



MAY 4, 2024  
City of Shiner  
Municipal Election  
Candidate Filing Packet

If you have any question concerning the election, please contact:

THE SECRETARY OF STATE

1-800-252-8683 or (512) 463-5650

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

If you have any questions concerning campaign contributions and expenditures,  
please contact:

THE TEXAS ETHICS COMMISSION

(512) 463-5800

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

# City of Shiner Municipal Election Candidate Filing Packet

TO ALL MUNICIPAL ELECTION CANDIDATES:

We appreciate your interest in participating in Shiner's City Government. To provide you with all the necessary information and forms, I have compiled this Candidates Filing Packet. If you have any questions, you may contact the phone numbers or websites for the Secretary of State or the Texas Ethics Commission.

Please note that Title 15 of the Texas Election Code pertains to campaign contributions and expenditures. *Financial reports (these forms are included in this packet) must be completed by the candidate's campaign treasurer, signed by the candidate and filed in my office.* Campaign reports are considered open records and can be viewed as such by reporters and opponents alike. The duties of the City Secretary are limited to accepting and filing the various applications, affidavits and statements and noting the date of filing thereon. Should you have any questions regarding reporting procedures, contributions or expenditures, please contact the Texas Ethics Commission at 512-463-5800 for assistance. You should direct other questions about election law to the Secretary of State at 800-325-8586.

I hope you find this packet helpful. My office is open Monday through Friday from 8:00 a.m. to 5:00 p.m. to provide assistance. The last day for a candidate to withdraw from the election is February 23, 2024 (must be received by 5 p.m.) This must be filed with the City Secretary. No one else can accept this form.

Respectfully,

A handwritten signature in black ink, appearing to read "Natalie Fric", with a stylized flourish at the end.

Natalie Fric  
City Secretary  
City of Shiner



Phone 361-594-3362  
FAX 361-594-3566

802 N Ave E  
PO Box 308  
Shiner, Texas 77984  
shiner@shinertexas.gov

Fred Henry Hilscher  
MAYOR

Natalie Fric  
CITY SECRETARY

CITY COUNCIL:  
Gus Jaehne  
Alois Louis Herman  
Brady Brown  
Gregory Murrile  
David Schroeder

Thank you for your interest in serving the citizens of Shiner. Should you decide to become a candidate, your candidacy requires compliance with certain state statutes and local ordinances. To assist you, this candidate packet has been prepared with necessary forms and pertinent information and instructions. We encourage you to read this letter and the enclosed material prior to completing the specific forms.

The enclosed material contains the following information and forms for the May 04, 2024, General Election for the City of Shiner. Election law, and especially campaign finance law, is complex and it is important to note that the City Staff may not advise you on matters of the election or campaign finance law. The City must maintain neutrality in the electoral process. The following state agencies are available to assist candidates with election and campaign finance laws.

Secretary of State Elections Division is 1-800-252-VOTE (8683) or visit [www.sos.state.tx.us](http://www.sos.state.tx.us)

The Texas Ethics Commission is 1-512-463-5800 or visit [www.ethics.state.tx.us](http://www.ethics.state.tx.us)

The 2023 Candidate Packet includes the following documents and information.

1. **Important Dates to Know**
2. **The Application for a Place on the City of Shiner General Election Ballot** must be filed in the City Secretary's office no later than 5:00 p.m. on Friday February 16, 2024.
3. Texas Ethics Commission – **First Steps for Candidates Running for a City Office.**
4. **The appointment of a Campaign Treasurer by a Candidate** (Form CTA) must be completed and filed in the City Secretary's office at the same time as the application for a place on the ballot. Please note the statement that must be signed regarding the nepotism law. A summary of the nepotism law is in the CTA Instruction Guide which is also included.
5. **Declaration of Write-In Candidacy.**
6. **Political Fundraisers – What you need to know.**
7. **Political Advertising – What you need to know.**
8. **The Texas Ethics Commission 2024 Filing Schedule** is included. In this schedule you will find information regarding the May 04, 2024, election. Any questions on reporting procedures, contributions, or expenditures should be addressed to the Texas Ethics Commission at (512) 463-5800.
9. **Campaign Finance Guide for Candidates and Officeholders who File with Local Filing Authorities Guide.**
10. The voluntary form of **Code of Fair Campaign Practices** must be filed in the City Secretary's office with the application. Please note that each application must be carefully reviewed to determine whether it complies with the Election Code requirements as to content. Please file your application as soon as practical to allow enough time for this review. The City Secretary must complete review of the application no later than the fifth day after the application is submitted.
11. **The Candidates/Officeholder Campaign Finance Report** (Form C/OH) should be completed by the candidate or candidates campaign treasurer (but signed only by the candidate). This is to be filed in the City Secretary's office on the dates specified on the form and on the Important dates to know. Form C/OH-FR, Campaign/Officeholder Report: Designation of Final Report is the last page attached to Form C/OH. This form is to be filed when you are no longer receiving or spending political contributions. A completed Form



C/OH (Candidate/Officeholder Campaign Finance Report) must be filed when you file the Designation of Final Report. The instructions on how to file the Final Report are in the Instruction Guide for Form C/OH. A Candidate Modified Reporting Form is included. Candidates filing this form may become exempt from filing the Finance Report.

12. Texas Municipal Leagues publication of **A Guide to becoming a City Official**.

**For Frequently Asked Questions:** <https://www.ethics.state.us/resources/FAQs/>

The deadline to register to vote in the May 4<sup>th</sup> election is April 04, 2024. It is the duty of the candidate to become familiar with the laws applicable to campaign for office. Please note that all election records and campaign reports are considered public information and as such are open for inspection by any person.

If you have any concerns or if we may be of assistance, do not hesitate to contact City Hall at 361-594-3362 or [natalie.fric@shinertexas.gov](mailto:natalie.fric@shinertexas.gov)

Best Regards,

A handwritten signature in blue ink that reads "Natalie Frick". The signature is written in a cursive, flowing style.

Natalie Frick  
City Secretary





Phone 361-594-3362  
FAX 361-594-3566

802 N Ave E  
PO Box 308  
Shiner, Texas 77984  
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## CITY OF SHINER 2024 ELECTION CALENDAR\*

COUNCILPERSON POSITIONS OPEN (3)  
TERM – 2 YEARS

### QUALIFICATIONS TO RUN

- RESIDENCE – 1 YEAR IN TEXAS PRIOR TO FILING DEADLINE
- RESIDENCE – 6 MONTHS IN THE CITY OF SHINER PRIOR TO FILING DEADLINE
- 18 YEARS OR OLDER
- MUST BE REGISTERED VOTER BY THE FILING DEADLINE

\*Dates are subject to change

JANUARY 17, 2024	FIRST DAY TO FILE FOR A PLACE ON THE BALLOT
FEBRUARY 16, 2024	LAST DAY TO FILE FOR A PLACE ON THE BALLOT
FEBRUARY 19, 2024	FIRST DAY TO POST NOTICE OF DRAWING FOR PLACE ON BALLOT
FEBRUARY 20, 2024	LAST DAY FOR WRITE-IN CANDIDATES TO FILE
FEBRUARY 23, 2024	BALLOT POSITION DRAWING AT 10:00 AM
FEBRUARY 23, 2024	LAST DAY FOR A CANDIDATE TO WITHDRAW
APRIL 4, 2024	LAST DAY TO REGISTER TO VOTE IN MAY 6, 2024 ELECTION
APRIL 4 - 24, 2024	ELECTION NOTICE PUBLISHES IN THE PAPER
APR 22 – 26, 2024	EARLY VOTING AT THE COURTHOUSE ANNEX (8-5PM)
APR 29 – 30, 2024	EARLY VOTING AT THE COURTHOUSE ANNEX (8-5pm)
MAY 4, 2024	ELECTION DAY
MAY 9, 2024	SPECIAL MEETING TO CANVASS VOTES
MAY 10, 2024	OATHS OF OFFICE & STATEMENT OF OFFICER – 10 AM CITY HALL
MAY 12, 2024	ELECTED OFFICIALS MAY ASSUME DUTIES OF OFFICE

## APPLICATION FOR A PLACE ON THE BALLOT FOR A GENERAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL<sup>1</sup> Failure to provide required information may result in rejection of application.

<b>APPLICATION FOR A PLACE ON THE _____ GENERAL ELECTION BALLOT</b>					
TO: City Secretary/Secretary of Board _____ (name of election)					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) _____				INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last) _____			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* _____		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.) _____			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.) _____		
CITY _____	STATE _____	ZIP _____	CITY _____	STATE _____	ZIP _____
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) _____		OCCUPATION (Do not leave blank) _____		DATE OF BIRTH _____ / ____ / ____	VOTER REGISTRATION VOID NUMBER <sup>2</sup> (Optional) _____
TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____					
FELONY CONVICTION STATUS (You MUST check one)		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN			
<input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>		IN THE STATE OF TEXAS _____ year(s) _____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED _____ year(s) _____ month(s)	
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
<b>X</b> _____ SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the _____ day of _____, by _____, by _____ (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath <sup>4</sup> _____			Printed Name of Officer Authorized to Administer Oath _____		
Title of Officer Authorized to Administer Oath _____					
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
_____/_____/_____ Date Received		_____/_____/_____ Date Accepted		(See Section 1.007) _____ Signature of Filing Officer or Designee	

## INSTRUCTIONS

An application for a place on the general election for a city, school district or other political subdivision, may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void. All fields of the application **must** be completed unless specifically marked optional.

For an election to be held on a uniform election date, the day of the filing deadline is the 78th day before Election Day.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

## NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to the officer, or to any other member of the governing body or court on which the officer serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at an election other than the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

## FOOTNOTES

<sup>1</sup>An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

<sup>2</sup>Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

<sup>3</sup>Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

**One of the following documents must be submitted with this application.**

Judicial Clemency under Texas Code of Criminal Procedure 42A.701

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

<sup>4</sup>All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.



**SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL  
 PARA UNA CIUDAD, DISTRITO ESCOLAR U OTRA SUBDIVISIÓN POLÍTICA**

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL<sup>1</sup> El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

<b>SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE</b> _____ Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo (nombre de la elección) Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación.					
<b>CARGO SOLICITADO</b> (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			<b>INDIQUE TÉRMINO</b> <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO		
<b>NOMBRE COMPLETO</b> (Primer Nombre, Segundo Nombre, Apellido)			<b>ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA*</b>		
<b>DIRECCIÓN DE RESIDENCIA PERMANENTE</b> (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			<b>DIRECCIÓN DE CORREO PÚBLICO (Opcional)</b> (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
<b>CIUDAD</b>	<b>ESTADO</b>	<b>CÓDIGO POSTAL</b>	<b>CIUDAD</b>	<b>ESTADO</b>	<b>CÓDIGO POSTAL</b>
<b>DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional)</b> (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		<b>OCUPACIÓN</b> (No deje este espacio en blanco)	<b>FECHA DE NACIMIENTO</b> /      /	<b>VUID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE<sup>2</sup> (Opcional)</b>	
<b>INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional)</b> Hogar: _____ Trabajo: _____ Celular: _____					
<b>ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)</b>			<b>DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA</b>		
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. <sup>3</sup>			<b>EN EL ESTADO DE TEXAS</b> ____ año(s) ____ mes(es)		<b>EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO</b> ____ año(s) ____ mes(es)
<p><small>*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.</small></p> <p>Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice:                  "Yo, (nombre del candidato) _____, del condado de _____                  Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."</p> <p align="center"><b>X</b> _____  <b>FIRMA DEL CANDIDATO</b></p>					
Jurado y suscrito ante mí este día ____ de ____ del ____ por ____ (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento <sup>4</sup>			Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial		
Título del oficial autorizado para administrar el juramento					
<b>TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:</b> <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
Date Received		Date Accepted		Signature of Filing Officer or Designee	

(See Section 1.007)

## INSTRUCCIONES

Una solicitud para un lugar en la elección general para una ciudad, distrito escolar u otra subdivisión política, no puede ser presentada antes de los 30 días antes de la fecha límite prescrita por este código para presentar la solicitud. Una solicitud presentada antes de ese día es nula. Todos los **campos** de la solicitud **deben** completarse a menos que estén específicamente marcados como opcional.

Para una elección que se lleve a cabo en una fecha de elección uniforme, el día de la fecha límite de presentación es el 78° día antes del día de la elección.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

## LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con sí mismo, o con cualquier otro miembro del órgano de gobierno o corte en el que se desempeña cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

## NOTAS

<sup>1</sup>Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

<sup>2</sup>La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la División de Elecciones de la Secretaría de Estado para obtener información adicional. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

<sup>3</sup>La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

**Se debe enviar uno de los siguientes documentos con esta solicitud:**

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701

Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01

Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

<sup>4</sup>Todos los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier corte de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código del Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.



# First Steps for Candidates Running for a City Office

*This quick-start guide for candidates seeking a city office is not intended to provide comprehensive information. For more details, including information on political advertising requirements, fundraising rules, and filing schedules, see the Texas Ethics Commission's (TEC) website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).*

## 1. All candidates must file a Campaign Treasurer Appointment (Form CTA).

All candidates must file [Form CTA](#) even if you do not intend to raise or spend any money. [Form CTA](#) is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. File [Form CTA](#) with the city clerk or city secretary, as applicable.

## 2. Opposed Candidates: Will you accept or spend more than **\$1,010\*** for the election?

### • YES:

- You do not qualify to file on the modified reporting schedule.
- You are **required** to file pre-election campaign finance reports using [Form C/OH](#) if you have an opponent on the ballot. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
- Pre-election reports are due 30 days and 8 days prior to each election. To be timely filed, pre-election reports must be received by the city clerk or city secretary no later than the due date.

### • NO:

- You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of [Form CTA](#). File [Form CTA](#) with the city clerk or city secretary.
- If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.
- **Exceed \$1,010\*:** If you elect to file on the modified reporting schedule but later exceed \$1,010 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$1,010\*.
  - If you exceed \$1,010\* on or before the 30th day before the election, you are **required** to file pre-election campaign finance reports due 30 days and 8 days prior to an election using [Form C/OH](#). To be timely filed, pre-election reports must be received by the city clerk or city secretary no later than the due date. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
  - If you exceed \$1,010\* after the 30th day before the election, you are **required** to file an Exceeded Modified Reporting Limit report using [Form C/OH](#). To be timely filed, this report must be filed with the city clerk or city secretary within 48 hours of exceeding \$1,010.\* You must also file the pre-election report due 8 days prior to an election. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage. If you exceed \$1,010\* on or before the 8th day before the election, you are **required** to file a pre-election campaign finance report due 8 days prior to an election using [Form C/OH](#). To be timely filed, the pre-election



report must be received by the city clerk or city secretary no later than the due date. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.

### 3. Unopposed Candidates.

If you do not have an opponent whose name will appear on the ballot in the election, you are an unopposed candidate and are not required to file pre-election campaign finance reports prior to that election.

### 4. All candidates must file semiannual campaign finance reports ([Form C/OH](#)).

All candidates are **required** to file semiannual reports using [Form C/OH](#) even if you have no campaign activity or were unsuccessful in the election. Semiannual reports are due on January 15th and July 15th and must be filed with the city clerk or city secretary. To end your filing obligations, you must cease campaign activity and file a Final report using [Form C/OH](#) and attaching Form C/OH-FR (Designation of Final Report). Form C/OH-FR is found on the last page of [Form C/OH](#). Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage. For more information, see "[Ending Your Campaign](#)" for local filers.

### 5. All candidates can use the TEC's Filing Application to prepare campaign finance reports ([Form C/OH](#)).

You can use the TEC's [Filing Application](#) to prepare a PDF version of your campaign finance report ([Form C/OH](#)). Select "Local Authority" and follow the steps to set up an account and login to the application. Once you have completed your report, print out a copy, add your treasurer information, get it notarized, and file it with the city clerk or city secretary by the appropriate deadline.

### 6. Need More Information?

See the [Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities](#), forms, instructions, examples on how to disclose contributions and expenditures, political advertising and fundraising guides, and other information you may find useful on our website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us) under the "Resources" and "Forms/Instructions" main menu items.

**\*NOTE:** The \$1,010 threshold is specific to transactions made in 2023.

# APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA  
PG 1

See CTA Instruction Guide for detailed instructions.		1 Total pages filed:	
2 CANDIDATE NAME	MS / MRS / MR FIRST MI	OFFICE USE ONLY	
	NICKNAME LAST SUFFIX		
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Filer ID #	
		Date Received	
4 CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION	Date Hand-delivered or Postmarked	
	( )	Receipt # Amount \$	Date Processed
5 OFFICE HELD (if any)		Date Imaged	
6 OFFICE SOUGHT (if known)			
7 CAMPAIGN TREASURER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX		
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS; APT / SUITE #; CITY; STATE; ZIP CODE		
9 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION		
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p>_____ Signature of Candidate</p> <p>_____ Date Signed</p>		
GO TO PAGE 2			

# CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA  
PG 2

11 CANDIDATE  
NAME

12 MODIFIED  
REPORTING  
DECLARATION

## COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

•• This declaration must be filed no later than the 30th day before  
the first election to which the declaration applies. ••

•• The modified reporting option is valid for one election cycle only. ••  
(An election cycle includes a primary election, a general election, and any related runoffs.)

•• Candidates for the office of state chair of a political party  
may NOT choose modified reporting. ••

I do not intend to accept more than \$1,010 in political contributions or  
make more than \$1,010 in political expenditures (excluding filing fees)  
in connection with any future election within the election cycle. I  
understand that if either one of those limits is exceeded, I will be  
required to file pre-election reports and, if necessary, a runoff  
report.

\_\_\_\_\_  
Year of election(s) or election cycle to  
which declaration applies

\_\_\_\_\_  
Signature of Candidate

**This appointment is effective on the date it is filed with the appropriate filing authority.**

TEC Filers may send this form to the TEC electronically at [treasappoint@ethics.state.tx.us](mailto:treasappoint@ethics.state.tx.us)  
or mail to  
Texas Ethics Commission  
P.O. Box 12070  
Austin, TX 78711-2070

**Non-TEC Filers must file this form with the local filing authority  
DO NOT SEND TO TEC**

For more information about where to file go to:  
<https://www.ethics.state.tx.us/filinginfo/QuickFileAReport.php>



## DECLARATION OF WRITE-IN CANDIDACY FOR CITIES, SCHOOL DISTRICTS AND OTHER POLITICAL SUBDIVISIONS

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL<sup>1</sup> Failure to provide required information may result in rejection of application.

DECLARATION OF WRITE-IN CANDIDACY FOR _____					
(Name of City, School District or Other Political Subdivision)					
TO: Filing Officer I declare that I am a write-in candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)				INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE LIST OF DECLARED WRITE-IN CANDIDATES*		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)	DATE OF BIRTH ____/____/____		VOTER REGISTRATION VOID NUMBER <sup>2</sup> (Optional)
TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____					
FELONY CONVICTION STATUS (You MUST check one)		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN			
<input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>		IN THE STATE OF TEXAS ____ year(s) ____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED ____ year(s) ____ month(s)	
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
<b>X</b> _____ SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the ____ day of _____, by _____, by _____ (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath <sup>4</sup>			Printed Name of Officer Authorized to Administer Oath		
Title of Officer Authorized to Administer Oath			(This space is for Officer Seal)		
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
____/____/____ Date Received		____/____/____ Date Accepted		(See Section 1.007) _____ Signature of Filing Officer or Designee	

## INSTRUCTIONS

The Declaration of Write-In Candidacy is filed with the City Secretary, Secretary of Board of Trustees, Secretary of Board of Directors or other designated officer that represents the political subdivision.

The declaration must be received by the filing officer not later than 5:00 p.m. of the fifth day after the date an application for a place on the ballot is required to be filed. For an election to be held on a uniform election date, the day of the filing deadline is the 74th day before Election Day. Texas Election Code, Sections 144.006, 146.054.

The application must be **received** by the filing deadline. A postmark is not sufficient. The declaration may not be filed earlier than 30 days before the deadline for filing the application. A declaration filed before that day is void.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

## NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to the officer, or to any other member of the governing body or court on which the officer serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at an election other than the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

## FOOTNOTES

<sup>1</sup>An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

<sup>2</sup>Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

<sup>3</sup>Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

**One of the following documents must be submitted with this application.**

Judicial Clemency under Texas Code of Criminal Procedure 42A.701

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

<sup>4</sup>All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

## DECLARACIÓN DE CANDIDATURA POR ESCRITO PARA CIUDADES, DISTRITOS ESCOLARES Y OTRAS SUBDIVISIONES POLÍTICAS

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL<sup>1</sup>  
El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

<b>DECLARACIÓN DE CANDIDATURA POR ESCRITO PARA</b> _____ (nombre de la ciudad, distrito escolar u otra subdivisión política)					
Para: Oficial de Presentación Por la presente declaro que soy un candidato por escrito para el cargo indicado a continuación.					
<b>CARGO SOLICITADO</b> (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			<b>INDIQUE TÉRMINO</b> <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO		
<b>NOMBRE COMPLETO</b> (Primer Nombre, Segundo Nombre, Apellido)			<b>ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA LISTA DE CANDIDATOS DECLARADOS POR ESCRITO*</b>		
<b>DIRECCIÓN DE RESIDENCIA PERMANENTE</b> (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			<b>DIRECCIÓN DE CORREO PÚBLICO (Opcional)</b> (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
<b>CIUDAD</b>	<b>ESTADO</b>	<b>CÓDIGO POSTAL</b>	<b>CIUDAD</b>	<b>ESTADO</b>	<b>CÓDIGO POSTAL</b>
<b>DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional)</b> (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		<b>OCUPACIÓN (No deje este espacio en blanco)</b>	<b>FECHA DE NACIMIENTO</b> / /	<b>VUID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE<sup>2</sup> (Opcional)</b>	
<b>INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional)</b> Hogar: Trabajo: Celular:					
<b>ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)</b>			<b>DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA</b>		
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. <sup>3</sup>			<b>EN EL ESTADO DE TEXAS</b> ____ año(s) ____ mes(es)		<b>EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO</b> ____ año(s) ____ mes(es)
<p>*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.</p> <p>Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: "Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."</p> <p style="text-align: center;"><b>X</b></p> <p style="text-align: center;"><b>FIRMA DEL CANDIDATO</b></p>					
Jurado y suscrito ante mí este día _____ de _____ del _____ por _____ (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento <sup>4</sup>			Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial		
Título del oficial autorizado para administrar el juramento					
<b>TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:</b> <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
____/____/____ Date Received		____/____/____ Date Accepted		{See Section 1.007} _____ Signature of Filing Officer or Designee	



## INSTRUCCIONES

La Declaración de Candidatura por Escrito se presenta ante el Secretario de la Ciudad, el Secretario de la Junta de Fideicomisarios, el Secretario de la Junta de Directores u otro oficial que representa a la subdivisión política.

La declaración debe ser recibida por el oficial encargado de la presentación a más tardar a las 5:00 p.m. del quinto día después de la fecha en que se requiere la presentación de la solicitud para un lugar en la boleta. Para una elección que se lleve a cabo en una fecha de elección uniforme, el día de la fecha límite de presentación es el 74° día antes del día de la elección. Secciones 144.006 y 146.054 del Código Electoral de Texas.

La solicitud debe **recibirse** antes de la fecha límite de presentación. Un matasellos no es suficiente. La declaración no puede presentarse antes de 30 días antes de la fecha límite para presentar la solicitud. Una declaración presentada antes de ese día es nula.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

## LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código del Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con el funcionario, o con cualquier otro miembro del órgano de gobierno o corte en el que sirve el funcionario cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

## NOTAS

<sup>1</sup>Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

<sup>2</sup>La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la División de Elecciones del Secretario de Estado para obtener información adicional. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

<sup>3</sup>La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

**Se debe enviar uno de los siguientes documentos con esta solicitud:**

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701

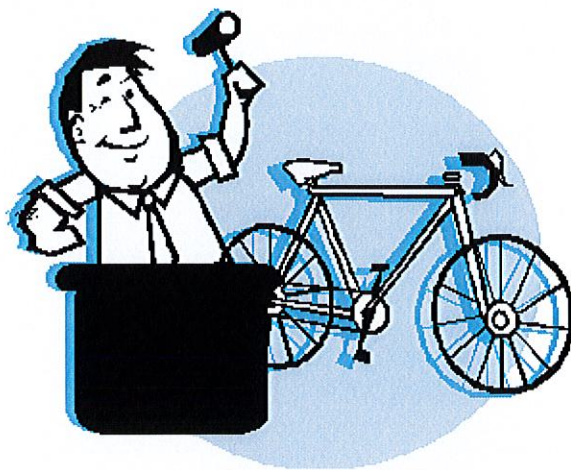
Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01

Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

<sup>4</sup>Todos los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier corte de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código del Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

# **POLITICAL FUNDRAISERS:**

## **What You Need to Know**



### **A GUIDE FOR CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES**

**January 1, 2022**

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711**

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

**(512) 463-5800 • TDD (800) 735-2989**

*Promoting Public Confidence in Government*



# **Fundraising Events**

## **Rule No. 1**

### **File a Campaign Treasurer Appointment**

All candidates must file a campaign treasurer appointment with the proper filing authority before accepting a campaign contribution or making or authorizing a campaign expenditure, including an expenditure from personal funds.

All political committees must file a campaign treasurer appointment before accepting or spending over ~~\$940~~\$930, and additional requirements may also apply.

## **Rule No. 2**

### **No Raffles**

Texas law allows only certain charitable and nonprofit organizations to conduct raffles to support their charitable causes. An unlawful raffle may constitute illegal gambling, which may carry criminal penalties.

For more information see: [texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights](https://texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights) on the Office of the Attorney General's website.

## **Rule No. 3**

### **No Cash Contributions Over \$100**

Texas law prohibits a candidate, officeholder, or specific-purpose committee from accepting political contributions in cash (excluding checks) that in the aggregate exceed \$100 from a single contributor in a reporting period.



#### **Rule No. 4**

##### **Auction Activity is Reportable**

Donations to a candidate or political committee at a fundraiser are campaign contributions.

An item donated to be auctioned at a fundraiser is an “in-kind” campaign contribution. The purchase of the item at the auction is also a contribution. Both the item and the purchase price must be reported as political contributions.

#### **Rule No. 5**

##### **No Anonymous Contributions**

Texas law requires filers to know the name of each contributor and the amount of each contribution, even for small contributions. Do not “pass the hat” or use a contribution jar. Depending on the filer and the amount of the contribution, additional information may be required.

#### **Rule No. 6**

##### **No Contributions from Corporations or Labor Organizations**

Texas law prohibits corporations and labor organizations from making political contributions to candidates, officeholders, and related specific-purpose committees. Contributions to GPACs are also restricted. Limited exceptions also exist.

The prohibition also applies to other organizations, such as partnerships and limited liability companies (LLC), if they are owned by a corporation or include an incorporated member or partner.

#### **Rule No. 7**

##### **No Contributions from Foreign Nationals**

The Federal Election Campaign Act (FECA) prohibits certain foreign nationals from contributing, donating, or spending funds in connection with any federal, state, or local election in the U.S., either directly or indirectly. It is also unlawful to help foreign nationals violate that ban or to solicit, receive, or accept contributions or donations from them.

## **Rule No. 8**

### **No Misuse of Government Property to Campaign**

Chapter 39 of the Penal Code prohibits a public servant from using government property, services, personnel, or any other thing of value belonging to the government to obtain a benefit or to harm or defraud another. The commission has held that the use of state computers to prepare campaign finance reports, or to use state resources to gather information for a campaign fundraiser, constitutes a misuse of government property.

### **Texas Ethics Commission**

**P.O. Box 12070**

**Austin, Texas 78711-2070**

**(512) 463-5800**

Note: This brochure is not intended to encompass all the rules, but is intended to give a broad overview of the most common questions involving fundraisers. Be sure to check with the Texas Ethics Commission and your local municipality for any additional limits that might apply.

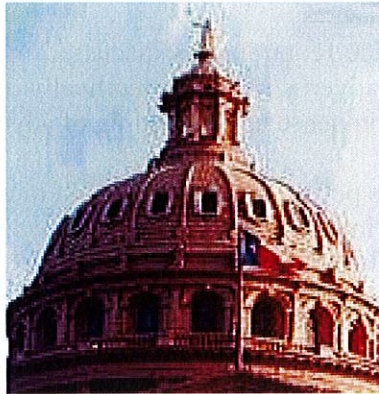
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# **POLITICAL ADVERTISING**

## **What You Need to Know**



The Texas Election Code requires certain disclosures and notices on political advertising. The law also prohibits certain types of misrepresentation in political advertising and campaign communications. This brochure explains what you need to know to insure that your political advertising and campaign communications comply with the law.

If you are not sure what the law requires, do the cautious thing. Use the political advertising disclosure statement whenever you think it might be necessary, and do not use any possibly misleading information in political advertising or a campaign communication. If you are using political advertising or campaign communications from a prior campaign, you should check to see if the law has changed since that campaign.

Candidates for federal office should check with the Federal Election Commission at (800) 424-9530 for information on federal political advertising laws.

**NOTICE:** This guide is intended only as a general overview of the disclosure statements that must appear on political advertising as required under [Chapter 255 of the Election Code](#), which is distinct from political reporting requirements under [Chapter 254 of the Election Code](#).

**Texas Ethics Commission**  
**P.O. Box 12070**  
**Austin, Texas 78711-2070**

**(512) 463-5800**

**TDD (800) 735-2989**

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



## **REQUIRED DISCLOSURE ON POLITICAL ADVERTISING**

### **I. What Is Political Advertising?**

The disclosure statement and notice requirements discussed in this section apply to “political advertising.” In the law, “political advertising” is a specifically defined term. Do not confuse this special term with your own common-sense understanding of advertising.

To figure out if a communication is political advertising, you must look at what it says and where it appears. If a communication fits in one of the categories listed in Part A (below) and if it fits in one of the categories listed in Part B (below), it is political advertising.

#### **Part A. What Does It Say?**

1. Political advertising includes communications supporting or opposing a candidate for nomination or election to either a public office or an office of a political party (including county and precinct chairs).
2. Political advertising includes communications supporting or opposing an officeholder, a political party, or a measure (a ballot proposition).

#### **Part B. Where Does It Appear?**

1. Political advertising includes communications that appear in pamphlets, circulars, fliers, billboards or other signs, bumper stickers, or similar forms of written communication.
2. Political advertising includes communications that are published in newspapers, magazines, or other periodicals in return for consideration.
3. Political advertising includes communications that are broadcast by radio or television in return for consideration.
4. Political advertising includes communications that appear on an Internet website.

### **II. When Is a Disclosure Statement Required?**

The law provides that political advertising that contains express advocacy is required to include a disclosure statement. The person who causes the political advertising to be published, distributed, or broadcast is responsible for including the disclosure statement.

The law does not define the term “express advocacy.” However, the law does provide that political advertising is deemed to contain express advocacy if it is authorized by a candidate, an agent of a candidate, or a political committee filing campaign finance reports. Therefore, a disclosure statement is required any time a candidate, a candidate’s agent, or a political committee authorizes political advertising.

The precise language of political advertising authorized by someone other than a candidate, the candidate's agent, or a political committee will determine if the advertising contains express advocacy and is therefore required to include a disclosure statement. Generally, the question is whether the communication expressly advocates the election or defeat of an identified candidate, or expressly advocates the passage or defeat of a measure, such as a bond election. The inclusion of words such as "vote for," "elect," "support," "defeat," "reject," or "Smith for Senate" would clearly constitute express advocacy, but express advocacy is not limited to communications that use those words. Similar phrases, such as "Cast your ballot for X," would also constitute express advocacy. Additionally, in 2007, the United States Supreme Court held that an advertisement included express advocacy or its functional equivalent "if the ad is susceptible to no reasonable interpretation other than as an appeal to vote for or against a specific candidate." *FEC v. Wis. Right to Life, Inc.*, 551 U.S. 449 (2007). It is a question of fact whether a particular communication constitutes express advocacy. If you are not sure whether political advertising contains express advocacy, do the cautious thing and include the disclosure statement. That way, there is no need to worry about whether you have violated the law.

Remember: The concept of "express advocacy" is relevant in determining whether political advertising is required to include a disclosure statement. However, the political advertising laws governing the right-of-way notice, misrepresentation, and use of public funds by political subdivisions will apply to political advertising regardless of whether the advertising contains express advocacy.

### **III. What Should the Disclosure Statement Say?**

A disclosure statement must include the following:

1. the words "political advertising" or a recognizable abbreviation such as "pol. adv."; and
2. the full name of one of the following: (a) the person who paid for the political advertising; (b) the political committee authorizing the political advertising; or (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

The disclosure statement must appear on the face of the political advertising or be clearly spoken if the political advertising is audio only and does not include written text.

The advertising should not be attributed to entities such as "Committee to Elect John Doe" unless a specific-purpose committee named "Committee to Elect John Doe" has filed a campaign treasurer appointment with the Ethics Commission or a local filing authority.

### **IV. Are There Any Exceptions to the Disclosure Statement Requirement?**

The following types of political advertising do not need the disclosure statement:

1. t-shirts, balloons, buttons, emery boards, hats, lapel stickers, small magnets, pencils, pens, pins, wooden nickels, candy wrappers, and similar materials;
2. invitations or tickets to political fundraising events or to events held to establish support for a candidate or officeholder;

3. an envelope that is used to transmit political advertising, provided that the political advertising in the envelope includes the disclosure statement;
4. circulars or fliers that cost in the aggregate less than \$500 to publish and distribute;
5. political advertising printed on letterhead stationery, if the letterhead includes the name of one of the following: (a) the person who paid for the advertising, (b) the political committee authorizing the advertising, or, (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate. (Note: There is also an exception for holiday greeting cards sent by an officeholder, provided that the officeholder's name and address appear on the card or the envelope.)
6. postings or re-postings on an Internet website if the person posting or re-posting is not an officeholder, candidate, or political committee and did not make an expenditure exceeding \$100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth;
7. an Internet social media profile webpage of a candidate or officeholder, if the webpage clearly and conspicuously displays the full name of the candidate or officeholder; and
8. postings or re-postings on an Internet website if the advertising is posted with a link to a publicly viewable Internet webpage that either contains the disclosure statement or is an Internet social media profile webpage of a candidate or officeholder that clearly and conspicuously displays the candidate's or officeholder's full name.

#### **V. What Should I Do If I Discover That My Political Advertising Does Not Contain a Disclosure Statement?**

The law prohibits a person from using, causing or permitting to be used, or continuing to use political advertising containing express advocacy if the person knows it does not include the disclosure statement. A person is presumed to know that the use is prohibited if the Texas Ethics Commission notifies the person in writing that the use is prohibited. If you receive notice from the Texas Ethics Commission that your political advertising does not comply with the law, you should stop using it immediately.

If you learn that a political advertising sign designed to be seen from the road does not contain a disclosure statement or contains an inaccurate disclosure statement, you should make a good faith attempt to remove or correct those signs that have been distributed. You are not required to attempt to recover other types of political advertising that have been distributed with a missing or inaccurate disclosure statement.

#### **VI. The Fair Campaign Practices Act.**

The [Fair Campaign Practices Act](#) sets out basic rules of decency, honesty, and fair play to be followed by candidates and political committees during a campaign. A candidate or political committee may choose to subscribe to the voluntary code by signing a copy of the code and filing it with the authority with whom the candidate or committee is required to file its campaign



treasurer appointment. A person subscribing to the code may indicate that fact on political advertising by including the following or a substantially similar statement:

**(Name of the candidate or political committee, as appropriate) subscribes to the Code of Fair Campaign Practices.**

## **VII. Special Notice to Political Subdivisions and School Districts.**

You may not use public funds or resources for political advertising. Please see our “Publications and Guides” section of our website for more information.

## **ROAD SIGNS**

### **I. When Is the “Right-Of-Way” Notice Required?**

All written political advertising that is meant to be seen from a road must carry a “right-of-way” notice. It is a criminal offense to omit the “right-of-way” notice in the following circumstances:

1. if you enter into a contract or agreement to print or make written political advertising meant to be seen from a road; or
2. if you instruct another person to place the written political advertising meant to be seen from a road.

### **II. What Should the “Right-Of-Way” Notice Say?**

Section 259.001 of the Texas Election Code prescribes the exact language of the notice:

**NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE) TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY.**

### **III. Do Yard Signs Have to Have the “Right-Of-Way” Notice?**

Yes. The “right-of-way” notice requirement applies to signs meant to be seen from any road. The notice requirement assures that a person responsible for placing signs is aware of the restriction on placing the sign in the right-of-way of a highway.

### **IV. What About Bumper Stickers?**

Bumper stickers do not need the “right-of-way” notice. They do, however, need a political advertising disclosure statement.

### **V. Where May I Place My Signs and How Long May Signs Be Posted?**

For information about exactly where you may or may not place signs, or for information regarding the length of time your signs may be posted, check with your city or county government or your homeowner’s association. The Texas Ethics Commission does not have

jurisdiction over matters involving the location of signs, and the length of time that they may be posted.

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## MISREPRESENTATION

### I. Are There Restrictions on the Contents of Political Advertising?

Political advertising and campaign communications may not misrepresent a person's identity or official title, nor may they misrepresent the true source of the advertising or communication. The election law does not address other types of misrepresentation in political advertising or campaign communications.

Note that the misrepresentation rules apply to both political advertising and campaign communications. "Campaign communication" is a broader term than "political advertising."

A "campaign communication" means "a written or oral communication relating to a campaign for nomination or election to public office or office of a political party or to a campaign on a measure."

### II. Misrepresentation of Office Title.

A candidate may not represent that he or she holds an office that he or she does not hold at the time of the representation. **If you are not the incumbent in the office you are seeking, you must make it clear that you are seeking election rather than reelection by using the word "for" to clarify that you don't hold that office.** The word "for" must be at least one-half the type size as the name of the office and should appear immediately before the name of the office. For example, a non-incumbent may use the following formats:

**Vote John Doe  
for Attorney General**

**John Doe  
For  
Attorney General**

A non-incumbent may not be allowed to use the following verbiage:

**Elect John Doe  
Attorney General**

**John Doe  
Attorney General**

### **III. Misrepresentation of Identity or Source.**

A person violates the law if, with intent to injure a candidate or influence the result of an election, the person misrepresents the source of political advertising or a campaign communication or if the person misrepresents his or her own identity or the identity of his or her agent in political advertising or in a campaign communication. (If someone else is doing something for you, that person is your agent.) For example, you may not take out an ad in favor of your opponent that purports to be sponsored by a notoriously unpopular group.

### **IV. Use of State Seal.**

Only current officeholders may use the state seal in political advertising.

### **V. Criminal Offenses.**

Be aware that many violations of the Election Code are criminal offenses. For example, unlawfully using public funds for political advertising can be a Class A misdemeanor. So can misrepresenting one's identity or office title in political advertising. For more details on these offenses and political advertising in general, see [Chapter 255 of the Election Code](#).





**TEXAS ETHICS COMMISSION**  
**2024 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH**  
**ELECTIONS HELD ON UNIFORM ELECTION DATES**

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2024 are May 4 and November 5.

Candidates and officeholders must file semiannual reports (due on January 16, 2024, and July 15, 2024). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file two pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2024 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2024 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

**EXPLANATION OF THE FILING SCHEDULE CHART**

**COLUMN I: REPORT DUE DATE** - This is the date by which the report must be filed. If the due date for a report falls on a Saturday, Sunday, or legal holiday, the report is due on the next regular business day. This schedule shows the extended deadline where applicable. A report transmitted to the Texas Ethics Commission over the Internet is considered timely filed if it is transmitted *by midnight, Central Time Zone, on the night of the filing deadline*. For most filing deadlines, a report filed on paper is considered timely filed if it is deposited with the U.S. Post Office or a common or contract carrier properly addressed with postage and handling charges prepaid, or hand-delivered to the filing authority by the filing deadline. **Pre-Election Reports:** A report due 30 days before an election and a report due 8 days before an election must be *received* by the appropriate filing authority no later than the report due date to be considered timely filed.

**COLUMN II: TYPE OF REPORT (WHO FILES)** - This column gives the report type and explains which reporting form to use and which filers are required to file the report.

**COLUMN III: BEGINNING DATE OF PERIOD COVERED** - This column sets out the beginning date of the time period covered by the report. Use the latest one of the applicable dates. The "date of campaign treasurer appointment" is the beginning date only for the *first* report filed after filing a campaign treasurer appointment. For officeholders recently appointed to an elective office, the beginning date for the first report will be the date the officeholder took office, provided that he or she was not already filing as an officeholder or candidate at the time of the appointment. (*NOTE: If you are ever confused about the beginning date for a required report, remember this rule: **There should never be gaps between reporting periods and, generally, there should not be overlaps.***)

**COLUMN IV: ENDING DATE OF PERIOD COVERED** - This column sets out the ending date of the time period covered by the report. The report must include reportable activity occurring on the ending date.

Please consult the CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES or the CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES for further information.

<b><u>COLUMN I</u></b> <b>DUE DATE</b>	<b><u>COLUMN II</u></b> <b>TYPE OF REPORT (WHO FILES)</b>	<b><u>COLUMN III</u></b> <b>BEGINNING DATE OF PERIOD COVERED</b>	<b><u>COLUMN IV</u></b> <b>ENDING DATE OF PERIOD COVERED</b>
<b>Tuesday, January 16, 2024</b>  <i>Deadline is extended because of holiday.</i>	<b>January semiannual</b>  [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,010 in contributions or expenditures for the reporting period)  [FORM GPAC] (all GPACs)  [FORM SPAC] (all SPACs)	July 1, 2023, <i>or</i>  the date of campaign treasurer appointment, <i>or</i>  the day after the date the last report ended.	December 31, 2023
<b>Tuesday, January 16, 2024</b>  <i>Deadline is extended because of holiday.</i>	<b>Annual report of unexpended contributions</b>  [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)	January 1, 2023, <i>or</i>  the day after the date the final report was filed.	December 31, 2023

**REPORTS DUE BEFORE THE MAY 4, 2024, UNIFORM ELECTION**

<b>Thursday, April 4, 2024</b>  <b>NOTE: This report must be received by the appropriate filing authority no later than April 4, 2024.</b>	<b>30th day before the May 4, 2024, uniform election</b>  [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 4 election and who do not file on the modified reporting schedule)  [FORM GPAC] (all GPACs that are involved in the May 4 election)  [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 4 election)	January 1, 2024, <i>or</i>  the date of campaign treasurer appointment, <i>or</i>  the day after the date the last report ended.	March 25, 2024
<b>NOTE:</b> A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period. The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.			

<b><u>COLUMN I</u></b> <b>DUE DATE</b>	<b><u>COLUMN II</u></b> <b>TYPE OF REPORT (WHO FILES)</b>	<b><u>COLUMN III</u></b> <b>BEGINNING DATE OF PERIOD COVERED</b>	<b><u>COLUMN IV</u></b> <b>ENDING DATE OF PERIOD COVERED</b>
<b>Friday, April 26, 2024</b>  <b>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 26, 2024.</b>	<b>8th day before May 4, 2024, uniform election</b>  [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 4 election and who do not file on the modified reporting schedule)  [FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved in the May 4 election)  [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the May 4 election)	March 26, 2024, <u>or</u>  the date of campaign treasurer appointment, <u>or</u>  the day after the date the last report ended.	April 24, 2024  <b>NOTE:</b> Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 24, 2024, may be required. Please consult the Campaign Finance Guide for further information.
<b>Monday, July 15, 2024</b>	<b>July semiannual</b>  [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,080 in contributions or expenditures for the reporting period)  [FORM GPAC] (all GPACs)  [FORM SPAC] (all SPACs)	January 1, 2024, <u>or</u>  the date of campaign treasurer appointment, <u>or</u>  the day after the date the last report ended.	June 30, 2024
<b>NOTE:</b> A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. <b>A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.</b> The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.			

<b><u>COLUMN I</u></b> <b>DUE DATE</b>	<b><u>COLUMN II</u></b> <b>TYPE OF REPORT (WHO FILES)</b>	<b><u>COLUMN III</u></b> <b>BEGINNING DATE OF PERIOD COVERED</b>	<b><u>COLUMN IV</u></b> <b>ENDING DATE OF PERIOD COVERED</b>
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**REPORTS DUE BEFORE THE NOVEMBER 5, 2024, UNIFORM ELECTION**

<b>Monday, October 7, 2024</b>  <i>Deadline is extended because of weekend.</i>  <b>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 7, 2024.</b>	<b>30th day before the November 5, 2024, uniform election</b>  [FORM C/OH] (all local candidates who have an opponent on the ballot in the November 5 election and who do not file on the modified reporting schedule)  [FORM GPAC] (all GPACs that are involved in the November 5 election)  [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 5 election)	July 1, 2024, <u>or</u>  the date of campaign treasurer appointment, <u>or</u>  the day after the date the last report ended.	September 26, 2024
<b>Monday, October 28, 2024</b>  <b>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 28, 2024.</b>	<b>8th day before the November 5, 2024, uniform election</b>  [FORM C/OH] (all local candidates who have an opponent on the ballot in the November 5 election and who do not file on the modified reporting schedule)  [FORM GPAC] (all GPACs that filed a "30th Day Before Election Report" or that are involved in the November 5 election)  [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a "30th Day Before Election Report" or that supported or opposed an opposed candidate or a measure in the November 5 election)	September 27, 2024, <u>or</u>  the date of campaign treasurer appointment, <u>or</u>  the day after the date the last report ended.	October 26, 2024  <b>NOTE: Daily pre- election reports of contributions accepted and direct campaign expenditures made after October 26, 2024, may be required. Please consult the Campaign Finance Guide for further information.</b>
<b>NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period. The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.</b>			



<b><u>COLUMN I</u></b> <b>DUE DATE</b>	<b><u>COLUMN II</u></b> <b>TYPE OF REPORT (WHO FILES)</b>	<b><u>COLUMN III</u></b> <b>BEGINNING DATE OF PERIOD COVERED</b>	<b><u>COLUMN IV</u></b> <b>ENDING DATE OF PERIOD COVERED</b>
<b>Wednesday, January 15, 2025</b>	<b>January semiannual</b>  [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,080 in contributions or expenditures for the reporting period)  [FORM GPAC] (all GPACs)  [FORM SPAC] (all SPACs)	July 1, 2024, <u>or</u>  the date of campaign treasurer appointment, <u>or</u>  the day after the date the last report ended.	<b>December 31, 2024</b>
<b>Wednesday, January 15, 2025</b>	<b>Annual report of unexpended contributions</b>  [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)	January 1, 2024, <u>or</u>  the day after the date the final report was filed.	<b>December 31, 2024</b>

# **TEXAS ETHICS COMMISSION**

## **CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES**



**This guide is for candidates for and officeholders in the following positions:**

- **county offices;**
- **precinct offices;**
- **single-county district offices;**
- **city offices; and**
- **offices of other political subdivisions such as school districts**

This guide applies to candidates for and officeholders of justice of the peace. This guide does not apply to candidates for and judges of statutory county courts, statutory probate courts, or district courts. For those candidates and officeholders, the Ethics Commission makes available a CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS.

The Ethics Commission also makes available a CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH THE ETHICS COMMISSION, a CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES, and a CAMPAIGN FINANCE GUIDE FOR POLITICAL PARTIES.

**Revised January 1, 2023**

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711**

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

**(512) 463-5800 • TDD (800) 735-2989**

*Promoting Public Confidence in Government*

**CAMPAIGN FINANCE GUIDE FOR CANDIDATES  
AND OFFICEHOLDERS WHO FILE WITH  
LOCAL FILING AUTHORITIES**

**TABLE OF CONTENTS**

<b>INTRODUCTION.....</b>	<b>1</b>
IMPORTANT UPDATES .....	1
OFFICEHOLDERS .....	1
JUDICIAL CANDIDATES AND OFFICEHOLDERS .....	1
FEDERAL OFFICES.....	2
FILING AUTHORITIES.....	2
POLITICAL COMMITTEES (PACS) .....	3
FINANCIAL DISCLOSURE STATEMENTS .....	3
FEDERAL INCOME TAX.....	3
TEXAS ETHICS COMMISSION .....	3
<b>APPOINTING A CAMPAIGN TREASURER.....</b>	<b>3</b>
NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT TREASURER	
APPOINTMENT ON FILE .....	4
APPOINTING TREASURER TRIGGERS REPORTING DUTIES.....	4
QUALIFICATIONS OF CAMPAIGN TREASURER .....	4
DUTIES OF CAMPAIGN TREASURER.....	5
EFFECTIVE DATE OF APPOINTMENT .....	5
CODE OF FAIR CAMPAIGN PRACTICES.....	5
APPOINTMENT BY OFFICEHOLDER.....	5
FILING FOR A PLACE ON THE BALLOT.....	5
CHANGING TREASURERS.....	5
TRANSFERRING TO A DIFFERENT FILING AUTHORITY .....	5
TERMINATING A CAMPAIGN TREASURER APPOINTMENT.....	6
DECIDING NOT TO RUN .....	6
THINGS TO REMEMBER .....	6
<b>POLITICAL CONTRIBUTIONS AND EXPENDITURES .....</b>	<b>7</b>
CAMPAIGN CONTRIBUTIONS .....	7
CAMPAIGN EXPENDITURES .....	7
OFFICEHOLDER CONTRIBUTIONS .....	8
OFFICEHOLDER EXPENDITURES.....	8
CAMPAIGN EXPENDITURES BY OFFICEHOLDER.....	8
PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS .....	8
USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY .....	8
ACCEPTING CONTRIBUTIONS .....	9
REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS .....	9
SEPARATE ACCOUNT REQUIRED.....	9
RESTRICTIONS INVOLVING LOBBYING .....	10
<b>INFORMATION REQUIRED ON REPORTS .....</b>	<b>11</b>
CONTRIBUTIONS .....	11
PLEDGES .....	11
LOANS .....	11
CONTRIBUTIONS OF PERSONAL SERVICES.....	12

**Campaign Finance Guide for Candidates and Officeholders  
Who File with Local Filing Authorities**

---

CONTRIBUTIONS OF PERSONAL TRAVEL.....	12
CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES.....	12
EXPENDITURES.....	13
UNPAID INCURRED OBLIGATIONS.....	13
EXPENDITURES MADE BY CREDIT CARD.....	13
CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS.....	13
OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS.....	14
DIRECT EXPENDITURES.....	14
SUPPORTING POLITICAL COMMITTEES.....	14
PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER.....	15
INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS.....	15
PURCHASE OF INVESTMENTS.....	15
TOTAL POLITICAL CONTRIBUTIONS MAINTAINED.....	15
TIME OF ACCEPTING CONTRIBUTION.....	16
TIME OF MAKING EXPENDITURE.....	16
<b>PREPARING REPORTS.....</b>	<b>16</b>
FORMS.....	16
SIGNATURE REQUIRED.....	17
FILING DEADLINES.....	17
PERIODS COVERED BY REPORTS.....	17
DEADLINE ON WEEKEND OR HOLIDAY.....	17
5 P.M. DEADLINE.....	17
DELIVERY BY MAIL OR OTHER CARRIER.....	17
RETENTION OF RECORDS USED FOR REPORTS.....	17
<b>REPORTS.....</b>	<b>18</b>
SEMIANNUAL REPORTS.....	18
REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION.....	18
MODIFIED REPORTING.....	19
“15 <sup>TH</sup> DAY AFTER APPOINTMENT OF CAMPAIGN TREASURER BY AN OFFICEHOLDER” REPORT.....	19
FINAL REPORT.....	19
ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS.....	19
FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT.....	19
THINGS TO REMEMBER.....	20
<b>ENDING FILING OBLIGATIONS.....</b>	<b>20</b>
FINAL REPORT.....	20
ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS.....	21
REPORT OF FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS.....	21
THINGS TO REMEMBER.....	22
<b>PENALTIES FOR REPORTING VIOLATIONS.....</b>	<b>22</b>
<b>CAMPAIGN FINANCE RESTRICTIONS.....</b>	<b>22</b>



## INTRODUCTION

This guide is a summary of reporting requirements and other regulations set out in Title 15 of the Texas Election Code (Chs. 251-259) and in the rules adopted by the Texas Ethics Commission. This guide applies to candidates for and officeholders in most local offices in Texas.

This guide does not apply to candidates for or officeholders of statewide elective offices, the State Legislature, seats on the State Board of Education, or multi-county district offices. Nor does it apply to candidates for or judges of statutory county courts, statutory probate courts, or district courts.

## IMPORTANT UPDATES

As directed by section 571.064 of the Texas Government Code, the Commission is required to annually adjust certain reporting thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor.

These changes will be made effective January 1<sup>st</sup> of each calendar year; the affected numbers and corresponding new thresholds are located in 1 T.A.C. §18.31, which can be found here: <https://www.ethics.state.tx.us/rules/>. The higher itemization thresholds will be reflected on the paper forms and in these instructions, as applicable.

Verify that you are using the correct thresholds and forms that apply to your filing. For example, if you are filing a campaign finance report or lobby activities report that is due in January of 2021, you must use the forms and instructions that are applicable to the period ending December 31, 2020.

## OFFICEHOLDERS

Officeholders as well as candidates are subject to regulation under Title 15. An officeholder who has a campaign treasurer appointment on file with a filing authority is a “candidate” for purposes of Title 15 and is subject to all the regulations applicable to candidates. An officeholder who does not have a campaign treasurer appointment on file is subject only to the regulations applicable to officeholders.

Most of the requirements discussed in this guide apply to both candidates (individuals who have a campaign treasurer appointment on file) and to officeholders who do not have a campaign treasurer appointment on file. The guide will indicate whether a particular requirement applies to individuals who have campaign treasurer appointments on file, to officeholders who do not have campaign treasurer appointments on file, or to both.

## JUDICIAL CANDIDATES AND OFFICEHOLDERS

Candidates for and officeholders in most judicial offices are subject to various restrictions that do not apply to other candidates and officeholders. Those candidates and officeholders should review the CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS and the POLITICAL ADVERTISING GUIDE which are available on the commission’s website.

**Nonjudicial Officeholder Seeking Judicial Office.** Pursuant to Op. Tex. Ethics Comm'n No. 465 (2005), a nonjudicial officeholder who becomes a judicial candidate is required to file two campaign finance reports, one reporting nonjudicial activity and the other reporting judicial activity. Alternatively, a nonjudicial officeholder who becomes a judicial candidate may select to file a single report that includes both candidate and officeholder activity if the activity is clearly and properly reported. *See* the CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS for more information.

## **FEDERAL OFFICES**

This guide does not apply to candidates for federal offices. Candidates for federal offices should contact the Federal Election Commission. The FEC's toll-free number is (800) 424-9530.

## **FILING AUTHORITIES**

Title 15 requires candidates and officeholders to file various documents and reports with the appropriate filing authority.

The filing authority for a local candidate or officeholder depends on the nature of the office sought or held.

**County Clerk.** The county clerk (or the county elections administrator if the county has an elections administrator, or tax assessor-collector if the county's commissioners court has transferred the filing authority function to the tax assessor-collector and the county clerk and tax assessor-collector have agreed to the transfer) is the appropriate filing authority for a candidate for:

- a county office;
- a precinct office;
- a district office (except for multi-county district offices); and
- an office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.

**Other local filing authority.** If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer.

**Texas Ethics Commission.** The Texas Ethics Commission is the appropriate filing authority for candidates for:

- Multi-county district offices. (Reminder: This guide does not apply to multi-county district offices.)

- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.

### **POLITICAL COMMITTEES (PACS)**

Often a candidate or officeholder chooses to establish a specific-purpose political committee. A political committee is subject to *separate* filing requirements. Establishing a specific-purpose political committee does not relieve a candidate or officeholder of the obligation to file as an individual. For more information about political committees, see the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES.

### **FINANCIAL DISCLOSURE STATEMENTS**

Some local candidates and officeholders are required to file an annual personal financial statement in accordance with Government Code Chapter 572 or Local Government Code Chapter 159. This statement is not a campaign finance document, and is not addressed in this guide.

### **FEDERAL INCOME TAX**

This pamphlet does not address the federal tax implications of campaign finance. Questions regarding federal tax law should be directed to the Internal Revenue Service.

### **TEXAS ETHICS COMMISSION**

If you have a question about how Title 15 applies to you, you may call the Ethics Commission for assistance or you may request a written advisory opinion.

The Ethics Commission has authority to impose fines for violations of Title 15. If you have evidence that a person has violated Title 15, you may file a sworn complaint with the Ethics Commission.

The Ethics Commission's mailing address is P.O. Box 12070, Austin, Texas 78711. The phone number is (512) 463-5800. The Ethics Commission maintains a website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

## **APPOINTING A CAMPAIGN TREASURER**

If you plan to run for a public office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) with the proper filing authority before you become a candidate, even if you do not intend to accept campaign contributions or make campaign expenditures. A "candidate" is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:

- (A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the

automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;

- (B) the filing of an application for a place on the ballot;
- (C) the filing of an application for nomination by convention;
- (D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;
- (E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;
- (G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and
- (H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

#### **NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT TREASURER APPOINTMENT ON FILE**

Additionally, the law provides that you must file a campaign treasurer appointment form with the proper filing authority before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment form with the proper filing authority.

#### **APPOINTING TREASURER TRIGGERS REPORTING DUTIES**

After a candidate has filed a form appointing a campaign treasurer, the candidate is responsible for filing periodic reports of contributions and expenditures. Filing reports is the responsibility of the candidate, not the campaign treasurer. Even if a candidate loses an election, he or she must continue filing reports until he or she files a final report. *See* "Ending Filing Obligations" in this guide. (An officeholder who files a final report, and thereby terminates his or her campaign treasurer appointment, may still be required to file semiannual reports of contributions and expenditures as an officeholder.)

#### **QUALIFICATIONS OF CAMPAIGN TREASURER**

A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period. A person who violates



this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision.

### **DUTIES OF CAMPAIGN TREASURER**

A candidate's campaign treasurer has no legal duties. (**Note:** The campaign treasurer of a *political committee* is legally responsible for filing reports.)

### **EFFECTIVE DATE OF APPOINTMENT**

A campaign treasurer appointment is effective when filed. A hand-delivered appointment takes effect on the date of delivery. A mailed appointment takes effect on the date of the postmark.

### **CODE OF FAIR CAMPAIGN PRACTICES**

A filing authority should provide to each individual who files a campaign treasurer appointment a form containing a Code of Fair Campaign Practices. A candidate may pledge to conduct his or her campaign in accordance with the principles and practices set out in the Code by signing the form and filing it with the appropriate filing authority.

### **APPOINTMENT BY OFFICEHOLDER**

If an officeholder files an appointment of campaign treasurer after a period in which he or she did not have a campaign treasurer appointment on file, the officeholder may have to file a report of contributions and expenditures no later than 15 days after filing the appointment of campaign treasurer. See "15th Day After Appointment of Campaign Treasurer by Officeholder" in this guide. An officeholder who *changes* a campaign treasurer is not required to file this report.

**Note:** An officeholder who has a campaign treasurer appointment on file is a candidate for purposes of Title 15.

### **FILING FOR A PLACE ON THE BALLOT**

Filing a campaign treasurer appointment and filing for a place on the ballot are two completely separate actions. The Secretary of State can provide information about filing for a place on the ballot. Call the Secretary of State at (512) 463-5650 or toll-free at (800) 252-8683.

### **CHANGING TREASURERS**

A candidate may change campaign treasurers at any time by filing an amended appointment of campaign treasurer (FORM ACTA). Filing an appointment of a new treasurer automatically terminates the appointment of the old treasurer.

### **TRANSFERRING TO A DIFFERENT FILING AUTHORITY**

If a candidate has a campaign treasurer appointment on file with one filing authority and wishes to accept campaign contributions or make campaign expenditures in connection with a candidacy for an office that would require reporting to a different filing authority, the candidate must file a new campaign treasurer appointment and a copy of the old campaign treasurer appointment (certified by original authority) with the second filing authority. The candidate should also

provide written notice to the original filing authority that future reports will be filed with another authority. In general, funds accepted in connection with one office may be used in connection with a campaign for a different office, as long as neither of the offices is a judicial office.

### **TERMINATING A CAMPAIGN TREASURER APPOINTMENT**

A candidate may terminate a campaign treasurer appointment by filing an amended appointment of campaign treasurer or by filing a final report.

A campaign treasurer may terminate his or her own appointment by notifying both the candidate and the filing authority in writing. The termination is effective on the date the candidate receives the notice or on the date the filing authority receives the notice, whichever is later.

### **DECIDING NOT TO RUN**

A campaign treasurer appointment does not simply expire. An individual who has a campaign treasurer appointment on file must file reports of contributions and expenditures until he or she files a final report with the filing authority. See “Ending Filing Obligations” in this guide.

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### **THINGS TO REMEMBER**

- If you plan to run for a public office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) with the proper filing authority before you become a candidate, even if you do not intend to accept campaign contributions or make campaign expenditures.
- A person may not accept a campaign contribution or make a campaign expenditure unless the person has a campaign treasurer appointment on file with the proper filing authority.
- Once a person files a form appointing a campaign treasurer, the person is a candidate for disclosure filing purposes and is responsible for filing periodic reports of contributions and expenditures with the proper filing authority until the person files a “final report.”
- The candidate, not the campaign treasurer, is responsible for filing periodic reports of contributions and expenditures.
- Filing a campaign treasurer appointment does not automatically “sign you up” for a place on the ballot. The Secretary of State can provide information about getting on the ballot. Call (512) 463-5650 or (800) 252-8683.

## POLITICAL CONTRIBUTIONS AND EXPENDITURES

Title 15 regulates political contributions and political expenditures. There are two types of political contributions: campaign contributions and officeholder contributions. Similarly, there are two kinds of political expenditures: campaign expenditures and officeholder expenditures.

### CAMPAIGN CONTRIBUTIONS

A person makes a campaign contribution to a candidate if the person provides or promises something of value with the intent that it be used in connection with a campaign. A contribution of goods or services is an “in-kind” campaign contribution. A loan is considered to be a contribution unless it is from an incorporated financial institution that has been in business for more than a year. Candidates must report all loans made for campaign purposes, including loans that are not “contributions.”

- Donations to a candidate at a fund-raiser are campaign contributions.
- The provision of office space to a candidate is an “in-kind” campaign contribution.
- A promise to give a candidate money is a campaign contribution.
- An item donated to be auctioned at a fund-raiser is an “in-kind” campaign contribution. The purchase of the item at the auction is also a contribution.
- A campaign volunteer is making a contribution in the form of personal services. (Contributions of personal services are sometimes not required to be reported. See “Contributions of Personal Services” in this guide.)

**Note:** An individual may not accept a campaign contribution without an appointment of campaign treasurer on file with the proper filing authority.

### CAMPAIGN EXPENDITURES

A campaign expenditure is a payment or an agreement to make a payment in connection with a campaign for an elective office.

- Paying a filing fee in connection with an application for a place on a ballot is a campaign expenditure.
- Purchasing stationery for fund-raising letters is a campaign expenditure.
- Renting a field to hold a campaign rally is a campaign expenditure.
- Paying people to put up yard signs in connection with an election is a campaign expenditure.

**Note:** An individual may not make a campaign expenditure unless he or she has a campaign treasurer appointment on file with the proper filing authority.

## OFFICEHOLDER CONTRIBUTIONS

The provision of or a promise to provide goods or services to an officeholder that is intended to defray expenses in connection with an officeholder's duties or activities is an officeholder contribution if the expenses are not reimbursable with public money. A contribution of goods or services is an "in-kind" officeholder contribution.

A loan from an incorporated financial institution that has been in business for more than a year is not considered a contribution, but an officeholder must report any such loans made for officeholder purposes.

An officeholder is not required to have a campaign treasurer appointment on file to accept officeholder contributions. An officeholder who does not have a campaign treasurer on file may not accept *campaign* contributions.

## OFFICEHOLDER EXPENDITURES

A payment or agreement to pay certain expenses in connection with an officeholder's duties or activities is an officeholder expenditure if the expenses are not reimbursable with public money.

An officeholder is not required to have a campaign treasurer appointment on file to make officeholder expenditures. An officeholder who does not have a campaign treasurer on file may not make *campaign* expenditures.

## CAMPAIGN EXPENDITURES BY OFFICEHOLDER

An officeholder who has a campaign treasurer appointment on file may accept both campaign contributions and officeholder contributions and make both campaign expenditures and officeholder expenditures. On a report, there is no need for an officeholder who is a candidate to distinguish between campaign contributions and officeholder contributions or between campaign expenditures and officeholder expenditures. Both campaign contributions and officeholder contributions are reported as "political contributions" and both campaign expenditures and officeholder expenditures are reported as "political expenditures."

An officeholder who does not have a campaign treasurer on file may accept officeholder contributions and make officeholder expenditures but may not accept campaign contributions or make campaign expenditures.

## PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS

An officeholder may use officeholder contributions for campaign purposes if the officeholder has an appointment of campaign treasurer on file. Candidates and officeholders may not convert political contributions to personal use. See "Campaign Finance Restrictions" in this guide.

## USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY

A candidate or officeholder is prohibited from using political funds to purchase real property or



to pay the interest on or principal of a note for the purchase of real property.

A candidate or officeholder may not knowingly make or authorize a payment from political funds for the rental or purchase of real property from: (1) a person related to the candidate or officeholder within the second degree of consanguinity or affinity as determined under Chapter 573, Government Code; or (2) a business in which the candidate or officeholder (or a person related to the candidate or officeholder within the second degree of consanguinity or affinity) has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer. Tex. Elec. Code § 253.038 (a-1). This restriction applies to a payment made from political funds on or after September 1, 2007, without regard to whether the payment was made under a lease or other agreement entered into before that date.

## ACCEPTING CONTRIBUTIONS

A candidate or officeholder must report contributions that he or she has *accepted*. Receipt is different from acceptance. A decision to *accept* a contribution must be made by the end of the reporting period during which the contribution is received.

**Failure to make a determination about acceptance or refusal.** If a candidate or officeholder fails to make a timely determination to accept or refuse a contribution by the deadline, the contribution is considered to have been accepted.

**Returning refused contributions.** If a candidate or officeholder receives a political contribution but does not accept it, he or she must return the contribution not later than the 30th day after the end of the reporting period in which the contribution was received. Otherwise, the contribution is considered to have been accepted.

## REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

If a candidate or officeholder makes political expenditures from personal funds, he or she may use political contributions to reimburse himself or herself if the expenditures are properly reported either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds. In order for a candidate or officeholder to use political contributions to reimburse his or her personal funds, the political expenditure from personal funds must be properly reported on the report covering the period in which the expenditures are made. *A filed report may not be later corrected to indicate an intention to reimburse personal funds from political contributions.*

If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan and reimbursements to the candidate or officeholder may not exceed the amount reported as a loan. See “Campaign Expenditures from Personal Funds” in this guide for additional information.

## SEPARATE ACCOUNT REQUIRED

A candidate or officeholder must keep political contributions in one or more accounts that are separate from any other account maintained by the candidate or officeholder. (There is no

requirement to keep campaign contributions in a separate account from officeholder contributions.)

## RESTRICTIONS INVOLVING LOBBYING

The 2019 legislature passed House Bill 2677 to amend Chapter 305 of the Government Code and Chapter 253 of the Election Code to enact the following restrictions. Each prohibition begins on September 27, 2019. For the language of the bill, go to <https://capitol.texas.gov/tlodocs/86R/billtext/html/HB02677F.htm>.

**Making Political Contributions and Direct Campaign Expenditures.** Unless expressly prohibited, a lobbyist may make political contributions and direct campaign expenditures. The campaign finance law, however, generally prohibits corporations and labor organizations from making political contributions. Tex. Elec. Code § 253.094.

Section 253.006 of the Election Code prohibits a person required to register as a lobbyist under Chapter 305 of the Government Code from making political contributions or direct campaign expenditures from certain sources of funds. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or making or authorizing a direct campaign expenditure, from political contributions accepted by:

- (1) the lobbyist as a candidate or officeholder;
- (2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or
- (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made.

**Two-Year Lobbying Prohibition After Making a Political Contribution or Direct Campaign Expenditure.** Section 253.007 of the Election Code prohibits lobbying by persons who make political contributions or direct campaign expenditures from certain sources of funds. A person who makes a political contribution to another candidate, officeholder, or political committee, or makes a direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder is prohibited from engaging in activities that require registration as a lobbyist under Chapter 305 of the Government Code for two years thereafter.

However, an exception to this prohibition allows a person who does not receive compensation other than reimbursement for actual expenses to lobby on behalf of a nonprofit organization, a group of low-income individuals, or a group of individuals with disabilities.

**Lobby Expenditures from Political Contributions.** Section 305.029 of the Government Code prohibits certain lobby expenditures made from political contributions. A lobbyist registered under Chapter 305 of the Government Code, or a person on behalf of the lobbyist and with the lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by:

- (1) the lobbyist as a candidate or officeholder;

- (2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or
- (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure.

## **INFORMATION REQUIRED ON REPORTS**

### **CONTRIBUTIONS**

A report must disclose the amount of each contribution or the value and nature of any in-kind contribution, as well as the name and address of the individual or political committee making the contribution, and the date of the contribution. (Detailed information about a contributor is not required to be reported if the contributor contributed \$100 or less during the reporting period. However, all contributions made electronically must be itemized with this information.)

### **PLEDGES**

Promises to transfer money, goods, services, or other things of value are contributions. If a filer accepts such a promise, he or she must report it (along with the information required for other contributions) on the reporting schedule for “pledges.” Once a pledge has been received, it is reported on the appropriate receipts schedule for the reporting period in which the pledge is received. A pledge that is actually received in the same reporting period in which the pledge was accepted shall be reported only on the appropriate receipts schedule.

**Note:** A pledge is not a contribution unless it has been accepted.

***Example 1:*** In June a supporter promises that he will give Juan Garcia \$1,000 in the last week before the November election. Juan accepts his promise. Juan must report the pledge on his July 15 report. Juan must also report a political contribution when the pledge is actually received. (**Note:** If Juan receives the pledge during the July semiannual reporting period then he does not report the pledge and only reports a political contribution. Also, if he never receives the \$1,000, he does not amend his report to delete the entry for the pledge.)

***Example 2:*** At a party, an acquaintance says to Juan, “I’d like to give you some money; call me at my office.” Juan agrees to call. At this point, Juan has accepted nothing and has nothing to report. Juan has not agreed to accept money; he has merely agreed to call.

### **LOANS**

Loans made for campaign or officeholder purposes are reportable. A filer must report the amount of a loan, the date the loan is made, the interest rate, the maturity date, the type of collateral, and the name and address of the lender. The filer must also report the name, address, principal occupation, and employer of any guarantor and the amount guaranteed by the guarantor. (Detailed information is not required if a particular lender lent \$100 or less during a reporting period.) If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan. *See* “Campaign Expenditures from Personal

Funds” in this guide for additional information.

**Note:** A loan from an incorporated financial institution that has been in business for more than one year is not a contribution. Other loans are considered to be contributions. This distinction is important because of the prohibition on contributions from banks and certain other financial institutions. See “Campaign Finance Restrictions” in this guide. All loans are reported on the same schedule, regardless of whether they are contributions. Additionally, the forgiveness of a loan is a reportable in-kind contribution. See 1 Tex. Admin. Code § 20.64.

### CONTRIBUTIONS OF PERSONAL SERVICES

A political contribution consisting of an individual's personal services is not required to be reported if the individual receives no compensation *from any source* for the services.

### CONTRIBUTIONS OF PERSONAL TRAVEL

A political contribution consisting of personal travel expense incurred by an individual is not required to be reported if the individual receives no reimbursement for the expense.

### CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

There are restrictions on contributions from out-of-state political committees. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state political committee for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state political committee for purposes of these restrictions.

**Contributions over \$1,010 in a reporting period.** Before *accepting* more than \$1,010 in a reporting period from an out-of-state committee, a candidate or officeholder must obtain either (1) a written statement, certified by an officer of the out-of-state political committee, listing the full name and address of each person who contributed more than \$200 to the out-of-state political committee during the 12 months immediately preceding the contribution, *or* (2) a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee.

This documentation must be included with the report of contributions and expenditures for the period in which the contribution was received.

**Contributions of \$1,010 or less in a reporting period.** For a contribution of \$1,010 or less from an out-of-state committee in a reporting period, there is no requirement to obtain documentation *before accepting* the contribution. But there is a requirement to include certain documentation with the report of the contribution. The report must include *either* (1) a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee, *or* (2) the committee's name, address, and phone number; the name of the person appointing the committee's campaign treasurer; and the name, address, and phone number of the committee's campaign treasurer.



## **EXPENDITURES**

A filer must report any campaign expenditure (regardless of whether it is made from political contributions or from personal funds) and any political expenditure (campaign or officeholder) from political contributions (regardless of whether the expenditure is a political expenditure). A filer must also report unpaid incurred obligations. *See* “Unpaid Incurred Obligations” in this guide. If the total expenditures to a particular payee do not exceed \$200 during the reporting period, a filer may report those expenditures as part of a lump sum. Otherwise, a filer must report the date of an expenditure, the name and address of the person to whom the expenditure is made, and the purpose of the expenditure.

## **UNPAID INCURRED OBLIGATIONS**

An expenditure that is not paid during the reporting period in which the obligation to pay the expenditure is incurred shall be reported on the Unpaid Incurred Obligations Schedule for the reporting period in which the obligation to pay is incurred.

The use of political contributions to pay an expenditure previously disclosed on an Unpaid Incurred Obligations Schedule shall be reported on the appropriate disbursements schedule for the reporting period in which the payment is made.

The use of personal funds to pay an expenditure previously disclosed on an Unpaid Incurred Obligations Schedule shall be reported on the Political Expenditure Made from Personal Funds Schedule for the reporting period in which the payment is made.

## **EXPENDITURES MADE BY CREDIT CARD**

An expenditure made by a credit card must be reported on the Expenditures Made to Credit Card Schedule for the reporting period in which the expenditure is made. The report must identify the vendor who receives the payment from the credit card company.

The use of political contributions to make a payment to a credit card company must be reported on the appropriate disbursements schedule for the reporting period in which the payment is made and identify the credit card company receiving the payment.

The use of personal funds to make a payment to a credit card company must be reported on the Political Expenditure Made from Personal Funds Schedule for the reporting period in which the payment is made and identify the credit card company receiving the payment.

## **CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS**

A candidate must report all campaign expenditures, whether made from political contributions or from personal funds. In order to use political contributions to reimburse himself or herself for campaign expenditures from personal funds, the candidate must properly report the expenditures either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds. If the candidate does not indicate the intention to seek reimbursement on that report, he or she may not later correct the report to permit reimbursement.

If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited

amount must be reported as a loan on Schedule E. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported on Schedule F1. The reimbursement may not exceed the amount reported as a loan. Any unexpended funds from such a loan are required to be included in the total amount of political contributions maintained as of the last day of the reporting period. Note: Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.

### **OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS**

An officeholder is not required to report *officeholder expenditures* made from personal funds unless he or she intends to be reimbursed from political contributions. This rule applies regardless of whether an officeholder has an appointment of campaign treasurer on file.

In order for an officeholder to use political contributions to reimburse an officeholder expenditure from personal funds, the officeholder must properly report the expenditures either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds. If the officeholder does not indicate the intention to seek reimbursement, he or she may not later correct the report to permit reimbursement.

If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan on Schedule E. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported on Schedule F1. The reimbursement may not exceed the amount reported as a loan. Any unexpended funds from such a loan are required to be included in the total amount of political contributions maintained as of the last day of the reporting period. Note: Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.

### **DIRECT EXPENDITURES**

A direct campaign expenditure is “a campaign expenditure that does not constitute a campaign contribution by the person making the expenditure.” As a practical matter, a direct campaign expenditure is an expenditure to support a candidate incurred without the candidate’s prior consent or approval.

If a candidate or officeholder makes a direct campaign expenditure to support *another* candidate or officeholder, the expenditure must be included on the reporting schedule for political expenditures, and the report must indicate that the expenditure was a direct campaign expenditure.

### **SUPPORTING POLITICAL COMMITTEES**

A political committee that accepts political contributions or makes political contributions on behalf of a candidate or officeholder is required to give the candidate or officeholder notice of that fact. The candidate or officeholder must report the receipt of such a notice on the report covering the period in which he or she receives the notice.

## **PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER**

A candidate or officeholder is required to report payments from political funds to a business in which the candidate or officeholder has a participating interest of more than 10 percent; a position on the governing body of the business; *or* a position as an officer of a business.

A candidate or officeholder may not make a payment to such a business if the payment is for personal services rendered by the candidate or officeholder or by the spouse or dependent child of the candidate or officeholder. (Nor may a candidate or officeholder use political contributions to pay directly for such personal services.) Other payments to such a business are permissible only if the payment does not exceed the amount necessary to reimburse the business for actual expenditures made by the business. *See generally* Op. Tex. Ethics Comm'n No. 35 (1992).

A candidate or officeholder may not make or authorize a payment from political funds for the rental or purchase of real property from such a business. *See* "Use of Political Funds to Rent or Purchase Real Property" in this guide.

## **INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS**

A candidate or officeholder is required to disclose information regarding the following types of activity from political contributions:

- any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, the amount of which exceeds \$130;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$130; and
- any other gain from a political contribution, the amount of which exceeds \$130.

A candidate or officeholder must use Schedule K to report such information. Although you are not required to do so, you may also report any credit/gain/refund or interest that does not exceed \$130 in the period on this schedule. (Previously, this was an optional schedule because a candidate or officeholder was not required to report this information.) A candidate or officeholder may not use interest and other income from political contributions for personal purposes. Political expenditures made from such income must be reported on the expenditures schedule.

## **PURCHASE OF INVESTMENTS**

A candidate or officeholder must report any investment purchased with a political contribution, the amount of which exceeds \$130. This information must be disclosed on Schedule F3 of the campaign finance report.

## **TOTAL POLITICAL CONTRIBUTIONS MAINTAINED**

The law requires you to disclose the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which

political contributions are deposited as of the last day of the reporting period. The “total amount of political contributions maintained” includes: the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions; the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.; and the balance of political contributions accepted and held in any online fundraising account over which the filer can exercise control by making a withdrawal, expenditure, or transfer. 1 Tex. Admin. Code § 20.50.

The total amount of political contributions maintained does NOT include personal funds that the filer intends to use for political expenditures, *unless* the personal funds have been disclosed as a loan to your campaign and deposited into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. Any unexpended funds from such a loan are required to be included in the total amount of political contributions maintained as of the last day of the reporting period. Note: Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.

### TIME OF ACCEPTING CONTRIBUTION

A filer must report the date he or she *accepts* a political contribution. The date of receipt may be different from the date of acceptance. See “Accepting Contributions” in this guide.

### TIME OF MAKING EXPENDITURE

For reporting purposes, an expenditure is made when the amount of the expenditure is readily determinable. An expenditure that is not paid during the reporting period in which the obligation to pay is incurred must be reported on the reporting schedule for “Unpaid Incurred Obligations,” and then reported again on the appropriate expenditure schedule when payment is actually made. If a filer cannot determine the amount of an expenditure until a periodic bill, the date of the expenditure is the date the bill is received.

**Credit Card Expenditures.** For purposes of 30 day and 8 day pre-election reports, the date of an expenditure made by a credit card is the date of the purchase, not the date of the credit card bill. For purposes of other reports, the date of an expenditure made by a credit card is the date of receipt of the credit card statement that includes the expenditure. For additional information regarding how to report expenditures made by credit card, see “Expenditures Made by Credit Card” in this guide.

## PREPARING REPORTS

### FORMS

Reporting forms are available at <http://www.ethics.state.tx.us>. An individual who is both a candidate and an officeholder files one report for each reporting period and is not required to distinguish between campaign activity and officeholder activity.

## **SIGNATURE REQUIRED**

The candidate or officeholder, not the campaign treasurer, must sign reports.

## **FILING DEADLINES**

The next section of this guide explains the types of reports candidates and officeholders are required to file. Annual filing schedules are available at <http://www.ethics.state.tx.us>.

**Note:** Deadlines for filing reports for special elections or runoff elections will not be listed on the filing schedule. Call the Ethics Commission for specific information in these cases.

## **PERIODS COVERED BY REPORTS**

Each report covers activity during a specific time period. Generally, a report begins where the last report ended. For a candidate's first report, the beginning date will be the date the campaign treasurer appointment was filed. For an officeholder who is appointed to an elective office and who did not have a campaign treasurer appointment on file at the time of the appointment, the beginning date for the first report will be the date the officeholder took office. Generally, there should not be gaps between the periods covered or overlapping time periods. See "Reports" below for information about filing deadlines and periods covered by reports.

## **DEADLINE ON WEEKEND OR HOLIDAY**

If the due date for a report falls on a Saturday, Sunday, or legal holiday, the report is due on the next regular business day.

## **5 P.M. DEADLINE**

The deadline for filing a report is 5 p.m. on the due date.

## **DELIVERY BY MAIL OR OTHER CARRIER**

For most reporting deadlines, a document is considered timely filed if it is properly addressed with postage or handling charges prepaid and bears a postmark or receipt mark of a common or contract carrier indicating a time on or before the deadline.

**Pre-Election Reports.** A report due 30 days before an election and a report due 8 days before an election must be *received* by the appropriate filing authority no later than the report due date to be considered filed on time.

## **RETENTION OF RECORDS USED FOR REPORTS**

A filer must keep records of all information used to prepare a report of contributions and expenditures, including, for example, receipts or ledgers of contributions and expenditures. A filer must maintain the records for two years after the deadline for the report.



## REPORTS

### SEMIANNUAL REPORTS

Generally, candidates and officeholders are required to file reports of contributions and expenditures by January 15 and July 15 of each year. The reports filed on these dates are known as semiannual reports. These reports must be filed even if there is no activity to report for the period covered.

However, there is an exception to this requirement for officeholders who file with a local filing authority, do not have a campaign treasurer appointment on file, and do not accept more than \$1,010 in officeholder contributions or make more than \$1,010 in officeholder expenditures during the period covered by the report.

### REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

An *opposed* candidate in an upcoming election must file reports of contributions and expenditures 30 days and 8 days before the election. Each of these pre-election reports must be *received* by the appropriate filing authority no later than the report due date. (A person who has elected modified reporting and who remains eligible for modified reporting is not required to file these reports. See “Modified Reporting” in this guide.)

An opposed candidate is a candidate who has an opponent whose name is printed on the ballot. If a candidate’s only opposition is a write-in candidate, that candidate is considered unopposed for filing purposes. (**Note:** A write-in candidate who accepts political contributions or makes political expenditures is subject to the reporting requirements discussed in this guide.)

The report that is due 30 days before the election covers the period that begins on the first day after the period covered by the last required report and ends the 40th day before the election. If this is a filer’s first required report, the period covered by the report begins on the day the filer filed a campaign treasurer appointment.

The report that is due 8 days before the election covers the period that begins on the first day after the period covered by the last required report and ends on the 10th day before the election.

### REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION

A candidate in a runoff must file a report 8 days before the runoff election. A runoff report must be *received* by the appropriate filing authority no later than the report due date. (A candidate who has elected modified reporting and who remains eligible for modified reporting is not required to file this report. See “Modified Reporting” below.)

This report covers a period that begins either the first day after the period covered by the last required report or the day the filer filed a campaign treasurer appointment (if this is the filer’s first report of contributions and expenditures). The period covered by the runoff report ends the 10th day before the runoff election.

## MODIFIED REPORTING

On the campaign treasurer appointment form, there is an option to choose modified reporting for the next election cycle. Modified reporting excuses an opposed candidate from filing reports 30 days and 8 days before an election and 8 days before a runoff. An opposed candidate is eligible for modified reporting only if the candidate does not intend to exceed either \$1,010 in contributions or \$1,010 in expenditures (excluding filing fees) in connection with an election.

If an opposed candidate selects modified reporting but exceeds a threshold before the 30th day before the election, the candidate must file reports 30 days and 8 days before the election.

If an opposed candidate selects modified reporting but exceeds the \$1,010 threshold for contributions or expenditures after the 30th day before the election, the filer must file a report within 48 hours of exceeding the threshold. (The filer must meet this deadline even if it falls on a weekend or a holiday.) At that point, the filer is no longer eligible for modified reporting and must file according to the regular filing schedule.

A selection to file on the modified reporting schedule lasts for an entire election cycle. In other words, the selection is valid for a primary, a primary runoff, and a general election (as long as the candidate does not exceed one of the \$1,010 thresholds). A candidate must submit an amended campaign treasurer appointment (FORM ACTA) to select modified reporting for a different election cycle.

## “15<sup>TH</sup> DAY AFTER APPOINTMENT OF CAMPAIGN TREASURER BY AN OFFICEHOLDER” REPORT

An officeholder must file a report after filing a campaign treasurer appointment. (A report is not required after a *change* in campaign treasurers.) This report of contributions and expenditures is due no later than 15 days after the campaign treasurer appointment was filed. The report must cover the period that begins the day after the period covered by the last required report. The period ends on the day before the campaign treasurer appointment was filed. (**Note:** A person who is *appointed* to elective office may not have filed any previous reports. In that case, the beginning date for the report due 15 days after the campaign treasurer appointment is the date the officeholder took office.) The report is not required if the officeholder did not accept more than \$1,010 in contributions or make more than \$1,010 in expenditures by the end of the reporting period.

## FINAL REPORT

See “Ending Filing Obligations” below.

## ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

See “Ending Filing Obligations” below.

## FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT

See “Ending Filing Obligations” below.

## THINGS TO REMEMBER

- An officeholder must file semiannual reports for any period during which he or she is an officeholder. (There is an exception to this rule for officeholders who do not have a campaign treasurer appointment on file and who do not accept more than \$1,010 in political contributions or make more than \$1,010 in political expenditures during the period covered by the report.)
- An opposed candidate in an election must file reports of contributions and expenditures 30 days and 8 days before the election, unless the candidate has selected (and remains eligible for) modified reporting. An opposed candidate who has not selected modified reporting must also file a report 8 days before a runoff election. A report due 30 days before an election and a report due 8 days before an election must be received by the appropriate filing authority no later than the report due date.
- An unopposed candidate is not required to file reports 30 days before an election or 8 days before an election but is required to file semiannual reports.
- A candidate who selects modified reporting must file semiannual reports.

A filer who selects modified reporting for one election cycle will be required to file on the regular reporting schedule for the next election cycle unless the filer submits an amended campaign treasurer appointment selecting modified reporting for the next election cycle.

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## ENDING FILING OBLIGATIONS

### FINAL REPORT

If a filer expects to accept no further political contributions and to make no further political expenditures and if the filer expects to take no further action to get elected to a public office, the filer may file a final report. Filing a final report terminates a filer's campaign treasurer appointment and relieves the filer from any additional filing obligations *as a candidate*. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with Chapter 572 of the Government Code or Chapter 159 of the Local Government Code.) If the filer is an officeholder, the filer will still be subject to the filing requirements applicable to officeholders. A filer who is not an officeholder at the time of filing a final report *and* who has surplus political funds or assets will be required to file annual reports of unexpended contributions and a report of final disposition of unexpended contributions. See "Annual Report of Unexpended Contributions" and "Report of Final Disposition of Unexpended Contributions" below.

A filer who intends to continue accepting contributions to pay campaign debts should *not* terminate his or her campaign treasurer appointment. An individual must have a campaign treasurer appointment on file to accept contributions to offset campaign debts or to pay campaign debts.

Terminating a campaign treasurer appointment does not relieve a filer of responsibility for any delinquent reports or outstanding civil penalties.

### **ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS**

The following individuals must file annual reports of unexpended contributions:

- a former officeholder who did not have a campaign treasurer appointment on file at the time of leaving office and who retained any of the following after filing his or her last report: political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.
- a former candidate (a person who previously had a campaign treasurer appointment on file) who was not an officeholder at the time of filing a final report and who retained any of the following at the time of filing a final report: political contributions, interest or other income from political contributions, or assets purchased with political contributions.

Annual reports are due not earlier than January 1 and not later than January 15 of each year. An annual report (FORM C/OH-UC) must contain the following information: (1) information about expenditures from or disposition of surplus funds or assets; (2) the amount of interest or other income earned on surplus funds during the previous year; and (3) the total amount of surplus funds and assets at the end of the previous year.

The obligation to file annual reports ends when the former candidate or officeholder files a report of final disposition of unexpended contributions.

### **REPORT OF FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS**

A former candidate or former officeholder who has disposed of all surplus funds and assets must file a report of final disposition of unexpended contributions. This report may be filed as soon as all funds have been disposed of.

A former candidate or former officeholder has six years from the date of filing a final report or leaving office (whichever is later) to dispose of surplus funds and assets. The latest possible date for filing a report of unexpended contributions is 30 days after the end of that six-year period.

At the end of the six-year period, a former candidate or officeholder *must* dispose of surplus assets or funds in one of the following ways:

- The former candidate or officeholder may give them to the political party with which he or she was affiliated when last on the ballot;
- The former candidate or officeholder may contribute them to a candidate or a political committee. (This triggers a requirement to file a report of the contribution.);
- The former candidate or officeholder may give them to the comptroller for deposit in the state treasury to be used to finance primary elections;

- The former candidate or officeholder may give them to one or more contributors, but the total returned to any person may not exceed the aggregate amount accepted from that person during the last two years during which the former candidate or officeholder accepted political contributions;
  - The former candidate or officeholder may give them to certain charitable organizations; or
  - The former candidate or officeholder may give them to a public or private post-secondary educational institution or an institution of higher education as defined by section 61.003(8), Education Code, for the purpose of assisting or creating a scholarship program.
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### **THINGS TO REMEMBER**

- Anyone who has an appointment of campaign treasurer on file must file periodic reports of campaign contributions and expenditures.
  - An individual who expects no further reportable activity in connection with his or her candidacy, files a final report and thereby terminates his or her campaign treasurer appointment. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with Chapter 572 of the Government Code or Chapter 159 of the Local Government Code.)
  - An officeholder may be required to file semiannual reports even if he or she does not have a campaign treasurer appointment on file. A local officeholder who has not accepted more than \$1,010 in contributions or made more than \$1,010 in expenditures in a semiannual period since terminating his or her campaign treasurer appointment is not required to file a semiannual report for that period.
- 

### **PENALTIES FOR REPORTING VIOLATIONS**

Any citizen may file a criminal complaint with the district attorney, a civil complaint with the Ethics Commission, or a civil action against a candidate or officeholder for violations of Title 15. Any penalty stemming from such complaints would be assessed against *the candidate or officeholder*, not the campaign treasurer.

### **CAMPAIGN FINANCE RESTRICTIONS**

Chapter 253 of the Election Code contains a number of restrictions regarding the acceptance and use of political contributions, including the following:

1. An individual may not accept a campaign contribution or make a campaign expenditure (including a campaign expenditure from personal funds) without a campaign treasurer appointment on file. Tex. Elec. Code § 253.031. An officeholder may accept officeholder contributions and make officeholder



expenditures regardless of whether he or she has a campaign treasurer appointment on file.

2. Political contributions from labor organizations and from most corporations are prohibited. Tex. Elec. Code § 253.091, *et seq.* Partnerships that include one or more corporate partners are subject to the prohibition.
3. Certain documentation must be obtained in order to accept contributions from an out-of-state political committee. Tex. Elec. Code § 253.032. See “Contributions from Out-of-State Political Committees” in this guide.
4. Cash contributions of more than \$100 in the aggregate from one contributor in a reporting period are prohibited. (Here “cash” means coins and currency, not checks.) Tex. Elec. Code § 253.033.
5. The use of political contributions to purchase real property is prohibited. There is also a restriction on the use of political funds to rent or purchase real property from a person related to the candidate or officeholder within the second degree of consanguinity or affinity or from a business in which the candidate or officeholder or such a relative has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer. Tex. Elec. Code § 253.038.
6. Texas law does not allow anonymous contributions. Also, reports must disclose the actual source of a contribution, not an intermediary. Tex. Elec. Code § 253.001.
7. Personal use of political contributions is prohibited. Tex. Elec. Code § 253.035.
8. A candidate or officeholder may not use political contributions to pay for personal services rendered by the candidate or officeholder or by the spouse, or dependent children of the candidate or officeholder. There are also restrictions of a candidate’s or officeholder’s use of political contributions to make payments to a business in which the candidate or officeholder holds a participating interest of more than 10 percent, a position on the governing body of the business, or a position as an officer of the business. See to Op. Tex. Ethics Comm’n No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions). Tex. Elec. Code § 253.041.

There are restrictions on the use of political contributions to reimburse political expenditures from personal funds. See “Reimbursement for Political Expenditures from Personal Funds,” in this guide.

9. A candidate, officeholder, or political committee may not accept political contributions in the Capitol, the Capitol Extension, or a courthouse. “Courthouse” means any building owned by the state, a county, or a municipality, or an office or part of a building leased to the state, a county, or a municipality, in which a justice or judge sits to conduct court proceedings. Tex. Elec. Code § 253.039.
10. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or

making or authorizing a direct campaign expenditure, from political contributions accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made. Tex. Elec. Code § 253.006.

11. A person who makes a political contribution to another candidate, officeholder, or political committee, or makes a direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder is prohibited from engaging in activities that require registration as a lobbyist for two years thereafter. This does not apply to a person who does not receive compensation other than reimbursement for actual expenses to lobby on behalf of a nonprofit organization, a group of low-income individuals, or a group of individuals with disabilities. Tex. Elec. Code § 253.007.
12. A registered lobbyist, or a person on behalf of the lobbyist and with the lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure. Tex. Gov't Code § 305.029.
13. Federal law generally prohibits the acceptance of contributions from foreign sources. Contact the Federal Election Commission for more detailed information.

# CODE OF FAIR CAMPAIGN PRACTICES

## FORM CFCP COVER SHEET

Pursuant to chapter 258 of the Election Code, every candidate and political committee is encouraged to subscribe to the Code of Fair Campaign Practices. The Code may be filed with the proper filing authority upon submission of a campaign treasurer appointment form. Candidates or political committees that already have a current campaign treasurer appointment on file as of September 1, 1997, may subscribe to the code at any time.

*Subscription to the Code of Fair Campaign Practices is voluntary.*

### OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

**1 ACCOUNT NUMBER**  
(Ethics Commission Filers)

**2 TYPE OF FILER**

CANDIDATE ☐

POLITICAL COMMITTEE ☐

*If filing as a candidate, complete boxes 3 - 6,  
then read and sign page 2.*

*If filing for a political committee, complete  
boxes 7 and 8, then read and sign page 2.*

**3 NAME OF CANDIDATE**  
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

**4 TELEPHONE NUMBER  
OF CANDIDATE**  
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

( )

**5 ADDRESS OF CANDIDATE**  
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

**6 OFFICE SOUGHT  
BY CANDIDATE**  
(PLEASE TYPE OR PRINT)

**7 NAME OF COMMITTEE**  
(PLEASE TYPE OR PRINT)

**8 NAME OF CAMPAIGN  
TREASURER**  
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

**GO TO PAGE 2**

## CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

### THEREFORE:

- (1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.
- (2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.
- (3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.
- (4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.
- (5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.
- (6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.
- (7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

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Signature

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Date

FORM C/OH  
COVER SHEET PG 1

Revised 11/15/2022



# CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

**FORM C/OH  
COVER SHEET PG 2**

**15 C/OH NAME**

**16 Filer ID (Ethics Commission Filers)**

**17 CONTRIBUTION  
TOTALS**

**1. TOTAL UNITEMIZED POLITICAL CONTRIBUTIONS (OTHER THAN  
PLEDGES, LOANS, OR GUARANTEES OF LOANS, OR  
CONTRIBUTIONS MADE ELECTRONICALLY)**

\$

**2. TOTAL POLITICAL CONTRIBUTIONS  
(OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)**

\$

**EXPENDITURE  
TOTALS**

**3. TOTAL UNITEMIZED POLITICAL EXPENDITURE.**

\$

**4. TOTAL POLITICAL EXPENDITURES**

\$

**CONTRIBUTION  
BALANCE**

**5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY  
OF REPORTING PERIOD**

\$

**OUTSTANDING  
LOAN TOTALS**

**6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE  
LAST DAY OF THE REPORTING PERIOD**

\$

**18 SIGNATURE**

I swear, or affirm, under penalty of perjury, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.

\_\_\_\_\_  
Signature of Candidate or Officeholder

**Please complete either option below:**

**(1) Affidavit**

NOTARY STAMP/SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

**(2) Unsworn Declaration**

My name is \_\_\_\_\_, and my date of birth is \_\_\_\_\_.

My address is \_\_\_\_\_,  
(street) (city) (state) (zip code) (country)

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
(month) (year)

\_\_\_\_\_  
Signature of Candidate/Officeholder (Declarant)

**SUBTOTALS - C/OH****FORM C/OH  
COVER SHEET PG 3**

<b>19 FILER NAME</b>		<b>20 Filer ID (Ethics Commission Filers)</b>
<b>21 SCHEDULE SUBTOTALS NAME OF SCHEDULE</b>		<b>SUBTOTAL AMOUNT</b>
1.	<input type="checkbox"/> SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS	\$
2.	<input type="checkbox"/> SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS	\$
3.	<input type="checkbox"/> SCHEDULE B: PLEDGED CONTRIBUTIONS	\$
4.	<input type="checkbox"/> SCHEDULE E: LOANS	\$
5.	<input type="checkbox"/> SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
6.	<input type="checkbox"/> SCHEDULE F2: UNPAID INCURRED OBLIGATIONS	\$
7.	<input type="checkbox"/> SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS	\$
8.	<input type="checkbox"/> SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD	\$
9.	<input type="checkbox"/> SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS	\$
10.	<input type="checkbox"/> SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH	\$
11.	<input type="checkbox"/> SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
12.	<input type="checkbox"/> SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER	\$

## SCHEDULE A1

The Instruction Guide explains how to complete this form.						1 Total pages Schedule A1:	
2 FILER NAME						3 Filer ID (Ethics Commission Filers)	
4 Date		5 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)				7 Amount of contribution (\$)	
		6 Contributor address;                  City;                  State;    Zip Code					
8 Principal occupation / Job title (See Instructions)				9 Employer (See Instructions)			
Date		Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)				Amount of contribution (\$)	
		Contributor address;                  City;                  State;    Zip Code					
Principal occupation / Job title (See Instructions)				Employer (See Instructions)			
Date		Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)				Amount of contribution (\$)	
		Contributor address;                  City;                  State;    Zip Code					
Principal occupation / Job title (See Instructions)				Employer (See Instructions)			
Date		Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)				Amount of contribution (\$)	
		Contributor address;                  City;                  State;    Zip Code					
Principal occupation / Job title (See Instructions)				Employer (See Instructions)			
Date		Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)				Amount of contribution (\$)	
		Contributor address;                  City;                  State;    Zip Code					
Principal occupation / Job title (See Instructions)				Employer (See Instructions)			
<b>ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED</b>							
If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.							

**SCHEDULE A2**

**The Instruction Guide explains how to complete this form.**

**2 FILER NAME**

#### 4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS

**\$**

**6** Full name of contributor ☐ out-of-state PAC (ID#: \_\_\_\_\_)

**9 In-kind contribution description**

**7** Contributor address;                      City;                      State;                      Zip Code

☐ Check if travel outside of Texas. Complete Schedule T.

10 Principal occupation / Job title (FOR NON-JUDICIAL)(See Instructions)

**11 Employer (FOR NON-JUDICIAL)(See Instructions)**

12 Contributor's principal occupation (FOR JUDICIAL)

13 Contributor's job title (FOR JUDICIAL) (See Instructions)

14 Contributor's employer/law firm (FOR JUDICIAL)

**15** Law firm of contributor's spouse (if any) (FOR JUDICIAL)

**16** If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)

Full name of contributor ☐ out-of-state PAC (ID#: \_\_\_\_\_)

**In-kind contribution description**

Contributor address; City; State; Zip Code

☐ Check if travel outside of Texas. Complete Schedule T.

Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)

Employer (FOR NON-JUDICIAL) (See Instructions)

Contributor's principal occupation (FOR JUDICIAL)

Contributor's job title (FOR JUDICIAL) (See Instructions)

Contributor's employer/law firm (FOR JUDICIAL)

Law firm of contributor's spouse (if any) (FOR JUDICIAL)

If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)

If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.

**PLEDGED CONTRIBUTIONS****SCHEDULE B**

If the requested information is not applicable, **DO NOT** include this page in the report.

<b>The Instruction Guide explains how to complete this form.</b>		<b>1</b> Total pages Schedule B:	
<b>2</b> FILER NAME		<b>3</b> Filer ID (Ethics Commission Filers)	
<b>4</b> TOTAL OF UNITEMIZED PLEDGES		\$	
<b>5</b> Date	<b>6</b> Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	<b>8</b> Amount of Pledge \$	<b>9</b> In-kind contribution description
	<b>7</b> Pledgor address; City; State; Zip Code		
		<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	
<b>10</b> Principal occupation / Job title (See Instructions)		<b>11</b> Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of Pledge \$	In-kind contribution description
	Pledgor address; City; State; Zip Code		
		<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of Pledge \$	In-kind contribution description
	Pledgor address; City; State; Zip Code		
		<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of Pledge \$	In-kind contribution description
	Pledgor address; City; State; Zip Code		
		<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of Pledge \$	In-kind contribution description
	Pledgor address; City; State; Zip Code		
		<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
<b>ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED</b> If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.			



**LOANS****SCHEDULE E**If the requested information is not applicable, **DO NOT** include this page in the report.

<b>The Instruction Guide explains how to complete this form.</b>		<b>1</b> Total pages Schedule E:
<b>2</b> FILER NAME		<b>3</b> Filer ID (Ethics Commission Filers)
<b>4</b> TOTAL OF UNITEMIZED LOANS		\$
<b>5</b> Date of loan	<b>7</b> Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____ )	<b>9</b> Loan Amount (\$)
<b>6</b> Is lender a financial Institution?  Y    N	<b>8</b> Lender address;                      City;                      State;    Zip Code	<b>10</b> Interest rate
		<b>11</b> Maturity date
<b>12</b> Principal occupation / Job title (See Instructions)		<b>13</b> Employer (See Instructions)
<b>14</b> Description of Collateral  <input type="checkbox"/> none		<b>15</b> <input type="checkbox"/> Check if personal funds were deposited into political account (See Instructions)
<b>16</b> GUARANTOR INFORMATION  <input type="checkbox"/> not applicable	<b>17</b> Name of guarantor	<b>19</b> Amount Guaranteed (\$)
	<b>18</b> Guarantor address;                      City;                      State;    Zip Code	
<b>20</b> Principal Occupation (See Instructions)		<b>21</b> Employer (See Instructions)
Date of loan	Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____ )	Loan Amount (\$)
Is lender a financial Institution?  Y    N	Lender address;                      City;                      State;    Zip Code	Interest rate
		Maturity date
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Description of Collateral  <input type="checkbox"/> none		<input type="checkbox"/> Check if personal funds were deposited into political account (See Instructions)
GUARANTOR INFORMATION  <input type="checkbox"/> not applicable	Name of guarantor	Amount Guaranteed (\$)
	Guarantor address;                      City;                      State;    Zip Code	
Principal Occupation (See Instructions)		Employer (See Instructions)
<b>ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED</b> If lender is out-of-state PAC, please see instruction guide for additional reporting requirements.		

# POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

## SCHEDULE F1

If the requested information is not applicable, DO NOT include this page in the report.

### EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Candidate/Officeholder/Political Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)
Credit Card Payment			

The Instruction Guide explains how to complete this form.

<b>1</b> Total pages Schedule F1:	<b>2</b> FILER NAME	<b>3</b> Filer ID (Ethics Commission Filers)
<b>4</b> Date	<b>5</b> Payee name	
<b>6</b> Amount (\$)	<b>7</b> Payee address; City; State; Zip Code	
<b>8</b>  <b>PURPOSE OF EXPENDITURE</b>	<b>(a)</b> Category (See Categories listed at the top of this schedule)	
	<b>(b)</b> Description	
	<b>(c)</b> <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
<b>9</b> Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	
	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	
	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	
	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

# UNPAID INCURRED OBLIGATIONS

## SCHEDULE F2

If the requested information is not applicable, **DO NOT** include this page in the report.

### EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense  
Accounting/Banking  
Consulting Expense  
Contributions/Donations Made By  
Candidate/Officeholder/Political Committee

Event Expense  
Fees  
Food/Beverage Expense  
Gift/Awards/Memorials Expense  
Legal Services

Loan Repayment/Reimbursement  
Office Overhead/Rental Expense  
Polling Expense  
Printing Expense  
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense  
Transportation Equipment & Related Expense  
Travel In District  
Travel Out Of District  
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F2:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS		\$
5 Date	6 Payee name	
7 Amount (\$)	8 Payee address;	City; State; Zip Code
9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political	
10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
11 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address;	City; State; Zip Code
TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

# PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

## SCHEDULE F3

If the requested information is not applicable, **DO NOT** include this page in the report.

The Instruction Guide explains how to complete this form.		1 Total pages Schedule F3:	
2 FILER NAME		3 Filer ID (Ethics Commission Filers)	
4 Date	5 Name of person from whom investment is purchased		
	6 Address of person from whom investment is purchased; City; State; Zip Code		
	7 Description of investment		
	8 Amount of investment (\$)		
Date	Name of person from whom investment is purchased		
	Address of person from whom investment is purchased; City; State; Zip Code		
	Description of investment		
	Amount of investment (\$)		
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED			

# EXPENDITURES MADE BY CREDIT CARD

## SCHEDULE F4

If the requested information is not applicable, **DO NOT** include this page in the report.

### EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense  
Accounting/Banking  
Consulting Expense  
Contributions/Donations Made By  
Candidate/Officeholder/Political Committee

Event Expense  
Fees  
Food/Beverage Expense  
Gift/Awards/Memorials Expense  
Legal Services

Loan Repayment/Reimbursement  
Office Overhead/Rental Expense  
Polling Expense  
Printing Expense  
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense  
Transportation Equipment & Related Expense  
Travel In District  
Travel Out Of District  
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F4:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD	\$	
5 Date	6 Payee name	
7 Amount (\$)	8 Payee address;	City; State; Zip Code
9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political	
10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
11 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address;	City; State; Zip Code
TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		



# POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

## SCHEDULE G

If the requested information is not applicable, **DO NOT** include this page in the report.

### EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense  
Accounting/Banking  
Consulting Expense  
Contributions/Donations Made By  
Candidate/Officeholder/Political Committee  
Credit Card Payment

Event Expense  
Fees  
Food/Beverage Expense  
Gift/Awards/Memorials Expense  
Legal Services

Loan Repayment/Reimbursement  
Office Overhead/Rental Expense  
Polling Expense  
Printing Expense  
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense  
Transportation Equipment & Related Expense  
Travel In District  
Travel Out Of District  
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

<b>1</b> Total pages Schedule G:	<b>2</b> FILER NAME	<b>3</b> Filer ID (Ethics Commission Filers)
<b>4</b> Date	<b>5</b> Payee name	
<b>6</b> Amount (\$)  <input type="checkbox"/> Reimbursement from political contributions intended	<b>7</b> Payee address; City; State; Zip Code	
<b>8</b> <b>PURPOSE OF EXPENDITURE</b>	<b>(a)</b> Category (See Categories listed at the top of this schedule)	<b>(b)</b> Description
	<b>(c)</b> <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
<b>9</b> Complete <u>ONLY</u> if direct expenditure to benefit C/OH Candidate / Officeholder name Office sought Office held		
Date	Payee name	
Amount (\$)  <input type="checkbox"/> Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH Candidate / Officeholder name Office sought Office held		
Date	Payee name	
Amount (\$)  <input type="checkbox"/> Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH Candidate / Officeholder name Office sought Office held		
Date	Payee name	
Amount (\$)  <input type="checkbox"/> Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH Candidate / Officeholder name Office sought Office held		

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

# PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

## SCHEDULE H

If the requested information is not applicable, DO NOT include this page in the report.

### EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense Accounting/Banking Consulting Expense Contributions/Donations Made By Candidate/Officeholder/Political Committee Credit Card Payment	Event Expense Fees Food/Beverage Expense Gift/Awards/Memorials Expense Legal Services	Loan Repayment/Reimbursement Office Overhead/Rental Expense Polling Expense Printing Expense Salaries/Wages/Contract Labor	Solicitation/Fundraising Expense Transportation Equipment & Related Expense Travel In District Travel Out Of District Other (enter a category not listed above)
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The Instruction Guide explains how to complete this form.

<b>1</b> Total pages Schedule H:	<b>2</b> FILER NAME	<b>3</b> Filer ID (Ethics Commission Filers)
<b>4</b> Date	<b>5</b> Business name	
<b>6</b> Amount (\$)	<b>7</b> Business address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	<b>(a)</b> Category (See Categories listed at the top of this schedule)	
	<b>(b)</b> Description	
	<b>(c)</b> <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
<b>9</b> Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Business name	
Amount (\$)	Business address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	
	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Business name	
Amount (\$)	Business address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	
	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Business name	
Amount (\$)	Business address; City; State; Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See Categories listed at the top of this schedule)	
	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

# NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

## SCHEDULE I

If the requested information is not applicable, DO NOT include this page in the report.

The Instruction Guide explains how to complete this form.

<b>1</b> Total pages Schedule I:	<b>2</b> FILER NAME	<b>3</b> Filer ID (Ethics Commission Filers)	
<b>4</b> Date	<b>5</b> Payee name		
<b>6</b> Amount (\$)	<b>7</b> Payee address;	City	State Zip Code
<b>8</b> <b>PURPOSE OF EXPENDITURE</b>	(a) Category (See instructions for examples of acceptable categories.)	(b) Description (See instructions regarding type of information required.)	
Date	Payee name		
Amount (\$)	Payee address;	City	State Zip Code
<b>PURPOSE OF EXPENDITURE</b>	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)	
Date	Payee name		
Amount (\$)	Payee address;	City	State Zip Code
<b>PURPOSE OF EXPENDITURE</b>	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)	
Date	Payee name		
Amount (\$)	Payee address;	City	State Zip Code
<b>PURPOSE OF EXPENDITURE</b>	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

# INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

## SCHEDULE K

If the requested information is not applicable, **DO NOT** include this page in the report.

The Instruction Guide explains how to complete this form.		1 Total pages Schedule K:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Name of person from whom amount is received	8 Amount (\$)
	6 Address of person from whom amount is received; City; State; Zip Code	
	7 Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

# IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS

## SCHEDULE T

If the requested information is not applicable, DO NOT include this page in the report.

The Instruction Guide explains how to complete this form.		1 Total pages Schedule T:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
5 Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A2 <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule B(J) <input type="checkbox"/> Schedule C2 <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F1 <input type="checkbox"/> Schedule F2 <input type="checkbox"/> Schedule F4 <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule COH-UC <input type="checkbox"/> Schedule B-SS		
6 Dates of travel	7 Name of person(s) travelling	
	8 Departure city or name of departure location	
	9 Destination city or name of destination location	
10 Means of transportation	11 Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A2 <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule B(J) <input type="checkbox"/> Schedule C2 <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F1 <input type="checkbox"/> Schedule F2 <input type="checkbox"/> Schedule F4 <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule COH-UC <input type="checkbox"/> Schedule B-SS		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A2 <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule B(J) <input type="checkbox"/> Schedule C2 <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F1 <input type="checkbox"/> Schedule F2 <input type="checkbox"/> Schedule F4 <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule COH-UC <input type="checkbox"/> Schedule B-SS		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A2 <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule B(J) <input type="checkbox"/> Schedule C2 <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F1 <input type="checkbox"/> Schedule F2 <input type="checkbox"/> Schedule F4 <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule COH-UC <input type="checkbox"/> Schedule B-SS		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

**CANDIDATE / OFFICEHOLDER REPORT:  
DESIGNATION OF FINAL REPORT**

**FORM C/OH - FR**

The Instruction Guide explains how to complete this form.

**\*\* Complete only if "Report Type" on page 1 is marked "Final Report" \*\***

**1 C/OH NAME**

**2 Filer ID** (Ethics Commission Filers)

**3 SIGNATURE**

I do not expect any further political contributions or political expenditures in connection with my candidacy. I understand that designating a report as a final report terminates my campaign treasurer appointment. I also understand that I may not accept any campaign contributions or make any campaign expenditures without a campaign treasurer appointment on file.

\_\_\_\_\_  
Signature of Candidate / Officeholder

**4 FILER WHO IS NOT AN OFFICEHOLDER**

**\*\* Complete A & B below only if you are not an officeholder. \*\***

**A. CAMPAIGN FUNDS**

Check only one:

- ☐ I do not have unexpended contributions or unexpended interest or income earned from political contributions.
- ☐ I have unexpended contributions or unexpended interest or income earned from political contributions. I understand that I may not convert unexpended political contributions or unexpended interest or income earned on political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain unexpended contributions or unexpended interest or income earned on political contributions longer than six years after filing this final report. Further, I understand that I must dispose of unexpended political contributions and unexpended interest or income earned on political contributions in accordance with the requirements of Election Code, § 254.204.

**B. ASSETS**

Check only one:

- ☐ I do not retain assets purchased with political contributions or interest or other income from political contributions.
- ☐ I do retain assets purchased with political contributions or interest or other income from political contributions. I understand that I may not convert assets purchased with political contributions or interest or other income from political contributions to personal use. I also understand that I must dispose of assets purchased with political contributions in accordance with the requirements of Election Code, § 254.204.

\_\_\_\_\_  
Signature of Candidate

**5 OFFICEHOLDER**

**\*\* Complete this section only if you are an officeholder \*\***

- ☐ I am aware that I remain subject to filing requirements applicable to an officeholder who does not have a campaign treasurer on file. I am also aware that I will be required to file reports of unexpended contributions if, after filing the last required report as an officeholder, I retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.

\_\_\_\_\_  
Signature of Officeholder





# A Guide to Becoming a City Official

Updated July 2019

The Texas Municipal League exists solely to provide services to Texas cities. Since its formation in 1913, the League's mission has remained the same: to serve the needs and advocate the interests of its members.

The TML Constitution states that the purpose of the League is to "render services which individual cities have neither the time, money, nor strength to do alone."

Texas Municipal League  
1821 Rutherford Lane, Suite 400  
Austin, Texas 78754  
512-231-7400  
[www.tml.org](http://www.tml.org)

## **Table of Contents**

<b>Congratulations on Your Decision to File for City Office .....</b>	<b>3</b>
<b>Leadership Attributes for Councilmembers.....</b>	<b>3</b>
<b>An Elected Official Wears Many Hats .....</b>	<b>4</b>
<b>Mayors, Councils, and Boards of Alderman .....</b>	<b>5</b>
<b>Are You Eligible? .....</b>	<b>5</b>
<b>Filing for a Place on the Ballot .....</b>	<b>5</b>
<b>Texas Ethics Commission Campaign Finance Filings .....</b>	<b>6</b>
<b>An Introduction to City Government.....</b>	<b>6</b>
<b>Types of City Government .....</b>	<b>6</b>
<b>Forms of Government .....</b>	<b>7</b>
<b>Basic City Services .....</b>	<b>7</b>
<b>City Finance .....</b>	<b>8</b>
<b>Ethics and Conflicts of Interest .....</b>	<b>8</b>
<b>Local Government Code Chapter 171 – Conflicts of Interest .....</b>	<b>8</b>
<b>Local Government Code Chapter 176 – Conflicts Disclosure .....</b>	<b>9</b>
<b>Government Code Chapter 553 – Conflicts Disclosure .....</b>	<b>10</b>
<b>Financial Disclosure for Cities of a Population of 100,000 or More.....</b>	<b>10</b>
<b>Nepotism .....</b>	<b>10</b>
<b>Dual Office-Holding/Incompatibility.....</b>	<b>11</b>
<b>Open Government .....</b>	<b>11</b>
<b>Texas Open Meetings Act (TOMA).....</b>	<b>11</b>
<b>Texas Public Information Act (PIA).....</b>	<b>13</b>
<b>Open Government Training .....</b>	<b>13</b>
<b>A Basic Glossary of City Government .....</b>	<b>14</b>
<b>Good Luck.....</b>	<b>16</b>

## **Congratulations on Your Decision to File for City Office**

Serving as an effective city elected official requires dedication, knowledge, and a substantial time commitment, and there are countless reasons why people choose to run for public office. While you may have a very specific reason for seeking a place on the city council, you will be involved in a number of other issues that can have a lasting impact on your city's future. For this reason, becoming a city elected official can be one of the most rewarding experiences of your life. An understanding of your role on the city council—as a member of a team—is critical to your success.

This booklet is designed to familiarize you with the responsibilities of city elected office. Use it as a reference guide during your campaign. Don't hesitate to ask your city manager or city secretary questions about your specific city structure. If you are elected, you may want to seek out the many other resources that help to guide newly elected officials in their new roles.

Material contained in this brochure should not be viewed as a substitute for legal advice or specific information applicable to your city. In addition, if you're serious about your candidacy, you should consider other, more detailed information sources available to you, including:

- attending city council or board of aldermen meetings
- examining your charter, if your city is home rule
- reviewing city ordinances
- the *TML Handbook for Mayors and Councilmembers*

For information on elections, you may get additional information from the city clerk or secretary or the Texas Secretary of State's office. You should also consult your own attorney or familiarize yourself with the requirements of election laws.

## **Leadership Attributes for Councilmembers**

Do you have the necessary leadership attributes to be an effective city leader? At a minimum, successful elected officials must devote a significant amount of time and energy to fulfill a position that answers directly to citizens. Some desirable leadership attributes include:

- a general understanding of city government
- willingness to learn about a wide range of topics
- integrity

- consistency
- confidence
- dedication to the interests of citizens and the community as a whole
- strong communication and team-building skills, including being a good listener
- openness to the thoughts and ideas of others
- being approachable and accessible
- willingness to work cooperatively with others

## **An Elected Official Wears Many Hats**

Local elected officials have many responsibilities—policymaker, legislator, ambassador, and employer.

The office of mayor is the highest elected office in city government. City councilmembers are the city's legislators, and their primary role is policymaking. The manner in which administrative responsibilities are handled depends on your city type, with which you should be familiar.

### **Policymaker**

As policymakers, it is the council's responsibility to identify the needs of the citizens and to formulate a plan to meet those needs. Policymaking is a complicated process but can be simplified if the city council works together as a team and sets goals for the city. It is from the city council's vision that the administrative staff of the city takes direction and goes about its daily work. The goals of the city should be clear. There are many legal, financial, and administrative considerations to implementing the goals of the city, and without clear direction the effectiveness of the city council can be diminished.

### **Legislator**

Citizens look to the city council to exercise authority to preserve and promote their health, safety, and welfare. A city council may enact ordinances and resolutions and use its governmental powers for the public good. Citizens expect their city council to provide leadership in addressing issues. It is important to show respect for your fellow councilmembers and be willing to discuss issues thoroughly to reach a consensus on the best course of action for all citizens, whatever the issue.

### **Ambassador**

As a member of your city council, you will be invited to participate in a variety of civic activities. These events will provide you opportunities to learn more about what citizens of your city expect from city government. While not everyone likes this type of public spotlight, it is an important part of your role as a councilmember.

### **Employer**

An understanding of your role as an elected official is vital to your relationship with the city staff. Just as in any productive employer-employee relationship, trust and respect are important. You can learn a great deal about the city from city employees. In many cities, councilmembers come and go, but the city staff continues to serve.

## **Mayors, Councils, and Boards of Aldermen**

The mayor and city council or board of aldermen collectively serve as the governing body for a city and normally possess all legislative powers granted by state law. The positions of both councilmember and alderman have been compared to those of the members of the state legislature and the United States Congress. All these positions require elected officials to represent their constituents, to make policy decisions, to budget for the execution of the policies, and to see that their policies are carried out. Unlike their counterparts in state and federal offices, however, city officials are in direct contact with the citizens they serve on an ongoing basis.

## **Are You Eligible?**

To run for office in a general law city in Texas, you must, among other requirements:

- be a citizen of the United States;
- be at least 18 years old on the date of the election; and
- be a registered voter and have lived in the State of Texas for at least 12 consecutive months prior to the filing date for the election, and in your city or ward for at least 6 months prior to the filing date for the election.

Certain offices and certain city types have additional requirements in state law, so you should be sure to check with both the city and the Texas Secretary of State's Elections Division to ensure that you are eligible. A home rule city may set different requirements in its charter, so check with your city clerk or secretary on whether additional or different requirements apply. The Texas Secretary of State website is at [www.sos.state.tx.us](http://www.sos.state.tx.us).

## **Filing for a Place on the Ballot**

To run for city office, you must file an application with the city clerk or secretary. The application includes information required by the Texas Election Code and must be filed according to deadlines set by that code. A candidate may either file for a place on the ballot or as a write-in candidate, but an application must be filed in either case. A home rule city may also have additional requirements and procedures for filing for a place on the ballot. Your city clerk or secretary can inform you of the rules and deadlines.

## **Texas Ethics Commission Campaign Finance Filings**

State law requires the filing of various forms by a candidate for city office.

All candidates for city offices must file an "Appointment of a Campaign Treasurer by a Candidate" form with the city secretary before beginning their campaigns. Candidates who do not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures may file a modified reporting declaration and operate under modified reporting. Under modified reporting, the candidate is not required to file any further forms beyond the final report, which is filed at the end of the campaign. Semiannual reports may still be required in some cases.

Candidates who intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures, or who exceed that amount even after filing for modified reporting, must file under regular reporting requirements. Reports due under these requirements must be submitted by January 15 and July 15 of each year. The reports filed on these dates are known as semiannual reports. An opposed candidate in an upcoming city election who is using regular reporting must file reports of contributions and expenditures 30 days and 8 days before the election. A candidate in a runoff must file a report 8 days before the runoff election. Candidates filing under regular reporting are also required to file a final report at the end of the campaign.

Detailed information on filing is available on the Texas Ethics Commission's website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

## **An Introduction to City Government**

Elected city officials should have a basic understanding of city government and the duties, authority, and limitations of an elected body. What follows is a brief introduction to a few basic governance issues.

Of course, there is no better way to understand what elected officials do than to attend council meetings. In addition, most cities and towns have advisory boards that are formed to make or recommend policy or quasi-judicial decisions, such as a planning commission or parks and recreation board. Serving on these and other appointed boards is another excellent way to become informed.

## **Types of City Government**

Texas has more than 1,200 incorporated cities; each of them is either a home rule city or a general law city.



Home rule cities are larger cities. A city with a population of more than 5,000 in which the citizens have adopted a home rule charter through an election is a home rule city. A home rule charter is the document that establishes the city's governmental structure and provides for the distribution of powers and duties.

General law cities are usually smaller cities. General law cities don't have charters. Rather, they operate according to specific state statutes. A general law city looks to the state constitution and state statutes to determine what it **may do**. If state law doesn't grant a general law city the express or implied power to initiate a particular action, none may be taken. There are three categories of general law cities: type A, B, or C. If you are seeking office in a general law city, you should ask your city manager or city secretary to clarify the type in order to understand which state laws apply.

As opposed to general law cities, a home rule city operates according to its charter and looks to the state constitution and state statutes to determine what it **may not do**.

## **Forms of Government**

There are two prevalent forms of city government in Texas:

### **Mayor-Council Structure**

- The mayor is the ceremonial head of government and presides over council or board of aldermen meetings.
- The council or board of aldermen sets meetings.
- The council or board of aldermen sets policy.
- Depending on local charter and/or ordinances, applicable statute, or local practice, broad or limited administrative authority is vested with the mayor or members of the council or board of aldermen or with an administrator or designated department heads appointed by the mayor, council, or board of aldermen.

### **Council-Manager Structure**

- The mayor is the ceremonial head of government and presides over council meetings.
- The council sets policy and hires and fires the manager.
- The city manager normally has broad administrative authority.

## **Basic City Services**

Services provided by cities vary. However, some typical services may include:

**Public Safety**—police, fire, and sometimes ambulance service

**Utilities**—water and sewer, trash collection, electric power, and natural gas

**Land Use**—planning, zoning, code enforcement, and other regulatory activities

**Transportation**—street construction and maintenance, traffic safety, and sometimes public transit

**Recreation/Culture**—parks, recreation, libraries, and sometimes cultural facilities

**Legal**—ordinances protecting the public health, safety, and welfare of the community

## City Finance

In budgeting, the governing body makes important decisions about the operation and priorities of the city. Is a swimming pool more important than storm sewers? Does the city need a new library more than it needs extra police personnel? Should the potholes be filled or the street completely rebuilt? Budgeting is a process by which the governing body determines the city's standard of living—what the citizens need and want, what they are willing to pay, and what services they can expect to receive for their tax dollars.

Cities levy specific taxes to finance city services. In addition, many city services are financed in whole or in part by user fees and charges. The following are the most common taxes and fees levied by Texas cities:

**Property tax**—levied on the valuation of taxable property located within the city

**Sales tax**—levied on retail sales of tangible personal property and some specific services

**Right-of-way rental fees**—levied on non-municipally owned utilities (telecommunications, electric, gas, water, cable television)

Finally, cities receive some revenues from various federal and state grant and allocation programs. TML provides a comprehensive guide to all revenue sources available to cities. The guide is called the *TML Revenue Manual for Texas Cities* and is available at [www.tml.org](http://www.tml.org).

## Ethics and Conflicts of Interest

Various laws govern the behavior of a city official. A brief overview of the most commonly-applicable statutes follows.

## Local Government Code Chapter 171 – Conflicts of Interest

**Definition of “conflict of interest”:** A local public official has a conflict of interest in a matter if any action on the matter would involve a business entity or real property

in which the official has a substantial interest, and if an action on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public, or in the case of a substantial interest in real property, it is reasonably foreseeable that the action will have a special economic effect on the value of the property, distinguishable from its effect on the public. A local public official is also considered to have a substantial interest if a close relative has such an interest.

**General rule:** If a local public official has a conflict of interest in regard to a business entity or real property, that official must file an affidavit with the city secretary stating the interest and must abstain from any participation or vote on the matter.

**Exception:** If a local public official has a conflict of interest and files an affidavit, the official is not required to abstain from further participation or a vote on the matter if a majority of the members of the governing body also have a conflict of interest and file an affidavit.

**Penalties:** Penalties for violating the conflict of interest provisions range from having the action voided to the imposition of fines and incarceration.

## **Local Government Code Chapter 176 – Conflicts Disclosure**

Local Government Code Chapter 176 requires that “local government officers”—including mayors, councilmembers, and certain other executive city officers and agents—file a “conflicts disclosure statement” with a city’s records administrator within seven days of becoming aware of any of the following situations:

- A city officer or the officer’s family member has an employment or business relationship that results in taxable income of more than \$2,500 in the preceding 12 months with a person who has contracted with or is considering contracting with the city (“vendor”).
- A city officer or the officer’s family member receives and accepts one or more gifts with an aggregate value of \$100 in the preceding 12 months from a vendor.
- A city officer has a family relationship with a vendor.

The law also requires a vendor to file a “conflict of interest questionnaire” if the vendor has a business relationship with the city and has an employment or other relationship with an officer or officer’s family members, has given a gift to either, or has a family relationship with a city officer. The conflicts disclosure statement and

the conflict of interest questionnaire are created by the Texas Ethics Commission and are available online at [www.ethics.state.tx.us](http://www.ethics.state.tx.us). An officer who knowingly fails to file the statement commits either a class A, B, or C misdemeanor, depending on the amount of the contract.

## **Government Code Chapter 553 – Conflicts Disclosure**

Government Code Chapter 553 requires that city officers and candidates for city office who have a legal or equitable interest in property that is to be acquired with public funds file an affidavit within 10 days before the date on which the property is to be acquired by purchase or condemnation. The affidavit must be filed with: (1) the county clerk of the county in which the officer or candidate resides; and (2) the county clerk of each county in which the property is located.

A person who fails to file the required affidavit is presumed to have committed a Class A misdemeanor offense if the person had actual notice of the acquisition or intended acquisition of the property.

## **Financial Disclosure for Cities of a Population of 100,000 or More**

Chapter 145 of the Texas Local Government Code requires candidates and elected city officials in cities with a population of 100,000 or more to fill out detailed financial statements to be filed with the city secretary or city clerk.

## **Nepotism**

**Definition of "nepotism":** Nepotism is the appointment or employment of a close relative of a city's "final hiring authority (the city council or city manager, depending on the form of government)" to a paid position with the city.

**General rule:** A public official, acting alone or as a member of a governing body, generally may not appoint a close relative to a paid position, regardless of the relative's merit. In addition, a person may not continue to be employed by a city if a close relative is elected to the city council, unless he or she falls under an exception.

**Exception:** If the employee has been continuously employed by the city for a certain period of time, an employee may remain employed by the city if a close relative is elected to city council.

**Exception:** The nepotism statute does not apply to cities with fewer than 200 people.

**Penalties:** Penalties for violating the nepotism provisions include a fine and immediate removal from office.

## Dual Office-Holding/Incompatibility

**Definition of “dual office-holding” and general rule:** The Texas Constitution generally prohibits one person from holding more than one paid public office.

**Definition of “incompatibility” and general rule:** Texas law prohibits one person from holding two public offices, regardless of whether one or both offices are paid, if one position might impose its policies on the other or subject it to control in some other way. There are three types of incompatibility: (1) “self-appointment” incompatibility prohibits a member of a governing body from being appointed to a position over which the governing body has appointment authority; (2) “self-employment” incompatibility prohibits a member of a governing body from being employed in a position over which the governing body has employment authority; and (3) “conflicting loyalties” incompatibility prohibits one person from holding two public offices in which the duties of one office might negatively affect the duties of the other office.

**Penalties:** A person who accepts a prohibited second office automatically resigns the first office.

## Open Government

Before assuming public office, you should become familiar with Texas Open Meetings Act (TOMA) and Public Information Act (PIA). These laws apply to political subdivisions in Texas, including cities, and outline what meetings and information must be open and available to the public.

### Texas Open Meetings Act (TOMA)

The Texas Open Meetings Act (TOMA) reflects the policy that public bodies are engaged in the public’s business. Consequently, city council or board of aldermen meetings should be open to the public and held only after the public has been properly notified. The TOMA governs how city meetings are conducted. Some general principles follow.

**Definition of “meeting”:** A meeting occurs any time a quorum of the city council discusses public business that is within the city council’s jurisdiction, regardless of the location or means of communication (e.g., phone, in person, email).

**General rule:** Every regular, special, or called meeting of the city council and most boards and commissions (depending on membership and authority) must be open to the public.

**Exception:** TOMA does not apply to purely social gatherings, conventions and workshops, ceremonial events, press conferences, or candidate forums, so long as any discussion of city business is incidental to the purpose of the gathering, and no action is taken.

**Exception:** A city may use an online message board that is viewable by the public for city councilmembers to discuss city business. The message board must meet several criteria provided for in TOMA.

**Exception:** Statutorily authorized executive or "closed" sessions, including deliberations concerning: (1) purchase or lease of real property; (2) consultation with attorney; (3) personnel matters; (4) economic development; (5) certain homeland security matters; and (6) certain cyber-security matters.

To hold an executive session, the governing body must first convene in open session, identify which issues will be discussed in executive session, and cite the applicable exception. All final actions, decisions, or votes must be made in an open meeting.

**Agenda:** A governmental body must post an agenda that includes the date, hour, place, and subject of each meeting. The agenda must be posted on a regular or electronic bulletin board at city hall in a place readily accessible to the public at all times for at least 72 hours before the meeting. In addition, for cities that have an Internet website, the city must post the city council's agenda 72 hours before the meeting on that website.

**Records of meetings:** Cities must keep written minutes or recordings of all open meetings, and a certified agenda or recording of all executive/closed meetings, except for closed consultations with an attorney. The minutes must state the subject and indicate each vote, decision, or other action taken, and a city that has a website must post the approved minutes on that website.

Minutes and recording of an open meeting are public records, while certified agendas and recording of a closed meeting are confidential and cannot be released to the public except by court order.

**Penalties:** Penalties for violating the TOMA range from having the action voided to the imposition of fines and incarceration. Any action taken in violation is voidable and may be reversed in a civil lawsuit. There are four criminal provisions under the TOMA, including:



- (1) Knowingly engaging in a series of communications of less than a quorum of members discussing city business that will ultimately be deliberated by a quorum of members;
- (2) Calling or participating in an impermissible closed meeting;
- (3) Participating in an executive session without a certified agenda or recording;
- and
- (4) Disclosing a certified agenda or recording to a member of the public.

## **Texas Public Information Act (PIA)**

The Texas Public Information Act governs the availability of city records to the public. Some general provisions follow.

**Definition of “public information”:** Public information includes any information that is collected, assembled, or maintained by or for a governmental entity, regardless of the format. Public information can include city-related emails or texts on a city official’s personal devices/accounts.

**General rule:** Most information held by a city is presumed to be public information and must be released pursuant to a written request.

**Exceptions:** Specific statutory exceptions to disclosure allow certain types of information to be withheld from the public. Other statutes make certain kinds of information “confidential by law,” meaning that a city must withhold that information from the public. Because there are numerous exceptions, city officials should consult with local counsel immediately on receipt of a request.

**Procedure:** Any member of the public may request information in writing. A city official is prohibited from inquiring into the requestor’s motives and is generally limited to: (1) releasing the information as quickly as is practicable, but generally not later than ten business days following the request; or (2) requesting an opinion from the Texas attorney general’s office within ten business days of the receipt of the request as to whether the information may be withheld. Recent statutory changes and rulings by the attorney general have granted cities the authority to withhold specified types of confidential information without going through the process of seeking an opinion from the attorney general’s office.

**Penalties:** Penalties for violating the PIA range from a civil lawsuit against the city or a city official to the imposition of fines and incarceration. There are three general criminal provisions under the PIA, including: (1) refusing to provide public information; (2) providing confidential information; and (3) destroying government information improperly.

## **Open Government Training**

Each elected or appointed member of a governmental body must take at least one hour of training in both the Open Meetings Act and the Public Information Act. For more information, please visit the attorney general's website at [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov).

## A Basic Glossary of City Government

**Budgeting:** Crafting, passing, and following a city budget are among the most important tasks you will perform as a councilmember. Cities cannot make expenditures except in strict accordance with a budget, and they can levy taxes only in accordance with the budget.

**Conflicts of Interest:** As a councilmember, you are prohibited from voting or deliberating on agenda items that affect your own business, financial interests, or real property. You'll be required to file an affidavit with the city secretary disclosing the details of your conflict, and that affidavit becomes a public record. Also, you are required to disclose in writing the receipt of any gifts or income from any vendor that does business with the city.

**Dual Office-Holding/Incompatibility:** Councilmembers cannot hold other paid public offices; in many cases, they cannot hold other unpaid public offices, either. Further, councilmembers can't take paid jobs with their own city, nor can they appoint themselves to other posts or positions. Finally, think twice about announcing to run for another public office while you're still a councilmember—you may automatically resign your council seat when you do. Check with your city attorney or the Texas Municipal League before considering any other position or job that might be a problem.

**Employment Policies:** In general law cities, the final authority on employment decisions typically rests with the council as a whole. In home rule cities, the charter usually determines who makes employment decisions. As a member of the council, you should familiarize yourself with the city's employment policies and periodically consult with your city attorney to ensure the policies are kept up to date.

**Government Transparency:** The Texas Public Information Act and the Open Meetings Act require access to records and meetings. After a city receives a written request for information under the Public Information Act, it must promptly provide copies or access to information, with limited exceptions. The Texas attorney general generally determines whether information is excepted from disclosure to the public. City councils are required to conduct their meetings in accordance with the Open Meetings Act. City officials are required by law to attend training in both Acts.

**Gifts and Donations:** Cities are prohibited by the Texas Constitution from giving money or any thing of value to a private individual, association, or corporation. The exception to this doctrine is when the city council determines that a donation will serve a public purpose of the city. The decision as to what constitutes a public purpose is left to the discretion of the city council, but may be overturned by a court. State law also places strict requirements on what gifts an elected official or candidate may receive. Officials and candidates should review these rules before giving or accepting any gift.

**Holdover:** The Texas Constitution includes a provision that allows an elected official who is no longer qualified for office to continue to serve until his or her vacancy is filled by a qualified individual. This provision allows a city to continue to conduct business even when it loses one or more councilmembers. However, some disqualifications may prevent the disqualified councilmember from continuing to serve as a holdover, and this issue should be reviewed upon the vacancy being created.

**Liability:** Councilmembers will generally be held personally liable only for actions taken outside the scope of their duties and responsibilities as members of the governing body. However, the city itself will be potentially liable for actions taken by its councilmembers within the scope of their official duties. (See Tort Claims Act below.)

**Meeting:** Almost everyone intuitively knows what a meeting is. For example, a regular meeting of a city council, where agenda items are discussed and formal action is taken, is clearly a meeting. However, according to the Texas Open Meetings Act, other gatherings of the members of a governmental body may constitute a meeting. Generally, any time a quorum is present and city business is discussed, all of the Open Meetings Act requirements, including posting of a notice and preparation of minutes, must be followed.

**Quorum:** A city council must have a quorum to call a meeting to order and conduct business. The number of councilmembers required to establish a quorum varies by city. A quorum in a general law city is determined by state law, and a quorum in a home rule city is spelled out in the city's charter.

**Tort Claims Act:** The Texas Tort Claims Act limits governmental liability and provides for damage caps for governmental entities. The Act provides that liability for engaging in 36 specifically enumerated "governmental functions" (such as provision of police and fire protection, maintaining city parks, and other activities one expects of a local government) is limited by statute to \$250,000 for personal injury claims and \$100,000 for property damage claims. The Tort Claims Act does not generally provide for private causes of action against individual councilmembers for the actions of the city government.

**Votes by Council:** When a council votes on an ordinance or resolution, all that is typically needed to pass the item is a majority of those present and voting. While a quorum is the number needed to conduct a meeting, it is not necessary that a quorum actually vote on each agenda item. Local practices may vary from city to city, however.

## **Good Luck**

We wish you luck in the election. No matter the outcome, you will find the process rewarding and should be proud that you made the decision to offer your time and commitment to the citizens of your city. If you are elected, the Texas Municipal League is here to assist you. Contact us at 512-231-7400 or [www.tml.org](http://www.tml.org).

### **Who Belongs to TML?**

Membership in the League is voluntary and is open to any city in Texas. From the original 14 members, TML's membership has grown to more than 1,150 cities. Over 16,000 mayors, councilmembers, city managers, city attorneys, and department heads are member officials of the League by virtue of their cities' participation. Associate memberships are available to private sector organizations and companies that strive to provide quality services to municipal government.

### **TML Service Statement**

In serving its member cities, the League strives to:

- Represent the interests of member cities before legislative, administrative, and judicial bodies at the state and federal levels.
- Sponsor and conduct an annual conference and other conferences, seminars, meetings, and workshops for the purpose of studying city issues and exchanging information regarding city government.
- Publish and circulate an official magazine and other publications, reports, and newsletters of interest to member cities.
- Provide for and conduct training on relevant and timely topics related to city government.
- Alert member cities of important governmental or private sector actions or proposed actions that may affect city operations.
- Promote the interests of League affiliates (which represent specific professional disciplines in city governments) and TML regions by providing organizational and technical assistance as directed by the Board and consistent with financial resources.
- Promote constructive and cooperative relationships among cities and between the League and other levels of governments, councils of governments, the National League of Cities, educational institutions, and the private sector.

- Provide in a timely manner any additional services or information that individual members may request, consistent with the member cities' common interests and the League's resources.
- Provide administrative services to the Texas Municipal League risk pools so that quality coverages at reasonable and competitive prices can be made available to member cities and their employees.