

TEXAS ETHICS COMMISSION

The Texas Ethics Commission is authorized by the Government Code, §571.091, to issue advisory opinions in regard to the following statutes: the Government Code, Chapter 302; the Government Code, Chapter 305; the Government Code, Chapter 572; the Election Code, Title 15; the Penal Code, Chapter 36; and the Penal Code, Chapter 39. Requests for copies of the full text of opinions or questions on particular submissions should be addressed to the Office of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070, (512) 463-5800.

Ethics Advisory Opinions

EAO-647: Whether communications and appearances while representing an intervening party during judicial review of an agency order constitute prohibited communications to or appearances before the agency's officers or employees by a former member of the governing body of the agency. (AOR-751.)

SUMMARY

Representing an intervening party in judicial review proceedings necessarily requires communication with TCEQ personnel despite directing all advocacy to the reviewing court. Because the requestor's communications and representations before a court are with the intent to influence and are in connection to a matter on which the represented party and the TCEQ seek official action, the requestor's representation of an intervening party before the two-year communication prohibition would violate Section 572.054(a).

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800 or opinions@ethics.state.tx.us.

Issued in Austin, Texas, on September 23, 2026.

TRD-202604203
Amanda Arriaga
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Texas Ethics Commission
Filed: September 30, 2026

EAO-648: Whether the TEC may impose a civil penalty pursuant to Section 572.033 of the Government Code for a late personal financial statement (PFS) if the Texas Ethics Commission (TEC) did not send the filer a notice to file as required by Section 572.030 of the Government Code. (AOR-752.)

SUMMARY

The TEC must impose a civil penalty pursuant to Section 572.033 of the Government Code for a late PFS even if it did not send the filer a notice to file as required by Section 572.030 of the Government Code.

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Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

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EAO-649: Whether contributions given to fund an individual voter's legal expenses are political contributions requiring reporting by either the individual or the specific purpose committee that the individual remains an active campaign treasurer for. Whether the requestor has any Title 15 campaign-finance obligations for the contributions received and spent for their individual election contest litigation. (AOR-754.)

SUMMARY

Contributions to fund an election contest are political contributions. If the requestor accepts contributions to fund his election contest, he and the contributors likely formed a political committee requiring reporting, assuming that either the contribution or expenditure total exceeded \$1,110.

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