

ACCOUNTABILITY MATTERS?

A PRIVATE MEMBERSHIP ASSOCIATION



Research & Accountability Guide, including a Glossary

The idea is to build a case, substantiated by solid evidence of misconduct and illegal acts. Elected legislative representatives in Texas, like all public officials, are expected to adhere to a variety of state statutes and constitutional provisions that govern their conduct. In the Texas Constitution and Texas Statutes, misconduct has as low a threshold as habitual drunkenness. Violations can occur either intentionally or unintentionally due to the complexity of their roles, conflicts of interest, or political pressures.

Below is a guide to help you through the process of holding our officials accountable. If you have any questions at all, or suggestions, please reach out to Morgan Collier at (903)305-0152. This is a collaborative effort of Accountability Matters PMA, and we welcome the opportunity to improve and share our efforts.

Affidavits

Affidavits are the heartbeat of U.S. law enforcement. Before police can search a home or arrest a suspect, they must convince a judge of “probable cause”—and the affidavit is their pitch. Picture a Texas detective in 2025 typing an affidavit: “On March 10, I observed the suspect selling narcotics at 123 Main St., corroborated by a witness.” Signed under oath, it’s filed with a magistrate who approves the warrant—or denies it if the facts fall short. This process, rooted in the Fourth Amendment, ensures police don’t act on hunches alone, balancing public safety with individual rights (LaFave, 2012). In 2023, U.S. courts issued over 200,000 search warrants, nearly all backed by affidavits.

In civil courts, affidavits streamline justice. Under Federal Rule of Civil Procedure 56, a party can win a case without a trial by submitting affidavits proving no facts are in dispute—like a landlord swearing a tenant skipped rent for six months, with lease and payment records attached. Judges rely on these sworn statements to cut through delays, saving time and taxpayer dollars (Hazard & Taruffo, 1993). In 2022, federal courts resolved over 15,000 cases via summary judgment, many affidavit-driven. It's efficiency with accountability: the oath keeps affiants honest.

In criminal cases, affidavits shine before trial. Prosecutors use them to set bail—say, a victim swearing a defendant threatened her life—while defense attorneys file affidavits to suppress evidence or prove alibis. If a witness dies or flees, their prior affidavit might stand as evidence, preserving testimony under oath (Orfield, 1947). In a 2021 Ohio murder case, a missing witness's affidavit helped convict the killer. Here, affidavits bridge gaps, ensuring justice doesn't stall.

From Anglo-Saxon oaths to digital filings, the affidavit's journey reflects a core legal ideal: truth matters. In England, it grew from sacred promises into a written tool for justice. In America, it became a constitutional guardrail and a workhorse for law enforcement and courts. Today, as police draft affidavits on laptops and judges review them online, the affidavit adapts to a digital age while keeping its ancient promise—**accountability under oath**. Its enduring role proves that in our Republic, sworn words still hold power (Posner, 1999). The affidavit isn't just history; **it's the backbone of justice now and tomorrow.**

Affidavits for the Win, a Step-by-Step Process

- I. Each team can determine their target(s).
 - A. Identify your initial target, Collin County will be targeting Jeff Leach House District 67, for example, Morgan, Bethany, and others have already drafted an initial affidavit on Cole Hefner, House District 5.
 - B. This process is not restricted to state level officials, it can be used against anyone who commits a crime, but when used to hold county level officials accountable for criminal

acts there is an additional step that can be taken after the Affidavit is delivered/filed with a District Judge: a Petition to Remove, pursuant to the Texas Constitution and Texas Local Government Code Chapter 87.

II. Do your research.

- A. Go through the sources (and anywhere else you can think of) later in this document and discover and document everything you can find. If it feels like something is off, it probably is, trust your gut.
- B. Keep in mind Texas Constitution Article 3, Sec. 22. “DISCLOSURE OF PERSONAL OR PRIVATE INTEREST IN MEASURE OR BILL; NOT TO VOTE. A member who has a personal or private interest in any measure or bill, proposed, or pending before the Legislature, shall disclose the fact to the House, of which he is a member, and shall not vote thereon.”

III. Schedule a videoconference call with Morgan & Bethany.

- A. Share your story and your observations of unethical or inappropriate behaviors your official has engaged in, and they will collaborate with you to identify criminal allegations (see the Affidavit in Support of Criminal Complaint against Rep. Cole Hefner as an example of a finished work) They can quickly help identify how bad the official is, based on your research, based on your story and research of the officials dirty deeds.

IV. They will collaborate with you and draft an Affidavit in Support of Criminal Complaint listing the officials acts, and as many applicable codes as they can identify that correlate to the criminal allegations.

V. The Texas Constitution, Article I, Section 13, states: “*All courts shall be open, and every person for an injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law.*”

- A. Your team identifies the District Judge(s) these Affidavits will be delivered/filed with (in person), and after they are delivered/filed with the judge, Accountability Matters PMA will send electronic copy to the applicable District Attorney(s), Sheriff(s), Texas Rangers, Texas Senators, Governor, Lt. Governor, and the Office of the Attorney General.

VI. County Level Officials: immediately after delivering/filing the Affidavit in Support of Criminal Complaint, we file a Petition to Remove the official per the Texas Constitution and Local Government Code Chapter 87, with the Affidavit (and it's exhibits) attached as an exhibit to the Petition. This must be filed by a resident of the county who has lived there 6 months or more.

VII. Thirty to sixty (30-60) days after the Affidavit is delivered/filed with the Judge and electronically delivered to the District Attorney, Sheriff, etc; we file a "Plaintiffs' Original Petition for Writ of Mandamus" with the Texas Court of Criminal Appeals.

Sources for Information Gathering (evidence for exhibits)

- I. Campaign Finance Records - ethics.texas.com

Campaign Finance Statutes, the Basics (Texas Election Code, Title 15)

Section 254.063 - Semiannual Reporting Schedule for Candidate: *Candidates and officeholders* must file semiannual reports on January 15 and July 15 each year, even if there's no activity, covering campaign finance activity, not personal finances.

Section 254.064 - Additional Reports (Opposed Candidates): *Opposed* candidates must file reports 30 days and 8 days before an election, detailing campaign contributions and expenditures.

- A. Looking primarily for donations from business owners, PACs, other elected officials, lawyers, anything that strikes you as odd or improper.

- B. Follow the chain of information and look into the PACs or any large donors that strike you as odd or repetitive
- C. Also, looking to verify that they are filing properly, on time, all their reports. So make a complete list of all the reports, including the report type is filed (ie “January semi-annual” and when it was received).

II. Personal Financial Statements (PFS)

- A. Texas Legislature 2024 PFS are currently available at www.Rule44.org

Personal financial statements (PFS) are separate from campaign finance reports and are required under **Chapter 572 of the Texas Government Code** for state-level candidates and officeholders, or **Chapter 159 of the Local Government Code** for certain local officials. These statements disclose personal financial interests (e.g., income, assets, liabilities) to ensure transparency about potential conflicts of interest, not campaign funds.

Texas Government Code, Chapter 572 & Local Government Code, Chapter 159

Government Code Section 572.021 - Financial Statement Required:

- This mandates that state officers, candidates for state office, and certain appointees file a PFS with the TEC. It covers personal financial activity for the preceding calendar year (e.g., income sources over \$500, real property, stocks, and gifts).
- Filing deadline: Typically April 30 annually, though candidates in a primary election must file by a date tied to the election cycle (e.g., 40 days after the regular filing deadline for a place on the ballot, often around February).

Government Code Section 572.023 - Contents of Financial Statement:

- Specifies what must be reported, including:
 - Sources of occupational income.
 - Ownership interests in businesses or property.
 - Loans or gifts over certain thresholds.
 - This is about the individual’s personal finances, not campaign-related funds.

Government Code Section 572.026 - Filing Dates:

- For candidates, the PFS is due within 40 days after the deadline for filing an application for a place on the ballot in the March primary (e.g., February 12, 2024, for the 2024 cycle). Officeholders file annually by April 30, with a possible 60-day extension if requested.

Local Government Code Section 159.003:

- Applies to county officers and candidates in counties with populations over 100,000 (or smaller counties if opted in). They file PFS with the county clerk or TEC, depending on the office, disclosing similar personal financial details as in Chapter 572.
- B. These contain all the officials sources of income, stocks, bonds, land ownership, business ownership, and board memberships (both theirs and their spouses). We are primarily looking for sources of a conflict of interest.

III. Secretary of State - Business Entity Lookup

- A. What businesses does the official own? Is the official a registered agent for any businesses? What about their spouse or other immediate family members such as parents or siblings? Are all their and their spouses' businesses all listed on the PFS as required to be?

IV. re:SearchTX: <https://research.txcourts.gov/>

- A. This site enables you to search court cases throughout the entire state of Texas by party name, attorney name, case numbers, etcetera. When I searched for "Cole Hefner" (despite HD 5 rep's legal name being "Joseph Cole Hefner") I found a civil suit filed against him in 2021. This site would hopefully show you any divorce proceedings, civil suits against them in the individual capacity, or against their business names and/or "Doing Business As" (DBA) names, that you have a list of from the Secretary of State site.

V. PACER: Public Access to Court Electronic Records <https://pacer.uscourts.gov/>

- A. PACER will take you a minute to get set up, because you have to register for an account and wait for approval of your account creation. Once you have the account you can search PACER for federal court filings.

VI. County Appraisal District (CAD) - Travis CAD, Titus CAD, Tarrant CAD, etc.

- A. What property do they own? Does CAD list their home address and does it match the information on their other reports and/or the ballot application? Who owned the property before they did? Is the previous owner connected to them politically? Does it match the PFS?

VII. Social Media

- A. Who do they hang out with? Who do they endorse? Who endorses them? Where do they go to church, do a lot of other officeholders go to the same church?

VIII. View, take photos of, and/or obtain copies of, ballot applications

- A. Looking for deficiencies (missing , double checking residency, and any other potential fraud

IX. Texas Legislature Online

- A. This is likely a last step, once you have gathered all the information to understand what the target officials' motivations are for personal benefit. There are a lot of bill filed and voted on every session, and it's honestly too much to sort through unless you're looking for something of a particular nature.
- B. Committee Minutes:
 - 1. This shows who registers for or against a bill, which is incredibly important when showing a Representative has a conflict of interest in a "measure proposed or pending" (Texas Constitution Article 3 § 22).
- C. House Journals:

1. These show how the Representative voted, when, on every bill. This is essential evidence to show that the Representative is shown to have voted, in person (allegedly), on the bill that is the subject of the alleged misconduct.

Research Notes

- Please keep records segregated by official, type of record (CAD, campaign finance, etc.) *and* in chronological order. Label your files (including photos) so they can be clearly understood by someone who is looking at them fresh and hasn't followed your research path.
- If you notice an overlap of your officials with another specific individual (such as a District Attorney, judge, or sheriff), please take detailed notes and secure evidence of your observations/concerns.
- Please take notes of suspicious activities on a timeline, such as:
 1. (Date) Hefner is a member of IAAT (file name)
 2. (Date) IAAT registered support of House Bill # (file name)
 3. (Date) Hefner voted in favor of House Bill # (file name)
 4. (Date) House Bill # was vetoed by the Governor due to "XYZ" reason (file name)
- Timeline Example Number Two:
 1. Campaign donation received from XYZ (file name)
 2. Endorsement received from Campaign Donor on (date) (file name)
 3. Hefner cross-endorsed campaign donor on (date) (file name)
 4. Hefner cross-endorsed Sheriff XYZ on (date) (file name)
 5. Hefner donated \$\$\$\$ to House Representative XYZ on (date) (file name)
- Timeline Example Number Three:
 1. Hefner owns XYZ business (list registered members or co-owners)
 2. XYZ business has contracts with Sheriff XYZ, or the City of XYZ, or other XYZ business

3. Hefner is therefore benefiting from his political office via contract relationships which are improper (if Sheriff XYZ has a problem with Hefner's business, there is little he could do about it, since Hefner endorsed him and he endorsed Hefner).
- If you have any questions about what is questionable, please feel free to call or text me at 903-305-0152 and I'll find out what I can.
 - Remember, if it feels wrong, if it feels unethical, then it is suspicious and there is likely something connected to it that truly isn't legal.

Glossary

Affidavit (Black's Law Dictionary, 10th Ed.):

A voluntary declaration of facts written down and sworn to by a declarant, usually before an officer authorized to administer oaths. (See "declaration")

Declaration (Black's Law Dictionary, 10th Ed.):

A formal statement, proclamation, or announcement, especially one embodied in an instrument. Also, *Evidence*: "an unsworn statement made by someone having knowledge of facts relating to an event in dispute." - Black's Law Dictionary Also, *Common-law pleading*: The plaintiff's first pleading in a civil action - It is an amplification of the original writ on which the action is founded, with the additional circumstances of the time and place of injury. In a real action, the declaration is called a *count*. Today the equivalent term in English law is a *statement of claim*; in most American jurisdictions, it is called a *petition* or *complaint*.

Filed (our own definition from multiple sources):

In a judicial context, the word "filed" refers to the formal act of submitting or delivering a legal document—such as a complaint, petition, motion, or other pleading—to the clerk of a

court. This action initiates or advances a legal proceeding and ensures the document becomes part of the court's official record.

U.S. Constitution

While the U.S. Constitution itself does not explicitly define the term "filed," the concept of filing is implicitly tied to Constitutional protections, such as the right to due process under the Fifth and Fourteenth Amendments. For a case to be adjudicated (e.g., accessing the judicial system), documents must be "filed" with a court to invoke its jurisdiction. The Supreme Court has recognized filing as a critical step in exercising rights, such as petitioning the government for redress (First Amendment).

Texas Rules of Civil Procedure

The Texas Rules of Civil Procedure (TRCP) provide a more detailed framework for the term "filed" in a judicial context. Under these rules, "filing" is the act of delivering a document to the court clerk, who then stamps it with the date and time, marking its official entry into the court's records. However, state statutes cannot override Constitutionally-guaranteed rights, such as the ***guaranteed right to petition for redress of grievances in an open court of record***. A state legislature cannot restrict behaviors or rights they have no authority over, such as the Constitution of the United States or Texas Constitution. Only *We the People* have the right to modify the authority delegated to our government branches in our written Constitutions.

For your reference, some key points from the TRCP:

- Rule 21 (Filing and Serving Pleadings and Motions): This rule governs the filing of pleadings and motions, stating that documents must be filed with the clerk of the court, unless otherwise specified (e.g., filing directly with a judge in certain circumstances).

- Rule 74 (Filing with the Clerk): This rule specifies that papers are "filed" when they are delivered to the custody of the clerk, either in person, by mail, or electronically, and the clerk endorses them with the date and time of receipt.

- Judicial Interpretations: Texas courts have held that "filed" means the point at which the clerk receives the document, not when it is drafted or mailed (unless mailed under specific conditions, like the mailbox rule in Rule 5). For instance, in *Jamar v. Patterson* (868 S.W.2d 318, Tex. 1993), the Texas Supreme Court emphasized that a document is "filed" when it is physically or electronically tendered to the clerk, triggering jurisdiction or procedural timelines.

Habeas Corpus (Black's Law Dictionary, 10th Ed.):

Latin phrase that literally means "*produce the body*." Detained person's attorney uses this writ to force police to bring the person to court and challenge legality of detention.

Independence (Webster's 1828 Dictionary):

1. A state of being not dependent; complete exemption from control, or the power of others; as the independence of the Supreme Being.

2. A state in which a person does not rely on others for subsistence; ability to support one's self.

3. A state of mind in which a person acts without bias or influence from others; exemption from undue influence; self-direction. independence of mind is an important qualification in a judge.

Judicial Officer (Black's Law Dictionary, 10th Ed.):

1. A judge or magistrate.

2. Any officer of the court, such as a bailiff or court reporter.

3. A person, usually an attorney, who serves in an appointive capacity at the pleasure of an appointing judge, and whose actions and decisions are reviewed by that judge.

Jurisdiction (Black's Law Dictionary, 10th Ed.):

1. A government's general power to exercise authority over all persons and things within its territory; especially a state's power to create interests that will be recognized under common-law principles valid in other states.
2. A court's power to decide a case or issue a degree < the constitutional grant of federal-question jurisdiction >.

Life (Black's Law Dictionary, 10th Ed.):

1. The period within which a plant or animal exists as a vibrant, growing, or even subsisting organism before it dies - a period that mere objects never have.
2. The state of being alive as a human; an individual person's existence.

Life (Webster's 1828 Dictionary):

1. In a general sense, that state of animals and plants, or of an organized being, in which its natural functions and motions are performed, or in which its organs are capable of performing their functions. A tree is not destitute of *life* in winter, when the functions of its organs are suspended; nor man during a swoon or syncope; nor strictly birds, quadrupeds or serpents during their torpitude in winter. They are not strictly dead, till the functions of their organs are incapable of being renewed.

Life, in the Constitutional/SCOTUS sense:

The U.S. Supreme Court has interpreted the Constitutional right to life primarily through the Due Process Clauses of the Fifth and Fourteenth Amendments, which protect individuals from deprivation of "life, liberty, or property" without due process.

"Due process" under the Fifth and Fourteenth Amendments is interpreted as ensuring fair treatment by the government when depriving someone of life, liberty, or property. It encompasses two dimensions: procedural due process, which requires notice and a fair hearing (e.g., *Mathews v. Eldridge*, 1976, balancing individual rights against government interests), and

substantive due process, which protects certain fundamental rights from arbitrary restriction, even with fair procedures (e.g., *Griswold v. Connecticut*, 1965, establishing privacy rights).

An individual private person who infringes on another person's Constitutionally-guaranteed rights cannot provide governmental due process to that person, therefore is guilty of Constitutional rights violations in addition to any applicable penal code violations. For example, rape is not only criminal assault, it is a liberty violation, because an individual in the United States has the guaranteed right to refuse having their physical body touched by another person without their permission.

Further, a government official who has sworn an oath to “preserve, protect, and defend the Constitution and laws of the United States and of this State” (and of course abide by themselves) who deprives a private individual of a Constitutionally-guaranteed right has violated their oath of office and committed multiple federal crimes and state violations.

Magistrate (Black’s Law Dictionary, 10th Ed.):

4. See *Judicial Officer*

Magistrate (Webster's 1828 Dictionary):

A public civil officer, invested with the executive government or some branch of it. In this sense, a king is the highest or first *magistrate* as is the President of the United States. But the word is more particularly applied to subordinate officers, as governors, intendants, prefects, mayors, justices of the peace, and the like.

Mandamus (man-**day**-mə) (Black’s Law Dictionary, 10th Ed.):

A writ issued by a court to compel performance of a particular act by a lower court or a governmental officer or body, usually to correct a prior action or failure to act. - Also termed *writ of mandamus*; *mandate*; *order*. Plural: *mandamuses*

Of Record (Black’s Law Dictionary, 10th Ed.):

2. (Of a court) that has proceedings taken down stenographically or otherwise documented < court or record >.

(Open) Court of Record (Black's Law Dictionary, 10th Ed.):

1. A court that is required to keep a record of its proceedings. • The court's records are presumed accurate and cannot be collaterally impeached. See “*of record*.”

“The distinction that we still draw between ‘courts of record’ and courts that are ‘not of record’ takes us back to early times when the king asserts that his own word as all that has taken place in his presence is incontestable. This privilege he communicates to his own special court; its testimony as to all that is done before it is conclusive. If any question arises as to what happened on a previous occasion, the justices decide this by recording or bearing record (*recordantur, portant recordum*). Other courts ... may and, upon occasion, must bear record; but their records are not irrefragable ... We easily slip into saying that a court whose record is incontrovertible is a court which has record (*habet recordum*) or is a court of record, while a court whose record may be disputed has no record (*non habet recordum*) and is no court of record.” 2 Frederick Pollock & Frederic W. Maitland, *History of English Law Before the Time of Edward I* 669 (2d ed. 1899).

2. A court that may fine and imprison people for contempt.

“A court of record is, strictly speaking, a court which has power to fine and imprison.” Lancelot Feilding Everest, *Everest and Strode's Law of Estoppel* 13 (1923).

Open Court:

2. A court session that the public is free to attend. Most state constitutions have open-court provisions guaranteeing the public's right to attend trials.

Petition (Black's Law Dictionary, 10th Ed.):

1. A formal written request presented to a court or other official body.

Property (Black's Law Dictionary, 10th Ed.):

1. Collectively, the rights in a valued resource such as land, chattel, or an intangible. It is common to describe property as a “bundle of rights.” These rights include the right to possess and use, the right to exclude, and the right to transfer. — Also termed *bundle of rights*.

2. Any external thing over which the rights of possession, use, and enjoyment are exercised < the airport is city property > . [Includes the possession of minor children]

“‘Property (from the Lat. *proprius*, meaning belonging to one; one's own) signifies, in a strict sense, one's exclusive right of ownership of a thing.’ In their strict meanings, therefore, the right of ownership and property are synonymous, each term signifying a bundle or collection of rights. In a secondary meaning, however, the term ‘property’ is applied to every kind of valuable right and interest that can be made the subject of ownership, and in this sense, since it is the subject of ownership, land is called property. The term, therefore, includes both real and personal property, and it is often thus expressly defined in statutes. The word ‘property,’ however, may have different meanings, under different circumstances, according to the manner in which it is used.” William L. Burdick, *Handbook of the Law of Real Property* 2–3 (1914) (citations omitted). “In its widest sense, property includes all a person's legal rights, of whatever description. A man's property is all that is *his in law*. This usage, however, is obsolete at the present day, though it is common enough in the older books ... In a second and narrower sense, property includes not all a person's rights, but only his proprietary as opposed to his personal rights. The former constitute his estate or property, while the latter constitute his status or personal condition. In this sense a man's land, chattels, shares, and the debts due to him are his property; but not his life or liberty or reputation ... In a third application, which is that adopted [here], the term includes not even all proprietary rights, but only those which are both proprietary and *in rem*. The law of property is the law of proprietary rights *in rem*, the law of proprietary rights *in personam* being distinguished from it as the law of obligations. According to this usage a freehold or leasehold estate in land, or a patent or copyright, is property; but a debt or the benefit of a contract is not ... Finally, in the narrowest use of the term, it includes nothing more than corporeal property — that is to say, the right of ownership in a material object, or that object itself.” John Salmond, *Jurisprudence* 423–24 (Glanville L. Williams ed., 10th ed. 1947).

Pursuit of Happiness (Black's Law Dictionary, 10th Ed.):

The principle — announced in the Declaration of Independence — that a person should be allowed to pursue the person's desires (esp. in regard to an occupation) without unjustified interference by the government.

Redress (Black's Law Dictionary, 10th Ed.):

1. Relief; remedy <damages, as opposed to equitable relief, is the only redress available> .
2. A means of seeking relief or remedy < if the statute of limitations has run, the plaintiff is without redress > . — redressable, adj. — redress (ri-dres), vb.

Summary Judgement (Black's Law Dictionary, 10th Ed.):

A judgment granted on a claim or defense about which there is no genuine issue of material fact and on which the movant is entitled to prevail as a matter of law. The court considers the contents of the pleadings, the motions, and additional evidence adduced by the parties to determine whether there is a genuine issue of material fact rather than one of law. This procedural device allows the speedy disposition of a controversy without the need for trial. Fed. R. Civ. P. 56. — Also termed summary disposition; judgment on the pleadings.

Writ (Black's Law Dictionary, 10th Ed.):

A court's written order, in the name of a state or other competent legal authority, commanding the addressee to do or refrain from doing some specified act.

“[W]rits have a long history. We can trace their formal origin to the Anglo-Saxon formulae by which the king used to communicate his pleasure to persons and courts. The Anglo-Norman writs, which we meet with after the Conquest, are substantially the Anglo-Saxon writs turned into Latin. But what is new is the much greater use made of them, owing to the increase of royal power which came with the Conquest.” W.S. Holdsworth, *Sources and Literature of English Law* 20 (1925).

Sample of Statutes and Codes Frequently Violated

Elected legislative representatives in Texas, like all public officials, are expected to adhere to a variety of state statutes and constitutional provisions that govern their conduct. In the Texas Constitution and Texas Statutes, misconduct has as low a threshold as habitual drunkenness. Violations can occur either intentionally or unintentionally due to the complexity of their roles, conflicts of interest, or political pressures.

Below are some common state statutes and related legal provisions that a Texas legislator (or other elected official) might violate, based on their duties, ethical obligations, and the nature of their position. These examples are drawn from Texas law and reflect areas where oversight or misconduct could lead to legal or ethical breaches. This is not an exhaustive list, simply presented as a sample to stimulate your research.

The Texas Constitution - Bill of Rights

Sec. 2. INHERENT POLITICAL POWER; REPUBLICAN FORM OF GOVERNMENT. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and, subject to this limitation only, they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient. (Feb. 15, 1876.)

Sec. 12. HABEAS CORPUS. The writ of Habeas Corpus is a writ of right, and shall never be suspended. The Legislature shall enact laws to render the remedy speedy and effectual. (Feb. 15, 1876.)

Sec. 13. EXCESSIVE BAIL OR FINES; CRUEL OR UNUSUAL PUNISHMENT; OPEN COURTS; REMEDY BY DUE COURSE OF LAW. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted. All courts shall be open, and every person for an injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law. (Feb. 15, 1876.)

Sec. 19. DEPRIVATION OF LIFE, LIBERTY, PROPERTY, ETC. BY DUE COURSE OF LAW. No citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land. (Feb. 15, 1876.)

Sec. 27. RIGHT OF ASSEMBLY; PETITION FOR REDRESS OF GRIEVANCES. The citizens shall have the right, in a peaceable manner, to assemble together for their common good; and apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address or remonstrance. (Feb. 15, 1876.)

Sec. 29. BILL OF RIGHTS EXCEPTED FROM POWERS OF GOVERNMENT AND INVIOLEATE. To guard against transgressions of the high powers herein delegated, we declare that every thing in this “Bill of Rights” is excepted out of the general powers of government, and shall forever remain inviolate, and all laws contrary thereto, or to the following provisions, shall be void. (Feb. 15, 1876.)

Bribery and Corruption (Texas Penal Code § 36.02)

What it covers: It is illegal to intentionally or knowingly offer, confer, or agree to confer a benefit (e.g., money, gifts, or favors) to a public servant, including a legislator, as consideration for their decision, opinion, recommendation, vote, or exercise of discretion.

How it might be violated: A legislator could accept a bribe to influence their vote on a bill or to push for certain legislation. For example, accepting campaign contributions or personal gifts in exchange for legislative favors could trigger this statute.

Consequence: This is typically a felony, depending on the value of the benefit.

Gifts to Public Servants (Penal Code § 36.08)

What it covers: Prohibits public servants, including legislators, from soliciting, accepting, or agreeing to accept any benefit from someone subject to their jurisdiction or with whom they have official interactions, with some exceptions (e.g., campaign contributions reported under election laws).

How it might be violated: Accepting unreported gifts, such as luxury trips or expensive meals, from lobbyists or constituents seeking to influence legislation could violate this

statute.

Consequence: Violations can range from misdemeanors to felonies based on the circumstances.

Misuse of Official Information (Texas Penal Code § 39.06)

What it covers: A public servant commits an offense if they use non-public information gained through their position to gain a benefit or harm another person, such as insider knowledge about pending legislation.

How it might be violated: A legislator might use confidential information about a state contract or land deal to benefit themselves, their family, or associates financially (e.g., buying property before a highway project is announced).

Consequence: This is a felony offense.

Conflict of Interest and Voting (Texas Constitution Article 3, § 22)

What it covers: Requires a legislator with a personal or private interest in a bill or measure to disclose that interest and abstain from voting on it.

How it might be violated: Voting on legislation that directly benefits the legislator's business, family, or investments without disclosure could breach this provision. For instance, supporting a bill that boosts a company they own stock in, without recusing themselves, would violate this rule.

Consequence: While the Constitution itself doesn't specify penalties, this could lead to legislative censure, legal challenges to the vote, or criminal charges if tied to bribery or misuse of office.

Restrictions on Political Contributions (Texas Election Code § 253.034)

What it covers: Prohibits legislators from knowingly accepting political contributions during a period starting 30 days before a regular legislative session and ending 20 days after its adjournment, with some exceptions (e.g., contributions from defeated candidates).

How it might be violated: Accepting a donation from a lobbyist or political action

committee during this blackout period could violate the statute, especially if it's tied to influencing legislation.

Consequence: This is a Class A misdemeanor.

Abuse of Official Capacity (Texas Penal Code § 39.02)

What it covers: A public servant commits an offense if, with intent to obtain a benefit or harm another, they intentionally or knowingly misuse government property, services, personnel, or anything of value belonging to the government.

How it might be violated: Using state resources—like staff or office equipment—for personal business or campaign activities (e.g., directing legislative aides to work on a re-election campaign during work hours) could violate this statute.

Consequence: Ranges from a misdemeanor to a felony depending on the value of the misused resources.

Nepotism Laws (Texas Government Code Chapter 573)

What it covers: Prohibits public officials, including legislators, from appointing, voting to appoint, or confirming the appointment of close relatives to positions paid with public funds.

How it might be violated: A legislator might push for a family member to be hired for a state job or appointed to a board under legislative influence, even if indirectly through committee votes or recommendations.

Consequence: Violations can lead to removal from office or civil penalties.

Campaign Finance Violations (Texas Election Code Chapter 253)

What it covers: Regulates how campaign funds can be raised and spent, including restrictions on corporate contributions and requirements for timely reporting.

How it might be violated: Using campaign funds for personal expenses (e.g., paying for a vacation) or failing to report contributions and expenditures accurately could breach these laws.

Consequence: Penalties range from civil fines to criminal charges (e.g., a Class A

misdemeanor for certain violations).

Multiple Voting or Proxy Voting (Texas House/Senate Rules)

What it covers: Texas House and Senate rules prohibit members from voting on behalf of absent colleagues, though enforcement has historically been lax.

How it might be violated: A legislator might press the voting button for an absent colleague during a roll call, a practice that has been documented but rarely disciplined (e.g., the 2007 CBS report on multiple voting in the House).

Consequence: While not a statute, this violates internal rules and could lead to ethics complaints or public censure.

Holding Incompatible Offices (Texas Constitution Article 16 § 40)

What it covers: Prohibits legislators from holding other lucrative public offices or positions of profit under the state during their term, with exceptions for certain roles like notary public.

- How it might be violated: Accepting a paid position with a state agency or municipal district while serving as a legislator could violate this provision.
- **Consequence:** The legislator would likely have to forfeit one of the positions, and legal challenges could arise.

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