

# TEXAS ETHICS COMMISSION

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

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Executive Director



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November 28, 2023

The Honorable Ruben Cortez, Jr.  
1875 Los Angeles Court  
Brownsville, Texas 78521-6122

**CERTIFIED MAIL NO. 9236 0901 9403 8339 9849 94,  
RETURN RECEIPT REQUESTED  
AND SENT BY EMAIL**

**Re: Notice of Complaint, SC-32311317**

Dear Mr. Cortez:

We received sworn complaint SC-32311317 on November 22, 2023. The sworn complaint alleges that you did not properly disclose total political contributions maintained, or in the alternative, did not properly disclose political contributions, loans, and/or political expenditures, in violation of Section 254.031 of the Election Code. The allegation relates to campaign finance reports filed by you between May 16, 2022 (runoff report) through August 2, 2023 (July 2023 semiannual report).

**The Texas Ethics Commission (Commission) accepts jurisdiction over the allegation. This does not mean that the Commission has found that a violation occurred.** It means that the sworn complaint meets the Commission's legal and technical form requirements for accepting jurisdiction.

The complaint also includes allegations over which the Commission does not accept jurisdiction. The complaint also alleges that you failed to timely file the July 2022, January 2023, and July 2023 semiannual reports. The Commission is required by law to determine on its own whether a report required to be filed with the Commission is late. Tex. Elec. Code § 254.042. If it is determined that a report is late, then the Commission is required to assess an administrative civil penalty. *Id.* It has been determined that the aforementioned reports at issue have been assessed an administrative civil penalty and are already being resolved under Section 254.042 of the Election Code. Therefore, because the late reports are already being considered by the Commission, jurisdiction is not accepted over these allegations with respect to this sworn complaint.

***The sworn complaint allegation will be processed as a Category One violation. Under the law you are required to respond to the allegation not later than 10 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.***

[www.ethics.state.tx.us](http://www.ethics.state.tx.us)

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

The response must be in writing, admit or deny the allegation, and be signed by you. If you deny the allegation, then you should provide evidence supporting the denial. The response must include any challenge you seek to raise to the Commission's exercise of jurisdiction. The response should be under oath. We have enclosed an affidavit form that you may wish to use for the response. A respondent who is a candidate or officeholder may by writing submitted to the Commission designate an agent with whom the Commission staff may communicate regarding the complaint. If you have any information relevant to the complaint, please provide it at this time. Also, please be advised that you should preserve all documents and evidence related to the allegation in this complaint.

To comply with legal requirements regarding the initial notice of a sworn complaint, I have also included a copy of the sworn complaint, the 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 Commission's website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

Please note that at this stage in the process, Commission members and staff are required by law to keep the complaint and all documents relating to it strictly confidential. Please contact me if you have any questions.

Sincerely,

*/s/ Nicholas Espinosa*

Nicholas Espinosa  
Director of Enforcement

Jurisdiction accepted over one allegation  
For the Texas Ethics Commission



Digitally signed by J.R. Johnson  
Date: 2023.11.28 12:15:14  
-06'00'

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J.R. Johnson  
Executive Director

NE:mc

Enclosures: Copy of Sworn Complaint  
Commission Rules Concerning Sworn Complaints  
Statement of Respondent's Rights  
Relevant Statutes  
Affidavit (for respondent only)