



TEXAS ETHICS COMMISSION

P. O. Box 12070, Capitol Station
Austin, Texas 78711-2070

Tom Harrison
Chair

Ross Fischer
Vice Chair

David A. Reisman
Executive Director

Commissioners

October 1, 2008

Raymond R. "Tripp" Davenport, III
Wilhelmina Delco
Jim Graham
Paula M. Mendoza
David Montagne
Nicholas C. Taylor

The Honorable Charles L. "Chuck" Hopson, R. Ph.
State Representative
506 E. Commerce Street
Jacksonville, Texas 75766-4910

**CERTIFIED MAIL NO. 7008 0150 0000 7742 2175,
RETURN RECEIPT REQUESTED**

Re: Notice of Complaint, SC-2809327

Dear Representative Hopson:

We received sworn complaint SC-2809327 on September 25, 2008. The complaint meets the technical form requirements for a complaint filed with the Texas Ethics Commission, and the executive director has determined that the Ethics Commission has jurisdiction over the violations of law alleged in the sworn complaint. The complaint alleges that you accepted political contributions from out-of-state political committees without complying with section 253.032 of the Election Code and section 20.29 of the Ethics Commission Rules. The complaint alleges that you improperly reported political expenditures as reimbursements in violation of section 254.031 of the Election Code and section 20.62 of the Ethics Commission Rules. The complaint also alleges that you failed to properly report, and improperly reimbursed, political expenditures made with personal funds in violation of sections 253.035 and 254.031 of the Election Code and section 20.63 of the Ethics Commission Rules. The complaint also alleges that your campaign finance reports did not properly disclose political contributions and political expenditures in violation of section 254.031 of the Election Code.

As stated in Ethics Advisory Opinion No. 347, if a candidate or officeholder uses a personal car for political purposes and intends to seek reimbursement for the use of the car, reporting is required only if and when the candidate or officeholder pays himself reimbursement from political contributions. Therefore, the commission will not consider the allegations that you failed to properly report political expenditures made with personal funds as to the disclosures on Schedule F of payments to yourself for "mileage." The commission will consider the allegations regarding payments to yourself for other purposes and when "mileage" is only part of the purpose of a payment.

With this notice, I have included a copy of the sworn complaint, the Ethics Commission's sworn complaint rules, a Statement of Respondent's Rights, and a copy of the relevant statutes of the Election Code. More information about the complaint process is available on the Ethics Commission's website at www.ethics.state.tx.us.

If you have any information relevant to the complaint, please provide it at this time. Your response must be in writing and under oath. We have enclosed an affidavit form that you may wish to use for your response. Your response must include any challenge you seek to raise to the Ethics Commission's jurisdiction.

Come visit our home page at <http://www.ethics.state.tx.us> on the Internet.

(512) 463-5800 • 1-800-325-8506 • FAX (512) 463-5777 • TDD 1-800-735-2989

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

In addition, in your response you may acknowledge the occurrence or commission of the violation, or deny the allegations and provide evidence supporting that denial.

The sworn complaint allegations will be processed as a Category Two violation. You are required to respond to an allegation of a Category Two violation not later than 25 business days from the date you receive this notice. **Failure to respond will constitute a separate violation for which a separate civil penalty may be assessed.**

The law requires the commission to mail certain notices relating to a sworn complaint to the respondent and the complainant. The notices are required to be sent by registered or certified mail, restricted delivery, return receipt requested unless the requirement is waived by the respondent or complainant. The enclosed form may be used to submit a waiver.

Please note that at this stage in the process, Ethics Commission members and staff are required by law to keep the complaint and all documents relating to it strictly confidential. However, other persons, including the complainant and respondent named in the complaint, are not bound by this confidentiality requirement.

Please call me if you have any questions.

Sincerely,



Robert Mannas
Assistant General Counsel

Jurisdiction accepted
For the Texas Ethics Commission



David A. Reisman
Executive Director

RM:mc

Enclosures: Copy of Sworn Complaint
Statutes and Rules Concerning Sworn Complaints
Statement of Respondent's Rights
Affidavit
Waiver of Notice

c: Mr. Jim Doyle
16728 Bending Oaks
Conroe, Texas 77385-3600

**CERTIFIED MAIL NO. 7008 0150 0000 7742 2182,
RETURN RECEIPT REQUESTED**

**SWORN COMPLAINT
BEFORE
THE TEXAS ETHICS COMMISSION**

Revised 01/05/2000

Office Use Only
Docket Number

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I. IDENTITY OF COMPLAINANT

I, Jim Doyle, complainant,
(full name of individual filing the complaint)

hereby file this sworn complaint with the Texas Ethics Commission. My address is
16728 Bending Oaks, Conroe, TX 77385
(full mailing or street address, including P.O. box number or street, city, state, and zip code)

My telephone number is 936-321-2976
(telephone number, including area code)

II. IDENTITY OF RESPONDENT

The respondent is Charles L. "Chuck" Hopson, R. Ph.
(full name of respondent)

The respondent holds the position or title of State Representative
(position or title held by respondent)
District 11

The respondent's address is 506 E. Commerce
(full mailing or street address, including P.O. box number or street, city, state, and zip code of respondent)
Jacksonville, TX 75766

The respondent's telephone number is 903-541-2250
(telephone number of respondent, including area code)

Attach additional pages, if necessary.

III. NATURE OF ALLEGED VIOLATION

(Include the specific law or rule alleged to have been violated, if possible. The Texas Ethics Commission has jurisdiction to enforce *only* Chapters 302, 305, and 572 of the Government Code and Title 15 of the Election Code.)

C/OH Campaign Finance Report (30th day) - 10/10/06

1) Received a political contribution from an out-of-state political committee (7 places) without disclosing the out-of-state PAC ID number.

2) Failed to fulfill the requirements of Section 253.032(d) concerning a political contribution from an out-of-state committee (2 places).

UPS PAC \$1,500.00

Wai PAC \$1,000.00

3) Failed to disclose the payees, dates, purposes, and amounts of political expenditures made with personal funds (3 places), in violation of Section 253.035(h).

Charles Hopson \$2,226.69

Charles Hopson \$724.95

Charles Hopson \$983.74

C/OH Campaign Finance Report (8th day) - 10/30/06

1) Reported an incorrect "Contribution Balance". The contribution balance should be at least \$90,532.57 and not \$66,016.21, as reported, in violation of Section 254.031(a)(8). That is, at least \$24,516.36 is missing.

Note that the candidate disclosed a contribution balance of \$199,253.99 in the "30th day before election" report filed on 10/10/06.

Attach additional pages, if necessary.

III. NATURE OF ALLEGED VIOLATION

(Include the specific law or rule alleged to have been violated, if possible. The Texas Ethics Commission has jurisdiction to enforce *only* Chapters 302, 305, and 572 of the Government Code and Title 15 of the Election Code.)

2) Received a political contribution from an out-of-state political committee (6 places) without disclosing the out-of-state PAC ID number.

3) Failed to fulfill the requirements of Section 253.032(d) concerning a political contribution from an out-of-state committee (4 places).

AFSCME PEOPLE	\$1,000.00
Excelon PAC	\$1,000.00
NFIB-Texas Safe Trust	\$1,000.00
Pfizer State PAC	\$1,000.00

C/OH Campaign Finance Report (Jan. 15) - 1/14/07

1) Reported an incorrect "Contribution Balance". The contribution balance should be at least \$90,650.28, and not \$46,316.35, as reported, in violation of Section 254.031(a)(8). That is, at least \$44,333.93 is missing. Note that candidate did not report any interest earned on the contribution balance.

2) Received a political contribution from an out-of-state political committee (4 places) without disclosing the out-of-state PAC ID number.

3) Failed to fulfill the requirements of Section 253.032(d) concerning a political contribution from an out-of-state committee (1 place).

Pfizer State PAC \$1,000.00

Attach additional pages, if necessary.

III. NATURE OF ALLEGED VIOLATION

(Include the specific law or rule alleged to have been violated, if possible. The Texas Ethics Commission has jurisdiction to enforce *only* Chapters 302, 305, and 572 of the Government Code and Title 15 of the Election Code.)

4) Failed to disclose the payees, dates, purposes, and amounts of political expenditures made with personal funds (3 places), in violation of Section 253.035(h).

Charles Hopson \$426.12

Charles Hopson \$4,820.31

Charles Hopson \$1,769.16

5) When reimbursing expenses, failed to disclose the payees, dates, purposes, and amounts of political expenditures (1 place), in violation of Section 254.031(a)(3).

Billie Hopson \$489.20

6) Made an unauthorized transfer of \$5,000.00 from campaign funds. Since a bonus is not an "obligation incurred", a bonus does not meet the legal definition of "expenditure".

Flossie Rousseau \$5,000.00

C/OH Campaign Finance Report (July 15) - 7/16/07

1) Reported an incorrect "Contribution Balance". The contribution balance should be at least 87,977.15, and not \$37,092.20, as reported, in violation of Section 254.031(a)(8). That is, at least \$50,884.95 is missing.

Note that the candidate did not report any interest earned on the contribution balance.

2) Failed to disclose the payees, dates, purposes, and amounts of political expenditures made with personal funds (1 place), in violation of Section 253.035(h).

Charles Hopson \$1,717.21

Attach additional pages, if necessary.

III. NATURE OF ALLEGED VIOLATION

(Include the specific law or rule alleged to have been violated, if possible. The Texas Ethics Commission has jurisdiction to enforce *only* Chapters 302, 305, and 572 of the Government Code and Title 15 of the Election Code.)

C/OH Campaign Finance Report (Jan. 15) - 1/14/08

1) Reported an incorrect "Contribution Balance". The contribution balance should be at least \$162,710.72, and not \$111,794.67, as reported, in violation of Section 254.031(a)(8). That is at least \$50,916.05 is missing. Note that the candidate did not report any interest earned on the contribution balance.

2) Received a political contribution from an out-of-state political committee (1 place) without disclosing the out-of-state PAC ID number.

3) Failed to fulfill the requirements of Section 253.032(d) concerning a political contribution from an out-of-state committee (1 place).

Pfizer State PAC \$1,000.00

4) Failed to disclose the payees, dates, purposes, and amounts of political expenditures made with personal funds (1 place), in violation of Section 253.035(h).

Charles Hopson \$2,568.91

5) When reimbursing expenses, failed to disclose the payees, dates, purposes, and amounts of political expenditures (1 place), in violation of Section 254.031(a)(3).

Billie Hopson \$379.00

6) Questionable \$200.00 payment to Reliant Energy for "room for guest".

Attach additional pages, if necessary.

III. NATURE OF ALLEGED VIOLATION

(Include the specific law or rule alleged to have been violated, if possible. The Texas Ethics Commission has jurisdiction to enforce *only* Chapters 302, 305, and 572 of the Government Code and Title 15 of the Election Code.)

C/OH Campaign Finance Report (July 15) - 7/15/08

1) Reported an incorrect "Contribution Balance". The contribution balance should be at least \$197,087.72, and not \$145,959.48, as reported, in violation of Section 254.031(a)(8). That is, at least \$51,128.24 is missing. Note that the candidate did not report any interest earned on the contribution balance.

2) Received a political contribution from an out-of-state political committee (2 places) without disclosing the out-of-state PAC ID number.

3) Failed to fulfill the requirements of Section 253.032(d) concerning a political contribution from an out-of-state committee (1 place).

Wal PAC \$1,000.00

4) Failed to disclose the payees, dates, purposes, and amounts of political expenditures made with personal funds (1 place), in violation of Section 253.035(h).

Charles Hopson \$2,164.32

Attach additional pages, if necessary.

IV. STATEMENT OF FACTS

(State the facts constituting the alleged violation, including the dates on which or the period of time in which the alleged violation occurred. Identify allegations of fact not personally known to the complainant but alleged on information and belief. Please use simple, concise, and direct statements.)

Since 2001, Mr. Charles Hopson has been the State Representative for District 11. The campaign finance reports which Mr. Hopson filed over the last two years show serious problems with missing campaign funds (\$51,128.24), nondisclosures of the payees, dates, purposes, and amounts of political expenditures made with personal funds (9 places), and nondisclosures of required out-of-state PAC information (29 places).

Mr. Hopson signed his campaign finance reports under the penalty of perjury, and bears the responsibility of checking the report accuracy and disclosing the correct contribution balance.

Attach additional pages, if necessary.

VI. AFFIDAVIT
BASED ON PERSONAL KNOWLEDGE
(Execute this affidavit if the acts alleged are within your direct personal knowledge.)

I, _____, complainant,
swear that I have knowledge of the facts alleged in this complaint
and that the information contained in this complaint is true
and correct.

Signature of complainant

AFFIX NOTARY STAMP/SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this
the _____ day of _____, 20 _____, to certify which, witness my hand and seal of office.

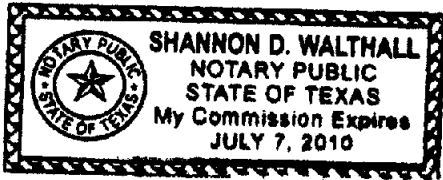
Signature of officer administering oath

Print name of officer administering oath

Title of officer administering oath

VII. AFFIDAVIT
BASED ON INFORMATION AND BELIEF
(Execute this affidavit if the acts alleged are not within your
direct personal knowledge, but are based on reasonable belief.)

I, Jim Doyle, complainant,
swear that I have reason to believe and do believe that the violation alleged in
this complaint has occurred. The source and basis of my information and belief
is Campaign Finance Reports.



AFFIX NOTARY STAMP/SEAL ABOVE

Jim Doyle
Signature of complainant

Sworn to and subscribed before me, by the said Jim Doyle, this
the 22nd day of September, 20 08, to certify which, witness my hand and seal of office.

Shannon D Walthall Shannon D Walthall

Signature of officer administering oath

Print name of officer administering oath

Title of officer administering oath

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The following reports have been filed.

General Report Information	Electronic Filing in Raw Text Format Explanation of Record Layout	Electronic Filing PDF File	Totals and Correction Aff (if Applicable)
Charles L. Hopson - 00041446 Report #: 380545 Report Type: July Semiannual Report Due: July 15th, 2008 Report Filed: July 15th, 2008 Filing Method: Electronic	View Report	View Report	View Reported Totals
Charles L. Hopson - 00041446 Report #: 360456 Report Type: January Semiannual Report Due: January 15th, 2008 Report Filed: January 14th, 2008 Filing Method: Electronic	View Report	View Report	View Reported Totals
Charles L. Hopson - 00041446 Report #: 346765 Report Type: July Semiannual Report Due: July 16th, 2007 Report Filed: July 16th, 2007 Filing Method: Electronic	View Report	View Report	View Reported Totals
Charles L. Hopson - 00041446 Report #: 331440 Report Type: January Semiannual Report Due: January 16th, 2007 Report Filed: January 14th, 2007 Filing Method: Electronic	View Report	View Report	View Reported Totals
Charles L. Hopson - 00041446 Report #: 323694 Report Type: Special Pre-			Totals Not Applicable for

Election (Telegram) Report Report Due: November 4th, 2006 Report Filed: November 4th, 2006 Filing Method: Electronic	View Report	View Report	Special Pre-Election (Telegram) Reports
Charles L. Hopson - 00041446 Report #: 323548 Report Type: Special Pre-Election (Telegram) Report Report Due: November 3rd, 2006 Report Filed: November 3rd, 2006 Filing Method: Electronic	View Report	View Report	Totals Not Applicable for Special Pre-Election (Telegram) Reports
Charles L. Hopson - 00041446 Report #: 323379 Report Type: Special Pre-Election (Telegram) Report Report Due: November 2nd, 2006 Report Filed: November 2nd, 2006 Filing Method: Electronic	View Report	View Report	Totals Not Applicable for Special Pre-Election (Telegram) Reports
Charles L. Hopson - 00041446 Report #: 322453 Report Type: 8 Day Before Election Report Due: October 30th, 2006 Report Filed: October 30th, 2006 Filing Method: Electronic	View Report	View Report	View Reported Totals
Charles L. Hopson - 00041446 Report #: 320803 Report Type: 30 Days Before Election Report Due: October 10th, 2006 Report Filed: October 10th, 2006 Filing Method: Electronic	View Report	View Report	View Reported Totals
Charles L. Hopson - 00041446 Report #: 315497 Report Type: July Semiannual Report Due: July 17th, 2006	View Report	View Report	View Reported Totals