE FOREIGN CONTACT OFFER A GIFT OR ITEM OF VALUE, OR OFFER PAYMENT FOR TRAVEL TO OR LODGING IN A FOREIGN ADVERSARY COUNTRY: _____

DO YOU ANTICIPATE FUTURE CONTACT: _____ IF YES, WHEN: _____

NARRATIVE:

ATTACH ADDITIONAL PAGES AS NECESSARY

Send this form to the TEC electronically to affidavits@ethics.state.tx.us

or mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

or hand deliver to
Texas Ethics Commission
201 E. 14th Street
10th Floor
Austin, TX 78701

Caselaw Update

Ex parte Charette reversed, Ex parte Stafford affirmed



IN THE COURT OF CRIMINAL APPEALS
OF TEXAS

NO. PD-0522-21, 0523-24,
0524-21, 0525-21

EX PARTE ROBBIE GAIL CHARETTE, Appellant

On State's Motion for Rehearing After Opinion on Appellant's Petition
for Discretionary Review from the Fourteenth Court of Appeals
Washington County

SCHENCK, P.J., delivered the opinion in which YEARY, KEEL,
FINLEY, and PARKER, JJ., joined. RICHARDSON, J., filed a concurring
opinion in which NEWELL, J., joined. NEWELL and McCLURE, JJ.,
concurred. WALKER, J., dissented.

OPINION

This matter is before us on rehearing. In our original opinion, the Court agreed

- CCA originally finds a referral from TEC is a prerequisite for filing criminal charges for an offense of a law the TEC enforces.
- On rehearing, CCA reverses itself.
- Concurrence stands by original opinion but would reverse because of change in law.

Caselaw Update

Ex parte Charette reversed, Ex parte Stafford affirmed



IN THE COURT OF CRIMINAL APPEALS
OF TEXAS

NOS. PD-0522-21, PD-0523-21, PD-0524-21, & PD-0525-21

EX PARTE ROBBIE GAIL CHARETTE

ON STATE'S MOTION FOR REHEARING AFTER OPINION
ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE FOURTEENTH COURT OF APPEALS
WASHINGTON COUNTY

RICHARDSON, J., filed a concurring opinion in which NEWELL, J., joined.

CONCURRING OPINION

Upon the State's motion for rehearing, the majority withdraws and reverses our prior opinion in this case. I respectfully concur only in the result because the Legislature has since amended the statutes relevant to the controversy and applied them retroactively.

(Jan. 15., 2025).¹ Furthermore, we held that Government Code Chapter 571 (regulating election code violations), consistent with the Texas Constitution, was a “pervasive regulatory scheme” designed, in part, to prevent any partisan temptation to exercise prosecutorial discretion for political purposes. *Id.* at *10-11. Adhering to the Legislature’s design, we correctly required that complaints regarding the conduct of elected officials and candidates for public office either first be procedurally exhausted at the TEC or referred by the TEC before any potential criminal charges could be filed.²

Today, the majority withdraws this decision even though the TEC’s mission to prevent partisan “lawfare” by political opponents remains the same. Nevertheless, the Legislature has since amended the Government Code via Section 23.002, which states:

Caselaw Update

Ex parte Charette reversed, Ex parte Stafford affirmed



IN THE COURT OF CRIMINAL APPEALS
OF TEXAS

NO. PD-0310-23

EX PARTE JOHN MORGAN STAFFORD, Appellant

ON STATE'S PETITION FOR DISCRETIONARY REVIEW
FROM THE FIFTH COURT OF APPEALS
COLLIN COUNTY

McCLURE, J., delivered the opinion of the Court in which HERVEY, RICHARDSON, NEWELL, WALKER and SLAUGHTER, JJ., joined. KELLER, P.J., filed a concurring opinion in which RICHARDSON, NEWELL, and SLAUGHTER, JJ., joined. KEEL, J., concurred. YEARY, J., filed a dissenting opinion.

OPINION

The State of Texas has an interest in regulating campaign elections to protect the rights of Texans to cast a meaningful vote. One such effort made by the Texas Legislature has been to adopt laws requiring disclosure to be made in political advertisements. Under Election Code § 255.004(b), a person commits an offense if, "with intent to injure a candidate or influence the result of an election, the person knowingly represents in a

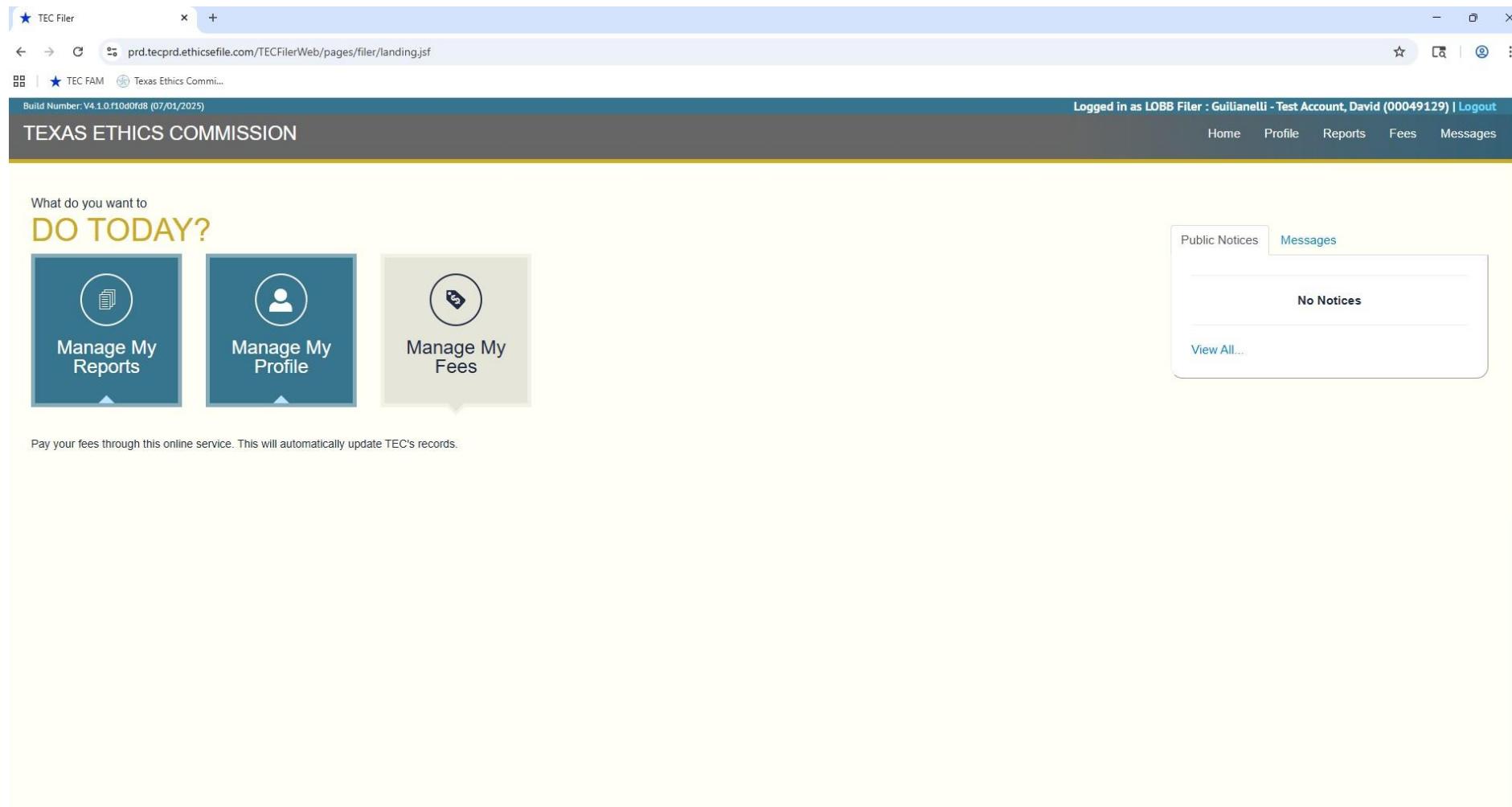
While the government's interest to protect voters from confusion, fraud, and undue influence by preventing misleading communications is certainly compelling, we agree with the court of appeals that 255.004(b) encompasses communications that are not arguably false or misleading and it is not narrowly tailored to achieve the interests advanced by the State.

Avoiding Common Filing Errors

Dave Giulianelli

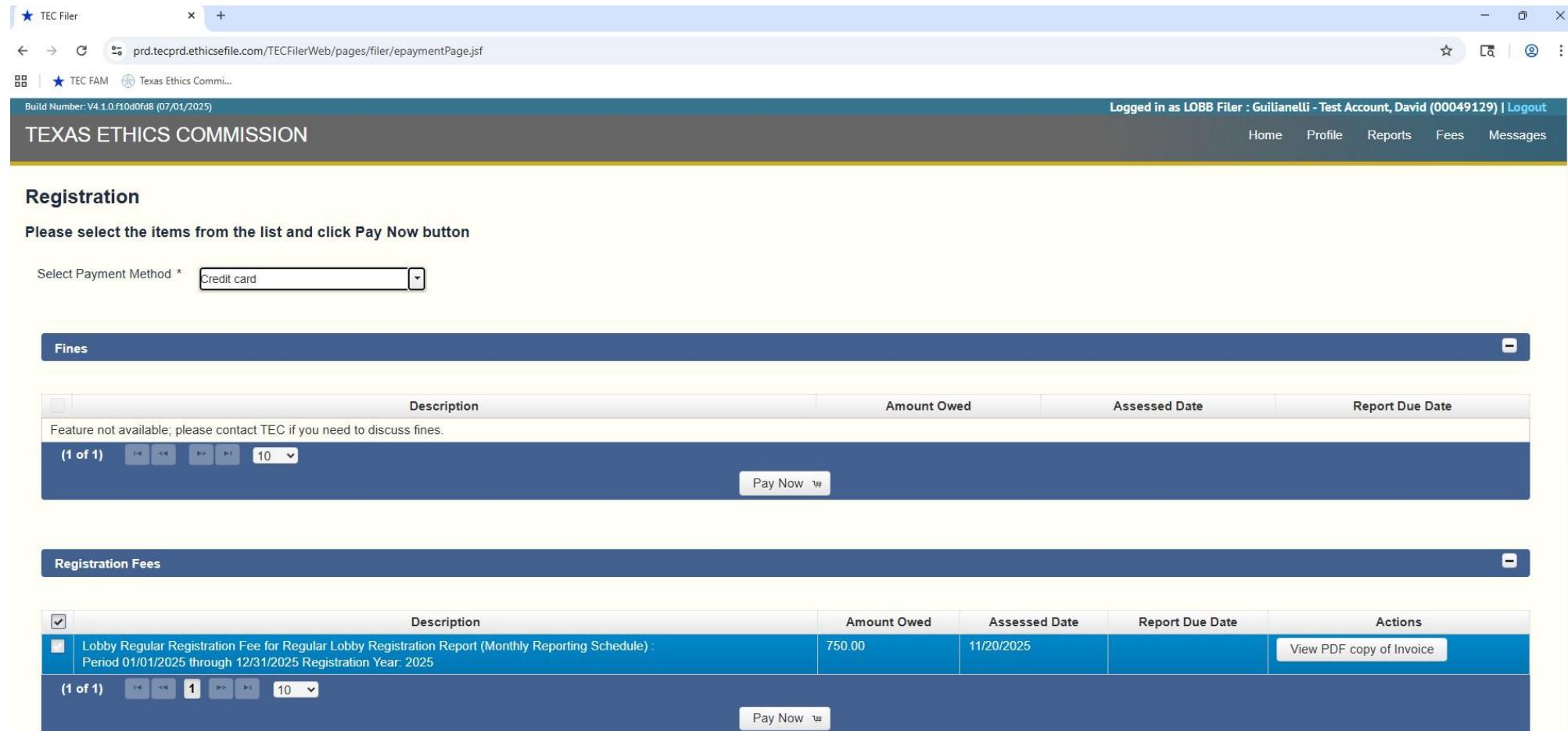
Director of Disclosure Filings

Lobby Registration



The screenshot shows a web browser window for the TEC Filer system. The title bar reads "TEC Filer". The address bar shows the URL "prd.tecpdrd.ethicsfile.com/TECFilerWeb/pages/filer/landing.jsf". The top navigation bar includes links for "Home", "Profile", "Reports", "Fees", and "Messages". A message at the top right says "Logged in as LOBB Filer : Guilianelli - Test Account, David (00049129) | Logout". The main content area has a header "TEXAS ETHICS COMMISSION". Below it, a section titled "What do you want to DO TODAY?" lists three options: "Manage My Reports", "Manage My Profile", and "Manage My Fees". A note below the "Manage My Fees" button says "Pay your fees through this online service. This will automatically update TEC's records." To the right, there are sections for "Public Notices" and "Messages". The "Public Notices" section is currently empty, showing "No Notices" and a "View All..." link. The "Messages" section is also empty.

Lobby Registration



The screenshot shows a web browser window for the Texas Ethics Commission (TEC) Filer. The URL is prd.tecprd.ethicsefile.com/TECFilerWeb/pages/filer/epaymentPage.jsf. The page title is "TEC Filer". The top navigation bar includes links for "Home", "Profile", "Reports", "Fees", and "Messages". The user is logged in as "LOBB Filer : Giulianelli - Test Account, David (00049129)" with a "Logout" link. The main content area is titled "Registration" and instructs the user to "Please select the items from the list and click Pay Now button". A dropdown menu for "Select Payment Method" is open, showing "Credit card" as the selected option. Below this, there are two sections: "Fines" and "Registration Fees".

Fines

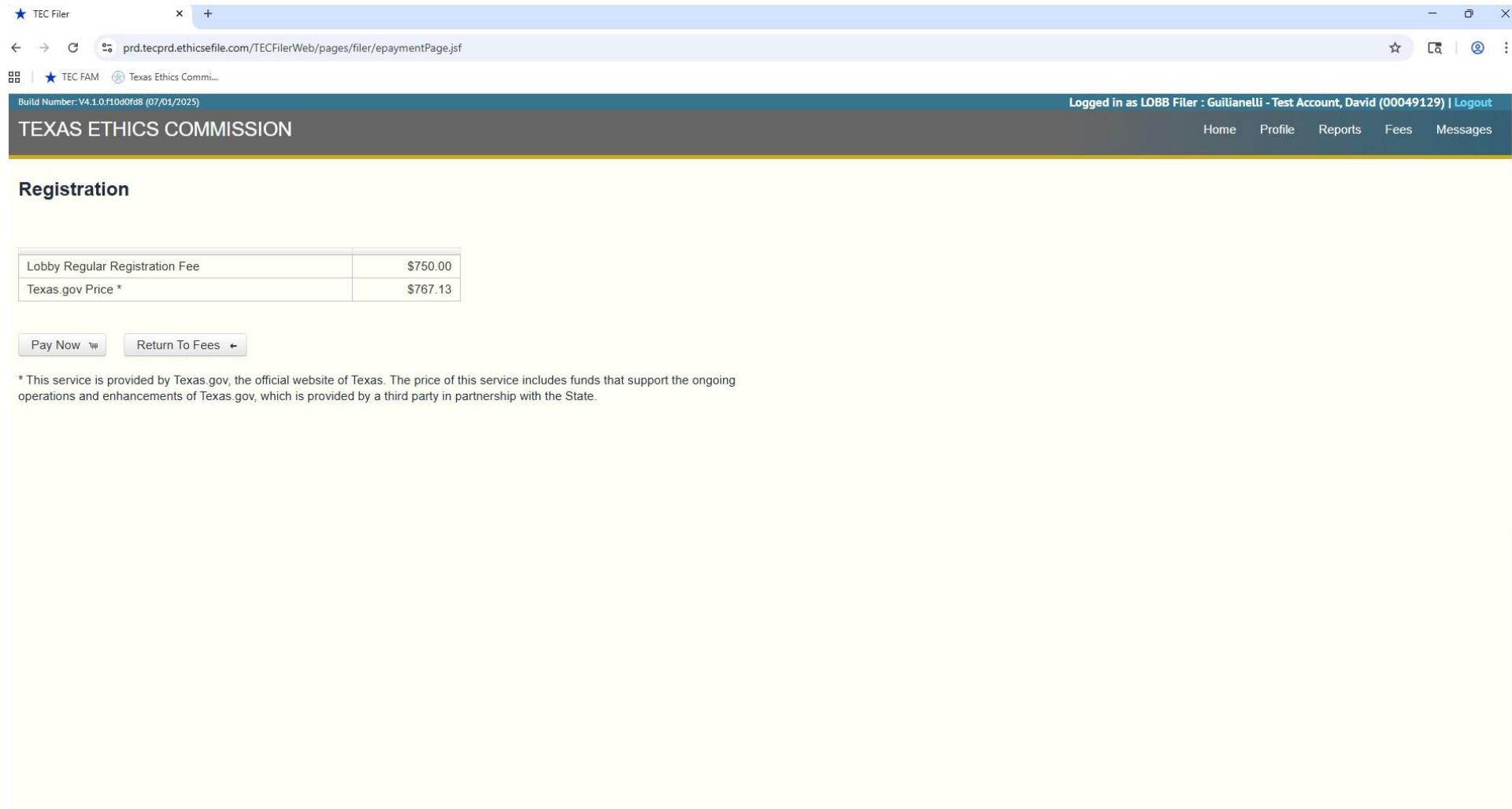
Feature not available; please contact TEC if you need to discuss fines.

	Description	Amount Owed	Assessed Date	Report Due Date
(1 of 1)				

Registration Fees

	Description	Amount Owed	Assessed Date	Report Due Date	Actions
<input checked="" type="checkbox"/>	Lobby Regular Registration Fee for Regular Lobby Registration Report (Monthly Reporting Schedule): Period 01/01/2025 through 12/31/2025 Registration Year: 2025	750.00	11/20/2025		View PDF copy of invoice
(1 of 1)					

Lobby Registration



The screenshot shows a web browser window for the Texas Ethics Commission (TEC) Filer. The URL is prd.tecprd.ethicsefile.com/TECFilerWeb/pages/filer/epaymentPage.jsf. The page is titled "Registration". At the top, there is a table showing fees:

Lobby Regular Registration Fee	\$750.00
Texas.gov Price *	\$767.13

Below the table are two buttons: "Pay Now" and "Return To Fees". A note at the bottom states: "This service is provided by Texas.gov, the official website of Texas. The price of this service includes funds that support the ongoing operations and enhancements of Texas.gov, which is provided by a third party in partnership with the State." The page is titled "TEXAS ETHICS COMMISSION" and shows a navigation bar with links for Home, Profile, Reports, Fees, and Messages. The user is logged in as "LOBB Filer : Giulianelli - Test Account, David (00049129)".

The Texas Ethics Commission – Disclosure Filings

Common Errors

Filing a registration for the wrong year

Paying a Registration at the end of the month

Filing a report late

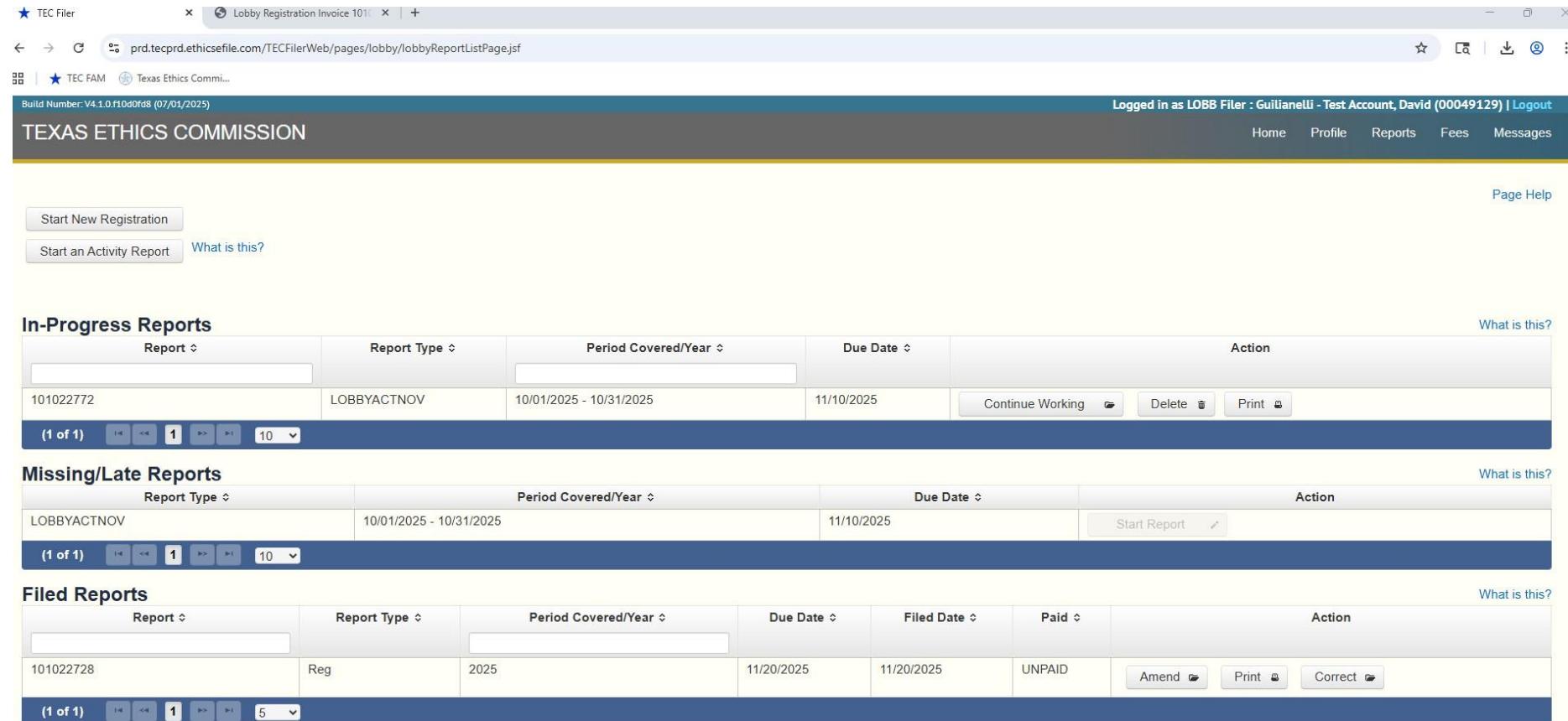
Having no activity does not mean no report

Reporting with wrong dates for a given report

Administrative Process – Statement of Defense

The Texas Ethics Commission – Disclosure Filings

Common Errors



The screenshot shows the Texas Ethics Commission Disclosure Filings interface. The top navigation bar includes links for Home, Profile, Reports, Fees, and Messages. The main content area is divided into three sections: **In-Progress Reports**, **Missing/Late Reports**, and **Filed Reports**. Each section has a table with columns for Report ID, Report Type, Period Covered/Year, Due Date, and Action buttons (e.g., Continue Working, Delete, Print). The **In-Progress Reports** section shows one entry: Report ID 101022772, LOBBYACTNOV, period 10/01/2025 - 10/31/2025, due date 11/10/2025. The **Missing/Late Reports** section shows one entry: LOBBYACTNOV, period 10/01/2025 - 10/31/2025, due date 11/10/2025. The **Filed Reports** section shows one entry: Report ID 101022728, Reg, period 2025, due date 11/20/2025, filed date 11/20/2025, paid status UNPAID. Action buttons for Amend, Print, and Correct are available for the Filed Reports.

In-Progress Reports						
Report	Report Type	Period Covered/Year	Due Date	Action		
101022772	LOBBYACTNOV	10/01/2025 - 10/31/2025	11/10/2025	Continue Working	Delete	Print
(1 of 1)	1	10				

Missing/Late Reports						
Report Type	Period Covered/Year	Due Date	Action			
LOBBYACTNOV	10/01/2025 - 10/31/2025	11/10/2025	Start Report			
(1 of 1)	1	10				

Filed Reports						
Report	Report Type	Period Covered/Year	Due Date	Filed Date	Paid	Action
101022728	Reg	2025	11/20/2025	11/20/2025	UNPAID	Amend, Print, Correct
(1 of 1)	1	5				