

# 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-623: A corporation may not finance fundraising efforts for its connected political committee except from its "members . . . or the families of its . . . members." Tex. Elec. Code § 253.100(d)(5). Who qualifies as a "member" of a nonprofit corporation for purposes of the Section 253.100(d)(5) corporate-funded solicitation exception? (AOR-724).

### SUMMARY

To be a member of a nonprofit for purposes of Section 253.100(d)(5), an individual must 1) satisfy the requirements for membership as specified by the organization's governing documents; 2) affirmatively accept the organization's invitation to become a member; and 3) be conferred some rights in the organization.

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.

Issued in Austin, Texas, on June 12, 2025.

TRD-202502001  
Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
Filed: June 13, 2025



EAO-624: Whether certain communications to legislators and their staff about a political party's rules, platform, and legislative priorities require a legislative advertising disclosure statement. (AOR-725).

### SUMMARY

None of the communications subject to this request would require the legislative advertising disclosure statement.

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Issued in Austin, Texas, on June 12, 2025.

TRD-202502002  
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Filed: June 13, 2025



EAO-625: Whether the use of a logo created by a labor organization's political committee that resembles, but is different from, a city-created logo violates a law under the jurisdiction of the Texas Ethics Commission. (AOR-726).

### SUMMARY

So long as the logo created by the political committee is not a resource of the city, its use by a city employee for political advertising would not violate a law under the TEC's jurisdiction.

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Issued in Austin, Texas, on June 12, 2025.

TRD-202502003  
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Filed: June 13, 2025



EAO-626: Whether an employee of a state agency is subject to the Section 572.069 two-year waiting period before accepting employment for a particular employer after helping to select and purchase a software product from the potential employer. (AOR-729).

### SUMMARY

Under the facts presented, the former state employee would not be able to work for the particular employer for two years after the contract was signed.

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Issued in Austin, Texas, on June 12, 2025.

TRD-202502004  
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Filed: June 13, 2025



EAO-627: Whether a former employee of a state regulatory agency who worked on a schematic for a particular construction project may receive compensation from a private employer for services related construction management of the project. (AOR-730).

**SUMMARY**

The requestor's limited work on the schematic is too attenuated from the contract for the construction management of the project to say that

he "participated" in the construction management contract as a state employee. Therefore, he may receive compensation for services rendered on behalf of his private employer for the construction management contract.

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Issued in Austin, Texas, on June 12, 2025.

TRD-202502005  
Natalie McDermon  
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Texas Ethics Commission  
Filed: June 13, 2025

