

NE

**TEXAS ETHICS COMMISSION**

**IN THE MATTER OF**  
**DONALD "DON" ZIMMERMAN,**  
**RESPONDENT**

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§

**BEFORE THE**  
**TEXAS ETHICS COMMISSION**  
**SC-3150250**

**RECEIVED**  
**JUN 12 2017**  
Texas Ethics Commission

**ASSURANCE**  
**OF**  
**VOLUNTARY COMPLIANCE**

# 24745

**I. Recitals**

The Texas Ethics Commission (Commission) met on May 17, 2017, to consider sworn complaint SC-3150250. A quorum of the Commission was present. To resolve and settle this complaint without further proceedings, the Commission proposed this resolution to the respondent.

**II. Allegation**

The complaint alleged that the respondent used political contributions to pay his spouse for services rendered, in violation of section 253.041(a)(2) of the Election Code. The evidence indicated possible non-compliance with section 253.041(a)(2) of the Election Code.

**III. Confidentiality**

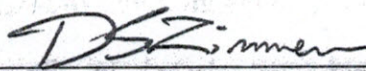
This ASSURANCE OF VOLUNTARY COMPLIANCE is confidential pursuant to section 571.140 of the Government Code and may not be disclosed by members and staff of the Commission.

**IV. Representations and Agreement by Respondent**

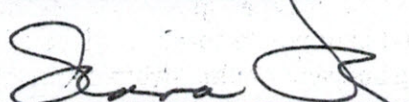
1. The respondent was elected to the Austin City Council, District 6, in the December 16, 2014, runoff election.
2. The respondent made two personal loans to his campaign totaling \$20,000. The first loan was made on July 24, 2014, and was for \$10,000; the second loan was made on September 8, 2014, and was for \$10,000. The respondent made a \$2,000 payment to his spouse from his campaign account on December 30, 2014.
3. The respondent acknowledges the allegation relating to the prohibition on using political contributions to pay a spouse for personal services rendered, including campaign services, and consents to this Assurance of Voluntary Compliance solely for the purpose of resolving and settling this sworn complaint.
4. The respondent consents to this Assurance of Voluntary Compliance before any adversarial evidentiary hearings or argument before the Commission, and before any

formal adjudication of law or fact by the Commission. The respondent waives any right to a hearing before the Commission or an administrative law judge, and further waives any right to a post-hearing procedure established or provided by law. The Commission and respondent agree that the entry of this Assurance of Voluntary Compliance will be a full and complete resolution of sworn complaint SC-3150250.

5. The respondent acknowledges that: 1) section 253.041(a)(2) of the Election Code states that a candidate or officeholder or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not knowingly make or authorize a payment from a political contribution if the payment is made for personal services rendered by the candidate or officeholder or by the spouse or dependent child of the candidate or officeholder to the candidate or officeholder or the spouse or dependent child of the candidate or officeholder; and 2) a candidate may not use political contributions to pay a spouse or dependent child for campaign work. The respondent agrees to fully and strictly comply with these requirements of law.
6. The respondent also acknowledges that the \$2,000 payment to his spouse is partial reimbursement on his \$20,000 personal loan, and the respondent agrees that he will not make additional reimbursements on the \$20,000 personal loan that in the aggregate exceed \$18,000.
7. The respondent understands and agrees that the Commission will consider this Assurance of Voluntary Compliance in any future sworn complaint proceedings against the respondent regarding a similar allegation.
8. The Commission assesses no civil penalty with regard to this Assurance of Voluntary Compliance.
9. This Assurance of Voluntary Compliance is agreed to by the respondent on this 7<sup>th</sup> day of June, 2017.

  
Donald "Don" Zimmerman, Respondent

EXECUTED ORIGINAL received by the Commission on: June 12, 2017

Texas Ethics Commission  
By:   
Seana Willing, Executive Director