



Dear Republican Primary Candidate-

Congratulations and thank you for your decision to seek public office in the Republican Primary to be held on March 3, 2020. Attached is the Republican Primary Candidate Packet with helpful information and forms to assist you in filing for a place on the ballot for the Republican Primary Election. Included is a Candidate Platform Review. Although this is not a required document, we encourage each candidate to complete and return it with their application as the NCRP may post each candidates responses on their website. **Note:** Judicial court judge candidates **should not** complete the Platform Review.

On your application, be sure to accurately notate the office sought with any specific number associated with the position. All spaces on the application must be completed. If not applicable, note as such; there should be no balnks on the application.

There is a filing fee. Fees for each office are available on the Secretary of State website. Candidates have the option of paying a filing fee or submitting a petition in lieu of the fee. Follow the rules for obtaining and verification of signatures carefully! These are legal documents so both you and anyone collecting signatures for you must know and follow the rules.

Please know that our acknowledgement of receipt of your application is **not** a certification of your eligibility or a guarantee of a place on the ballot. While we will review your application it is possible that not all problems will be readily apparent. It is always possible that a third party could challenge and investigate the content of your application. Be absolutely certain that all information is complete and accurate on the application and other required materials submitted. **You** are responsible for ensuring that you are eligible to be on the ballot, that the information you provide is accurate and that, if you are submitting petitions, they comply with statutory requirements.

Once a review has been completed, you will be notified if your application is rejected because it failed to meet all applicable legal requirements. If your application is accepted, you will not receive any further correspondence from our office. If your name is accepted, it will appear on the Secretary of State's website.

I hope you find the materials provided to be helpful and useful. Good luck with your campaign and we look forward to seeing you at many of our Nacogdoches County Republican Party events!

Respectfully,

J. Bradley Reynolds
Chairman



CANDIDATE WELCOME PACKET

1. Table of Contents
2. Acknowledgement of Receipt of Packet
3. Letter from County Chair
4. Candidate Platform Review
5. FAQs About the Candidate Platform Review
6. Candidate Contact Information Form
7. Instructions for GOP Data Center Access Request
8. GOP Data Center Access Request Form and Campaign Agreement
9. Important 2020 Primary Election Dates
10. Helpful Contact Info for Candidates
11. Political Advertising: What You Need to Know
12. TxDOT Rules for Posting Campaign Signs
13. Campaign Sign Ordinances
14. Memo - Complying with RPT Rule 43



Acknowledgement of Receipt of
Candidate Filing Packet

I hereby declare that I have received
a Candidate Filing Packet from
_____, Chairman of the
_____ County Republican Party.

County Chariman's signature

Candidate's printed name

Candidate's signature

Candidate's office sought

Date packet received



Dear Candidate:

Congratulations on your decision to seek public office in the Republican Primary Election to be held on March 3, 2020

The contents of this packet are designed to give you helpful information that we think will make your filing and campaigning a little easier.

Now that you have filed the notarized application for a place on the ballot and the required filing fee or nominating petitions appropriate for the office for which you are filing, there are some additional documents included in this packet that you might find useful.

As County Chair I am available by appointment. You may reach me at _____ or by email at _____. Do not hesitate to contact me with any questions that you may have, including questions about the contents of this packet.

Good luck with your campaign and we look forward to seeing you at many of our Party events!

Warm Republican regards,

Chairman _____ County Republican Party



STATE PLATFORM REVIEW

Required by state law to file for a place on the ballot.
SREC Platform can be found at www.TexasGOP.org

Rule No. 43 – Candidate Platform Review

Each candidate running as a Republican for any public office on any ballot in the State of Texas shall be provided a copy of the Platform of the Republican Party of Texas. The Republican Party of Texas shall make an electronic copy of the Platform available to each candidate upon request. The County or State Chairman shall distribute a copy of the Platform to each candidate along with all other candidate application papers. Each candidate, except a candidate for judicial office, may indicate for each bullet point item of the Party Principles included in the Preamble of the Platform, whether the candidate agrees, disagrees, or is undecided, as to each item, with comments if desired. The County or State Chairman shall also request that each non-judicial candidate read the entire Platform and choose at least ten (10) line items from the Platform that the candidate strongly supports. The SREC shall also have the newest Platform available to the candidates within two (2) months after its adoption by the State Convention. All candidates for non-judicial offices should file the completed Platform Review containing the candidate’s responses at the time of filing for office. Candidates’ responses shall be collected and recorded by the Republican Party of Texas and published on the Party’s website prior to the primary. A copy of the candidates’ responses filed with a County Chairman shall be forwarded to the State Chairman within ten (10) days of receipt. At the discretion of the Officials Committee of the SREC, a candidate’s response may be excluded from or edited prior to posting to the website of the Republican Party of Texas.

Rule No. 43A

The Platform Committee of the biennial State Convention shall prepare a list of no less than ten (10) and no more than twenty (20) principles included in the Preamble of the Platform of the Republican Party of Texas which clearly defines the Party’s values, with the knowledge and purpose that they be used to identify candidate values as stated in Rule No. 43. A candidate must return the candidate’s completed Platform Review and the completed Candidate Resource Committee (CRC) funding application to be eligible to receive funds from the CRC of the SREC.

PRINCIPLES

- | | | | |
|--|--------------------------------|-----------------------------------|------------------------------------|
| 1. Strict adherence to the original intent of the Declaration of Independence and U.S. and Texas Constitutions. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Undecided |
| 2. The sanctity of human life, created in the image of God, which should be protected from fertilization to natural death. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Undecided |
| 3. Preserving American and Texas Sovereignty and Freedom. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Undecided |
| 4. Limiting government power to those items enumerated in the U.S. and Texas Constitutions. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Undecided |
| 5. Personal Accountability and Responsibility. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Undecided |
| 6. Self-sufficient families, founded on the traditional marriage of a natural man and a natural woman. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Undecided |
| 7. Having an educated population, with parents having the freedom of choice for the education of their | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Undecided |

Not a primary election document.

CANDIDATE PLATFORM REVIEW

children.

- 8. Americans having the right to be safe in their homes, on their streets, and in their communities, and the unalienable right to defend themselves. Agree Disagree Undecided
- 9. A free enterprise society unencumbered by government interference or subsidies. Agree Disagree Undecided
- 10. Honoring all of those that serve and protect our freedom. Agree Disagree Undecided
- 11. "The laws of nature and nature's God" as our Founding Fathers believed. Agree Disagree Undecided

Comments: _____

PLATFORM REVIEW

Please list at least ten line items from the Party Platform that you strongly support:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

Signature _____ Date _____

Printed Name _____

PLEASE RETURN COMPLETED FORM TO:

County Chairman: _____
_____ County Republican Party



FAQS ABOUT THE CANDIDATE PLATFORM REVIEW

Q: Is the Platform Review required to be completed by a candidate in order to allow them to apply for candidacy?

A: The Platform Review is NOT required by state law or the Republican Party to file for a place on the ballot.

Q: Which candidates should not complete the Platform Review?

A: Judicial candidates should not be asked to complete the review. By completing the Platform Review, a judicial candidate would be in violation of the code of judicial conduct and possibly recused from any case regarding a plank on the Platform. County Judges and JPs are not considered judicial candidates for the purpose of completing this review.

Q: After a candidate completes the Platform Review, who do they submit it to?

A: A completed Platform Review is submitted to the same authority to which their candidate application was submitted. A candidate running for an office that is contained entirely within one county submits the completed Platform Review to their County Chair.

Q: How long is a candidate's completed Platform Review made available upon request?

A: A candidate's completed Platform Review shall be made available by the appropriate party official for one year from the date of filing at reproduction costs to any person requesting such.

Q: Where can the most current copy of the Party Platform be found?

A: The Party Platform can be found on RPT's website under "About the Party" at www.TexasGOP.org.

Q: Should a candidate read the Party Platform?

A: Yes!

Q: Can the county party post the responses to the Platform Review on their website?

A: Yes. Make sure what you do for one candidate or race, you do for all.

Q: When will the next revision of the Party Platform be available on the RPT website?

A: The SREC shall have a new platform available within two months after the adoption of the Texas Republican Party Platform by the RPT Convention Delegates.



CANDIDATE CONTACT INFORMATION FORM

Please include direct contact information in the box in the event we need to contact you regarding an issue with your filing. Information in the box **will not** be shared publicly.

Information for Internal Use Only

Full Name: _____

Name on Ballot: _____

Office Sought: _____ Place/District: _____

Personal Phone: _____

Personal Email Address: _____

Any information included below may be shared publicly. Please print clearly.

Campaign Phone: _____

Campaign Email Address: _____

Facebook: _____

Twitter: _____

Campaign Website: _____

Campaign Address: _____

Campaign City: _____ Campaign Zip: _____

PLEASE RETURN COMPLETED FORM TO:

_____, **Chairman**

_____ **County Republican Party**

Paid for by the _____ County Republican Party and not authorized by any candidate or candidate's committee.
Not a primary election document.



INSTRUCTIONS FOR GOP DATA CENTER ACCESS REQUEST

1. Please write clearly.
2. You must provide an email address in order to be granted access.
3. Your Legal Name; the same name listed on your voter registration card.
4. To expedite processing of your request, ensure that your information is readable, complete, and correct.
5. Must be signed by county chair or SREC before submission
6. Please submit completed forms to the Republican Party of Texas (RPT) by email at gopdata@texasgop.org or by fax at 512-480-0709.
7. Once access is granted, you will receive an automatically generated email from GOP Data Center containing your access information.
8. Check your spam and junk folders because often the email with your access information is sent there.

Special Instructions for Candidates and Campaign Staff

1. All candidates must complete and submit the campaign agreement and the individual user agreement.
2. For candidates and campaign staff, specify on the individual user agreement:
 - The candidate's name
 - Office sought
 - Any distinguishing numbers, such as District, Place, etc.
3. If the district for the office sought isn't specified, and it covers a multi-county area, you will only be granted access to your home county.
4. For the Republican nominees in the general election, the candidate and campaign staff will have access through November 30, 2020. All other candidates and their campaign staff will not have access after it is determined that a candidate no longer has a place on the ballot in the runoff or general election.



Republican Party of Texas GOP Data Center Access Request Form 2019



(PLEASE PRINT LEGIBLY AND COMPLETE ALL FIELDS)

Date: _____

Legal Name: _____

Address: _____

City: _____ Zip Code: _____

County: _____

Voter Certificate Number (VUID): _____

Phone: _____

E-mail address: _____

Title / Office Held (check all that apply):

- SREC
- Candidate/Campaign
- County Chair
- Volunteer
- Party Officer
- Precinct Chair (Pct # _____)

Party / Organization / Campaign: _____

Reason for Access: _____

Allow for five to seven business days for processing of this application. Ineligible applications may be delayed or rejected.

ACCESS WILL NOT BE GRANTED WITHOUT THIS FORM AND A SIGNED USER AGREEMENT FORM.

Mail, fax, or email this completed form and the signed user agreement to:

P.O. Box 2206 Austin, TX 78768 512-480-0709 (Fax) gopdata@texasgop.org (Email)

TEXAS VOTER FILE USER AGREEMENT

In order to gain access to the voter registration and other information contained in the GOP Data Center, you must affirmatively accept these terms by signing at the bottom of the page to indicate your understanding of and agreement to the terms under which access to GOP Data Center is granted.

This Texas Voter File User Agreement (the "Agreement") is entered into by and between the Republican Party of Texas ("RPT"), the Republican National Committee ("RNC"), and the undersigned user ("User").

In consideration of the mutual promises and agreements contained in this Agreement, including without limitation, the recitals set forth above, the value and sufficiency of which are hereby acknowledged, the parties additionally agree as follows:

1. Non-Exclusive Access – User will be given non-exclusive access via the Internet to the portion of the Voter File deemed appropriate in the sole discretion of the RPT and RNC (the applicable portion of the Voter File will be referred to as the "File" hereafter) for the limited use set forth in this Agreement.
2. Denial of Access – User understands that RPT may deny access to the File. Denial of access may occur due to: past Democrat primary voting history; User has no justifiable reason for accessing the File; User uses the File to assist the Democrat Party or its candidate(s); User fraudulently updates information in the File; User access to the File would be a violation of federal, state, or local statute; and any other legitimate reasons the RPT finds which may conflict with the law or the operating rules/bylaws of the organization.
3. Limited Use – User agrees that he will use the File and use any information extracted from the File exclusively for political purposes for or on behalf of User's local party/organization/campaign/entity. User acknowledges that each and every individual within a local party/organization/campaign/entity that is given access to the File must agree to this Texas Voter File User Agreement. Immediately after the authorized usage, all information derived from the File shall be completely destroyed and/or erased from all storage devices upon which it resides. User agrees to avoid any action that may impair the RPT's or the RNC's ownership rights in the File and its related information. User agrees that use of the File or any information contained therein is limited to the duration of this Agreement. Further, User shall not disclose, transfer, duplicate, reproduce, or retain information contained in the File in any form or manner, nor permit any employee, agent, contractor or third party to do so, except in those computer processing activities necessary to obtain the information in a usable form for the authorized use of the File as set forth in this Paragraph 2. **Under no circumstances will User make or permit any commercial usage of the File or information contained therein.**

4. Username and Password – RPT will provide User with one username and password for access to the File. **User shall not share his username and password with any other individual or entity.** User also agrees to immediately advise the RPT if User has reason to believe that his username and password have been obtained by any other individual, organization, or entity.
5. No Assignment – User shall not assign this Agreement.
6. Legal Compliance – User understands that any data acquired from a state, county or local government in connection with the construction or maintenance of a statewide registered voter file are, when in their original governmental entity-supplied format, considered to be public data, and the use thereof is subject to the laws and regulations of the originating state and/or county or local governmental entity. User shall be exclusively responsible for complying with the laws and regulations of the United States, the State of Texas, and all relevant localities, with respect to his use of any and all data incorporated into the File. Further, User is responsible for any and all use of the File or the information contained therein as well as any other activity related to use of the File obtained or conducted using his username.
7. Monitoring of Access - User understands that the File is monitored to deter improper and unauthorized use by a combination of methods, including, without limitation, activity reports, access times, access locations, as well as the insertion of planted and/or varied names and addresses. Such allows tracing the use of the File to a given User.
8. Term – User agrees that access to the File is granted as a temporary privilege granted by the RPT or the RNC and may be revoked at any time by the grantor. User also understands that access to the File will be terminated no later than thirty (30) days after the User’s eligibility expires. Public and party officers shall retain access to the File while he/she is in office. Candidates shall retain access to the File while he/she is a candidate.
9. NO WARRANTIES OR LIABILITY – RPT AND RNC makes no warranties, whether express or implied, or representations of any kind, regarding the accuracy or completeness of information contained in the File. User agrees that neither the RPT nor the RNC, nor either’s representatives shall have any liability to him or his representatives resulting from the provision or use of the information. In no event shall RPT or RNC be liable for any indirect, special, incidental, consequential (including without limitation damages for loss of profits, business interruption, loss of data or other pecuniary damages) or punitive damages whether under tort, contract, strict liability, statute or otherwise.
10. HOLD HARMLESS – USER WILL HOLD HARMLESS AND FULLY INDEMNIFY RPT AND/OR RNC IN THE EVENT ANY THIRD PARTY OR THIRD PARTY REPRESENTATIVE AT ANY TIME IN THE FUTURE MAKES ANY CLAIM(S) AGAINST RPT AND/OR RNC ARISING OUT OF THE ACTIONS/INACTION OF USER RELATED TO THE FILE.
11. Confidentiality – User acknowledges and agrees that the Voter File, the File, the format and manner in which it is accessed and manipulated, and the resulting information obtained therefrom, is confidential and proprietary and shall be held in strict confidence and shall not be disclosed or used except as set forth in this Agreement. User agrees to use best efforts to protect such confidential and proprietary information.
12. Remedies – User acknowledges and agrees that, in the event of any breach of this Agreement, the RPT and the RNC would be irreparably and immediately harmed and could not be made whole by monetary damages. Accordingly, it is agreed that, in addition to any other remedy to which it may be entitled at law or in equity, the RPT and RNC shall be entitled to an injunction or injunctions (without the posting of any bond and without proof of actual damages) to prevent breaches or threatened breaches of this Agreement and/or to compel specific performance of this Agreement, and that neither User nor his representatives will oppose the granting of such relief. User also agrees to reimburse the RPT and RNC for all costs and expenses, including attorneys’ fees, incurred by the RPT and RNC in attempting to enforce the obligations of User or of his representatives hereunder. RPT and RNC do not intend that any remedy given to it under this Agreement be exclusive, but each shall be cumulative and in addition to any other remedy RPT and RNC have by virtue of this Agreement or otherwise available to it at law or in equity.
13. Waiver – No waiver of any default of this Agreement constitutes a waiver of any prior or subsequent breach of the same, or any prior, concurrent, or subsequent default or breach of any other provision of this Agreement, and no waiver is effective unless made in writing and signed by RPT or RNC.
14. Governing Law – This Agreement shall be governed by, construed, and enforced in accordance with and subject to the internal laws of the State of Texas, without regard to its conflicts of law principles, and venue for any dispute arising out of or concerning this Agreement shall be proper only in Travis or Williamson County, Texas.
15. Severability – If any provision of this Agreement is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.
16. Survival - Paragraphs 6, 9, 10, 11, 12, 14, and 15 will survive termination or expiration of this Agreement.
17. Entirety – This Agreement, including any attachments, is intended by the parties to be the final, complete and exclusive embodiment of their agreement about the matters covered in this Agreement, and no prior stipulation, agreement or understanding of the parties or agents is valid or enforceable. This Agreement may not be altered, amended, or changed in any way except by a written instrument executed by both parties. In the event of a conflict between this Agreement and any attachment, this Agreement will control.

If you are in agreement with all of the terms and conditions stated herein, please execute the following User on behalf of Self & Campaign/Organization

BY
(SIGNATURE): _____

NAME (PRINT):

In order to expedite the application process, have your local State Republican Executive Committee (SREC) member or Republican County Chair approve your application prior to submitting it to the Republican Party of Texas.

| | |
|--|----------------|
| FOR USE BY SREC AND COUNTY CHAIRMAN ONLY | |
| I certify that the person listed above is a Republican candidate, party officer, precinct chairman, or volunteer and should be granted access to the GOP Data Center system. | |
| _____ Signature | _____ Title |
| _____ Printed Name | _____ Date |

***Only complete the rest of this agreement if you
are associated with a campaign.***



REPUBLICAN PARTY OF TEXAS

P.O. Box 2206
Austin, TX 78768
Phone: 512.477.9821
Fax: 512.480.0709
www.texasGOP.org

GOP DATA CENTER ACCESS AGREEMENT

This GOP Data Center Access Agreement ("Agreement") is entered into as of the latest date on the signature page hereto by and between the Republican Party of Texas with offices located at 211 E 7th Street, Suite 915, Austin, TX 78701 ("STATE PARTY"), and the (insert name of campaign)

with principal offices located at (insert address)

("CAMPAIGN").

Whereas, the STATE PARTY has licensed computer software designed for building and maintaining a registered voter file and for providing access to said registered voter file over the Internet; and

Whereas, CAMPAIGN will provide enhancements to said registered voter file and provide such enhancements back to the STATE PARTY;

Now, therefore, for the mutual consideration set forth herein, the receipt and adequacy of which is hereby acknowledged, the parties hereby agree as follows:

1. Services to be Performed.

- a. For purposes of this Agreement, the term "State Voter File" shall refer to the voter file of the State, including, without limitation, the list of registered voters, any related demographic or personal information, vote history, research or survey results, and any and all other information, in each and every field, whether provided by the STATE PARTY or CAMPAIGN, and contained in or appended to the voter file and/or incorporated into the GOP Data Center application.
- b. STATE PARTY Services. The STATE PARTY will use its best efforts to provide access to the CAMPAIGN, throughout the term of this Agreement, to the State Voter File over the Internet using the GOP Data Center Software. The STATE PARTY will participate in the process of updating and enhancing the State Voter File as is necessary and appropriate, and as mutually agreed.
- c. CAMPAIGN Services. CAMPAIGN will update and enhance the State Voter File via the Internet or another mutually agreeable method. Such updates and enhancements will be provided to the STATE PARTY at mutually agreeable times and in mutually agreeable formats.
- d. There are no monetary fees associated with the services rendered pursuant to this Section 1, provided such services are within the mutually agreed upon file update schedule. The actions taken by the parties in this section shall be a mutual exchange of equal value to the parties.
- e. The STATE PARTY reserves the right to provide an appropriately limited jurisdictional subset of the State Voter File to the CAMPAIGN per the needs of the CAMPAIGN as determined by the STATE PARTY.

2. Legal Compliance.

- a. All files, lists, or other data that are acquired from a state, county or local government in connection with the construction of a statewide voter file, when in their original governmental entity-supplied format, are considered to be public data, and the use thereof is subject to the laws and regulations of the originating state and/or county or local governmental entity.
- b. CAMPAIGN shall be exclusively responsible for complying with the laws and regulations of the United States, and all relevant states and localities, regarding its use of any and all data incorporated into GOP Data Center.
- c. The STATE PARTY shall be exclusively responsible for complying with the laws and regulations of the United States, and all relevant states and relevant localities, regarding its use of any and all data incorporated into GOP Data Center.
- d. The STATE PARTY shall be exclusively responsible for complying with all relevant laws and regulations regarding the posting of voter data on the Internet.

3. Permissible GOP Data Center Usage.

It is understood and agreed that the information contained in GOP Data Center may be used for any legal purpose that may reasonably be categorized as both non-commercial and political. Under no circumstance shall any information incorporated into GOP Data Center be used for a commercial purpose.

If any user is discovered to have made any modification or addition to the data with malicious intent or with knowledge that such modification was false, the STATE PARTY and CAMPAIGN each reserve the right to immediately suspend or terminate access for that user.

GOP Data Center may only be used for the benefit of a Republican Candidate for Office or a candidate seeking office who is Republican.

4. Ownership.

- a. Ownership of Data. CAMPAIGN and STATE PARTY agree that the State Voter File and all lists and information contained therein, including any miscellaneous data collected by CAMPAIGN to update the State Voter File, is and shall remain the property of the Republican Party of Texas.
- b. The STATE PARTY and CAMPAIGN may create Private Fields. Private Fields must consist solely of data not at the time contained in the State Voter File. Private Fields must consist solely of data that is not essential to the basic functioning and utility of the State Voter File. An example of permissible Private Field includes but is not limited to data points gathered in contested primaries of which candidates desire such data to be kept from his/her opponent. Private Fields will be permitted to be used by CAMPAIGN and the STATE PARTY and will only be accessible to other campaigns or users upon express mutual consent.

5. Access by Authorized Users.

- a. STATE PARTY, acting through an authorized employee, shall be responsible for granting individual GOP Data Center access by means of assigning log-on names and passwords.
- b. The STATE PARTY shall not provide any individual with a password except pursuant to the STATE PARTY's own use policy and standards, and shall maintain accurate records of all

Authorized Users to whom passwords have been provided. The STATE PARTY shall inform all of its Authorized Users that passwords are not to be shared with any other individual and that passwords may only be distributed by the STATE PARTY.

- c. The STATE PARTY reserves the right to revoke or otherwise block access to GOP Data Center with respect to any user at any time.

6. Confidentiality.

Both the STATE PARTY and CAMPAIGN acknowledge that GOP Data Center and the State Voter File contain proprietary and confidential information and technology. No information regarding GOP Data Center or the State Voter File, or the STATE PARTY's or CAMPAIGN's use of either, shall be disclosed to any third party, except as provided in this Agreement. Each party agrees to use reasonable measures and efforts to provide protection for all such confidential information. This confidentiality provision shall not inhibit either party to this Agreement from providing access to the State Voter File or GOP Data Center, provided such access is granted according to the terms and conditions set forth herein. Additionally, this confidentiality provision shall not apply to information that is public knowledge prior to its disclosure by a party hereto. Each party hereto acknowledges and agrees that the other party will suffer irreparable injury and shall be entitled to injunctive relief upon such breach of this confidentiality provision in addition to any other remedy to which it may be entitled, either in law or in equity, without the necessity of posting bond or other security and a party may disclose confidential information as necessary in any action or proceeding to enforce the terms of this Agreement, and may disclose confidential information if and to the extent such disclosure is required by any applicable laws, lawful process, or judicial order.

7. Limitations of Liability.

- a. **Exclusive Remedy.** The rights and remedies granted to CAMPAIGN under this Agreement constitute CAMPAIGN's sole and exclusive remedy against the STATE PARTY, its officers, agents and employees for breach of warranty, express or implied, or for any default whatsoever relating to the condition of the work or the STATE PARTY's duties to provide services. Nothing in this section shall be construed to allow CAMPAIGN to seek a judgment under this Agreement that reaches the assets of STATE PARTY's officers, agents, or employees.
- b. The members, officers, employees, and agents of the Republican Party of Texas (RPI), as well as the members of the State Republican Executive Committee of the RPT, shall not be held personally liable for any debt, liability of obligation of the RPT. All persons, corporations or other entities extending credit to, contracting with, or having any claim against the RPT, may look only to the funds and property of the RPT for payment of any such contract or claim or for the payment of any debt, damages, judgment or decree or any money that may otherwise become due or payable to them from the RPT. It is understood that the RPT will not be responsible for the payment of, or withholding of personnel-related federal, state, and/or local taxes, payroll taxes, Social Security taxes, health insurance, unemployment insurance, and any other similar personnel costs in connection with the agreement.

8. Term and Termination.

- a. **Term.** This Agreement shall be effective upon execution and shall continue in full force and effect until April 1, 2020, unless otherwise terminated in accordance with Section 8(b).
- b. **Termination.** This Agreement may be terminated pursuant to the following:

I. CAMPAIGN may terminate this Agreement if the STATE PARTY materially fails to perform or comply with this Agreement or any provision hereof; and

II. The STATE PARTY may terminate this Agreement at any time in its sole discretion.

9. Survival.

Paragraphs 4, 6, and 7 shall survive any termination or expiration of this Agreement.

10. Controlling Law and Venue.

This Agreement shall be construed in accordance with, and controlled by the laws of, the State of Texas (the "State") as they apply to contracts performed entirely within the State, without regard to principles of conflicts of laws. The parties agree to jurisdiction and venue in the State.

11. Attorneys' Fees.

In any litigation arising out of or relating to this Agreement, the prevailing party will be entitled to recover its reasonable attorneys' fees, costs and other expenses.

12. Entire Agreement.

This Agreement does not constitute an offer by either party and it will not be effective until signed by both parties. Upon execution by both parties, this Agreement will constitute the entire agreement between the parties with respect to the subject matter hereof. This Agreement shall supersede all prior or contemporaneous agreements, discussions, or representations, whether oral or written, with respect to the subject matter of this Agreement (including earlier versions of such subject matter). This Agreement shall not be modified except by a written addendum signed on behalf of CAMPAIGN and the STATE PARTY by their respective duly authorized representatives.

13. Severability.

If any provision of this Agreement is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

14. Waiver.

No waiver of any breach of any provision of this Agreement shall constitute a waiver of any prior, concurrent or subsequent breach of the same or any other provisions hereof, and no waiver shall be effective unless made in writing and signed by an authorized representative of the waiving party.

15. Section Headings.

The section headings used in this Agreement are intended for convenience only and shall not be deemed to supersede or modify any provisions.

16. Counterparts and Facsimile.

This Agreement may be executed in counterparts, each of which shall be deemed an original and both of which shall together constitute a single instrument. This Agreement may be executed via facsimile or email with pdf attachments, which signature shall be deemed legal and binding as original signatures hereto.

17. Authority.

CAMPAIGN and the STATE PARTY represent and warrant that they are duly authorized to enter into this Agreement. The undersigned warrant that they have the authority to bind the parties.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed on their behalf by their respective, duly authorized, proper signatories.

For the CAMPAIGN:

Signature

Print Name & Title

Date

For the STATE PARTY:



Signature

Kyle Whatley - Executive
Print Name & Title Director

9-1-19

Important 2020 Election Dates

Primary Election - Tuesday March 3, 2020

| | |
|--|---|
| First day to file for a place on the Primary ballot for precinct chair candidates. | Tuesday, September 10, 2019 |
| First day to file for all other candidates for offices that are regularly scheduled to be on the Primary ballot; first day for independent candidates to file declaration of intent. | Saturday, November 9, 2019 |
| Filing deadline for candidates; filing deadline for independent candidates to file declaration of intent. | Monday, December 9, 2019 at 6:00 PM |
| First day to apply for a ballot by mail using Application for a Ballot by Mail (ABBM) or Federal Postcard Application (FPCA). | Wednesday, January 1, 2020* *First day to file does not move because of New Year's Day holiday. An "Annual ABBM" or FPCA for a January or February 2020 election may be filed earlier, but not earlier than the 60th day before the date of the January or February election. |
| Last Day to Register to Vote | Monday, February 3, 2020 |
| First Day of Early Voting | Tuesday, February 18, 2020* *First business day after Presidents' Day |
| Last Day to Apply for Ballot by Mail (Received, not Postmarked) | Friday, February 21, 2020 |
| Last Day of Early Voting | Friday, February 28, 2020 |
| Last day to Receive Ballot by Mail | Tuesday, March 3, 2020 (Election Day) at 7:00 p.m. if carrier envelope is not postmarked, OR Wednesday, March 4, 2020 (next business day after Election Day) at 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply) ⁴ |

Primary Runoff Election - Tuesday May 26, 2020

| | |
|--|---|
| First day to apply for a ballot by mail using Application for a Ballot by Mail (ABBM) or Federal Postcard Application (FPCA) | Wednesday, January 1, 2020* *First day to file does not move because of New Year's Day holiday. An "Annual ABBM" or FPCA for a January or February 2020 election may be filed earlier, but not earlier than the 60th day before the date of the January or February election. |
| Last Day to Register to Vote | Monday, April 27, 2020 |
| First Day of Early Voting | Monday, May 18, 2020 |
| Last Day to Apply by Mail (Received, not Postmarked) | Friday, May 15, 2020 |
| Last Day of Early Voting | Friday, May 22, 2020 |
| Last Day to Receive Ballot by Mail | Tuesday, May 26, 2020 (Election Day) at 7:00 p.m. if carrier envelope is not postmarked, OR Wednesday, May 27, 2020 (next business day after Election Day) at 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply) ⁴ |

Helpful Contact Info for Candidates

| | |
|---|--|
| <p>County Chairman</p> <p><i>Bradley Reynolds</i></p> <p><i>3524 NE Stallings Dr. Ste 300, Nacogdoches</i></p> <p><i>936-564-0110</i></p> <p><i>936-554-0938</i></p> <p><i>chairman@nacgop.com</i></p> | <p>Texas Secretary of State (Elections Division)</p> <p><u>Mailing Address:</u></p> <p>Elections Division</p> <p>Secretary of State</p> <p>PO Box 12060</p> <p>Austin, Texas 78711-2060</p> <p>Phone: 512-463-5650</p> <p>Toll free: 800-252-VOTE (8683)</p> <p>Fax: 512-475-2811</p> <p>Hours: 8am – 5pm, Mon – Fri</p> <p>http://www.sos.state.tx.us/</p> |
| <p>County Elections Office</p> <p><i>203 West Main St. Ste. 113, Nacogdoches</i></p> <p><i>936-560-7825</i></p> <p><i>www.co.nacogdoches.tx.us/electioninformation</i></p> <p><i>tstallings@co.nacogdoches.tx.us</i></p> | <p>Texas Ethics Commission</p> <p><u>Physical Address:</u></p> <p>201 East 14th St., 10th Floor</p> <p>Austin, Texas 78701</p> <p><u>Mailing Address:</u></p> <p>P. O. Box 12070</p> <p>Austin, Texas 78711-2070</p> <p>Phone: 512-463-5800</p> <p>TDD: 800-735-2989</p> <p>Fax: 512-463-5777</p> <p>Hours: 8am – 5pm, Mon – Fri</p> <p>http://www.ethics.state.tx.us/</p> |
| <p>County Republican Headquarters</p> <p><i>Address</i></p> | <p>Republican Party of Texas</p> <p>PO Box 2206</p> |

| | |
|---|---|
| <p><i>Phone</i></p> <p><i>Fax</i></p> <p><i>Website</i></p> <p><i>Email</i></p> | <p>Austin, Texas 78768</p> <p>Phone: 512-477-9821</p> <p>Fax: 512-480-0709</p> <p>Hours: 8:30am – 5:30 pm, Mon – Fri</p> <p>http://www.texasgop.org/</p> |
| <p>2020 Primary Elections Administrator</p> <p><i>Todd Stallings</i></p> <p><i>203 West Main St. Ste. 113, Nacogdoches</i></p> <p><i>936-560-7825</i></p> <p><i>www.co.nacogdoches.tx.us/electioninformation</i></p> <p><i>tstallings@co.nacogdoches.tx.us</i> Address</p> | <p>Federal Election Commission</p> <p><u>Mailing Address:</u></p> <p>999 E. Street, NW</p> <p>Washington, DC 20463</p> <p>Phone: 202-694-1000</p> <p>Toll free: 800-424-9530</p> <p>TTY: 202-219-3336</p> <p>http://www.fec.gov/</p> |

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.

Revised July 16, 2019

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.

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](#).

TxDOT Rules for Campaign Signs

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers that are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful. TxDOT only regulates campaign signs under chapter 394 of the Texas Transportation Code.

You Need to Know

- It is illegal to place any signs on or within the right of way. This includes posting signs on trees, telephone poles, traffic signs and other objects on the right of way.
- Campaign signs along Texas roads can be placed on private property with the owner's permission.
- Before placing a sign inside of incorporated city limits, check with the city for applicable ordinances.

More information can be found in the [Political and Campaign Signs pamphlet](#).

Sign Removal

If you've placed your sign in the right of way or it's posing a traffic hazard, we will remove it without prior notice. All costs associated with sign removal will be paid by the sign owner.

More Information

TxDOT only controls the placement of signs in relation to the highway. For other questions concerning campaign signs or political advertising, you may wish to visit the [Texas Ethics Commission](#).

Contact Us

(512) 416-3030

[Email](#)

Campaign Sign Ordinances

| Area | Sign Out Before Election Day | Sign Removal After Election Day | Phone Number |
|---------------|------------------------------|---------------------------------|--------------|
| Texas (TxDOT) | 90 days (Rural Roads) | 10 days (Rural Roads) | 512-416-3030 |
| County | | | |
| City | | | |
| Subdivision | | | |
| | | | |
| | | | |
| | | | |

To: All County Republican Candidates
From: County Chairs
Date: September 1, 2017
Subject: Complying with Rule No. 43 of the Republican Party of Texas



When a candidate files to run for office, they will be encouraged to read the State Republican Party Platform which can be found on RPT's website at www.TexasGOP.org under the section "Issues". Additionally, they will be given a Platform Review, which asks candidates if they agree, disagree or are undecided on core Republican principles. Candidates are asked to affirm that they have read the State Republican Party Platform. All responses obtained locally will be kept on file at the County Republican Headquarters.

It is understood that Judicial Candidates will not be able to complete the Platform Review on the core Republican principles. You are, however, encouraged to read the platform and sign the affirmation stating that you have done so. Should you have any questions, comments or concerns, please feel free to visit with me.

Rule No. 43 was approved by the Delegates at the 2016 Republican Convention. The rule is intended to address grassroots frustration with candidates and officeholders who run under our Party banner yet lack an understanding of Republican Principles.

Rule No. 43 – Candidate Platform Review - www.texasgop.org

Each candidate running as a Republican for any public office on any ballot in the State of Texas shall be provided a copy of the Platform of the Republican Party of Texas. The Republican Party of Texas shall make an electronic copy of the Platform available to each candidate upon request. The County or State Chairman shall distribute a copy of the Platform to each candidate along with all other candidate application papers. Each candidate, except a candidate for judicial office, may indicate for each bullet point item of the Party Principles included in the Preamble of the Platform, whether the candidate agrees, disagrees, or is undecided, as to each item, with comments if desired. The County or State Chairman shall also request that each non-judicial candidate read the entire Platform and choose at least ten (10) line items from the Platform that the candidate strongly supports. The SREC shall also have the newest Platform available to the candidates within two (2) months after its adoption by the State Convention. All candidates for non-judicial offices should file the completed Platform Review containing the candidate's responses at the time of filing for office. Candidates' responses shall be collected and recorded by the Republican Party of Texas and published on the Party's website prior to the primary. A copy of the candidates' responses filed with a County Chairman shall be forwarded to the State Chairman within ten (10) days of receipt. At the discretion of the Officials Committee of the SREC, a candidate's response may be excluded from or edited prior to posting to the website of the Republican Party of Texas.

Rule No. 43A

The Platform Committee of the biennial State Convention shall prepare a list of no less than ten (10) and no more than twenty (20) principles included in the Preamble of the Platform of the Republican Party of Texas which clearly defines the Party's values, with the knowledge and purpose that they be used to identify candidate values as stated in Rule No. 43. A candidate must return the candidate's completed Platform Review and the completed Candidate Resource Committee (CRC) funding application to be eligible to receive funds from the CRC of the SREC.



WHEN TO FILE APPLICATIONS FOR PLACE ON THE PRIMARY BALLOT

LOCATION FOR ALL THE FOLLOWING APPLICATION ACCEPTANCE DATES:

3524 NE STALLINGS DRIVE, SUITE 300, NACOGDCHES, TEXAS 75965 (ACROSS FROM NACOGDOCHES HIGH SCHOOL)

DATES & TIMES:

MONDAY - NOVEMBER 11 – 8AM TO 10AM

WEDNESDAY -NOVEMBER 20 – 11AM TO 1PM

WEDNESDAY - DECEMBER 4 – 12PM TO 2PM

MONDAY - DECEMBER 9 – 4PM TO 6PM – PLEASE NOTE: NO APPLICATIONS WILL BE RECEIVED AFTER 6PM

BALLOT DRAW

WEDNESDAY - DECEMBER 18TH @ 5:30PM AT THE ANNEX

Nacogdoches County Elections Office's 2020 Unofficial County Candidate's Guide for Democratic and Republican Primaries

Overview

This guide is designed to answer common questions candidates have about running for local **County** offices. Additional information is also available at www.NacVotes.com. This guide does not replace the official "Candidate's Guide" published by the Texas Secretary of State's Office which can be found on their website, the Texas Election Code, or any other laws related to Texas elections.

The questions I will try to best answer in this guide are:

When are the 2020 Elections?

Which local District/County offices are up for Election in 2020?

What are the qualifications to run for a local office?

How and when do I file to run for office?

How much does it cost to run for office? / How many petition signatures are needed?

Where will my name appear on the ballot and how is the order determined?

What information does the Elections Office provide for candidates?

What do I need to know about political advertising and campaign signs?

Am I able to register people to vote?

Where are the polling places? / Are maps available?

When can I find out election results?

What do I need to know about campaign finance reports?

When are the 2020 Elections?

2020 Democratic and Republican Primary Elections – March 3rd, 2020

2020 Uniform Election Date for Cities, Schools, etc. – May 2nd, 2020

2020 Primary Runoff Elections – May 26th, 2020

2020 General Election – November 3rd, 2020

Which local District/County offices are up for Election in 2020?

District Judge, 145th Judicial District
District Judge, 420th Judicial District
District Attorney, 145th Judicial District
County Attorney
Sheriff
Tax Assessor-Collector
County Commissioner, Precinct No. 1
County Commissioner, Precinct No. 3
Constable, Precinct No. 1
Constable, Precinct No. 2
Constable, Precinct No. 3
Constable, Precinct No. 4

Note - All Offices Listed Have 4 Year Terms

What are the qualifications to run for a local office?

You must be a United States Citizen – All Offices

You must be a Texas Resident for 12 Months – All Offices except District Judge

You must be a Texas Resident for 24 Months – District Judge

You must be a District Resident for 6 Months – All Offices except District Judge

You must be a District Resident for 24 Months – District Judge

You must be registered to vote in the territory which you are seeking office by the filing deadline of December 9th 2019.

Your voter registration or address update does not become valid until 30 days from the date you submit a new application. What this means is if you do not register to vote/update your address for the territory in which you are wanting to seek office by November 10th, 2019, then you can't file to run for office in that territory. If you are already registered in the County and are running for a Countywide office, it won't matter as far as your eligibility if you update your address within the County after November 10th, 2019. It does matter though if you are wanting to run for a specific Precinct office. For example, if you are currently registered to vote in Precinct 1, then you can't update your voter registration to a Precinct 2 address after November 10th, 2019 and then file to run for office in Precinct 2.

You must be 18 years of age – All Offices except District Judge

You must be 25 years of age – District Judge

You must be a Practicing Lawyer or Judge for 4 Years to file to run for District Judge

You must be a Practicing Lawyer or Judge to file to run for County Attorney or District Attorney. No length of time is specified.

You must be or must be eligible to be a licensed peace officer to run for Sheriff or Constable.

How and when do I file to run for office?

You file an application for a place on the ballot with either the Nacogdoches County Democratic Chair or the Nacogdoches County Republican Chair. You do not file to be on the ballot with the Elections Office. See **Attachment A**. The first day to file for office will be Saturday, November 9th, 2019 and the last day will be Monday, December 9th, 2019 by 6:00 p.m.

If you would like to run as a Green Party, Libertarian Party, Independent, or Write-in candidate, please contact the Elections Office and I will be happy to inform you of specific requirements and filing dates as these may differ from Democratic and Republican candidates.

How much does it cost to run for office? / How many petition signatures are needed?

If you intend to run as a Democratic or Republican candidate, you have the option to either pay a filing fee or collect petition signatures. The filing fee amount varies depending on the office. The required number of signatures for petitions also varies depending on the office. See **Attachment B**. **Attachment C** is an example of a petition page. If you choose to collect petition signatures, the Elections Office will provide you with full size petition pages. I urge you to bring your petition pages by the Elections Office so that I can verify the names before you submit them. Sometimes people sign petitions believing they are registered to vote, and they are not.

Where will my name appear on the Primary ballot and how is the order determined?

Shortly after the deadline to file to run for office your party will contact you with a date and time for a ballot drawing for your contest to determine the order of the names of all candidates in your contest. The State sets the order all contests appear on the ballot. Generally, Federal level offices will be first, followed by State level, followed by District level, followed by Countywide level, followed by County Commissioner/Constable Precinct level, followed by referendums or ballot measures. I like for all contests and candidates to appear on the front side of the ballot, but depending on the total number of candidates on the ballot sometimes contests must be printed on the back page of the ballot.

What information does the Elections Office provide for candidates?

Current Lists of Registered Voters – Countywide or specific precinct lists are available.

Lists of Voters Who Voted in Previous Elections – These lists can have columns representing up to 5 different past elections and can be prepared as Countywide or by specific precincts.

Past Election Results – All election results going back to 2012 are currently available at www.NacVotes.com

Daily Lists of Voters Who Voted During Early Voting of any Upcoming 2020 Elections – We are not required to provide these lists until the following day after voters have voted if something more pressing needs to be addressed. However, we normally do email the list of the current day's voters out a few hours after Early Voting closes each day. We expect this will be the case each day of Early Voting in 2020 unless something truly unordinary happens. These lists will show who voted each day and during Primaries they will show which Primary each voter voted in. The lists do not reflect how voters voted. Early Voting results are not released until 7:00 p.m. on Election Night.

Note – At this time the Elections Office does not charge for any of the information above if you request that it be emailed to you.

What do I need to know about political advertising and campaign signs?

There are often many questions regarding campaigning and campaign signs, so we've provided information regarding these subjects here:

Attachment D is a guide the Texas Ethics Commission issues that covers the basics of political advertising.

Attachment E has information from the Texas Department of Transportation regarding campaign signs.

Please also review the City of Nacogdoches Political Sign Placement Requirements. See **Attachment F**.

Campaign signs may be placed outside 90 days before Election Day. Within the City of Nacogdoches, the City asks that you wait until 60 days before Election Day to place signs outside. Political advertising is not allowed inside polling places and campaign signs must be 100 feet from the entrances of polling places.

When Early Voting is conducted at the Courthouse Annex the double glass doors are considered the entrance to the polling place. Campaign signs must be 100 feet from the entrance to the polling place. It is preferred that campaign signs are placed in the circle area around the tree in the middle of the main parking lot. Do not place signs in the grassy area directly in front of the entrance of the Extension Office. Signs may be placed in the grassy area to the left of the entrance of the Extension Office (when facing it) on the other side of the drive that runs by the entrance of the Extension Office. Do not place signs in the dividing strip of the main parking lot, in the strip of grass by the Nacogdoches County Courthouse sign on Main Street located at the entrance of the main parking lot, or in the strips of grass near the Courthouse Annex entrance.

Additional information can be found in the "Candidate Information" section of www.NacVotes.com

Am I able to register people to vote?

Yes, but you need to become a Volunteer Deputy Registrar first. Information about becoming a Volunteer Deputy Registrar is available in the "Poll Workers and Volunteer Deputy Registrars" section of www.NacVotes.com

Where are the polling places? / Are maps available?

Attachment G is a list of all of the County's established polling places and the voting precincts assigned to them. Whatever number a voting precinct starts with represents the Commissioner/Justice of the Peace/Constable Precinct of the voting precinct. For example, voting precincts 21, 22, 23, 24, 25, 26, and 27 are all considered Commissioner or Justice of the Peace/Constable Precinct 2, or more commonly referred to as "Precinct 2". Voting precincts 12, 13, 14, 15, 16, and 17 represent Precinct 1. 30, 31, 32, 33, and 34 represent Precinct 3. 41, 42, 43, 44, 45, 46, and 47 represent Precinct 4.

Maps are available in the "Voting Precincts and Maps" section of www.NacVotes.com

Large printed maps can be obtained by contacting the Nacogdoches County GIS and 911 Addressing Office at (936) 560-0658.

When can I find out election results?

Election results are not released until after the polls close on Election Day. Normally the Early Voting results (which include mail ballots) are released right after 7:00 p.m. on Election Night. After Election Day's votes have been counted, final results are normally released between 9:00 p.m. and 10:00 p.m. We can email you the Early Voting results and final results at the time they are released or you may come to the lobby of the Courthouse Annex to receive printouts.

What do I need to know about campaign finance reports?

Filing Authority

All offices except District Judge and District Attorney – All campaign finance appointments/documents/reports are filed with the Nacogdoches County Elections Office.

District Judge – All campaign finance appointments/documents/reports are filed with the Texas Ethics Commission.

District Attorney – All campaign finance appointments/documents/reports are filed with the Nacogdoches County Elections Office except for the Personal Financial Statement which is to be filed with the Texas Ethics Commission.

Personal Financial Statements

Only District Judge and District Attorney candidates are required to file Personal Financial Statements. The deadline for filing a Personal Financial Statement is February 12th, 2019. The Personal Financial Statement must be submitted electronically through the Texas Ethics Commission's website. **See Attachment H.** *(The TEC guide says the deadline is 40 days after the last day to file to run for office, but Section 572.027 of the Government Code looks to me like the law changed in 2015 to the later of 60 days after the filing deadline or February 12th.)*

Campaign Finance Guides

All offices except District Judge – Please review the Texas Ethics Commission's Campaign Finance Guide for Candidates and Officeholders. **See Attachment I.** Please be aware that all Campaign Finance Report forms are considered public information.

District Judge – Please review the Texas Ethics Commission's Campaign Finance Guide for Judicial Candidates and Officeholders. **See Attachment J.** Please be aware that all Campaign Finance Report forms are considered public information.

Campaign Treasurer Appointments

Before you make any public announcement that you intend to run for office, or collect petition signatures, or raise campaign funds, or file to run for office, you need to file a CTA (Appointment of a Campaign Treasurer by a Candidate) form with the Elections Office. Even if you do not intend to raise campaign funds, you still need to file a CTA form. **See Attachments K and L.** Candidates for District Judge need to file a JCTA (Appointment of a Campaign Treasurer by a Judicial Candidate) form with the Texas Ethics Commission instead of the Elections Office.

Campaign Finance Reports

You will need to file C/OH (Candidate/Officeholder Campaign Finance Report) forms with the Elections Office on the dates set in the Texas Ethics Commission's 2019 and 2020 Filing Schedules for Candidates and Officeholders. **See Attachments M, N, and O.** Candidates for District Judge will use the JC/OH form and file with the Texas Ethics Commission instead of the Elections Office. You do not have to file every page of the C/OH form with the Elections Office, but only the pages which are applicable to you during the time period of your report.

Note – At the time this guide was prepared the 2019 Filing Schedule was the most current schedule available. This guide will be updated with the 2020 schedule once it becomes available.

Code of Fair Campaign Practices

Pursuant to Chapter 258 of the Texas Election Code, every candidate is encouraged to subscribe to the Code of Fair Campaign Practices. If you choose to do so, you may file a CFCP (Code of Fair Campaign Practices) form with the Elections Office (or Texas Ethics Commission for candidates for District Judge). **See Attachment P.**

Additional Questions

If you have additional questions please feel free to call me at (936) 560-7825 or email me at tstallings@co.nacogdoches.tx.us

Thanks,

Todd Stallings – Nacogdoches County Elections Administrator

See Attachments

Attachment A – Application for a Place on the Primary Ballot

Attachment B – Filing Fee Amounts and Number of Signatures Required for Petitions in Lieu of Filing Fees

Attachment C – Primary Petition In Lieu of a Filing Fee

Attachment D – TX Ethics Commission Political Advertising Guide

Attachment E – TX Department of Transportation Campaign Signs Guide

Attachment F – City of Nacogdoches Political Sign Placement Requirements

Attachment G – List of Established Voting Precincts and Polling Places for Nacogdoches County

Attachment H – Personal Financial Statement Instruction Guide

Attachment I – TX Ethics Commission Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities

Attachment J – TX Ethics Commission Campaign Finance Guide for Judicial Candidates and Officeholders

Attachment K – Appointment of a Campaign Treasurer by a Candidate

Attachment L – Appointment of a Campaign Treasurer by a Candidate Instruction Guide

Attachment M – TX Ethics Commission Candidate and Officeholder Campaign Finance Report

Attachment N – TX Ethics Commission Candidate and Officeholder Campaign Finance Report Instruction Guide

Attachment O – TX Ethics Commission 2019 Filing Schedule for Candidates and Officeholders

Attachment P – Code of Fair Campaign Practices

All fields MUST be completed unless marked optional. Failure to provide required information may result in rejection of application.

| | | | | | |
|---|-------|--|---|---|-------------|
| APPLICATION FOR A PLACE ON THE _____ PARTY GENERAL PRIMARY BALLOT | | | | | |
| TO: State/County Chair | | | | | |
| I request that my name be placed on the above-named official primary ballot as a candidate for nomination to 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 (Address for which you receive campaign related correspondence, if available.) | | |
| CITY | STATE | ZIP | CITY | STATE | ZIP |
| PUBLIC EMAIL ADDRESS (If available) | | OCCUPATION | DATE OF BIRTH / / | VOTER REGISTRATION VOID NUMBER ¹ (Optional) | |
| TELEPHONE CONTACT INFORMATION (Optional) Home: Work: Cell: | | LENGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN IN STATE ____ 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. | | | | | |
| 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 finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. 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 further swear that the foregoing statements included in my application are in all things true and correct." | | | | | |
| X | | | _____ | | |
| SIGNATURE OF CANDIDATE | | | | | |
| Sworn to and subscribed before me this the ____ day of _____, _____, by _____. | | | | | |
| | | Month | Year | Name of Candidate | SEAL |
| Signature of Officer Administering Oath ² | | | Title of Officer Administering Oath | | |
| TO BE COMPLETED BY CHAIR: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE 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 FILING FEE. | | | | | |
| This document and \$_____ filing fee or a nominating petition of _____ is pages received. | | | | | |
| (See Section 1.007) | | | | | |
| Voter Registration Status Verified <input type="checkbox"/> | | Date Received | Date Accepted | Signature of Chair | |

INSTRUCTIONS

The filing deadline is 6:00 p.m. on the second Monday in December for candidates.

The application shall be filed with the state chair for all statewide offices and all district offices which are filled by the choice of voters residing in more than one county. The application shall be filed with the county chair for all county and precinct offices and all district offices which are filled by the choice of voters residing in only one county or part of one county. The application may also be filed with the secretary of the county executive committee, if there is one. TEX. ELEC. CODE § 172.022.

NEPOTISM LAW

The candidate must sign this statement indicating his awareness 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 himself, or to any other member of the governing body or court on which he 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: one year, if the officer or member is elected at 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.

Examples of relatives within the third degree of consanguinity are as follows:

- (1) First degree: parent, child;
- (2) Second degree: brother, sister, grandparent, grandchild;
- (3) Third degree: great-grandparent, great-grandchild, uncle, aunt, nephew, niece.

These include relatives by blood, half-blood, and legal adoption. Examples of relatives within the second degree of affinity are as follows:

- (1) First degree: spouse, spouse's parent, son-in-law, daughter-in-law;
- (2) Second degree: brother's spouse, sister's spouse, spouse's brother, spouse's sister, spouse's grandparent.

Persons related by affinity (marriage) include spouses of relatives by consanguinity, and, if married, the spouse and the spouse's relatives by consanguinity. These examples are not all inclusive.

FOOTNOTES

¹Inclusion 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. Additional information about the voter registration requirement can be found on the Secretary of State's Qualifications outline at <http://www.sos.state.tx.us/elections/candidates/guide/qualifications.shtml>

²All 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, and the Secretary of State of Texas.

FOR YOUR INFORMATION

All information contained in the application for a place on the ballot is public information.

FILING FEE SCHEDULE

| | |
|--|---------|
| United States Senator | \$5,000 |
| All Other Statewide Offices | \$3,750 |
| United States Representative | \$3,125 |
| State Senator | \$1,250 |
| State Representative | \$750 |
| Member, State Board of Education | \$300 |
| Chief Justice or Justice, Court of Appeals | \$1,875 |
| Chief Justice or Justice of a Court of Appeals that serves a Court of Appeals District in which a county with a population of more than 750,000 is wholly or partly situated | \$2,500 |
| District Judge or Judge specified by Sec. 52.092(d) for which this schedule does not otherwise prescribe a fee | \$1,500 |
| District or Criminal District Judge of a court in a judicial district wholly contained in a county with a population of more than 850,000 | \$2,500 |
| Judge of a Statutory Court (except as provided below) | \$1,500 |
| Judge of a Statutory County Court in a county with a population of more than 850,000 | \$2,500 |
| District Attorney or Criminal District Attorney or County Attorney performing the duties of a District Attorney | \$1,250 |
| County Judge, County Commissioner, District Clerk, County Clerk, Sheriff, County Tax-Assessor-Collector and County Treasurer | |
| County of 200,000 more population | \$1,250 |
| County of under 200,000 population | \$750 |
| Justice of the Peace or Constable | |
| County of 200,000 more population | \$1,000 |
| County of under 200,000 population | \$375 |
| County Surveyor, Public Weigher or Inspector of Hides and Animals | \$75 |
| All County Offices not otherwise listed | \$750 |

Todos los campos DEBEN ser completados a menos que estén marcados como opcionales. El no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

| | | | | | |
|--|------------------|----------------------|---|--|----------------------|
| SOLICITUD PARA UN LUGAR EN LA BOLETA DE LA ELECCIÓN PRIMARIA GENERAL DEL PARTIDO _____ | | | | | |
| A: Presidente Estatal del Partido/ Presidente del Condado | | | | | |
| Solicito que mi nombre aparezca en la boleta oficial de la primaria el cual aparece arriba como candidato/a para la nominación del cargo indicado abajo. | | | | | |
| CARGO OFICIAL SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si el cargo lo tiene.) | | | | INDIQUE TÉRMINO <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO | |
| NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido) | | | ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA* | | |
| DIRECCIÓN RESIDENCIAL PERMANENTE (No incluya una casilla postal o una ruta rural. Si usted no tiene una dirección residencial, describa la ubicación de su residencia.) | | | DIRECCIÓN POSTAL PÚBLICA (Dirección a la que recibirá correspondencia relacionada a su campaña, si está disponible.) | | |
| CIUDAD | ESTADO | CÓDIGO POSTAL | CIUDAD | ESTADO | CÓDIGO POSTAL |
| CORREO ELECTRÓNICO PÚBLICO (Si está disponible) | OCUPACIÓN | | FECHA DE NACIMIENTO / / | VUID – NÚMERO UNICO DE IDENTIFICACION DE VOTANTE¹ (Opcional) | |
| INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Tel. de Domicilio: Tel. de Oficina: Tel. Celular: | | | DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA QUE USTED HAGA EL JURAMENTO DE ESTA SOLICITUD | | |
| | | | EN EL ESTADO ____ año(s) ____ mes(es) | EN EL TERRITORIO/DISTRITO/PRECINTO POR EL CUAL SERIA ELECTO/A ____ año(s) ____ mes(es) | |
| *Si usted incluye un apodo como parte de su nombre en la boleta, usted también firma y jura lo siguiente: Yo también juro que mi apodo no constituye un lema o contiene un título, ni tampoco es una indicación de mis creencias o afiliaciones políticas, económicas, sociales o religiosas. He sido conocido comúnmente por este apodo por lo menos tres años antes de esta elección. | | | | | |
| Ante mí, la autoridad suscrita, apareció en persona este día (nombre del candidato) _____, quien habiendo aquí y ahora prestado juramento debido, bajo juramento dice: | | | | | |
| "Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo oficial de _____, solemnemente juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal cargo oficial bajo la Constitución y las leyes de este Estado. No he sido finalmente condenado por una felonía por la cual no he sido perdonado o por la cual no se me han restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. No se me ha determinado por un juicio final de una jurisdicción testamentaria tribunal que juzga, ser totalmente incapacitado mentalmente o parcialmente incapacitado sin el derecho de votar. Yo tengo conocimiento de la ley sobre el nepotismo según el Capítulo 573 del Código de Gobierno. Además juro que las anteriores declaraciones que incluyo en mi solicitud son verdaderas y correctas en todo sentido." | | | | | |
| | | | X _____ FIRMA DEL CANDIDATO | | |
| Jurado y suscrito ante mí en _____, este día _____ de _____, por _____. | | | | | |
| | | Mes | Año | Nombre del Candidato | |
| Firma del oficial administrando el juramento ² | | | SELLO | | |
| Título del oficial administrando el juramento | | | | | |
| TO BE COMPLETED BY CHAIR: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE 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 FILING FEE. | | | | | |
| This document and \$ _____ filing fee or a nominating petition of _____ is pages received. | | | | | |
| (See Section 1.007) | | | | | |
| Voter Registration Status Verified <input type="checkbox"/> | | Date Received | Date Accepted | Signature of Chair | |

INSTRUCCIONES

La fecha límite de esta solicitud es el segundo lunes de diciembre a las 6:00 p.m. para los candidatos.

En el caso de todos los puestos oficiales estatales y todos los puestos oficiales del distrito que se ocupan por la selección de votantes que residen en más de un condado, la aplicación se registrará con el presidente del Estado. En el caso de todos los puestos oficiales del condado, del precinto y del distrito que se ocupan por la selección de votantes que residen en solamente un condado o parte de un condado, la aplicación se registrará con el presidente del condado. La solicitud también podrá presentarse al secretario del comité ejecutivo del condado, si aplicable. Secc. §172.022 del Cód. Elec. de Tex.

LEY SOBRE EL NEPOTISMO

El candidato deberá firmar esta declaración indicando que él/ella está enterado(a) de la ley sobre el nepotismo. Lo siguiente es un resumen de las prohibiciones del nepotismo al acuerdo al capítulo 573 de Código Gobierno:

Ningún oficial podrá nombrar, o votar por o confirmar el nombramiento o empleo de alguna persona que está emparentada con él dentro del segundo grado por afinidad (matrimonio) o dentro del tercer grado por consanguinidad (sangre), o que está emparentada con cualesquier otro miembro del cuerpo directivo o corte en que él/ella celebra sesión cuando la compensación de esa persona estará pagada con fondos públicos o los honorarios del puesto oficial. Sin embargo, la ley no prohíbe el nombramiento, el votar por, o la confirmación de alguna persona que continuamente ha sido empleado de la oficina o ha sido empleado durante el siguiente plazo antes de la elección o el nombramiento del oficial o miembro que está emparentado con el empleado en el grado prohibido: un año, si el oficial o miembro está elegido en la elección general para oficiales del estado y del condado.

Ningún candidato podrá obrar para influir a un empleado del puesto oficial al cual el candidato desea estar elegido o un empleado o oficial del cuerpo fiscal al cual el candidato desea estar elegido en cuanto al nombramiento o al empleo de una persona que está emparentada con el candidato en un grado prohibido como notado arriba. Esta restricción no se dirige a las acciones de un candidato respecto a una clase o categoría de buena fe de empleados o empleados anticipados.

Los ejemplos de parientes dentro del tercer grado de consanguinidad son los siguientes:

- (1) Primer grado: padre, madre, hijo(a);
- (2) Segundo grado: hermano(a), abuelo(a), nieto(a);
- (3) Tercer grado: bisabuelo(a), bisnieto(a), tío(a), sobrino(a).

Los siguientes incluyen parientes de linaje (sangre), medios hermanos, y adopción legal.

Los ejemplos de parientes dentro del segundo grado de afinidad son los siguientes:

- (1) Primer grado: esposo(a), suegro(a), yerno(a);
- (2) Segundo grado: cuñado(a), abuelo(a) del esposo o esposa.

Las personas que están emparentadas por afinidad (matrimonio) incluyen los esposos o esposas de parientes que están emparentados por consanguinidad, y, si casados, el esposo o esposa y los parientes del esposo o esposa por consanguinidad. No todos estos ejemplos son inclusivos.

NOTAS

¹La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, para muchos candidatos, es un requisito estar registrados como votantes en el territorio por el cual serían electo/a a partir de la fecha límite de la solicitud. Usted puede encontrar información adicional acerca del requisito de registro de votante en nuestra página: <http://www.sos.state.tx.us/elections/candidates/guide/qualifications.shtml>

²Todo juramento, testimonio o afirmación hecho dentro de este Estado se podrá administrar y se podrá dar un certificado del hecho por un juez, escribano, o comisionado de alguna corte de registro, un notario público, un juez de paz, secretario de la ciudad, y el Secretario del Estado de Texas.

PARA SU INFORMACIÓN

Toda la información dentro de esta solicitud para un lugar en la boleta es información pública.

LISTA DE CUOTAS DE REGISTRO

| | |
|---|---------|
| Senador de los Estados Unidos | \$5,000 |
| Todos los otros puestos oficiales representando todo el Estado | \$3,750 |
| Representante de los Estados Unidos | \$3,125 |
| Senador del Estado | \$1,250 |
| Representante del Estado | \$750 |
| Miembro, Junta de Educación Estatal | \$300 |
| Juez Presidente o Juez, Corte de Apelación (excepto como provisto abajo)) | \$1,875 |
| Juez presidente o juez de una corte de apelación que sirve un distrito corte de apelación en el cual esté situado completa o parcialmente un condado con una población de más de 750,000 habitantes | \$2,500 |
| Juez de Distrito o Juez mencionado específicamente por la Sec. 52.092(d) por el cual esta lista no prescribe de otro modo una gratificación | \$1,500 |
| Juez de Distrito o Juez de Distrito Criminal de una corte en un distrito judicial situado completamente en un condado con una población de más de 850,000 habitantes | \$2,500 |
| Juez de una Corte de Condado Estatutaria (excepto como provisto abajo) | \$1,500 |
| Juez de una corte de condado estatutario en un condado con una población de más de 850,000 habitantes | \$2,500 |
| Fiscal de Distrito o Fiscal de Distrito Criminal o Procurador del Condado que cumple con las mismas obligaciones de un fiscal del distrito | \$1,250 |
| Juez de Condado, Comisionado del Condado, Secretario del Distrito, Secretario del Condado, Alguacil, Asesor-Colector de Impuestos del Condado o Tesorero del Condado | |
| Un condado con una población de 200,000 habitantes o más | \$1,250 |
| Un condado con una población de menos de 200,000 habitantes | \$750 |
| Juez de Paz o Agente de la policía | |
| Un condado con una población de 200,000 habitantes o más | \$1,000 |
| Un condado con una población de menos de 200,000 habitantes | \$375 |
| Agrimensor del Condado, Pesador Público o Inspector de Piel y Animales | \$75 |
| Todos los puestos oficiales del condado que no se han mencionado | \$750 |

**Filing Fee Amounts/
Number of Signatures Required for Petitions in Lieu of Filing Fees
for
Nacogdoches County District/County Offices for 2020 Primaries**

*Petition Signatures based on 2% of all votes for all Gubernatorial candidates cast
in the applicable territory in the November 2018 General Election*

District Judge, 145th Judicial District – \$1,500.00 or 430 Petition Signatures (2% of 21,518)

District Judge, 420th Judicial District – \$1,500.00 or 430 Petition Signatures (2% of 21,518)

District Attorney, 145th Judicial District – \$1,250.00 or 430 Petition Signatures (2% of 21,518)

County Attorney – \$750.00 or 430 Petition Signatures (2% of 21,518)

Sheriff – \$750.00 or 430 Petition Signatures (2% of 21,518)

Tax Assessor-Collector – \$750.00 or 430 Petition Signatures (2% of 21,518)

County Commissioner, Precinct No. 1 – \$750.00 or 128 Petition Signatures (2% of 6,414)

County Commissioner, Precinct No. 3 – \$750.00 or 118 Petition Signatures (2% of 5,919)

Constable, Precinct No. 1 – \$375.00 or 128 Petition Signatures (2% of 6,414)

Constable, Precinct No. 2 – \$375.00 or 86 Petition Signatures (2% of 4,288)

Constable, Precinct No. 3 – \$375.00 or 118 Petition Signatures (2% of 5,919)

Constable, Precinct No. 4 – \$375.00 or 98 Petition Signatures (2% of 4,897)

GENERAL INSTRUCTIONS

The petition shall be filed with the same officer with whom an application for a place on the ballot for the office being sought is to be filed and must be filed at the same time as such application.

The petition may consist of several parts, and each part may consist of several pages. The statement in the box at the head of the page must appear at the head of each page of signatures. The affidavit at the bottom of the page must accompany each part but is not required for each page of signatures.

The person or persons who circulate the petition must be administered the affidavit by the proper officer.

INSTRUCTIONS (Petition in Lieu of Filing Fee)

The minimum number of signatures that must appear on the petition is:

- (1) 5,000, for a statewide office; or
- (2) for a district, county, or precinct office, the lesser of:
 - (A) 500 or
 - (B) two percent of the total votes received in the district, county, or precinct, as applicable, by all the candidates for governor in the most recent gubernatorial general election, unless that number is under 50, in which case the required number of signatures is the lesser of:
 - i. 50; or
 - ii. 20 percent of that total vote.

INSTRUCTIONS (Petition for Judicial Office on Primary Ballot)

The petition must contain at least 250 signatures of voters eligible to vote for the office sought. No signatures on the petition may be collected on the grounds of a county courthouse or courthouse annex.

The petition applies to all candidates running for judicial office, including justice of the peace, in Dallas, Tarrant, Bexar, and Harris Counties and all candidates running for Justice, Court of Appeals in the 1st, 2nd, 3rd, 4th, 5th, and 14th Judicial Districts.

SPECIAL INSTRUCTIONS

A judicial candidate for whom the petition for judicial office applies, who decides to file by a petition in lieu of filing fee, candidate must file a total of 750 signatures on this form.

FOOTNOTES

- ¹ Insert candidate's name.
- ² Insert office title, including any place number or other distinguishing number.
- ³ Insert political party's name.
- ⁴ 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, and the Secretary of State of Texas.
- ⁵ For a candidate for a judicial district office, including justice of the peace, that is contained wholly or partially in a county with a population of more than 1.5 million, the petition in lieu of filing fee must contain an additional 250 signatures. This includes all judicial races in Dallas, Tarrant, Bexar, and Harris Counties and all candidates running for the Justice, Court of Appeals in the 1st, 2nd, 3rd, 4th, 5th, and 14th Judicial Districts.
- ⁶ Either the voter unique identification number (VUID) or the date of birth is required.

INSTRUCCIONES GENERALES

Esta petición deberá presentarse ante el mismo oficial a quien se solicite inscripción en la boleta para el puesto que se busca y al mismo tiempo que la solicitud correspondiente.

La petición puede estar dividida en diversas secciones y cada sección a su vez puede constar de varias páginas. La declaración que está en el cuadro que encabeza el formulario deberá aparecer al principio de cada boja que contenga firmas. La declaración jurada que aparece al pie del formulario deberá incluirse con cada sección de la petición; no se exige que aparezca en cada página de firmas.

La(s) persona(s) que haga(n) circular la petición deberá(n) firmar la declaración jurada ante el oficial correspondiente.

INSTRUCCIONES: (Petición presentada en sustitución del pago de derechos de inscripción)

El menor número de firmas que deberán constar en la petición será de ...

- (1) 5,000 firmas, cuando se trate de un cargo estatal; o en su defecto,
- (2) cuando se trate de cargos correspondientes a distritos, condados o precintos, la menor de las dos sumas a continuación:
 - (A) 500 firmas en su defecto,
 - (B) el 2 por ciento del total de los votos recibidos en el distrito, el condado o el precinto (según el caso) por todos los candidatos a gobernador en la elección general más reciente para ese cargo, a menos de que tal número sea inferior a 50; en tal caso, el mínimo de firmas que se requiere es la menor de las dos sumas a continuación:
 - (i) 50 firmas; o en su defecto,
 - (ii) el 20 por ciento del voto total

INSTRUCCIONES: (Petición para un puesto oficial judicial sobre la boleta de la elección primaria)

La petición deberá incluir a lo menos 250 firmas de votantes que están elegibles para votar sobre el puesto oficial solicitado. No se podrán coleccionar firmas para la petición en el terreno del edificio de las cortes o la parte anexa del edificio de las cortes.

La petición se dirige a todos los candidatos que solicitan un puesto oficial judicial, incluyendo juez de paz en los Condados de Dallas, Tarrant, Bexar Y Harris, y todos los candidatos que solicitan el puesto oficial de Juez Corte de Apelaciones, en los Distritos Núm. 1, 2, 3, 4, 5, y 14.

INSTRUCCIONES ESPECIALES

Un candidato para un puesto oficial judicial que requiere uso de la petición especial para puestos judiciales, que decide presentar petición en sustitución del pado de derechos de inscripción deberá coleccionar 750 firmas en total, en este formulario.

ANOTACIONES

- ¹ Indicar el nombre del candidate.
- ² Indicar el cargo oficial e incluir el número de su lugar en la boleta o cualquier otro número distintivo.
- ³ Indicar el nombre del partido politico.
- ⁴ Todo juramento, testimonio o afirmación hecho dentro de este Estado se podrá administrar y se podrá dar un certificado del hecho por un juez, escribano, o comisionado de alguna corte de registro, un notario público, un juez de paz, secretario de la ciudad, y el Secretario del Estado de Texas.
- ⁵ Para candidatos a puestos judiciales, incluyendo el cargo de juez de paz, correspondientes a distritos incluidos total o parcialmente en condados que tengan una población de más de 1.5 millones, la petición presentada en sustitución del pago de derechos de inscripción deberá incluir 250 firmas adicionales. Esta disposición abarca toda elección para puestos judiciales que se celebre en los condados de Dallas, Tarrant, Bexar y Harris e incluye a los candidatos a Juez del Tribunal de Apelaciones correspondientes a los Distritos Judiciales números 1, 2, 3, 4, 5, y 14.
- ⁶ Se requiere o su número de identificación único de votante o su fecha de nacimiento.

POLITICAL ADVERTISING

What You Need To Know



The Texas Election Law 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

FAX (512) 463-5777

TDD (800) 735-2989

Visit us at www.ethics.state.tx.us on the Internet.

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. Wisconsin Right to Life, Inc.*, 127 S.Ct. 2652 (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 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; and
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.)

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 Rule For Judicial Candidates, Officeholders, and Committees.

Candidates for the Supreme Court, Court of Criminal Appeals, courts of appeals, district courts, statutory county courts (county courts-at-law), and statutory probate courts are required to file a form declaring their intent to either comply with or exceed the voluntary expenditure limits of the Judicial Campaign Fairness Act. A candidate who has declared an intent to comply with the expenditure limits, as well as a specific-purpose committee supporting such a candidate, may

state the following in political advertising:

Political advertising paid for by (name of candidate or committee) in compliance with the voluntary limits of the Judicial Campaign Fairness Act.

If a candidate declares an intent to exceed the expenditure limits, however, both the candidate and any specific-purpose committee supporting the candidate must include in their political advertising the following statement:

Political advertising paid for by (name of candidate or committee), (who or which) has rejected the voluntary limits of the Judicial Campaign Fairness Act.

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 255.007 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 and with the Texas Department of Transportation at (512) 416-2901.

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**

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 officeholders may use the state seal in political advertising.

Campaign Signs

(From Texas Department of Transportation Website)

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers that are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful.

You Need to Know

It is illegal to place any signs on or within the right of way. This includes posting signs on trees, telephone poles, traffic signs and other objects on the right of way.

Campaign signs along Texas roads can be placed on private property with the owner's permission.

Signs must be made of lightweight material and be no larger than 50 square feet.

Campaign signs may be posted as early as 90 days before an election (no earlier) and must be removed within 10 days after the election.

Before placing a sign inside of incorporated city limits, check with the city for applicable ordinances.

Sign Removal

If you've placed your sign in the right of way or it's posing a traffic hazard, we will remove it without prior notice. All costs associated with sign removal will be paid by the sign owner.

Contact Us

For further information about the rules governing campaign signs, please call (512) 416-2901.



POLITICAL SIGN PLACEMENT REQUIREMENTS

In an effort to assist and clarify the requirements for the proper placement of political signs, the City of Nacogdoches is supplying the following information and recommendations to all candidates and volunteers.

Sign Permits are **not** required for political signs meeting **all of the following conditions:**

- Any political sign less than 36 square feet in size. (4' X 8' = 32' sq.)
- Any political sign installed less than 8 feet in height from natural ground elevation.
- Any political sign located on private property, with the permission of the property owner.
- Political sign that is not illuminated.
- Political signs that do not contain moving elements as any portion of the sign or support.
- Political signs located on Billboards.

In addition no political sign will be allowed to be attached to any utility pole, street sign or traffic device. Political signs that have been located within any street right-of-way of any street or located on public property will be removed.

NOTE:

- It is recommended that political signs not be placed 60 days prior to any election.
- Political signs should be removed within 10 days following the election and properly disposed.
- Removal of political signage after an election is the responsibility of the candidates.
- Removal of political signage found to be improperly placed may be removed at the discretion of the authority having jurisdiction.

Anyone with questions concerning the placement of political signs may call the **Planning or Inspection Services Departments** at 559-2572 or 559-2558 for more information.

List of Established Voting Precincts *and* Polling Places for Nacogdoches County

| Voting Precinct | Site | Site Address |
|-----------------|-------------------------------------|---|
| 12 | Beck Building – Cushing | 720 Seventh St. Cushing, TX 75760 |
| 13 | First Baptist Church – Douglass | 15122 W State Hwy. 21 Douglass, TX 75943 |
| 14 & 17 | Central Heights I.S.D. | 10317 N US Hwy. 259 Nacogdoches, TX 75965 |
| 15 | First Baptist Church – Garrison | 275 W Magnolia St. Garrison, TX 75946 |
| 16 | Bethel Baptist Church | 429 Happyland Rd. Nacogdoches, TX 75965 |
| 21 | Nacogdoches County Expo Center | 3805 NW Stallings Dr. Nacogdoches, TX 75961 |
| 22-23-24-25 | C. L. Simon Recreation Center | 1112 North St. Nacogdoches, TX 75961 |
| 26 | Nacogdoches Senior Center | 621 Harris St. Nacogdoches, TX 75964 |
| 27 | E. J. Campbell Admin. Bldg. | 420 S Shawnee St. Nacogdoches, TX 75961 |
| 30-31-32 | North Street Church of Christ | 3914 North St. Nacogdoches, TX 75965 |
| 33-34 | Calvary Baptist Church | 3732 NE Stallings Dr. Nacogdoches, TX 75965 |
| 41 & 43 | New Hope Methodist Church | 5301 E Main St. Nacogdoches, TX 75961 |
| 42 | Civil Air Patrol Building – Airport | 553 Terry Crawford Dr. (Off W State Hwy. 7) Nacogdoches, TX 75964 |
| 44 | Woden I.S.D. | 5263 FM 226 Woden, TX 75978 |
| 45 | Martinsville I.S.D. | 12952 E State Hwy. 7 Nacogdoches, TX 75961 |
| 46 | Chireno Community Center | 715 Main St. Chireno, TX 75937 |
| 47 | Etoile I.S.D. | 16039 FM 226 Etoile, TX 75944 |

TEXAS ETHICS COMMISSION

PERSONAL FINANCIAL STATEMENT

FORM PFS - INSTRUCTION GUIDE



Revised April 30, 2019

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

PERSONAL FINANCIAL STATEMENT

TABLE OF CONTENTS

| | |
|---|----|
| GENERAL INSTRUCTIONS | 2 |
| Who is Required to File? | 2 |
| Completing the Form | 4 |
| What Not to Include | 5 |
| Period Covered | 5 |
| Substitution of Forms | 5 |
| Filing Deadlines | 6 |
| Timely Filings | 6 |
| Extension of the April 30th Deadline | 6 |
| Late Filing Penalty | 6 |
| Changes in Information | 7 |
| <u>Records Retention</u> | 7 |
| | |
| COMPLETING FORM PFS | 8 |
| Cover Sheet Page 1 | 8 |
| Cover Sheet Page 2 | 10 |
| Financial Activity | 10 |
| Part 1. Sources of Occupational Income and Retainers | 10 |
| Part 2. Stock | 12 |
| Part 3. Bonds, Notes, and Other Commercial Paper | 12 |
| Part 4. Mutual Funds | 13 |
| Part 5. Income from Interest, Dividends, Royalties, and Rents | 13 |
| Part 6. Personal Notes and Lease Agreements | 14 |
| Part 7. Interests in Real Property and Business Entities | 14 |
| Part 8. Gifts | 16 |
| Part 9. Trust Income | 16 |
| Part 10. Blind Trusts | 17 |
| Part 11. Ownership, Assets, and Liabilities of Business Associations | 18 |
| Part 12. Boards and Executive Positions | 20 |
| Part 13. Expenses Accepted Under Honorarium Exception | 20 |
| Part 14. Interest in Business in Common with a Lobbyist | 21 |
| Part 15. Fees Received for Services Rendered to a Lobbyist or Lobbyist's Employer | 21 |
| Part 16. Representation by Legislator before State Agency | 22 |
| Part 17. Benefits Derived from Functions Honoring Public Servant | 23 |
| Part 18. Legislative Continuances | 23 |
| Part 19. Contracts with Governmental Entity or Governmental Entity Contractor | 24 |
| Part 20. Bond Counsel Services Provided by a Legislator | 25 |
| | |
| <u>PERSONAL FINANCIAL STATEMENT AFFIDAVIT</u> | 26 |

GENERAL INSTRUCTIONS

Every "state officer," as defined by [chapter 572](#) of the Government Code, and the state chair of each political party, must file an annual personal financial statement with the Texas Ethics Commission ("Commission"). The requirement extends to each person who served as a state officer for any part of the period beginning January 1 of the year the statement is due and ending April 30.

Please note that an appointed or elected officer continues to serve as a state officer *until his or her successor has qualified for office*. For example, a person who resigned or whose term ended in November of one year will need to file a personal financial statement covering that year if the person was not replaced until January of the following year or later. However, if you are an appointed officer, as defined by [section 572.002](#) of the Government Code, you are not required to file a personal financial statement if the following criteria are met before January 1 of the year the statement is due: (1) your term expired, you resigned, your agency was abolished, or your agency functions were transferred to another agency; and (2) you ceased to participate in the state agency's functions. If your term expired or if you resigned, you are required to provide written notice of your intent to not participate in the agency's functions to the Office of the Governor and to the Commission.

Every candidate for one of the elective public offices listed in [chapter 572](#) must also file a personal financial statement with the Commission prior to the primary election date. Please see **FILING DEADLINES** in this guide or the filing schedule on the Ethics Commission website for the filing deadline. In addition, certain local candidates and officeholders may be required to file a personal financial statement, using this form, with a local filing authority under [chapter 159](#) of the Local Government Code.

If you have questions about whether you are required to file this form, please visit our website at www.ethics.state.tx.us. The website also provides access to [chapter 572](#) of the Government Code, commission rules, filing schedules, and personal financial statement brochures.

The Commission also provides information about whether a public servant is permitted to accept gifts or other benefits under the Penal Code or lobby law. Disclosing an impermissible benefit does not legalize its acceptance.

WHO IS REQUIRED TO FILE?

Chapter 572, Government Code. The following individuals are required to file a personal financial statement with the Commission under [chapter 572](#) of the Government Code:

- Appointed officers of executive branch state agencies;
- Executive heads of state agencies;
- Board members and executive heads of river authorities;
- Officeholders in and candidates for the following offices:
 1. Member of the Texas Legislature;
 2. Statewide elected officer;
 3. Justice of a court of appeals;
 4. District judge;
 5. District or criminal district attorney; and
 6. Member of the State Board of Education;

- Former or retired judges sitting by assignment;¹ and
- State chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

Chapter 159, Local Government Code (Statutory County Court/Probate Court Judges). Chapter 159, Local Government Code, requires statutory county court and statutory probate court judges and judicial candidates for those offices to file a personal financial statement with either the county clerk or the Commission. A filer who chooses to file with the Commission must notify the county clerk of the decision to file with the Commission on or before the deadline for filing the personal financial statement. [Local Gov't Code § 159.052\(b\)](#). *A filer who chooses to file with the Commission may be subject to a \$500 late filing penalty if the report is filed after the deadline.*

Other Local Filers. Other local officers, candidates, or even employees may also be required to file a personal financial statement with a local filing authority. Some of those filing authorities may choose to use the Commission Form PFS-LOCAL (for individuals who file with a local filing authority). Consult [chapter 159](#) of the Local Government Code for additional information.

Section 11.064, Education Code (School Board Trustees). The board of trustees in ANY independent school district may adopt a resolution requiring members of the board of trustees to file personal financial statements. The commissioner of education may also require members of the board of trustees of an independent school district to file personal financial statements in specified circumstances. A personal financial statement required to be filed under this section must be filed with the board of trustees AND with the Commission.

Municipalities with Populations of 100,000 or More. The mayor, members of the governing body, the municipal attorney, and the city manager of municipalities with a population of 100,000 or more are required to file personal financial statements with the clerk or secretary of the municipality. The Texas Ethics Commission does not have jurisdiction over this filing requirement. See chapter 145 of the Local Government Code for additional information.

Sport and Community Venue Districts. Directors of sports and community venue districts may be required to file personal financial statements with the board of directors of the district and with the Texas Ethics Commission. Consult Sections 335.102 and 335.1085 of the Local Government Code for additional information. Note that the requirement to file a personal financial statement applies only to directors of districts located in a county with a population of 2.4 million or more.

¹ A former or retired judge who sits by assignment at the district court level or above must complete a personal financial statement. Attorney General Opinion H-526 (1975).

COMPLETING THE FORM

Elected Officeholders and Candidates for Elected Office: Under state law, a personal financial statement (PFS) filed with the Commission by an elected officeholder, a candidate for an elected office, or a state party chair must be filed electronically. A Filer ID is needed to file a PFS electronically. You can contact the Commission to obtain a Filer ID to access the electronic filing application. Go to www.ethics.state.tx.us/whatsnew/elf_info_pfs.htm to file the report electronically.

Individuals Appointed to Office: Under new state law effective May 29, 2017, a PFS filed with the Commission by an appointed officer may be filed electronically using the online filing application or on paper. The Commission strongly recommends that you file the PFS electronically. Go to www.ethics.state.tx.us/filinginfo/pfsforms_benefit.html to see some of the benefits to electronic filing. Appointed officers who have the option to file on paper include:

- the secretary of state;
- an individual appointed with the advice and consent of the senate to the governing board of a state-supported institution of higher education;
- an officer of a state agency who is appointed for a term of office specified by the Texas Constitution or a statute of this state;
- a director, executive director, commissioner, administrator, chief clerk, or other individual who is appointed by the governing body or highest officer of the state agency;
- the chancellor or highest executive officer of a university system and the president of a public senior college or university as defined by Section 61.003, Educ. Code;
- a former or retired judge who sits by assignment at the district court level; and
- an individual appointed to fill a vacancy in an elected office.

Note: A person who is required to file a PFS with the Commission as a *candidate* for office or as an *elected* official does not have the option to file a PFS on paper.

Local Filers: If you are filing a PFS with a local filing authority, you must ensure that the PFS is in the proper format required by the local filing authority.

All forms filed on paper must be either typewritten or legibly hand-printed in ink. If requested information is not applicable to your activities, indicate that on page 2 of the Cover Sheet. A complete statement consists of the Cover Sheet and parts of the form on which you have information to report. Every part of the form should either be completed or marked “not applicable” on page 2 of the Cover Sheet.

Complete Form PFS by using one of the following methods:

1. PFS Online Electronic Filing Application: Go to www.ethics.state.tx.us/whatsnew/elf_info_pfs.htm to file the PFS electronically with the Commission; or
2. Blank Fillable Form PFS: Complete either Form PFS-TEC (for individuals who file with the Commission) or Form PFS-LOCAL (for individuals who file with a local filing authority) on your computer by going to www.ethics.state.tx.us/filinginfo/e_pfsfrm.htm to access a fillable Form PFS without

using the PFS filing application. Once you complete the applicable form, you must print it out, sign it, have it notarized, and deliver it to the proper filing authority; or

3. Paper Form PFS and Instructions: Go to www.ethics.state.tx.us/filinginfo/pfsforms_Paper.html to obtain the PFS Instruction Guide and the applicable paper form. You must print out either Form PFS-TEC (for individuals who file with the Commission) or Form PFS-LOCAL (for individuals who file with a local filling authority), complete it, sign it, have it notarized, and deliver it to the proper filing authority.

WHAT NOT TO INCLUDE

Please note that personal financial statements are public records. Do not include unrequired information that is confidential or proprietary, such as your social security number, driver's license number, financial account numbers, or copies of your tax returns.

PERIOD COVERED

In most cases, the personal financial statement covers activity for the entire calendar year *preceding* the year the statement is due. For example, a personal financial statement due in 2017 covers activity occurring between and including January 1 and December 31, 2016.

New Appointees. An appointed salaried officer, appointee filling a vacancy in elective office, appointee of a major state agency, or the executive head of a state agency must file a personal financial statement during the first year of his or her appointment. For these newly appointed officers, the period covered by the first required personal financial statement is determined by the date the officer is appointed to the office. A new appointee's first personal financial statement covers the entire calendar year *preceding the year of appointment* rather than preceding the year the statement is due. For example, a person appointed to serve on the board of a major state agency effective December 15, 2016, is required to file a personal financial statement due January 14, 2017. This personal financial statement covers activity occurring between and including January 1 and December 31, 2015. Other new appointees, such as appointees to non-major state agencies, will file a personal financial statement on the April 30 deadline. The personal financial statement will cover activity for the entire calendar year preceding the year the statement is due.

Please contact the Commission for further information if you have questions about the period covered by a personal financial statement.

SUBSTITUTION OF FORMS

If you are filing with the Commission, and you are eligible to claim an exemption to electronic filing, *you may use your own computer-generated form* if it provides for disclosure of all the information required on the Commission's form and it is *substantially identical* in paper size, color, layout, and format. A substitute form that is substantially identical to the Commission's prescribed form must be submitted for *pre-approval* by the Commission's executive director.

FILING DEADLINES

Annual Statement. The regular filing deadline for the annual personal financial statement is **April 30** for non-candidates.

Candidate Statement. A partisan or independent candidate for elective office who is required to file a personal financial statement must file it no later than the 40th day after the date of the regular filing deadline for filing an application to be on the ballot in the general primary election. *The deadline applies whether or not the candidate runs in a primary election.*

Others. All other individuals required to file the personal financial statement (such as appointed officers and executive directors filing for the first time) should contact the Commission for further information about the applicable filing deadline.

TIMELY FILINGS

Electronic reports must be filed by midnight, Central Time Zone, on the night of the filing deadline.

A personal financial statement filed on paper with the proper filing authority by first-class United States mail or by common or contract carrier is timely filed if:

- (1) it is properly addressed with postage or handling charges prepaid; and
- (2) it bears a post office cancellation mark or a receipt mark from a common or contract carrier indicating it was sent on or before the deadline, or if the filer furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier on or before the deadline.

A hand-delivered statement is timely filed if it is delivered to the proper filing authority by 5:00 p.m. on the deadline date.

Note: A person who is required to file a personal financial statement (PFS) with the Commission as a *candidate* for office or as an *elected* official does not have the option to file a PFS on paper.

EXTENSION OF THE APRIL 30TH DEADLINE

A state officer filing the annual personal financial statement due April 30 may request a 60-day extension of the filing deadline. The executive director of the Commission shall grant such a request if the request is made on or before the regular deadline. A statutory county court or probate court judge is also eligible for a 60-day extension of the April 30 deadline if the judge requests the extension on or before the regular filing deadline. ***Extensions may not be granted for any other personal financial statement filing deadline***, such as the deadline for candidates or newly-appointed board members.

LATE FILING PENALTY

An individual who files the personal financial statement with the Commission may be assessed a \$500 late filing penalty if the personal financial statement is not filed by the deadline. If the statement is more than 30 days late, the commission may increase the penalty to an amount not to exceed \$10,000.

CHANGES IN INFORMATION

If you discover after the filing deadline that the personal financial statement you filed was incorrect or incomplete, you must file a corrected financial statement. Please contact the Commission for additional information.

RECORDS RETENTION

The Commission recommends that you retain a copy of a filed financial disclosure statement and the supporting documentation for at least two years after the deadline for filing the statement. *See [Ethics Advisory Opinion No. 236](#).*

COMPLETING FORM PFS

Use **Form PFS-TEC** if you are filing this personal financial statement with the Commission.

Use **Form PFS-LOCAL** if you are filing this personal financial statement with a filing authority other than the Commission.

COVER SHEET PAGE 1

1. Name: List your name.

2. Address: List the address at which you would like to receive communications from this office, such as notices of your filing requirements.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

3. Telephone Number: List a telephone number at which you can be reached during regular business hours.

4. Reason for Filing Statement: Check the appropriate box to indicate the capacity in which you are filing this personal financial statement. Generally, if you file in more than one capacity, you will check all applicable boxes. You are only required to file one personal financial statement for the same calendar year, even if you fit within more than one category.

Form PFS-LOCAL:

Candidate: If you are a candidate for an elected office, check this box and indicate which office you seek. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

Elected Officer: If you are an elected officeholder, check this box and indicate which office you hold. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

Example: Frank is running for mayor. He should check the "Candidate" box and write "Mayor" to indicate the office he seeks. Jane is the Smallville city council member for District 1. She should check the "Elected Officer" box and write "Smallville City Council District 1."

Other: If you are filing because you hold a position other than one of the positions listed above, check other and describe the position.

See the [GENERAL INSTRUCTIONS](#) for detailed information about who is required to file a personal financial statement.

Form PFS-TEC:

Candidate: If you are a candidate for an elected office, check this box and indicate which office you seek. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

Elected Officer: If you are an elected officeholder, check this box and indicate which office you hold. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

Example: Frank is running for judge in the 560th Judicial District. He should check the "Candidate" box and write "Judge, 560th District" to indicate the office he seeks. Jane is the judge for Mars County Court at Law Number 2. She should check the "Elected Officer" box and write "Mars County Court at Law No. 2."

Appointed Officer: If you are an appointed officeholder of a state agency, check this box and indicate the agency.

Executive Head: If you are the executive head of a state agency, check this box and indicate the agency.

Note: "State agency" is defined as:

(A) a department, commission, board, office, or other agency that:

- (i) is in the executive branch of state government;
- (ii) has authority that is not limited to a geographical portion of the state; and
- (iii) was created by the Texas Constitution or a statute of this state;

(B) a university system or an institution of higher education as defined by Section 61.003, Education Code, other than a public junior college; or

(C) a river authority created under the Texas Constitution or a statute of this state.

[Gov't Code § 572.002\(10\)](#).

Former or Retired Judge Sitting by Assignment: If you are a former or retired judge who sits by assignment at the district court level or above, check this box.

State Party Chair: If you are a state party chair, check this box and indicate the party.

Other: If you are filing because you hold a position other than one of the positions listed above, check other and describe the position.

See the [GENERAL INSTRUCTIONS](#) for detailed information about who is required to file a personal financial statement.

5. Names of Family Members Whose Financial Activity You Are Reporting: In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership

interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#).

Spouse. If you are reporting any financial activity for your spouse on this financial statement, enter your spouse's full name here.

Dependent Child. If you are reporting any financial activity for a dependent child on this financial statement, enter the child's full name here. If you are reporting information about more than one dependent child, please list the children separately on the appropriate lines. If you are not reporting financial activity for a dependent child, *do not* enter that child's name on this form. A child (including an adopted child or a step-child) is considered a dependent if you provided more than 50 percent of the child's support during a calendar year. *Note: Statutory county court or probate court judges may request in writing that the names of dependent children listed on Form PFS be deleted before the form is made available to the public.*

COVER SHEET PAGE 2

6. Parts Not Applicable: Check the appropriate boxes to indicate which parts of the form are not applicable to you. If the box for a part is checked, then no pages for that part must be included in the filed report. If the box is not checked, then pages for that part must be included in the report.

FINANCIAL ACTIVITY

In Parts 1 through 18, you will disclose information about your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#). When reporting information about a dependent child's activity in Parts 1 through 14, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet under item 5.

PART 1. SOURCES OF OCCUPATIONAL INCOME AND RETAINERS

PART 1A. SOURCES OF OCCUPATIONAL INCOME

Complete a block for each source of occupational income. Occupational income refers to income derived from current occupational activity rather than income received as a pension or from a retirement plan associated with past occupational activity. Information about retirement funds or income may be reportable under some other category. See [Ethics Advisory Opinion No. 392](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Information Relates to: Check the appropriate box indicating whether the source relates to you, your spouse, or a dependent child.

2. Employment: Check the appropriate box indicating whether the individual the information relates to is employed by another or self-employed.

Employed by Another. If the individual is employed by another, provide the name and address of the employer and the position held.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

Self-Employed. If the individual is self-employed, report the nature of the occupation, e.g., attorney, carpenter, etc.

PART 1B. RETAINERS

This section asks for information about fees received by you, your spouse, or a dependent child, or received by a business in which you, your spouse, or a dependent child have a "substantial interest," as a retainer for a claim on future services in case of need, rather than fees for services on a matter specified at the time of contracting for or receiving the fee. Report such retainers only in cases in which the value of the amount of work actually performed during the calendar year did not equal or exceed the value of the retainer. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

***Example:** Last year you received a retainer for \$15,000 for consulting services in case of need. You ended up providing \$5,000 worth of services during the calendar year. You should report the entire \$15,000 retainer on this year's financial statement, which covers last year's activity.*

Substantial Interest. An individual has a substantial interest in a business entity if the individual:

- (1) has a controlling interest in the business entity;
- (2) owns more than 10 percent of the voting interest in the business entity;
- (3) owns more than \$25,000 of the fair market value of the business entity;
- (4) has a direct or indirect participating interest by shares, stocks, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the business entity;
- (5) is a member of the board of trustees or other governing board of the business entity;
- (6) serves as an elected officer of the business entity; or
- (7) is an employee of the business entity.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Fee Received from:** Provide the name and address of the individual or entity from whom the fee was received.
 - 2. Fee Received by:** Check the appropriate box indicating whether the fee was received by you, your spouse, or a dependent child. If the fee was received by a business, provide the name of the business.
 - 3. Fee Amount:** Check the appropriate fee category for the amount received.
-

PART 2. STOCK

This section is for information about business entities in which you, your spouse, or a dependent child held or acquired stock. Complete a separate block for each entity in which stock was held or acquired. If stocks are held in a managed investment account for which the filer does not make investment decisions but where the filer retains ownership of the individual stocks in the account, the filer is still required to disclose the individual stocks held in the account. *See Ethics Advisory Opinion No. 326.* However, if the stocks are held in a fund, of which the filer owns shares of the fund, the filer is required to report only the ownership of the fund (see Part 4, Mutual Funds). *Id.* If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Business Entity:** Enter the name of the business entity in which the stock was held or acquired.
 - 2. Stock Held or Acquired by:** Check the appropriate box indicating whether the stock was held or acquired by you, your spouse, or a dependent child.
 - 3. Number of Shares:** If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.
 - 4. If Sold:** Complete this section if you sold any of the indicated stock during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving stock of a particular entity, indicate the net gain or net loss resulting from those transactions for the year. You do not have to show the net gain or net loss from each sale of stock in the same business entity.
-

PART 3. BONDS, NOTES, AND OTHER COMMERCIAL PAPER

This section is for information about bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child. Complete a separate block for each bond, note, or other commercial instrument held or acquired. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Description of Instrument: Briefly describe the instrument.

Commercial Paper. Commercial paper includes any type of negotiable instrument, such as certificates of deposit (CDs), money market certificates, treasury bills, or bills of exchange.

2. Held or Acquired by: Check the appropriate box indicating whether the instrument was held or acquired by you, your spouse, or a dependent child.

3. If Sold: Complete this section if you sold any of the instruments during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

PART 4. MUTUAL FUNDS

This section is for information about shares of mutual funds held or acquired by you, your spouse, or a dependent child. Complete a separate block for each mutual fund in which shares were held or acquired. If you are disclosing ownership of a mutual fund, you are not also required to disclose ownership of the stocks contained in the fund on Part 3, Stocks. See [Ethics Advisory Opinion No. 326](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Mutual Fund: Enter the name of the mutual fund in which shares were held or acquired.

2. Shares of Mutual Funds Held or Acquired by: Check the appropriate box indicating whether the shares in the mutual fund were held or acquired by you, your spouse, or a dependent child.

3. Number of Shares of Mutual Fund: If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.

4. If Sold: Complete this section if you sold any of the indicated shares of the mutual fund during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving shares of the mutual fund, indicate the net gain or net loss resulting from those transactions. You do not have to show the net gain or net loss from each sale of shares of the mutual fund.

PART 5. INCOME FROM INTEREST, DIVIDENDS, ROYALTIES, AND RENTS

If you, your spouse, or a dependent child received *more than \$500 from any source* in interest, dividend, royalty, or rent income, identify the source of the income and the category of the amount received. Complete a separate block for each source of interest, dividend, royalty, or rent income. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Source of Income:** Provide the name and address of the source of income. If the source of income is a publicly traded corporation, an address is not required (for Part 5 only). If the source of income is a publicly traded corporation, check the “Publicly held corporation” box, and do not include the address. If the source of income is not a publicly traded corporation, you must include the address.
 - 2. Received by:** Check the appropriate box indicating whether the income was received by you, your spouse, or a dependent child.
 - 3. Amount:** Check the appropriate monetary category for the amount received.
-

PART 6. PERSONAL NOTES AND LEASE AGREEMENTS

Complete this section if at any time during the year you, your spouse, or a dependent child owed a financial obligation *in excess of \$1,000* to a person or financial institution on a personal note or notes or a lease agreement. Complete a separate block for each person or institution holding a personal note or lease agreement covered by this section. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Person or Institution Holding Note or Lease Agreement:** Identify the person or institution (for example, "Zebu National Bank", "Echidna Mortgage Company") holding the personal note or lease agreement on which you, your spouse, or a dependent child owed the obligation.
 - 2. Liability of:** Check the appropriate box indicating whether the personal note or lease agreement is the liability of you, your spouse, or a dependent child.
 - 3. Guarantor:** If the obligation was a loan, identify the guarantor of the loan, if any.
 - 4. Amount:** Check the appropriate monetary category for the amount of the liability. If the amount of the liability fluctuated throughout the year, select the category that represents the highest balance at any point throughout the year.
-

PART 7. INTERESTS IN REAL PROPERTY AND BUSINESS ENTITIES

This section is for reporting beneficial interests held or acquired in real property and business entities. Part 7A pertains to interest in real property and Part 7B pertains to interest in business entities. Refer to the following definitions when completing both Parts 7A and 7B. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Beneficial Interest. A beneficial interest may be either legal or equitable title (such as when a creditor takes the legal title as security for the repayment of a debt). Report items held by a trust of which you are a beneficiary under Part 9 rather than under this section.

Business Entity. "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust, or any other entity recognized by law through which business for profit is conducted.

PART 7A. INTERESTS IN REAL PROPERTY

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Held or Acquired by:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.
- 2. Street Address:** Enter the street address of the real property, if applicable, and include the city, county, and state where the real property is located.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

- 3. Description:** Check whether the real property consists of lots or acres. Provide the number of lots or acres, as applicable, and the name of each county in which the lots or acres are located.

If the real property is identifiable by a street address, you may provide that information in Item 3 of this part in lieu of filling out this item.

- 4. Names of Persons Retaining an Interest:** List the names of any persons retaining an interest in the real property other than you, your spouse, or a dependent child. The requirement to list the names of persons retaining an interest in real property does not apply to a severed mineral interest.

Example: If you own a house and make mortgage payments, you would list the house in this section and list the mortgage holder as another person retaining an interest in the property.

- 5. If Sold:** Complete this item only if you sold the interest during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

PART 7B. INTERESTS IN BUSINESS ENTITIES

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Held or Acquired by:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.
- 2. Description:** Provide the name and address of the business entity.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

- 3. If Sold:** Complete this item only if you sold the interest during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

PART 8. GIFTS

This section is for reporting gifts worth more than \$250 received by you, your spouse, or a dependent child, other than 1) a gift required to be reported by a lobbyist as a lobby expenditure, 2) a political contribution, or 3) a gift from a person related to you within the second degree by consanguinity or affinity. The term “gift” in Government Code section 572.023(b)(7) is broader than the term “gift” in Penal Code chapter 36 (bribery and gift laws) or in Government Code chapter 305 (lobby law). See [Ethics Advisory Opinion No. 71](#). Some examples of gifts that may require disclosure include a reception to honor a state officer (see [Ethics Advisory Opinion No. 415](#)), items of value provided to an officer at a charitable fundraiser (see [Ethics Advisory Opinion No. 71](#)), gifts to a state officer’s child for a birthday, bar or bat mitzvah, quinceañera, or christening (see [Ethics Advisory Opinion No. 421](#)), and waiver of a symposium fee (see [Ethics Advisory Opinion No. 29](#)), but not provision of facilities for use by a state officer’s child for an event that is a required part of a school-sponsored activity (see [Ethics Advisory Opinion No. 428](#)). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Gifts from Relatives. A parent, child, brother, sister, grandparent, or grandchild is related to you within the second degree by *consanguinity*. Individuals related to you within the second degree by *affinity* include the spouse of anyone related to you within the second degree by consanguinity, and anyone related to your spouse within the second degree by consanguinity. You are not required to report gifts from these individuals.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Donor:** Provide the name and address of the person or organization giving the gift.
- 2. Recipient:** Check the appropriate box indicating whether the gift was given to you, your spouse, or a dependent child. *If the gift was given to more than one person, check as many boxes as apply.*
- 3. Description:** Describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift.

PART 9. TRUST INCOME

Complete this section if *any* income was received as a beneficiary of a trust, other than a blind trust, the definition of which is included in the PART 10A of these instructions. Identify the trust by name and indicate the category of the amount received. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Source:** Provide the name of the trust.
- 2. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.

3. Income: Check the appropriate monetary category to indicate the amount of income received by the beneficiary.

4. Assets: Identify each asset of the trust from which more than \$500 in income was received, *if you know the identity of the asset*. Accordingly, you are not required to identify the assets of a blind trust.

PART 10. BLIND TRUSTS

This section is for reporting each blind trust, as defined by [section 572.023\(c\)](#) of the Government Code, in which you, your spouse, or a dependent child is a beneficiary. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet for Part 10A and Part 10B.

PART 10A. BLIND TRUSTS

Section 572.023(c), Government Code. A blind trust is a trust as to which:

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

(C) is not required to register as a lobbyist under [chapter 305](#) [of the Government Code];

(D) is not a public officer or public employee; and

(E) was not appointed to public office by the individual or by a public officer or public employee the individual supervises; and

(2) the trustee has complete discretion to manage the trust, including the power to dispose of and acquire trust assets without consulting or notifying the individual.

You must submit a statement signed by the trustee of each trust listed on this section. See Part 10B for additional information.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Name of Trust: Provide the name of the trust.

2. Trustee: Provide the name and address of the trustee.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

3. Beneficiary: Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.

4. Fair Market Value: Check the appropriate monetary category to indicate the fair market value of the trust.

5. Date Created: Report the date the trust was created.

PART 10B. TRUSTEE STATEMENT

You must submit with your personal financial statement a statement signed by the trustee of each blind trust listed on Part 10A.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Name of Trust: Provide the name of the trust.

2. Trustee Name: Provide the name of the trustee.

3. Filer on Whose Behalf Statement is Being Filed: Provide the name of the person on whose behalf the trustee statement is being filed.

4. Trustee Statement: Signature of the trustee.

PART 11A. OWNERSHIP OF BUSINESS ASSOCIATIONS

Part 11A is required for a PFS due on or after January 8, 2019.

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11A is separate from Part 11B and Part 11C of the PFS. If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Association: Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Business Type: State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.

3. Held, Acquired, or Sold by: Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.

PART 11B. ASSETS OF BUSINESS ASSOCIATIONS

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11B pertains to assets of the corporation or partnership, and Part 11C pertains to liabilities of the corporation or partnership. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Association: Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Business Type: State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.

3. Held, Acquired, or Sold by: Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.

4. Assets: Describe each asset of each business association and check the appropriate monetary category.

PART 11C. LIABILITIES OF BUSINESS ASSOCIATIONS

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11C pertains to liabilities of the corporation or partnership, and Part 11B pertains to assets of the corporation or partnership. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Association: Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Business Type: State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.

3. Held, Acquired, or Sold by: Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.

4. Liabilities: Describe each liability of the business association and check the appropriate monetary category.

PART 12. BOARDS AND EXECUTIVE POSITIONS

This section is for information about all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions held in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, or other business associations or proprietorships. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Non-Profits. This section applies to boards of directors and executive positions with non-profit as well as for-profit entities.

Compensated Service. If you, your spouse, or a dependent child received payment for positions listed in this section, you may also be required to list the entity under PART 1A. SOURCES OF OCCUPATIONAL INCOME.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Organization:** Provide the name of the organization.
 - 2. Position Held:** Provide the position held in the organization.
 - 3. Position Held by:** Check the appropriate box to indicate whether the position is held by you, your spouse, or a dependent child.
-

PART 13. EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

Generally, [section 36.07](#) of the Penal Code prohibits a public servant from accepting an honorarium in consideration for providing services he or she would not have been asked to provide but for his or her official position. The provision does not, however, prohibit the acceptance of necessary transportation, lodging, or meals in connection with a conference or similar event at which the public servant renders services, such as addressing an audience or participating in a seminar, that are more than merely perfunctory. If someone provided you with transportation, meals, or lodging under this provision, identify the donor and provide the amount of expenditures made. You may have to contact the donor to obtain the amount. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Political Contributions and Lobby Expenditures. You are not required to list items you or another candidate have already reported on a campaign finance report or items required to be reported by a lobbyist as lobby expenditures. See [Ethics Advisory Opinion No. 401](#).

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Provider:** Provide the name and address of the person making the expenditures.

2. Amount: Provide the amount of the expenditures.

PART 14. INTEREST IN BUSINESS IN COMMON WITH A LOBBYIST

Complete this section by identifying any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly held corporation, in which both you, your spouse, or a dependent child, and a person registered as a lobbyist under [chapter 305](#) of the Government Code, have an interest. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Interest. Please note that the statute applies if you, your spouse, or a dependent child, and a lobbyist both have “an interest” in the business. The interest does not have to be a “substantial interest” as in Part 1B in order to trigger the reporting requirement. Please note that for purposes of this section, a person who is an employee of a business entity is considered to have an interest in that business entity.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Entity: Provide the name and address of the partnership, joint venture, or other business association in which you, your spouse, or a dependent child, and a person registered as a lobbyist have an interest.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Interest Held by: Check the appropriate box to indicate whether you, your spouse, or a dependent child have an interest with a person registered as a lobbyist.

PART 15. FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST’S EMPLOYER

If you received a fee for providing services to or on behalf of a person required to be registered as a lobbyist under [chapter 305](#), Government Code, or for providing services to or on behalf of a person you **actually know** directly compensates or reimburses such a person, you must complete this section by providing the name of the person for whom you provided the services and the category of the amount of the fee you received. You are not required to disclose in this section fees received by your spouse for services rendered by your spouse although such fees may be required to be disclosed in Section 1. See [Ethics Advisory Opinion No. 252](#). You are not required to disclose fees received from a business entity by which you are employed unless the business entity is merely an alter ego of the state officer. See [Ethics Advisory Opinion No. 333](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Actual Knowledge. You "actually" know that someone directly compensates or reimburses a person required to be registered as a lobbyist if you personally know that the person does so or

you could readily determine that fact by contacting the person or the Texas Ethics Commission. See [Ethics Advisory Opinion No. 333](#) (1996).

Disclosing Confidential Information. State officers who are physicians are not required to include on their financial disclosure reports a patient's identity because that information is made confidential by the Medical Practices Act. See [Ethics Advisory Opinion No. 21](#). The commission has declined to extend this exception to accountants who would be reporting information regulated by the Public Accountancy Act. See [Ethics Advisory Opinion No. 22](#) (Public Accountancy Act does not make a client's identity confidential and therefore does not conflict with financial disclosure requirements). The commission has also indicated that this exception would not be extended to attorneys in cases where disclosing a client's identity would not reveal a confidential communication. See *id.*

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Person or Entity for Whom Services Were Provided:** Provide the name of the person or entity.
 - 2. Fee Category:** Check the appropriate fee category for the amount received.
-

PART 16. REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

This section applies only to members of the Texas Legislature. If you represented a person for compensation before a state agency in the executive branch, you must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. State Agency:** Provide the name of the state agency.
- 2. Person Represented:** Provide the name of the person you represented.
- 3. Fee Category:** Check the appropriate fee category for the amount received.

NOTE: Legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if:

1. the representation is pursuant to an attorney/client relationship in a criminal law matter;
 2. the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or
 3. the representation is in regard to a matter for which the legislator was hired before September 1, 2003.
-

PART 17. BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

Section 36.10 of the Penal Code provides that the gift prohibitions set out in Section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under [chapter 572](#), Government Code, or [title 15](#) of the Election Code, if: 1) the benefit and the source of any benefit over \$50 in value are reported in the statement; and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office that are non-reimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Source of Benefit:** Provide the name and address of the person or entity that is the source of the benefit.
 - 2. Benefit:** Describe the benefit received.
-

PART 18. LEGISLATIVE CONTINUANCES

This section applies only to members of the Texas Legislature. Complete this schedule if you are a member or member-elect of the legislature licensed to practice law and represent a party to a civil or criminal case for compensation and on behalf of that party's behalf you have applied for or obtained a legislative continuance under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant a continuance on the grounds that an attorney for a party is a member or member-elect of the legislature. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Name of Party Represented:** Provide the name of the party on whose behalf you applied for or obtained a continuance.
 - 2. Date Retained:** Provide the date on which you were retained to represent the party.
 - 3. Style, Cause Number, Court, and Jurisdiction:** Provide the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought.
 - 4. Date of Continuance Application:** Provide the date on which you applied for a continuance.
 - 5. Was Continuance Granted:** Indicate whether the continuance was granted.
-

PART 19. CONTRACTS TO SELL GOODS OR SERVICES TO A GOVERNMENTAL ENTITY OR GOVERNMENTAL ENTITY CONTRACTOR

Part 19 is required for a PFS due on or after January 8, 2019.

You must complete this part if, during the calendar year:

(1) You, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, was a party to one or more written contracts, **AND**

(2) All of the following apply to the contracts:

(A) The contracts were for the sale of goods or services in the amount of \$2,500 or more.

(B) The aggregate cost of the goods or services under the contracts exceeds \$10,000 in the calendar year.

(C) The contracts were with either:

- a governmental entity, or
- a person who contracts with a governmental entity, if the individual or entity described in (1) performed work arising out of the contract, subcontract, or agreement for a fee.

If this part applies, you must provide the following information for each of the contracts.

NOTE: This part does not require the disclosure of an employment contract between a school district or open-enrollment charter school and an employee of the district or school. This part does not apply to an individual who complies with any applicable requirements of Sections 51.954 (relating to disclosure of sponsors of research in public communications) and 51.955 (Prohibited State Agency Actions Related to Disclosure of Publicly Funded Research), Education Code, and Section 2252.908 of the Government Code (Disclosure of Interested Parties), in an individual capacity or as a member or employee or an entity to which those sections apply.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Filer Parties: Check the appropriate boxes to indicate whether you, your spouse, or a dependent child were a party to the contract. If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, that entity is identified in Box 3 (see below, at “3. Business Parties”).

2. Governmental Parties: Provide the name and address for each “Governmental Entity” or “Contractor for Governmental Entity” that is a party to the contract.

- **Governmental Entity.** A “Governmental Entity” means the State of Texas, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

If a party to the contract is a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Governmental Entity.

- **Contractor for Governmental Entity.** A “Contractor for a Governmental Entity” is a person who contracts with a Governmental Entity. This requirement applies if either you, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, performs work arising out of the contract, subcontract, or agreement between the Contractor for a Governmental Entity and the Governmental Entity for a fee.

If a party to the contract is a Contractor for a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Governmental Entity.

3. Business Parties: If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, provide the name and address of the business entity.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

PART 20. BOND COUNSEL SERVICES PROVIDED BY A LEGISLATOR

Part 20 is required for a PFS due on or after January 8, 2019.

This section applies only to a member of the Texas Legislature who provided bond counsel services to an issuer as defined by Section 1201.002(1) of the Texas Government Code.

Please identify each issuance for which you served as bond counsel. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Issuer Name:** Provide the name of the issuer.
- 2. Issuance Date:** Provide the date of the issuance.
- 3. Issuance Amount:** Provide the amount of the issuance.
- 4. Fees Paid to Filer:** Check the appropriate fee category for the amount of fees paid to the filer.
- 5. Fees Paid to Filer’s Firm:** Check the appropriate fee category for the amount of fees paid to the filer’s firm, if applicable.

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires that the personal financial statement be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations.

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 February 22, 2019

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989**

Visit us at <http://www.ethics.state.tx.us> on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

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

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

TABLE OF CONTENTS

INTRODUCTION..... 1

 Officeholders..... 1

 Judicial Candidates and Officeholders..... 1

 Federal Offices..... 1

 Filing Authorities..... 1

 Political Committees (PACS)..... 2

 Financial Disclosure Statements..... 2

 Federal Income Tax..... 3

 Texas Ethics Commission..... 3

APPOINTING A CAMPAIGN TREASURER..... 3

 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..... 4

 Effective Date of Appointment..... 4

 Code of Fair Campaign Practices..... 4

 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..... 5

 Deciding Not to Run..... 5

POLITICAL CONTRIBUTIONS AND EXPENDITURES..... 6

 Campaign Contributions..... 6

 Campaign Expenditures..... 7

 Officeholder Contributions..... 7

 Officeholder Expenditures..... 7

 Campaign Expenditures by Officeholder..... 7

 Permissible Use of Political Contributions..... 8

 Use of Political Funds to Rent or Purchase Real Property..... 8

 Accepting Contributions..... 8

 Reimbursement for Political Expenditures from Personal Funds..... 9

 Separate Account Required..... 9

INFORMATION REQUIRED ON REPORTS..... 9

 Contributions..... 9

 Pledges..... 9

 Loans..... 10

 Contributions of Personal Services..... 10

 Contributions of Personal Travel..... 10

 Contributions from Out-of-State Political Committees..... 10

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

| | |
|--|-----------|
| Expenditures | 11 |
| Unpaid Incurred Obligations..... | 11 |
| Expenditures Made by Credit Card..... | 11 |
| Campaign Expenditures from Personal Funds | 12 |
| Officeholder Expenditures from Personal Funds..... | 12 |
| Direct Expenditures | 13 |
| Supporting Political Committees | 13 |
| Payments to a Business of the Candidate or Officeholder..... | 13 |
| Interest Earned and Other Credits/Gains/Refunds..... | 13 |
| Purchase of Investments | 14 |
| Total Political Contributions Maintained..... | 14 |
| Time of Accepting Contribution..... | 14 |
| Time of Making Expenditure..... | 14 |
| PREPARING REPORTS..... | 15 |
| Forms | 15 |
| Signature Required..... | 15 |
| Filing Deadlines | 15 |
| Periods Covered by Reports..... | 15 |
| Deadline on Weekend or Holiday..... | 15 |
| 5 P.M. Deadline | 15 |
| Delivery by Mail or Other Carrier | 16 |
| Retention of Records Used for Reports | 16 |
| REPORTS..... | 16 |
| Semiannual Reports | 16 |
| Reports Due 30 Days and 8 Days Before an Election | 16 |
| Report Due 8 Days Before a Runoff Election | 17 |
| Modified Reporting..... | 17 |
| “15th Day After Appointment of Campaign Treasurer by an Officeholder” Report | 17 |
| Final Report | 18 |
| Annual Report of Unexpended Contributions | 18 |
| Final Disposition of Unexpended Contributions Report | 18 |
| ENDING FILING OBLIGATIONS..... | 18 |
| Final Report | 18 |
| Annual Report of Unexpended Contributions | 19 |
| Report of Final Disposition of Unexpended Contributions | 19 |
| PENALTIES FOR REPORTING VIOLATIONS..... | 20 |
| CAMPAIGN FINANCE RESTRICTIONS..... | 21 |

INTRODUCTION

This guide is a summary of reporting requirements and other regulations set out in title 15 of the Texas Election Code (chs. 251-258) 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.

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 Ethics Advisory Opinion 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 Elections 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* on the Internet.

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.

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. 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.)

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 \$50 or less during the reporting period.)

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 \$50 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* Ethics Commission Rules § 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 \$500 in a reporting period. Before *accepting* more than \$500 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 \$100 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 \$500 or less in a reporting period. For a contribution of \$500 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 \$100 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* Ethics Advisory Opinion 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

For reports due on or after September 28, 2011, 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 \$100;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$100; and

- any other gain from a political contribution, the amount of which exceeds \$100.

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 \$100 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 \$100. 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 T.A.C. § 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> on the Internet. 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> on the Internet.

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 \$500 in officeholder contributions or make more than \$500 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 \$500 in contributions or \$500 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 \$500 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 \$500 thresholds). A candidate must submit an amended campaign treasurer appointment (FORM ACTA) to select modified reporting for a different election cycle.

“15TH 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 \$500 in contributions or make more than \$500 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 \$500 in political contributions or make more than \$500 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.

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.

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 \$500 in contributions or made more than \$500 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. 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. 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. 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.) 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. 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. Elec. Code § 253.001.
7. Personal use of political contributions is prohibited. 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 Ethics Advisory Opinion No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions). 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 or in the Capitol Extension. Effective September 1, 2009, a candidate, officeholder, or political committee also may not accept political contributions in 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. Elec. Code § 253.039.

10. Federal law generally prohibits the acceptance of contributions from foreign sources. Contact the Federal Election Commission for more detailed information.

TEXAS ETHICS COMMISSION

CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS



This guide applies to all candidates for and officeholders in the following offices:

- chief justice or justice of the Supreme Court;
- presiding judge or judge of the Court of Criminal Appeals;
- chief justice or justice of a court of appeals;
- district judge;
- judge of a statutory county court; and
- judge of a statutory probate court.

This guide does not apply to candidates for and officeholders of justice of the peace. For those candidates and officeholders, the Ethics Commission makes available a CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES.

Revised May 24, 2019

www.ethics.state.tx.us

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

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

**CAMPAIGN FINANCE GUIDE FOR
JUDICIAL CANDIDATES AND OFFICEHOLDERS**

TABLE OF CONTENTS

GENERAL.....1
Officeholders.....1
Political Committees (PACs).....1
Federal Income Tax1
Code of Judicial Conduct.....1

FILING AUTHORITY.....2
Filing Authority for Campaign Finance Documents2
Personal Financial Statements2

**JUDICIAL CAMPAIGN TREASURER APPOINTMENT AND DECLARATION OF
INTENT REGARDING EXPENDITURE LIMITS.....3**
Required Filings.....3
Consequences of Failure to Complete Declaration of Intent Regarding Expenditure Limits ...4
No Campaign Contributions or Expenditures Without Proper Filings4
Effective Date of Filings.....4
Qualifications of Campaign Treasurer.....5
Duties of Campaign Treasurer5
Appointment by Officeholder5
Nonjudicial Officeholder Seeking Judicial Office.....5
Code of Fair Campaign Practices6
Changing Campaign Treasurers.....6
Terminating a Campaign Treasurer Appointment6
Filing for a Place on the Ballot7
Deciding Not to Run7
Transferring a Campaign Treasurer Appointment.....7

CONTRIBUTIONS.....7
Campaign Contributions7
Officeholder Contributions8
In-Kind Contribution8
Accepting Contributions8
Failure to Make a Determination About Acceptance or Refusal.....8
Returning Refused Contributions8
Acceptance During Special Legislative Session.....9
Separate Account Required.....9

CONTRIBUTION RESTRICTIONS.....9
No Campaign Contributions Without Proper Forms on File9
Contributions Prohibited Except During Election Period.....9
Contribution Limits.....10
Limits on Total Contributions From General-Purpose PACs.....11

| | |
|---|-----------|
| Contributions from Law Firms and Persons Affiliated with Law Firms | 13 |
| Corporate Contributions..... | 14 |
| Limits on Use of Contributions in Campaign for Nonjudicial Office | 14 |
| Use of Political Funds to Rent or Purchase Real Property | 15 |
| Contributions from Out-of-State Political Committees | 15 |
| Contributions During Regular Legislative Session..... | 16 |
| EXPENDITURES | 16 |
| Campaign Expenditures | 16 |
| Officeholder Expenditures | 16 |
| EXPENDITURE RESTRICTIONS | 16 |
| Personal Use of Political Contributions..... | 16 |
| Contributions to Others..... | 17 |
| Monetary Limits..... | 18 |
| Declaration of Intent Regarding Expenditure Limits..... | 18 |
| 60-Day Rule | 18 |
| Some Expenditures by Specific-Purpose Political Committees Count Towards Candidate's Expenditure Limits..... | 19 |
| Some Political Party Activities Count Towards Candidate's Expenditure Limits | 19 |
| Consequences of Noncompliance with Expenditure Limits | 19 |
| THIRD-PARTY LIMITS | 20 |
| Contact with Membership..... | 21 |
| Filing Authority | 21 |
| Time of Filing | 21 |
| Effect of Third Party Exceeding Limits..... | 21 |
| REIMBURSEMENT OF PERSONAL FUNDS AND LOANS | 21 |
| Reimbursement of Personal Funds | 21 |
| Loans from Relatives | 22 |
| REPORTS BY JUDICIAL CANDIDATES & OFFICEHOLDERS | 23 |
| Contributions on Hand..... | 23 |
| Assets on Hand | 23 |
| Political Contributions | 23 |
| Time of Accepting Contributions | 24 |
| Pledges | 24 |
| Loans During Reporting Period | 24 |
| Outstanding Loans | 25 |
| Contributions from Out-of-State Political Committees | 25 |
| Political Expenditures | 25 |
| Expenditures for Nonjudicial Activity..... | 25 |
| Unpaid Incurred Obligations..... | 26 |
| Expenditures Made by Credit Card..... | 26 |
| Time of Making Expenditure..... | 26 |
| Campaign Expenditures from Personal Funds..... | 26 |
| Officeholder Expenditures from Personal Funds..... | 27 |
| Direct Campaign Expenditures Made by a Filer..... | 27 |
| Notices Received from Political Committees | 27 |

| | |
|---|-----------|
| Payments to a Business of the Candidate or Officeholder..... | 28 |
| Nonpolitical Expenditures | 28 |
| Interest Earned and Other Credits/Gains/Refunds | 28 |
| Purchase of Investments | 29 |
| Specific-Purpose Political Committees..... | 29 |
| PREPARING REPORTS..... | 29 |
| Electronic Filing..... | 29 |
| Forms | 29 |
| Record Keeping | 29 |
| No Activity..... | 30 |
| Signature and Verification Required | 30 |
| Deadline on Weekend or Holiday..... | 30 |
| Action by Mail or Other Carrier | 30 |
| Penalties for Violations of Filing Requirements..... | 30 |
| REQUIRED REPORTS | 30 |
| Semiannual Reports | 30 |
| Reports Due 30 Days and 8 Days Before an Election | 31 |
| Report Due 8 Days Before a Runoff Election | 31 |
| Modified Reporting..... | 31 |
| "15th Day After Appointment of Campaign Treasurer by an Officeholder" Report..... | 32 |
| Special Pre-Election Reports | 32 |
| Special Session Report..... | 33 |
| Final Report | 33 |
| Personal Financial Disclosure Statement..... | 33 |
| Annual Report of Unexpended Contributions | 33 |
| Report of Final Disposition of Unexpended Contributions | 33 |
| ENDING A CANDIDACY | 33 |
| Final Report | 33 |
| Annual Report of Unexpended Contributions | 34 |
| Report of Final Disposition of Unexpended Contributions | 34 |
| OTHER CAMPAIGN FINANCE RESTRICTIONS | 35 |
| Corporations and Labor Organizations..... | 35 |
| Out-of-State Political Committees..... | 35 |
| Contributions in the Capitol or a Courthouse | 35 |
| Cash Contributions..... | 35 |
| Real Property | 35 |
| Anonymous Contributions | 36 |
| Personal Use..... | 36 |
| Personal Services of Candidate or Family Member | 36 |
| Business of Candidate..... | 36 |
| Personal Reimbursement | 36 |
| Foreign Contributors..... | 37 |
| Political Advertising | 37 |
| Separate Account | 37 |

GENERAL

This guide is a summary of the judicial campaign finance regulations set out in title 15 (chs. 251-285) of the Election Code and in the rules adopted by the Texas Ethics Commission. This guide applies to all candidates for and officeholders in the following offices:

- chief justice or justice of the Supreme Court;
- presiding judge or judge of the Court of Criminal Appeals;
- chief justice or justice of a court of appeals;
- district judge;
- judge of a statutory county court; and
- judge of a statutory probate court.

OFFICEHOLDERS

A judge who has a campaign treasurer appointment on file is a "candidate" for purposes of title 15 and is subject to all the regulations applicable to candidates. A judge who is not a candidate, as defined in Election Code section 251.001(1), is subject to the regulations applicable to officeholders.

POLITICAL COMMITTEES (PACS)

Often a candidate or officeholder chooses to establish a specific-purpose political committee. A political committee is subject to filing requirements separate from the candidate's or officeholder's filing requirements. For purposes of various restrictions applicable to judicial candidates and officeholders, however, activity by a specific-purpose political committee organized to support a judicial candidate or officeholder or to oppose a candidate's opponent is considered to be activity of the judicial candidate or officeholder that the activity benefits.

The Ethics Commission's "Campaign Finance Guide for Political Committees" explains the general rules applicable to all political committees.

FEDERAL INCOME TAX

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

CODE OF JUDICIAL CONDUCT

This pamphlet does not address campaign restrictions set out in the Code of Judicial Conduct. For information about those restrictions, call the State Commission on Judicial Conduct in Austin at (512) 463-5533.

FILING AUTHORITY

FILING AUTHORITY FOR CAMPAIGN FINANCE DOCUMENTS

Candidates and Officeholders. Candidates for and holders of the judicial offices listed here, as well as specific-purpose political committees supporting such candidates or officeholders, must file periodic campaign finance reports. The appropriate filing authority depends on the office sought or held.

| <u>Office Sought or Held</u> | <u>Filing Authority</u> |
|--|-------------------------|
| Supreme Court Justice | Texas Ethics Commission |
| Judge of the Court of Criminal Appeals | Texas Ethics Commission |
| Justice of a court of appeals | Texas Ethics Commission |
| Multi-county district court judge | Texas Ethics Commission |
| Single-county district court judge | Texas Ethics Commission |
| Statutory county court judge | County Filing Authority |
| Statutory probate court judge | County Filing Authority |

Specific-Purpose Political Committees. A specific-purpose political committee supporting or opposing a judicial candidate or officeholder files with the same filing authority as the candidate or officeholder. If a specific-purpose political committee supports more than one candidate or officeholder and would be required to file with more than one local authority, the political committee may file with the Ethics Commission and not with any other filing authority.

County Filing Authorities. The appropriate filing authority is the county clerk (or the elections administrator if the county has an elections administrator, or the 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) if the specific-purpose political committee supports or opposes a candidate for a county office, a precinct office, or a district office other than a district office filled by voters in more than one county.

PERSONAL FINANCIAL STATEMENTS

Judges and judicial candidates must file personal financial statements under either Government Code chapter 572 or Local Government Code chapter 159, subchapter C. Candidates for and holders of the offices of justice of the Supreme Court, judge of the Court of Criminal Appeals, justice of a court of appeals, and district judges are required to file personal financial statements with the Texas Ethics Commission in accordance with Government Code chapter 572. New state law requires all personal financial statements filed with the Ethics Commission to be filed electronically. Please visit the Ethics Commission website at www.ethics.state.tx.us for

additional information regarding the filing application and instructions. Judges of statutory county courts and statutory probate courts and candidates for those offices file in accordance with Local Government Code chapter 159, subchapter C. A person holding office must file a personal financial statement each year.

JUDICIAL CAMPAIGN TREASURER APPOINTMENT AND DECLARATION OF INTENT REGARDING EXPENDITURE LIMITS

REQUIRED FILINGS

If you plan to run for a public judicial office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A JUDICIAL CANDIDATE (FORM JCTA) with the proper filing authority before you become a judicial 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.

Every candidate for one of the judicial offices covered by this guide must also file a declaration of intent to comply or not to comply with expenditure limits by completing the appropriate part of FORM JCTA.

CONSEQUENCES OF FAILURE TO COMPLETE DECLARATION OF INTENT REGARDING EXPENDITURE LIMITS

Order Issued by Executive Director. The Judicial Campaign Fairness Act requires the executive director of the Ethics Commission to issue an order suspending the limits on contributions, expenditures, and reimbursement of personal funds for complying candidates not later than the fifth day after the executive director determines that a person has become a candidate for that office and has failed to complete a declaration of intent regarding expenditure limits. Elec. Code § 253.165(b).

A judicial candidate who fails to complete a declaration of intent regarding expenditure limits is a "noncomplying candidate." A complying candidate for a judicial office is not required to comply with the limits on contributions, expenditures, and reimbursement of personal funds if another person becomes a candidate and fails to file a declaration of intent regarding expenditure limits.

Also, a judicial candidate may not accept a campaign contribution or make a campaign expenditure without first filing a campaign treasurer appointment and completing the declaration of intent regarding expenditure limits. (Both are on FORM JCTA.) See "No Campaign Contributions or Expenditures Without Proper Filings," below.

NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT PROPER FILINGS

Additionally, a judicial candidate may not accept a campaign contribution or make a campaign expenditure, including an expenditure from personal funds, without first filing a campaign treasurer appointment and completing a judicial declaration of intent to comply or not to comply with expenditure limits. (Both are on FORM JCTA.) 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 and a judicial declaration of intent to comply or not to comply with expenditure limits. Also, a judicial candidate or officeholder may not accept any campaign or officeholder contributions outside of a specified period. See "Contributions Prohibited Except During Election Period" in this guide.

After a candidate has filed a campaign treasurer appointment, the candidate is responsible for filing periodic reports of contributions and expenditures until the candidate files a final report. (**Note:** The filing requirement applies to the candidate, not to the candidate's campaign treasurer.) An officeholder is responsible for filing periodic reports of contributions and expenditures regardless of whether the officeholder has a campaign treasurer appointment on file. (Exception: An officeholder who is required to file campaign finance reports only with an authority other than the Ethics Commission *and who does not have a campaign treasurer appointment on file* is not required to file a report for a period in which the officeholder does not exceed \$500 in contributions or expenditures.)

EFFECTIVE DATE OF FILINGS

A hand-delivered FORM JCTA takes effect on the date of delivery. A FORM JCTA that is mailed or sent by common carrier takes effect on the date of the post office cancellation mark or common carrier receipt mark.

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. The candidate, not the campaign treasurer, is responsible for filing reports. (**Note:** The campaign treasurer of a *political committee* is legally responsible for filing the political committee's campaign finance reports.)

APPOINTMENT BY OFFICEHOLDER

If an officeholder files a campaign treasurer appointment after a period in which he or she did not have a campaign treasurer appointment on file, the officeholder must file a report of contributions and expenditures no later than 15 days after filing the campaign treasurer appointment. (Exception: An officeholder who files with an authority other than the Ethics Commission does not have to file the "15th Day After" report unless the officeholder exceeded \$500 in contributions or expenditures in the period that would be covered by the report. *See* "15th Day After Appointment of Campaign Treasurer by Officeholder Report" in this guide.) An officeholder who merely *changes* campaign treasurers is not required to file this report. (Remember: After filing a campaign treasurer appointment, a judge is a candidate for purposes of the campaign finance laws.)

NONJUDICIAL OFFICEHOLDER SEEKING JUDICIAL OFFICE

The Judicial Campaign Fairness Act imposes campaign finance restrictions and reporting requirements on certain judicial candidates and officeholders that do not apply to nonjudicial candidates and officeholders. Pursuant to Ethics Advisory Opinion 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.

Filing Two Reports for Each Deadline. A nonjudicial officeholder who becomes a judicial candidate and files two reports (one on FORM C/OH reporting nonjudicial activity and one on FORM JC/OH reporting judicial activity) must file both reports with the filing authority with which the candidate's current campaign treasurer appointment is required to be filed. Additionally, *each* report is subject to the filing deadlines and filing penalties applicable to a candidate.

The requirement to file a report disclosing nonjudicial activity continues until the judicial candidate files an “AFFIDAVIT TO CEASE DUAL REPORTING OBLIGATIONS PURSUANT TO ETHICS ADVISORY OPINION NO. 465” form with the proper filing authority stating that he or she: (1) does not maintain unexpended political contributions raised as a nonjudicial candidate or officeholder, (2) does not maintain unexpended interest or income earned from political contributions raised as a nonjudicial candidate or officeholder, (3) does not retain assets purchased with political contributions raised as a nonjudicial candidate or officeholder, and (4) does not retain assets purchased with interest or other income from political contributions raised as a nonjudicial candidate or officeholder.

Filing One Report for Each Deadline. A nonjudicial officeholder who becomes a judicial candidate may select to file a single report that includes both candidate and officeholder activity if: (1) in the description of an expenditure he or she states whether the expenditure is for nonjudicial activity, and (2) the total contributions maintained at the end of the reporting period states the amount attributed to nonjudicial contributions and the amount attributed to judicial contributions.

A nonjudicial officeholder seeking judicial office who files two campaign finance reports and later decides to instead file one campaign finance report combining judicial and nonjudicial activity must submit written notice of that decision to the filing authority with which the candidate’s current campaign treasurer appointment is required to be filed before the next applicable deadline.

CODE OF FAIR CAMPAIGN PRACTICES

After a candidate files a campaign treasurer appointment, the filing authority must provide the candidate with a form containing a Code of Fair Campaign Practices. If the candidate chooses to do so, the candidate may pledge to conduct his or her campaign in accordance with the principles and practices set out in the Code. A candidate does so by signing the form and filing it with the proper filing authority with whom the candidate filed his or her campaign treasurer appointment.

CHANGING CAMPAIGN TREASURERS

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

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

A candidate may terminate a campaign treasurer appointment by filing an amended campaign treasurer appointment 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.

If a candidate's campaign treasurer appointment has been terminated and the candidate has not filed a new treasurer appointment, the candidate may not accept a campaign contribution or make a campaign expenditure.

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 guidance about filing for a place on the ballot. Call (512) 463-5650 or toll-free (800) 252-8683.

DECIDING NOT TO RUN

If an individual files a campaign treasurer appointment but never actually enters the race, the campaign treasurer appointment does not simply expire. The individual must file reports of contributions and expenditures until he or she files a final report. (An officeholder must comply with the reporting requirements applicable to officeholders, regardless of whether the officeholder has a campaign treasurer appointment on file.) *See* "Ending a Candidacy" in this guide.

TRANSFERRING A CAMPAIGN TREASURER APPOINTMENT

If a candidate who has filed a campaign treasurer appointment decides to seek a different office that would require the appointment to be filed with another authority, a copy of the appointment certified by the authority with whom it was originally filed must be filed with the other authority in addition to the new campaign treasurer appointment. Elec. Code § 252.010(a).

CONTRIBUTIONS

There are two types of political contributions: campaign contributions and officeholder contributions.

CAMPAIGN CONTRIBUTIONS

A campaign contribution is any transfer or promise to transfer money, goods, services, or any other thing of value made with the intent that it be used in connection with a campaign for elective office.

In order to accept a campaign contribution, a judge or judicial candidate must have on file a campaign treasurer appointment and a declaration of intent to comply or not to comply with expenditure limits. (Both are on FORM JCTA.) *See* "No Campaign Contributions Without Proper Forms on File" in this guide.

A judge or judicial candidate may accept a campaign contribution only during a limited period. *See* "Contributions Prohibited Except During Election Period" in this guide. Also there are limits on the amount a judge or judicial candidate may accept from various sources. *See* "Contribution Restrictions" in this guide.

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. You 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.

OFFICEHOLDER CONTRIBUTIONS

An officeholder contribution to a judge or to a judicial specific-purpose political committee is a contribution intended to defray expenses incurred by the judge in connection with the judge's duties or activities of office if the expenses are not reimbursable with public money.

A judge or judicial candidate is not required to file any documents before accepting an officeholder contribution. However, a judge or judicial candidate may accept an officeholder contribution only during a limited period. *See* "Contributions Prohibited Except During Election Period" in this guide.

IN-KIND CONTRIBUTION

A contribution of goods or services is an "in-kind" contribution.

ACCEPTING CONTRIBUTIONS

A report must include contributions that a filer has *accepted*. Receipt is different from acceptance. A decision to accept or not accept a contribution must be made by the end of the reporting period during which the contribution is received.

New legislation effective September 1, 2009, expands the prohibition on the acceptance of contributions in certain public buildings. *See* “Other Campaign Finance Restrictions” in this guide.

FAILURE TO MAKE A DETERMINATION ABOUT ACCEPTANCE OR REFUSAL

A contribution is deemed to be accepted if the recipient fails to make a determination to accept or refuse the contribution by the deadline for making the decision.

RETURNING REFUSED CONTRIBUTIONS

A political contribution that is received but not accepted must be returned to the contributor not later than the 30th day after the deadline for filing a report for the reporting period during which the contribution is received. A contribution not returned within that time is deemed to be accepted.

If a judicial candidate or officeholder receives a contribution exceeding the applicable limits, the candidate or officeholder must return the contribution by the later of the last day of the reporting period or the fifth day after receiving the contribution.

ACCEPTANCE DURING SPECIAL LEGISLATIVE SESSION

Judges holding and judicial candidates seeking statewide offices are required to file reports in connection with a special session of the legislature if they accept political contributions during the period beginning on the day the governor calls a special session and ending on the day the special session ends. A decision to accept a contribution made during the period covered by a special session report must be made by the third day after the contribution is received.

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.)

CONTRIBUTION RESTRICTIONS

NO CAMPAIGN CONTRIBUTIONS WITHOUT PROPER FORMS ON FILE

A judge or judicial candidate (including a write-in candidate) may not accept a campaign contribution or make a campaign expenditure unless he or she has on file with the appropriate filing authority a JUDICIAL CAMPAIGN TREASURER APPOINTMENT (FORM JCTA) and has completed the part titled "Judicial Declaration of Intent Regarding Expenditure Limits" on that form. The Ethics Commission makes this form available. A write-in candidate may not accept a political contribution or make a political expenditure before appointing a campaign treasurer, filing a declaration of intent regarding expenditure limits, and filing a declaration of write-in candidacy.

CONTRIBUTIONS PROHIBITED EXCEPT DURING ELECTION PERIOD

A judge, judicial candidate, or judicial specific-purpose political committee may accept a political contribution only during a specified period. (This rule applies to both campaign contributions and officeholder contributions.) The period begins 210 days before the judge or judicial candidate is required to file an application to be on the ballot or to file an application for nomination by convention. (If the election is for an unexpired term, the period begins on the later of 210 days before the date an application for a place on the ballot or for nomination by convention for the office is required to be filed or the date a vacancy in the office occurs.) The period ends 120 days after the election in which the candidate last appeared on the ballot, regardless of whether the candidate has an opponent in that election. Please note that this rule does not prohibit a judicial candidate or officeholder from depositing their personal funds into their campaign account or making political expenditures from their personal funds during the moratorium period.

Effective September 1, 2009, the ending date for the period for accepting political contributions does not apply to a political contribution made and accepted with the intent it be used to defray expenses incurred in connection with an election, including the repayment of a debt that is incurred directly by the making of a campaign expenditure during the period beginning on the date the application for a place on the ballot or for the nomination by convention was required to be filed for the election in which the candidate last appeared on the ballot and ending on the date of the election.

Exception for Person Appointed to Fill Vacancy. A person who is appointed to fill a vacancy in a judicial office and who was not a judicial officer at the time of the appointment may accept officeholder contributions during the period that begins on the date the person assumes the duties of the office and ends 60 days later.

CONTRIBUTION LIMITS

A judicial candidate may not accept political contributions from a person that exceed certain limits in connection with an election. The contribution limits are:

- \$5,000 for candidates for statewide judicial offices;
- \$5,000 for candidates for courts of appeals, district courts, statutory county courts, or statutory probate courts if the [population of the judicial district](#) is more than one million;
- \$2,500 for candidates for courts of appeals, district courts, statutory county courts, or statutory probate courts if the [population of the judicial district](#) is from 250,000 to one million; and
- \$1,000 for candidates for courts of appeals, district courts, statutory county courts, or statutory probate courts if the [population of the judicial district](#) is less than 250,000.

These limits apply to total contributions, both monetary and in-kind, from an individual or from an entity in connection with an election.

Meaning of “in Connection with an Election.” A contribution is “in connection with an election” if it is designated in writing for a particular election. If it is not designated in writing for a particular election, it is considered to be “in connection with” the next election for the office occurring after the contribution is made.

Primary and General Elections Are Treated As a Single Election for Certain Candidates and Related Specific-Purpose Political Committees. For purposes of various contribution limits, the primary election and the general election are considered to be a single election if the candidate is unopposed in the primary *or* if the candidate does not have an opponent on the ballot in the general election. Elec. Code § 253.1621. For candidates for whom the primary election and general election are considered to be one election, the various contribution limits for that “single election” are increased by 25 percent. *Id.* (Note that the 25 percent increase does not apply to reimbursement of personal funds and payment on certain loans.) The amount of that increase may only be used for officeholder expenditures.

Specific-Purpose Political Committees. A contribution to a specific-purpose political committee for supporting a candidate, opposing the candidate's opponent, or assisting the candidate as an officeholder is considered to be a contribution to the candidate or officeholder for purposes of the contribution limits.

Family Members of Contributors. A contribution from the spouse or an unmarried minor child of an individual is considered to be from that individual. In other words, the contribution limits are, in some cases, family limits.

Candidate's Blood Relatives. The contribution limits do not apply to contributions to a judicial candidate from the candidate's parents, children, brothers, sisters, grandparents, or grandchildren. As a practical matter, the rules regarding third-party limits put a cap on contributions to a judicial candidate or officeholder from their blood relatives. See "[Third-Party Limits](#)" in this guide.

General-Purpose Political Committees. The limits set out above do not apply to contributions from a general-purpose political committee. Also, there is an aggregate limit on contributions from general-purpose political committees. See "Limits on Total Contributions from General-Purpose PACs" below. As a practical matter, the rules regarding third-party limits put a cap on contributions to a judicial candidate or officeholder from any single general-purpose political committee. See "Third-Party Limits" in this guide.

Law Firms and Persons Affiliated with Law Firms. There are additional restrictions applicable to contributions from law firms and individuals and entities affiliated with a law firm. See "Contributions from Persons Affiliated With Law Firm" in this guide.

Returning Excess Contributions. A person that receives a contribution that exceeds the contribution limits must return the contribution by the later of the last day of the reporting period in which the person received the contribution or the fifth day after the contribution is received.

LIMITS ON TOTAL CONTRIBUTIONS FROM GENERAL-PURPOSE PACS

The Judicial Campaign Fairness Act sets a limit on the total contributions a judicial candidate or officeholder may accept from general-purpose political committees in connection with one election. Also, as a practical matter, the rules regarding third-party limits put a cap on contributions to a judicial candidate or officeholder from any single general-purpose political committee. See "Third-Party Limits" in this guide.

Both monetary contributions and in-kind contributions count toward the aggregate limit on contributions from general-purpose political committees. Total political contributions from general-purpose political committees may not exceed:

- \$300,000 for a candidate for a statewide judicial office;
- \$75,000 for a candidate for chief justice or justice of a court of appeals if the [population of the judicial district](#) is more than one million;
- \$52,500 for a candidate for chief justice or justice of a court of appeals if the [population of the judicial district](#) is one million or less;

- \$52,500 for a candidate for judge of a district court, a statutory county court, or a statutory probate court if the [population of the judicial district](#) is more than one million;
- \$30,000 for a candidate for judge of a district court, a statutory county court, or a statutory probate court if the [population of the judicial district](#) is 250,000 to one million; and
- \$15,000 for a candidate for judge of a district court, a statutory county court, or a statutory probate court if the [population of the judicial district](#) is less than 250,000.

See “Primary and General Elections Are Treated As a Single Election for Certain Candidates and Related Specific-Purpose Political Committees” above.

Remember: The rules regarding third-party limits effectively put a cap on contributions to a judicial candidate or officeholder from any single general-purpose political committee. *See* “Third-Party Limits” in this guide.

Independent Activity by General-Purpose Political Committee. Under the general campaign finance law, an expenditure by a general-purpose political committee to support a candidate is a contribution to the candidate if the expenditure is made with the prior consent or approval of the candidate. In contrast, an expenditure to support a candidate made without the prior consent or approval of the candidate is a “direct campaign expenditure” by the general-purpose political committee and is not considered to be a contribution to the candidate. (A contribution is something a candidate has an opportunity to accept or refuse.)

The Judicial Campaign Fairness Act appears to treat certain direct campaign expenditures as contributions by providing that “an expenditure by a general-purpose political committee for the purpose of supporting a candidate, for opposing the candidate's opponent, or for assisting the candidate as an officeholder is considered to be a contribution to the candidate unless the campaign treasurer of the general-purpose political committee, in an affidavit filed with the authority with whom the candidate's campaign treasurer appointment is required to be filed, states that the political committee has not directly or indirectly communicated with the candidate's campaign, including the candidate, an aide to the candidate, a campaign officer, a campaign consultant, or a specific-purpose political committee in regard to a strategic matter, including polling data, advertising, or voter demographics, in connection with the candidate's campaign.”

Taken alone, that language suggests that expenditures a candidate does not know about can count against the candidate's aggregate limit on contributions from general-purpose political committees. Don't worry. The act limits total contributions “knowingly accepted” from general-purpose political committees. A candidate cannot knowingly accept a contribution he or she doesn't know about. In other words, the affidavit described above may show that a political committee's expenditure is not a contribution to a candidate; the absence of an affidavit does not, however, show that a political committee's expenditure was knowingly accepted as a contribution by the candidate.

Specific-Purpose Political Committees. A contribution to a specific-purpose political committee for supporting a candidate, opposing the candidate's opponent, or assisting the

candidate as an officeholder is considered to be a contribution to the candidate or officeholder for purposes of the limits on contributions from general-purpose political committees.

Political Parties. The principal political committees of the political parties' state executive committees and the political parties' county executive committees are general-purpose political committees. An expenditure by a party committee, however, does not count toward the limit on contributions by general-purpose political committees if the expenditure is for a generic get-out-the-vote campaign or for a written list of two or more candidates that:

- (1) identifies the party's candidates by name and office sought, office held, or photograph;
- (2) does not include any reference to the judicial philosophy or positions on issues of the party's judicial candidates; *and*
- (3) is not broadcast, cablecast, published in a newspaper or magazine, or placed on a billboard.

Also, some political party activity may count towards a candidate's expenditure limits. *See* Elec. Code § 253.171.

Returning Excess Contributions. A person that receives an impermissible contribution from a general-purpose political committee must return the contribution by the later of the last day of the reporting period in which the contribution is received or the fifth day after the contribution is received.

CONTRIBUTIONS FROM LAW FIRMS AND PERSONS AFFILIATED WITH LAW FIRMS

The Judicial Campaign Fairness Act places an additional restriction on contributions from law firms and from persons and entities affiliated with law firms. To understand the restriction, it is useful to think in terms of a law firm's "restricted contributor class." *A law firm's restricted contributor class includes the law firm itself.* It also includes any general-purpose political committee established and controlled by a law firm or by members of a law firm; any partner, associate, shareholder, or employee of a law firm; any person designated "of counsel" to the firm or "of the firm;" and any spouse or minor child of one of the members of the group.

The restriction applicable to contributions from a law firm's restricted contributor class is somewhat complicated: In connection with any one election, a judicial candidate or a specific-purpose political committee for supporting or opposing a judicial candidate may not accept a contribution of more than \$50 from a member of a law firm's restricted contributor class if the total of all contributions already accepted from members of the law firm's restricted contributor class exceeds the following limits (or if the contribution would cause the total to exceed the following limits):

- \$30,000 for candidates for statewide judicial offices;

- \$30,000 for candidates for courts of appeals, district courts, statutory county courts and statutory probate courts if the [population of the judicial district](#) is more than one million;
- \$15,000 for candidates for courts of appeals, district courts, statutory county courts and statutory probate courts if the [population of the judicial district](#) is from 250,000 to one million; and
- \$6,000 for candidates for courts of appeals, district judgeships, statutory county courts and statutory probate courts if the [population of the judicial district](#) is less than 250,000.

(Contributions from any member of the law firm's restricted class, including the law firm itself, may not exceed any other applicable restriction. For example, an individual lawyer could contribute no more than \$5000 to a supreme court candidate in connection with a primary election.) *See* "Primary and General Elections Are Treated As a Single Election for Certain Candidates and Related Specific-Purpose Political Committees" in this guide.

Contributions from Candidate's Blood Relatives. A law firm's restricted contributor class does not include a candidate's parents, children, brothers, sisters, grandparents, or grandchildren.

Specific-Purpose Political Committees. A contribution to a specific-purpose political committee for supporting a candidate, opposing the candidate's opponent, or assisting the candidate as an officeholder is considered to be a contribution to the candidate or officeholder for purposes of the restrictions on contributions from persons affiliated with a law firm.

Returning Excess Contributions. A candidate or specific-purpose political committee that receives an impermissible contribution from a member of a law firm's restricted contributor class must return the contribution by the later of the last day of the reporting period in which the contribution is received or the fifth day after the contribution is received.

CORPORATE CONTRIBUTIONS

The campaign finance law generally prohibits corporate political contributions. This restriction does not apply to contributions from professional corporations. Partnerships that include one or more corporate partners are subject to the prohibition.

LIMITS ON USE OF CONTRIBUTIONS IN CAMPAIGN FOR NONJUDICIAL OFFICE

The following restrictions apply to contributions accepted on or after June 16, 1995.

- (a) A judicial candidate or officeholder, a specific-purpose committee for supporting or opposing a judicial candidate, or a specific-purpose committee for assisting a judicial officeholder may not use a political contribution to make a campaign expenditure for judicial office or to make an officeholder expenditure in connection with a judicial office if the contribution was accepted while the candidate or officeholder:
 - (1) was a candidate for an office other than a judicial office; or

- (2) held an office other than a judicial office, unless the person had become a candidate for judicial office.
- (b) A candidate, officeholder, or specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not use a political contribution to make a campaign expenditure for an office other than a judicial office or to make an officeholder expenditure in connection with an office other than a judicial office if the contribution was accepted while the candidate or officeholder:
 - (1) was a candidate for a judicial office; or
 - (2) held a judicial office, unless the person had become a candidate for another office.
- (c) This section does not prohibit a candidate or officeholder from making a political contribution to another candidate or officeholder. (*But see* "Contributions to Others" in this guide.)
- (d) A person who violates this section is liable for a civil penalty not to exceed three times the amount of political contributions used in violation of this section.

Elec. Code § 253.161.

See "Nonjudicial Officeholder Seeking Judicial Office" in this guide for information on reporting judicial and nonjudicial activity.

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. 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.

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

Before a candidate or officeholder may accept more than \$500 in a reporting period from an out-of-state political committee, the candidate or officeholder must obtain certain documentation. Before accepting a contribution that causes a candidate or officeholder to exceed this total, he or she must obtain from the out-of-state political committee 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 \$100 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 political committee. A candidate or officeholder must include this documentation with the report of contributions and expenditures for the period in which the contribution was accepted.

If contributions from an out-of-state political committee do not exceed \$500 in a reporting period, there is no requirement to obtain documentation *before accepting* the contribution or contributions. But there is a requirement that certain documentation must be included in the report covering the period in which the contribution or contributions were accepted. 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 political committee, *or* (2) the political committee's name, address, and phone number; the name of the person appointing the political committee's campaign treasurer; and the name, address, and phone number of the political committee's campaign treasurer.

CONTRIBUTIONS DURING REGULAR LEGISLATIVE SESSION

Although other statewide elective offices are subject to a moratorium on political contributions during a regular legislative session, this restriction is not applicable to statewide judicial officers.

EXPENDITURES

There are two types of political expenditures: campaign expenditures and officeholder expenditures.

CAMPAIGN EXPENDITURES

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

In order to make a campaign expenditure, a judge or judicial candidate must have on file a campaign treasurer appointment and a declaration of intent to comply or not to comply with expenditure limits.

OFFICEHOLDER EXPENDITURES

An officeholder expenditure is an expenditure to defray expenses incurred by an officeholder in connection with the officeholder's duties or activities of office if the expenses are not reimbursable with public money. A judge may make an officeholder expenditure at any time.

EXPENDITURE RESTRICTIONS

PERSONAL USE OF POLITICAL CONTRIBUTIONS

Candidates and officeholders may not convert political contributions to personal use. *See* "Other Campaign Finance Restrictions" in this guide.

CONTRIBUTIONS TO OTHERS

There are restrictions on judicial candidates' and officeholders' use of political contributions to make contributions to other candidates or officeholders or political committees.

Contributions to Other Candidates or Officeholders. A judicial candidate or officeholder or a specific-purpose political committee for supporting or opposing a judicial candidate or assisting a judicial officeholder may not use a political contribution to make political contributions that in the aggregate exceed \$100 in a calendar year to a candidate or officeholder. Elec. Code § 253.1611(a).

Contributions to Political Committee in Connection with Primary Election. A judicial candidate or a specific-purpose political committee for supporting or opposing a judicial candidate may not use a political contribution to make political contributions to a political committee in connection with a primary election. Elec. Code § 253.1611(b).

Contributions to Political Committee in Connection with General Election. A judicial candidate or a specific-purpose political committee for supporting or opposing a judicial candidate may not use a political contribution to make a political contribution to a political committee that, when aggregated with each other political contribution to a political committee in connection with a general election, exceeds \$500. Elec. Code § 253.1611(c).

Contributions in Nonelection Years. A judicial officeholder or a specific-purpose committee for assisting a judicial officeholder may not, in any calendar year in which the office held is not on the ballot, use a political contribution to knowingly make a political contribution to a political committee that, when aggregated with each other political contribution to a political committee in that calendar year, exceeds \$250. Elec. Code § 253.1611(d).

Contributions to Political Party Political Committees. Beginning June 16, 2017, the restrictions on contributions to political committees do not apply to a contribution to the principal political committee of the state executive political committee or to a county executive political committee of a political party that provides goods or services, including political advertising or a campaign communication, to or for the benefit of judicial candidates.¹ Elec. Code § 253.1611(e).

Contributions to Certain Affiliated Political Committees. Beginning June 16, 2017, the restrictions on contributions to political committees* do not apply to a contribution made, for the purpose of sponsoring or attending an event, to a political committee affiliated with:

- (1) an organization that has been designated as an auxiliary, coalition, or county chair association of a political party as provided by political party rule or state executive committee bylaw; or
- (2) a local chapter of an organization described by Subdivision (1).

¹ Prior to June 16, 2017, section 253.1611(e) of the Election Code contained an exception for political contributions to certain political party political committees that are (1) made in return for goods or services, the value of which substantially equals or exceeds the amount of the contribution; or (2) in an amount not more than the candidate's or officeholder's pro rata share of the committee's normal overhead and operating costs.

* This exception only applies to a political committee affiliated with a political party required to nominate candidates by primary election. Elec. Code § 253.1611(e-1).

MONETARY LIMITS

The Judicial Campaign Fairness Act sets out voluntary limits on political expenditures. The limits apply to each election in which a candidate is involved. A complying candidate may not exceed the following limits:

- \$2 million for a candidate for a statewide judicial office;
- \$500,000 for a candidate for chief justice or justice of a court of appeals if the [population of the judicial district](#) is more than one million;
- \$350,000 for a candidate for chief justice or justice of a court of appeals if the [population of the judicial district](#) is one million or less;
- \$350,000 for a candidate for a district court, a statutory county court, or a statutory probate court if the [population of the judicial district](#) is more than one million;
- \$200,000 for a candidate for a district court, a statutory county court, or a statutory probate court if the [population of the judicial district](#) is 250,000 to one million; and
- \$100,000 for a candidate for a district court, a statutory county court, or a statutory probate court if the [population of the judicial district](#) is less than 250,000.

DECLARATION OF INTENT REGARDING EXPENDITURE LIMITS

Every candidate for one of the judicial offices covered by this guide must file a declaration of intent to comply or not to comply with expenditure limits by completing the appropriate part of FORM JCTA. *See* "Consequences of Failure to Complete Declaration of Intent Regarding Expenditure Limits" and "No Campaign Contributions or Expenditures Without Proper Filings" in this guide.

Order Issued by Executive Director. The Judicial Campaign Fairness Act requires the executive director of the Ethics Commission to issue an order suspending the limits on contributions, expenditures, and reimbursement of personal funds for complying candidates not later than the fifth day after the executive director determines that a person has become a candidate for that office and has filed a declaration of intent to exceed the expenditure limits. Elec. Code § 253.165(b).

60-DAY RULE

A candidate who files a declaration of intent to comply and who later files a declaration of intent to exceed the expenditure limits may not exceed the expenditure limits before the 60th day after the candidate files the declaration to exceed the limits.

SOME EXPENDITURES BY SPECIFIC-PURPOSE POLITICAL COMMITTEES COUNT TOWARDS CANDIDATE'S EXPENDITURE LIMITS

For purposes of the expenditure limits, an expenditure by a specific-purpose political committee may be considered to be an expenditure by the candidate.

If a candidate has notice of an expenditure by a specific-purpose political committee that exists for the purpose of supporting the candidate, opposing the candidate's opponent, or assisting the candidate as an officeholder, that expenditure counts toward the candidate's expenditure limits unless the candidate, in an affidavit filed with the authority with whom the candidate's campaign treasurer appointment is required to be filed, states that the candidate's campaign (including the candidate, an aide to the candidate, a campaign officer, or a campaign consultant of the candidate) has not directly or indirectly communicated with the political committee in regard to a strategic matter (including polling data, advertising, or voter demographics) in connection with the candidate's campaign.

The affidavit must be filed with the next report due after the candidate receives notice of the expenditure.

SOME POLITICAL PARTY ACTIVITIES COUNT TOWARDS CANDIDATE'S EXPENDITURE LIMITS

Activity on behalf of a judicial candidate (including a contribution to the candidate) by the principal political committee of a political party's state executive political committee or by a political party's county executive political committee counts towards a candidate's expenditure limits, unless the activity is within the exception set out below.

An expenditure by a party committee does not count toward a candidate's expenditure limits if the expenditure is for a generic get-out-the-vote campaign or for a written list of two or more candidates that: (1) identifies the party's candidates by name and office sought, office held, or photograph; (2) does not include any reference to the judicial philosophy or positions on issues of the party's judicial candidates; *and* (3) is not broadcast, cablecast, published in a newspaper or magazine, or placed on a billboard.

CONSEQUENCES OF NONCOMPLIANCE WITH EXPENDITURE LIMITS

Order Issued by Executive Director. Upon notification that a complying candidate has exceeded the expenditure limits, the executive director of the Ethics Commission is required under the Judicial Campaign Fairness Act to issue an order suspending the limits on contributions, expenditures, and reimbursement of personal funds for complying candidates for that office not later than the fifth day after the executive director determines that the expenditure limits have been exceeded. Elec. Code § 253.165(b). The limits on contributions, expenditures, and reimbursement of personal funds may be suspended only by the order issued by the executive director of the Ethics Commission. *See* Ethics Advisory Opinion No. 472 (2006).

Suspension of Limits for Opponents. Although the expenditure limits are voluntary, a noncomplying candidate is subject to certain disadvantages. A complying opponent (or a specific-purpose political committee supporting a complying opponent) of a noncomplying

candidate is not required to comply with the limits on contributions, expenditures, or reimbursement of personal funds. The noncomplying candidate remains subject to the limits on contributions and reimbursement of personal funds. The term "noncomplying candidate" includes:

- a candidate who files a declaration of intent to exceed the expenditure limits, as well as a candidate who files a declaration of intent to comply but later exceeds the limits;
- a candidate who fails to file a declaration of intent;
- a candidate who solicits a person to enter a campaign as a noncomplying candidate;
- a candidate who enters into an agreement under which a person enters a campaign as a noncomplying candidate; or
- a candidate who knowingly misrepresents that an opponent is a noncomplying candidate or that an opponent has violated the Judicial Campaign Fairness Act.

Political Advertising. A candidate who files a declaration of intent to exceed the applicable expenditure limits, as well as a specific-purpose political committee supporting such a candidate, must include the following statement on political advertising: "Political advertising paid for by (name of candidate or political committee), (who or which) has rejected the voluntary limits of the Judicial Campaign Fairness Act." (This provision applies only to candidates who file a declaration of intent to exceed the expenditure limits, not to other noncomplying candidates.) For more information about political advertising disclosure requirements, see the Ethics Commission's brochure titled "Political Advertising: What You Need to Know," which is available on the Ethics Commission's website at <http://www.ethics.state.tx.us>.

Benefits of Compliance with Expenditure Limits. Complying candidates benefit if the limits on contributions, expenditures, and reimbursement of personal funds are suspended.

Also, a complying candidate or a specific-purpose political committee supporting the candidate is entitled to state on political advertising that the candidate complies with the Judicial Campaign Fairness Act, even if the limits on contributions, expenditures, and reimbursement of personal funds have been suspended.

A "complying candidate" is a candidate who has filed a declaration of compliance with the expenditure limits, who has not exceeded the expenditure limits, *and* who has not violated the rule against soliciting noncomplying candidates or the rule against misrepresenting that an opponent is a noncomplying candidate.

THIRD-PARTY LIMITS

A person other than a candidate, an officeholder, or the principal political committee of the state executive political committee or a county executive political committee of a political party is subject to limits on expenditures to support a candidate unless the person files a written declaration of intent to exceed those limits.

- For expenditures supporting statewide candidates, the limit is \$25,000.
- For expenditures supporting other candidates, the limit is \$5,000.

The limits apply to a person's total expenditures for supporting a candidate, opposing a candidate's opponent, or assisting a candidate as an officeholder. Expenditures to support a candidate include actual contributions to the candidate as well as any direct (independent) campaign expenditures made to support the candidate. (Expenditures to support more than one candidate or officeholder are allocated among the candidates and officeholders benefited. A political expenditure opposing a candidate benefits each of the candidate's opponents.)

CONTACT WITH MEMBERSHIP

An expenditure by a political committee or other association for costs in contacting membership is not subject to the third-party limits.

FILING AUTHORITY

A declaration of intent to exceed the third-party limits should be filed with the authority with which the candidate benefited by the expenditures files a campaign treasurer appointment. *See* "Filing Authority for Campaign Finance Documents" in this guide.

TIME OF FILING

A person must file the declaration by the date the person exceeds the expenditure limits. A person may not file a declaration after the 60th day before the relevant election.

EFFECT OF THIRD PARTY EXCEEDING LIMITS

Exceeding "third-party" limits does not directly affect the person making the expenditures if the person files the required declaration. Rather, it affects the candidate or candidates that the expenditures support. If a person exceeds the third-party limits, an opponent of the candidate supported by the third party is not required to comply with the limits on contributions, expenditures, and reimbursement of personal funds if the opponent is a complying candidate.

Order Issued by Executive Director. The Judicial Campaign Fairness Act requires the executive director of the Ethics Commission to issue an order suspending the limits on contributions, expenditures, and reimbursement of personal funds for a specific office when the executive director determines that a declaration of intent to exceed the third-party limits in connection with the office has been filed or the executive director is notified and determines that an expenditure has been made that exceeds the third-party limits. The order must be issued not later than the fifth day after the executive director makes the determination. Elec. Code § 253.170(c).

REIMBURSEMENT OF PERSONAL FUNDS AND LOANS

REIMBURSEMENT OF PERSONAL FUNDS

A judicial candidate or officeholder who makes political expenditures from personal funds may report the expenditures either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds and may reimburse himself or herself from political

contributions if he or she indicates the intention to reimburse at the time of reporting the expenditures. (A report may not be amended after the filing deadline 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 on Schedule E(J). 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.

Dfre4dcd

There is a limit, however, on the amount of reimbursements to personal funds. For each election in which a candidate's name appears on the ballot, the limits are as follows:

- \$100,000 for candidates for or officeholders in statewide judicial offices;
- \$25,000 for candidates for or officeholders on courts of appeals, district courts, statutory county courts, and statutory probate courts if the [population of the judicial district](#) is more than one million;
- \$12,500 for candidates for or officeholders on courts of appeals, district courts, statutory county courts, and statutory probate courts if the [population of the judicial district](#) is from 250,000 to one million; and
- \$5,000 for candidates for or officeholders on courts of appeals, district courts, statutory county courts, and statutory probate courts if the [population of the judicial district](#) is less than 250,000.

For purposes of the limit on reimbursement of personal funds, the general primary election and the general election are considered to be a single election if the candidate is unopposed in the primary election or does not have an opponent in the general election whose name is to appear on the ballot. Elec. Code § 253.1621.

A candidate who is also an officeholder may use personal funds to make both campaign expenditures and officeholder expenditures. Reimbursements for both types of expenditures count toward the limit on personal reimbursement from political contributions.

LOANS FROM RELATIVES

A judicial candidate or officeholder may not use political contributions to repay loans from the candidate's or officeholder's parents, children, brothers, sisters, grandparents, or grandchildren.

REPORTS BY JUDICIAL CANDIDATES AND OFFICEHOLDERS

CONTRIBUTIONS ON HAND

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 T.A.C. § 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.

A nonjudicial officeholder who becomes a judicial candidate and selects to file one campaign finance report that includes both candidate and officeholder activity must, when reporting the total amount of political contributions maintained as of the last day of the reporting period, state the amount attributed to nonjudicial contributions and the amount attributed to judicial contributions. See “Nonjudicial Officeholder Seeking Judicial Office” in this guide.

ASSETS ON HAND

A report must list each asset valued at \$500 or more on hand as of the last day of the reporting period.

POLITICAL CONTRIBUTIONS

A judicial candidate or officeholder must report all political contributions, including contributions of money as well as in-kind contributions. Contributions from one donor that in the aggregate exceed \$50 in a reporting period must be itemized on a report. In addition to the date and amount of the contribution, the report must include the name and address of the individual or political committee making the contribution. If the contributor is an individual, the report must also list the individual's principal occupation and affiliation with any law firm (even if the affiliation is through a spouse or through a parent of a child). Total contributions of \$50 or less in a reporting period from one contributor may be reported as a lump sum.

TIME OF ACCEPTING CONTRIBUTIONS

A filer must report the date a political contribution was accepted. The date of receipt may be different from the date of acceptance. *See* "Accepting Contributions" in this guide.

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 DURING REPORTING PERIOD

Loans for candidate or officeholder purposes are reportable. A report must include the amount of the 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. A report must also include the name, address, principal occupation, and employer of any guarantor and the amount guaranteed by the guarantor. 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* "Reimbursement of Personal Funds" in this guide for additional information.

Although loans are generally considered to be contributions, there is an exception for a loan from an incorporated financial institution that has been in business for more than one year. Because of this exception, a candidate or officeholder may generally accept a bank loan for political purposes without violating the rule prohibiting corporate contributions. Even though most bank loans are not considered contributions, they must be reported. Additionally, the forgiveness of a loan is a reportable in-kind contribution. *See* Ethics Commission Rules § 20.64.

OUTSTANDING LOANS

A report must include the outstanding loan balance at the end of the reporting period, the name and address of the lender of each outstanding loan, and the name and address of guarantors.

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

If contributions from an out-of-state political committee exceed \$500 in a reporting period, the report for the period in which the contribution or contributions were accepted must include 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 \$100 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 political committee. *(A candidate or officeholder must obtain this documentation before accepting contributions from an out-of-state political committee that exceeds \$500 in a reporting period.)*

If contributions from an out-of-state political committee do not exceed \$500 in a reporting period, 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 political committee, *or* (2) the political committee's name, address, and phone number; the name of the person appointing the political committee's campaign treasurer; and the name, address, and phone number of the political committee's campaign treasurer. *(A candidate or officeholder is not required to obtain this documentation before accepting contributions of \$500 or less from an out-of-state political committee during a reporting period. The candidate or officeholder must obtain the documentation in time to include it with the appropriate report.)*

POLITICAL 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 \$100 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.

EXPENDITURES FOR NONJUDICIAL ACTIVITY

A nonjudicial officeholder who becomes a judicial candidate and selects to file a single campaign finance report that includes both candidate and officeholder activity must, in the description of an expenditure, state whether the expenditure is for nonjudicial activity. *See* "Nonjudicial Officeholder Seeking Judicial Office" in this guide.

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.

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.

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

A candidate must report campaign expenditures made from personal funds. In order to reimburse himself or herself for campaign expenditures made from personal funds, a candidate must either indicate the intention to do so on SCHEDULE G of the report covering the period in which the campaign expenditure from personal funds was made or report the transaction as a loan to the candidate's political funds. A report may not be corrected later to permit reimbursement. *See* "Reimbursement of Personal Funds" in this guide.

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* "Reimbursement of Personal Funds" in this guide for additional information.

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.

If an officeholder intends to seek reimbursement from political contributions for an officeholder expenditure made from personal funds, the officeholder must either indicate the intention to do so on Schedule G of the report covering the period in which the officeholder expenditure from personal funds was made or report the transaction as a loan to the officeholder's political funds. A report may not be corrected later to permit reimbursement. *See* "Reimbursement of Personal Funds" in this guide.

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* "Reimbursement of Personal Funds" in this guide for additional information.

DIRECT CAMPAIGN EXPENDITURES MADE BY A FILER

A candidate or officeholder must report the names of other candidates or officeholders who benefit from direct (independent) campaign expenditures that the candidate or officeholder makes. A direct campaign expenditure is a campaign expenditure for a candidate incurred without the candidate's prior consent or approval. A candidate or officeholder must also send notice to a person on whose behalf the candidate or officeholder makes an expenditure of more than \$100.

NOTICES RECEIVED FROM POLITICAL COMMITTEES

A political committee that accepts political contributions or makes political expenditures on a candidate's or officeholder's behalf 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 the candidate or officeholder 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 the business.

There are limitations on the payments a candidate or officeholder is allowed to make to such a business. A candidate or officeholder may not make a payment from political contributions to such a business if the payment is for personal services rendered by the candidate or officeholder or by the candidate's or officeholder's spouse or dependent children. (Nor may a candidate or officeholder use political contributions to pay himself or herself, his or her spouse, or his or her dependent children for personal services rendered.) A candidate or officeholder may use political contributions to make other payments to such a business only if the payment does not exceed the amount necessary to reimburse the business for actual expenditures made by the business.

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.

NONPOLITICAL EXPENDITURES

A candidate or officeholder must report any expenditure made from political contributions, even if the expenditure is not for a campaign or officeholder purpose. (Remember: Political contributions may not be used for personal purposes.)

INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS

For reports due on or after September 28, 2011, 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 \$100;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$100; and
- any other gain from a political contribution, the amount of which exceeds \$100.

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 \$100 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 \$100. This information must be disclosed on Schedule F3 of the campaign finance report.

SPECIFIC-PURPOSE POLITICAL COMMITTEES

A specific-purpose political committee that supports or opposes a judicial candidate or officeholder must report the information that any specific-purpose political committee is required to report. *See* the Ethics Commission's "Campaign Finance Guide for Political Committees." In addition, a specific-purpose political committee that supports or opposes a judicial candidate or officeholder must report information about contributions and assets on hand as well as occupational information about contributors and possibly their spouses and children. Elec. Code §§ 254.1211, 254.0611.

PREPARING REPORTS

ELECTRONIC FILING

Judicial candidates and officeholders must file reports electronically unless the filer is eligible for the exemption from electronic filing. The same electronic filing requirements apply to specific-purpose political committees connected with candidates for or holders of those offices. To claim the exemption from electronic filing, a filer must meet all of the following requirements: 1) neither the filer, an agent of the filer, nor a person with whom the filer contracts uses computer equipment to keep the current records of political contributions, political expenditures, or persons making political contributions to the filer; 2) the filer does not accept more than \$20,000 in political contributions in any calendar year; and 3) the filer does not make more than \$20,000 in political expenditures in any calendar year.

With each report filed on paper, a filer must include an affidavit swearing that he or she is entitled to the exemption from electronic filing. The exemption affidavit form is available on the Ethics Commission's website at <http://www.ethics.state.tx.us/>.

FORMS

Judicial candidates and officeholders use FORM JC/OH for reporting political contributions and expenditures. The paper form is available on the Ethics Commission's website at http://www.ethics.state.tx.us.

RECORD KEEPING

A candidate or officeholder must keep records of all information used to prepare reports of contributions and expenditures, including, for example, receipts or ledgers of contributions and expenditures. A candidate or officeholder must maintain the records for two years after the filing deadline for the report to which the records pertain.

NO ACTIVITY

A candidate or officeholder who has no political contributions or political expenditures during a reporting period must nonetheless file a report to cover that period. (An officeholder who files with an authority other than the Ethics Commission *and who does not have a campaign treasurer appointment on file* is not required to file a report for a period in which the officeholder does not exceed \$500 in contributions or expenditures.)

SIGNATURE AND VERIFICATION REQUIRED

A report must be signed and verified.

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.

ACTION 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.

PENALTIES FOR VIOLATIONS OF FILING REQUIREMENTS

A person who files a report late or fails to file a report is subject to a late-filing penalty. The late-filing penalty in connection with most reports is \$500. For a report due eight days before an election or for the first semiannual report due after a primary or general election, the late filing penalty is \$500 for the first day the report is late and \$100 a day for each day thereafter that the report is late.

Also, 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.

REQUIRED REPORTS

SEMIANNUAL REPORTS

Every candidate and every officeholder is 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. (Exception: An officeholder who is required to file campaign finance reports only with an authority other than the Ethics Commission *and who does not have a campaign treasurer appointment on file* is not required to file a report for a period in which the officeholder does not exceed \$500 in contributions or expenditures.)

REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

An *opposed* candidate in an upcoming election must file reports of contributions and expenditures by the 30th day and 8th day before the election. Each of these pre-election reports must be *received* by the appropriate filing authority no later than the report due date. (Exception: 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 appears on the ballot. If a candidate's only opposition is a write-in candidate, that candidate is not considered opposed for filing purposes. (A write-in candidate who has an opponent whose name appears on the ballot is also considered opposed for filing purposes.)

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 report, the period covered by the report begins on the day the campaign treasurer appointment was filed.

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 election must file a report of contribution and expenditures by the 8th day 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 9th day before the main election (if the filer filed a report due 8 days before the main election);
- the first day after the period covered by the last required report (if this is not the filer's first report *and* if the filer did not file a report due 8 days before the main election); or
- the day the filer filed a campaign treasurer appointment (if this is the filer's first report).

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 due 30 days and 8 days before an election and 8 days before a runoff election. (Modified reporting

does not excuse a filer from filing semiannual reports.) Modified reporting may be chosen only by a candidate who does not intend to exceed either \$500 in contributions or \$500 in expenditures in connection with an election, other than expenditures for a filing fee. A candidate who wishes to file under the modified schedule must indicate the choice on the FORM JCTA no later than the deadline for the 30-day-before-election report.

If an opposed candidate selects modified reporting but exceeds a threshold before the 30th day before the election, the candidate automatically goes back to regular reporting. Thus, the candidate must file reports due 30 days and 8 days before the election.

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

“15TH DAY AFTER APPOINTMENT OF CAMPAIGN TREASURER BY AN OFFICEHOLDER” REPORT

An officeholder who has not had a campaign treasurer appointment on file must file this report after appointing a campaign treasurer. An officeholder does not file this report after *changing* 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 officeholder's last report. The period ends on the day before the campaign treasurer appointment was filed.

(Exception: If an officeholder files with a local filing authority and did not exceed \$500 in the period covered by the "15th day after appointment" report, the officeholder does not have to file that report.)

Note: A person who is *appointed* to elective office may not already be filing as a candidate or officeholder; therefore, the report due 15 days after the campaign treasurer appointment is filed may be the first report the appointed officeholder has had to file. In this case, the beginning date for the report is the date the officeholder took office.

SPECIAL PRE-ELECTION REPORTS

Special pre-election reports (formerly known as telegram reports) are filed by opposed candidates who file with the Ethics Commission and who accept a contribution or contributions from a single source that in the aggregate exceed \$1,000 during the period beginning the 9th day before the election and ending at noon on the day before the election. The same reporting requirement applies to specific-purpose political committees that support or oppose candidates that file with the Ethics Commission.

A special pre-election report must be filed electronically, unless otherwise exempted from electronic filing. A special pre-election report filed electronically must be *received* by the commission no later than midnight of the first business day after the contribution is accepted. A special pre-election report that is filed on paper must be *received* by the commission no later than 5 p.m. of the first business day after the contribution is accepted. A special pre-election report that is exempt from the electronic filing requirement does not have to be on a form prescribed by

the Ethics Commission. It may be on regular stationery. Any information reported on a special pre-election report must also be reported on the next contribution and expenditure report. *This is the only instance in which information must be reported twice.*

A special pre-election report must include the amount of the contribution(s), the full name and address of the contributor(s), and the date(s) of the contribution(s).

SPECIAL SESSION REPORT

Judges and judicial candidates who file with the Ethics Commission may be required to file a report after a special session of the legislature.

FINAL REPORT

See "Ending a Candidacy" below.

PERSONAL FINANCIAL DISCLOSURE STATEMENT

In addition to the campaign finance reports required by title 15 of the Texas Election Code, judicial candidates and officeholders are required to file personal financial disclosure statements under either Government Code Chapter 572 or Local Government Code Chapter 159. For additional information, *see* "Filing Authority," above.

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

See "Ending a Candidacy" below.

REPORT OF FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS

See "Ending a Candidacy" below.

ENDING A CANDIDACY

FINAL REPORT

If an individual who has a campaign treasurer appointment on file does not expect to accept further political contributions, to make further political expenditures or to take further action to get elected to a public office, the individual may file a final report. To do so, the individual must complete FORM JC/OH, mark the report as a final report, and attach FORM C/OH-FR. The filing of these two forms terminates the campaign treasurer appointment and relieves the individual 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. See "Personal Financial Statements" in this guide.) Officeholders will still be subject to the reporting requirements applicable to officeholders. Individuals who have filed a final report and do not hold office may be required to file reports of unexpended contributions.

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

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.
- 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 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.

OTHER CAMPAIGN FINANCE RESTRICTIONS

In addition to the restrictions specifically applicable to judges and judicial candidates, chapter 253 of the Election Code contains a number of restrictions applicable to all candidates and officeholders.

CORPORATIONS AND LABOR ORGANIZATIONS

Corporations and labor organizations are generally prohibited from making political contributions. Professional corporations, however, are not subject to this prohibition. Elec. Code § 253.091, *et seq.* Partnerships that include one or more corporate partners are subject to the prohibition.

OUT-OF-STATE POLITICAL COMMITTEES

A candidate, officeholder, or political committee is required to obtain certain documentation in connection with contributions from an out-of-state political committee. Elec. Code § 253.032. *See* "Contributions from Out-of-State Political Committees" in this guide.

CONTRIBUTIONS IN THE CAPITOL OR A COURTHOUSE

A candidate, officeholder, or political committee may not accept political contributions in the Capitol or in the Capitol Extension. A candidate, officeholder, or political committee also may not accept political contributions in 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. Elec. Code § 253.039.

CASH CONTRIBUTIONS

A candidate, officeholder, or specific-purpose political committee may not accept more than \$100 cash (coins and currency) in the aggregate from one person in a reporting period. Elec. Code § 253.033.

REAL PROPERTY

A candidate, officeholder, or specific-purpose political committee may not use political contributions to purchase real property. 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. Elec. Code § 253.038.

ANONYMOUS CONTRIBUTIONS

Texas law does not allow anonymous contributions. A filer must keep a record of the name and address of each person who contributes to him or her regardless of the amount of the contribution. Reports must identify the actual source of a contribution, not an intermediary. Elec. Code § 253.001.

PERSONAL USE

A candidate, officeholder, or specific-purpose political committee supporting a candidate or officeholder may not use political contributions for personal purposes. Elec. Code § 253.035.

PERSONAL SERVICES OF CANDIDATE OR FAMILY MEMBER

A candidate, officeholder, or specific-purpose political committee supporting a candidate or officeholder may not use political contributions to pay for personal services rendered by the candidate or officeholder, the candidate's or officeholder's spouse, or the candidate's or officeholder's dependent children. In addition, a candidate or officeholder may not use political contributions to make a payment for services rendered by the candidate or officeholder, the candidate's or officeholder's spouse, or the candidate's or officeholder's dependent children if the services are rendered to a business in which the candidate or officeholder holds a participating interest of more than ten percent, a position on the governing body of the business, or a position as an officer of the business. Elec. Code § 253.041.

BUSINESS OF CANDIDATE

A payment by a candidate, officeholder, or specific-purpose political committee supporting a candidate or officeholder, from political contributions to a business in which the candidate or officeholder holds a participating interest of more than ten percent, a position on the governing body of the business, or a position as an officer of the business may not exceed the amount necessary to reimburse the business for actual expenditures made by the business. Elec. Code § 253.041; *see* Ethics Advisory Opinion No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions).

PERSONAL REIMBURSEMENT

A candidate or officeholder who makes political expenditures from personal funds may reimburse his or her personal funds from political contributions only if the candidate or officeholder discloses the expenditures on the report for the period in which the expenditures were made and discloses the intent to reimburse personal funds. Elec. Code § 253.035(h). (A candidate or officeholder may do so by reporting the expenditures as a loan to political funds or by using Schedule G of Form JC/OH.) A candidate or officeholder may not correct a report after

the filing deadline to show such an intention. (Note: Judicial candidates and officeholders are subject to limits on reimbursement for political expenditures from personal funds.)

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(J). 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.

FOREIGN CONTRIBUTORS

Federal law generally prohibits the acceptance of contributions from foreign sources. For more detailed information, contact the Federal Election Commission at (800) 424-9530 or go to the FEC's website at <http://www.fec.gov>.

POLITICAL ADVERTISING

The law requires that certain information be disclosed on most political advertising. For more information, see the Ethics Commission's brochure titled "Political Advertising: What You Need to Know" which is available on the commission's website at <http://www.ethics.state.tx.us>.

SEPARATE ACCOUNT

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.)

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 \$500 in political contributions or make more than \$500 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 or

Fax this form to (512) 463-8808 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/whatsnew/NewFilersGettingStarted.html>

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA – INSTRUCTION GUIDE



Revised July 14, 2010

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989

Visit us at <http://www.ethics.state.tx.us> on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM CTA–INSTRUCTION GUIDE

TABLE OF CONTENTS

GENERAL INSTRUCTIONS

| | |
|---|---|
| Duties of a Candidate or Officeholder | 1 |
| Qualifications of Campaign Treasurer..... | 1 |
| Duties of a Campaign Treasurer | 1 |
| Requirement to File Before Beginning a Campaign..... | 1 |
| Where to File a Campaign Treasurer Appointment..... | 2 |
| Filing With a Different Authority | 3 |
| Forming A Political Committee..... | 3 |
| Changing a Campaign Treasurer | 4 |
| Amending a Campaign Treasurer Appointment | 4 |
| Reporting Requirement for Certain Officeholders | 4 |
| Terminating a Campaign Treasurer Appointment | 4 |
| Filing a Final Report | 4 |
| Electronic Filing | 5 |
| Guides | 5 |

SPECIFIC INSTRUCTIONS

| | |
|--------------|---|
| Page 1 | 5 |
| Page 2..... | 6 |

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form CTA). Use Form CTA only for appointing your campaign treasurer. Use the AMENDMENT (Form ACTA) for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. Note: Candidates for most judicial offices use Form JCTA to file a campaign treasurer appointment.

DUTIES OF A CANDIDATE OR OFFICEHOLDER. As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form and all candidate/officeholder reports of contributions, expenditures, and loans. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

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. Note: A candidate may appoint himself or herself as his or her own campaign treasurer.

DUTIES OF A CAMPAIGN TREASURER. State law does not impose any obligations on a candidate's campaign treasurer.

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN. If you plan to run for a public office in Texas (except for a federal office), you must file this form when 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.

Additionally, the law provides that you must file this form 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.

If you are an officeholder, you may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. If you do not have a campaign treasurer appointment on file and you wish to accept *campaign* contributions or make *campaign* expenditures in connection with your office or for a different office, you must file this form before doing so. In such a case, a sworn report of contributions, expenditures, and loans will be due no later than the 15th day after filing this form.

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT. The appropriate filing authority depends on the office sought or held.

a. Texas Ethics Commission. The Texas Ethics Commission is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner.
- State Senator or State Representative.
- Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge.*
- State Board of Education.
- A multi-county district judge* or multi-county district attorney.
- A single-county district judge.*

- 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.
 - A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
 - A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.
- * Judicial candidates use FORM JCTA to appoint a campaign treasurer.

b. County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate local filing authority for a candidate for:

- A county office.
- A precinct office.
- A district office (except for multi-county district offices).
- 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.

c. 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. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

FILING WITH A DIFFERENT AUTHORITY. If you have a campaign treasurer appointment on file with one authority, and you wish to accept campaign contributions or make or authorize campaign expenditures in connection with another office that would require filing with a different authority, you must file a new campaign treasurer appointment *and* a copy of your old campaign treasurer appointment (certified by the old authority) with the new filing authority before beginning your campaign. You should also provide written notice to the original filing authority that your future reports will be filed with another authority.

FORMING A POLITICAL COMMITTEE. As a candidate, you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA). You may also form a specific-purpose committee to support your candidacy. Remember that filing a campaign treasurer appointment for a political committee does not eliminate the requirement that a candidate file his or her own campaign treasurer appointment (FORM CTA) and the related reports.

NOTE: See the *Campaign Finance Guide for Political Committees* for further information about specific-purpose committees.

CHANGING A CAMPAIGN TREASURER. If you wish to change your campaign treasurer, simply file an amended campaign treasurer appointment (FORM ACTA). This will automatically terminate the outgoing campaign treasurer appointment.

AMENDING A CAMPAIGN TREASURER APPOINTMENT. If *any* of the information reported on the campaign treasurer appointment (FORM CTA) changes, file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM ACTA) to report the change.

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS. If you are an officeholder who appoints a campaign treasurer after a period of not having one, you must file a report of contributions, expenditures, and loans no later than the 15th day after your appointment is effective. This requirement is not applicable if you are a candidate or an officeholder who is merely changing campaign treasurers.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT. You may terminate your campaign treasurer appointment at any time by:

- 1) filing a campaign treasurer appointment for a successor campaign treasurer, or
- 2) filing a final report.

Remember that you may not accept any campaign contributions or make or authorize any campaign expenditures without a campaign treasurer appointment on file. You may, however, accept officeholder contributions and make or authorize officeholder expenditures.

If your campaign treasurer quits, he or she must give written notice to both you and your filing authority. The termination will be effective on the date you receive the notice or on the date your filing authority receives the notice, whichever is later.

FILING A FINAL REPORT. For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. If you have surplus funds, or if you retain assets purchased with political funds, you will be required to file annual reports. (*See instructions for FORM C/OH - UC.*) If you are an officeholder at the time of filing a final report, you may be required to file semiannual reports of contributions, expenditures, and loans as an officeholder.

If you do not have an appointment of campaign treasurer on file, you may not accept *campaign* contributions or make *campaign* expenditures. A payment on a campaign debt is a campaign expenditure. An officeholder who does not have an appointment of campaign treasurer on file may accept *officeholder* contributions and make *officeholder* expenditures.

To file a final report, you must complete the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (FORM C/OH), check the “final” box on Page 1, Section 9, and complete and attach the DESIGNATION OF FINAL REPORT (FORM C/OH-FR).

ELECTRONIC FILING. All persons filing campaign finance reports with the Texas Ethics Commission are required to file those reports electronically unless the person is entitled to claim an exemption. Please check the Ethics Commission’s website at <http://www.ethics.state.tx.us> for information about exemptions from the electronic filing requirements.

GUIDES. All candidates should review the applicable Ethics Commission’s campaign finance guide. Guides are available on the Ethics Commission’s website at <http://www.ethics.state.tx.us>.

SPECIFIC INSTRUCTIONS

Each numbered item in these instructions corresponds to the same numbered item on the form.

PAGE 1

- 1. TOTAL PAGES FILED:** After you have completed the form, enter the total number of pages of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.
- 2. CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, of this form.
- 3. CANDIDATE MAILING ADDRESS:** Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. If this information changes, please notify your filing authority immediately.
- 4. CANDIDATE PHONE:** Enter your phone number, including the area code and extension, if applicable.
- 5. OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
- 6. OFFICE SOUGHT:** If you are a candidate, please enter the office you seek, if known. Include the district, precinct, or other designation for the office, if applicable.
- 7. CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 8. CAMPAIGN TREASURER STREET ADDRESS:** Enter the complete street address of your campaign treasurer, including the zip code. You may enter either the treasurer’s business or residential street address. If you are your own treasurer, you may enter either your business or residential street address. Please do not enter a P.O. Box.

- 9. CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer, including the area code and extension, if applicable.
- 10. CANDIDATE SIGNATURE:** Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.
- The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.
 - A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.
 - A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.
 - Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The degree of consanguinity is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. Examples: (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

PAGE 2

- 11. CANDIDATE NAME:** Enter your name as you did on Page 1.
- 12. MODIFIED REPORTING DECLARATION:** Sign this option if you wish to report under the modified reporting schedule.

The modified reporting option is not available for candidates for the office of state chair of a political party.

To the left of your signature, enter the year of the election or election cycle to which your selection of modified reporting applies.

Your selection of modified reporting is valid for an entire election cycle. For example, if you choose modified reporting before a primary election, your selection remains in effect for any runoff and for the general election and any related runoff. You must make this selection at least 30 days before the first election to which your selection applies.

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$500 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semiannual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$500 maximums apply to each election within the cycle. In other words, you are limited to \$500 in contributions and expenditures in connection with the primary, an additional \$500 in contributions and expenditures in connection with the general election, and an additional \$500 in contributions and expenditures in connection with a runoff.

EXCEEDING \$500 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$500 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$500 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

Your selection is not valid for other elections or election cycles. Use the amendment form (ACTA) to renew your option to file under the modified schedule for a different election year or election cycle.

For more information, see the Ethics Commission's campaign finance guide that applies to you.

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

| | |
|---------------------|---|
| 14 C/OH NAME | 15 Filer ID (Ethics Commission Filers) |
|---------------------|---|

| | | |
|---|--|--------------------------------------|
| 16 NOTICE FROM POLITICAL COMMITTEE(S) <input type="checkbox"/> Additional Pages | THIS BOX IS FOR NOTICE OF POLITICAL CONTRIBUTIONS ACCEPTED OR POLITICAL EXPENDITURES MADE BY POLITICAL COMMITTEES TO SUPPORT THE CANDIDATE / OFFICEHOLDER. <i>THESE EXPENDITURES MAY HAVE BEEN MADE WITHOUT THE CANDIDATE'S OR OFFICEHOLDER'S KNOWLEDGE OR CONSENT.</i> CANDIDATES AND OFFICEHOLDERS ARE REQUIRED TO REPORT THIS INFORMATION ONLY IF THEY RECEIVE NOTICE OF SUCH EXPENDITURES. | |
| | COMMITTEE TYPE <input type="checkbox"/> GENERAL <input type="checkbox"/> SPECIFIC | COMMITTEE NAME |
| | | COMMITTEE ADDRESS |
| | | COMMITTEE CAMPAIGN TREASURER NAME |
| | | COMMITTEE CAMPAIGN TREASURER ADDRESS |

| | | |
|--------------------------------|---|----|
| 17 CONTRIBUTION TOTALS | 1. TOTAL POLITICAL CONTRIBUTIONS OF \$50 OR LESS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS), UNLESS ITEMIZED | \$ |
| | 2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS) | \$ |
| EXPENDITURE TOTALS | 3. TOTAL POLITICAL EXPENDITURES OF \$100 OR LESS, UNLESS ITEMIZED | \$ |
| | 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 AFFIDAVIT

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

AFFIX NOTARY STAMP / SEAL ABOVE

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

| | | |
|---|--|-------------------------------------|
| Signature of officer administering oath | Printed name of officer administering oath | Title of officer administering oath |
|---|--|-------------------------------------|

SUBTOTALS - C/OH

FORM C/OH COVER SHEET PG 3

| | | |
|---|--|---|
| 19 FILER NAME | | 20 Filer ID (Ethics Commission Filers) |
| 21 SCHEDULE SUBTOTALS NAME OF SCHEDULE | | SUBTOTAL AMOUNT |
| 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 | | \$ |

MONETARY POLITICAL CONTRIBUTIONS

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#: _____) 6 Contributor address; City; State; Zip Code | 7 Amount of contribution (\$) |
| 8 Principal occupation / Job title (See Instructions) | | 9 Employer (See Instructions) |
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code | Amount of contribution (\$) |
| Principal occupation / Job title (See Instructions) | | Employer (See Instructions) |
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code | Amount of contribution (\$) |
| Principal occupation / Job title (See Instructions) | | Employer (See Instructions) |
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code | Amount of contribution (\$) |
| Principal occupation / Job title (See Instructions) | | Employer (See Instructions) |

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED
 If contributor is out-of-state PAC, please see instruction guide for additional reporting requirements.

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

| | | | |
|--|--|---|---|
| The Instruction Guide explains how to complete this form. | | 1 Total pages Schedule A2: | |
| 2 FILER NAME | | 3 Filer ID (Ethics Commission Filers) | |
| 4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS | | \$ | |
| 5 Date | 6 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) | 8 Amount of Contribution \$ | 9 In-kind contribution description |
| | 7 Contributor address; City; State; Zip Code | | |
| <input type="checkbox"/> 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) | | | |

| | | | |
|---|---|---|----------------------------------|
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) | Amount of Contribution \$ | In-kind contribution description |
| | Contributor address; City; State; Zip Code | | |
| <input type="checkbox"/> 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) | | | |

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED
If contributor is out-of-state PAC, please see instruction guide for additional reporting requirements.

PLEGGED CONTRIBUTIONS

SCHEDULE B

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED
If contributor is out-of-state PAC, please see instruction guide for additional reporting requirements.

LOANS

SCHEDULE E

The Instruction Guide explains how to complete this form.

1 Total pages Schedule E:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 TOTAL OF UNITEMIZED LOANS

\$

5 Date of loan

7 Name of lender out-of-state PAC (ID#: _____)

9 Loan Amount (\$)

6 Is lender a financial Institution?
Y N

8 Lender address; City; State; Zip Code

10 Interest rate

11 Maturity date

12 Principal occupation / Job title (See Instructions)

13 Employer (See Instructions)

14 Description of Collateral

none

15 Check if personal funds were deposited into political account (See Instructions)

16 GUARANTOR INFORMATION

17 Name of guarantor

19 Amount Guaranteed (\$)

18 Guarantor address; City; State; Zip Code

not applicable

20 Principal Occupation (See Instructions)

21 Employer (See Instructions)

Date of loan

Name of lender 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

none

Check if personal funds were deposited into political account (See Instructions)

GUARANTOR INFORMATION

Name of guarantor

Amount Guaranteed (\$)

Guarantor address; City; State; Zip Code

not applicable

Principal Occupation (See Instructions)

Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

EXPENDITURE CATEGORIES FOR BOX 10(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) |

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 <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

| | | |
|--|--|--|
| 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

EXPENDITURE CATEGORIES FOR BOX 10(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) |

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 <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

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.

| | | |
|--|---|--|
| 1 Total pages Schedule G: | 2 FILER NAME | 3 Filer ID (Ethics Commission Filers) |
| 4 Date | 5 Payee name | |
| 6 Amount (\$) | 7 Payee address; City; State; Zip Code | |
| <input type="checkbox"/> Reimbursement from political contributions intended | | |
| 8 PURPOSE OF EXPENDITURE | (a) Category (See Categories listed at the top of this schedule) | (b) 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 | |
| <input type="checkbox"/> Reimbursement from political contributions intended | | |
| PURPOSE OF EXPENDITURE | Category (See Categories listed at the top of this schedule) | (b) 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 | |
| <input type="checkbox"/> Reimbursement from political contributions intended | | |
| PURPOSE OF EXPENDITURE | Category (See Categories listed at the top of this schedule) | (b) 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

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.

| | | | | | |
|--|---|--|--|-------------------------------|---------------|
| 1 Total pages Schedule H: | 2 FILER NAME | 3 Filer ID (Ethics Commission Filers) | | | |
| 4 Date | 5 Business name | | | | |
| 6 Amount (\$) | 7 Business address; City; State; Zip Code | | | | |
| 8 PURPOSE OF EXPENDITURE | (a) Category (See Categories listed at the top of this schedule) | (b) Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense | | | |
| | <table border="0" style="width:100%;"> <tr> <td style="width:33%;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:33%;">Candidate / Officeholder name</td> <td style="width:33%;">Office sought</td> <td style="width:33%;">Office held</td> </tr> </table> | | Complete <u>ONLY</u> if direct expenditure to benefit C/OH | Candidate / Officeholder name | Office sought |
| 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 | | | | |
| 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 | | | |
| | <table border="0" style="width:100%;"> <tr> <td style="width:33%;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:33%;">Candidate / Officeholder name</td> <td style="width:33%;">Office sought</td> <td style="width:33%;">Office held</td> </tr> </table> | | Complete <u>ONLY</u> if direct expenditure to benefit C/OH | Candidate / Officeholder name | Office sought |
| 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 | | | | |
| 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 | | | |
| | <table border="0" style="width:100%;"> <tr> <td style="width:33%;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:33%;">Candidate / Officeholder name</td> <td style="width:33%;">Office sought</td> <td style="width:33%;">Office held</td> </tr> </table> | | Complete <u>ONLY</u> if direct expenditure to benefit C/OH | Candidate / Officeholder name | Office sought |
| 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

The Instruction Guide explains how to complete this form.

| | | |
|---|---|---|
| 1 Total pages Schedule I: | 2 FILER NAME | 3 Filer ID (Ethics Commission Filers) |
| 4 Date | 5 Payee name | |
| 6 Amount (\$) | 7 Payee address; City; State; Zip Code | |
| 8 PURPOSE OF EXPENDITURE | (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 | |
| PURPOSE OF EXPENDITURE | 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 | |
| PURPOSE OF EXPENDITURE | 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 | |
| PURPOSE OF EXPENDITURE | 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

| | |
|---|----------------------------------|
| 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 6 Address of person from whom amount is received; City; State; Zip Code | 8 Amount (\$) |
| 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 Address of person from whom amount is received; City; State; Zip Code | Amount (\$) |
| 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 Address of person from whom amount is received; City; State; Zip Code | Amount (\$) |
| 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 Address of person from whom amount is received; City; State; Zip Code | Amount (\$) |
| 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

| | | |
|--|---|--|
| 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) traveling | |
| | 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) | |
| 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

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE



Revised January 1, 2017

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989**

Visit us at <https://www.ethics.state.tx.us> on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM C/OH – INSTRUCTION GUIDE

TABLE OF CONTENTS

These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH) and all schedules that are filed with it. FORM C/OH includes a three page cover sheet and Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T. Candidates or officeholders filing a Final Report should also attach Form C/OH-FR. All filers must submit the cover sheet, but only the schedules on which there is information to report need to be included.

GENERAL INSTRUCTIONS

| | |
|--------------------------------------|---|
| Electronic Filing..... | 1 |
| Filling Out the Forms..... | 1 |
| Texas Ethics Commission Guides | 1 |
| Photocopies of Forms | 1 |
| Filing Date | 2 |

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

| | |
|--|----|
| General Information..... | 3 |
| Completing the Cover Sheet | 5 |
| SCHEDULE A1: Monetary Political Contributions..... | 15 |
| SCHEDULE A2: Non-Monetary (In-Kind) Political Contributions..... | 17 |
| SCHEDULE B: Pledged Contributions | 19 |
| SCHEDULE E: Loans | 22 |
| SCHEDULE F1: Political Expenditures from Political Contributions | 25 |
| SCHEDULE F2: Unpaid Incurred Obligations | 28 |
| SCHEDULE F3: Purchase of Investments from Political Contributions | 30 |
| SCHEDULE F4: Expenditures Made by Credit Card | 31 |
| SCHEDULE G: Political Expenditures Made From Personal Funds | 33 |
| SCHEDULE H: Payment from Political Contributions to a Business of C/OH | 35 |
| SCHEDULE I: Non-Political Expenditures Made From Political Contributions..... | 36 |
| SCHEDULE K: Interest, Credits, Gains, Refunds, and Contributions Returned to Filer..... | 37 |
| SCHEDULE T: In-Kind Contribution or Political Expenditure for Travel Outside of Texas..... | 38 |

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

| | |
|---------------------------|----|
| General Information | 39 |
| Completing the Form | 40 |

EXAMPLES

| | |
|--|----|
| Examples: Reporting Expenditures Made by Credit Card..... | 42 |
| Examples: Purpose of Expenditures | 45 |
| Examples: Reporting Expenditures from Personal Funds | 48 |
| Examples: Reporting Staff Reimbursements | 50 |

GENERAL INSTRUCTIONS

These general instructions apply to all forms required to be filed under title 15, Texas Election Code.

ELECTRONIC FILING

All persons filing campaign finance reports with the Texas Ethics Commission (Commission) are required to file those reports electronically unless the person is eligible to claim an exemption. Please check the Commission's website at <https://www.ethics.state.tx.us> for information about exemptions from the electronic filing requirement.

FILLING OUT THE FORMS

All reports filed on paper must be either handwritten in ink or typewritten. If you complete the report by hand, please print everything other than your signature.

If you are filing with the Commission, you may use your own computer-generated form if it provides for disclosure of all the information required on the Commission's form and if it is *substantially identical* in paper size, color, layout, and format. A substitute form that is substantially identical to the Commission's prescribed form may be submitted for pre-approval by the Commission's executive director.

Always file the cover sheet of the campaign finance report form. You need to file only those schedules on which you have information to report.

You must keep an exact copy of each report filed and all records necessary to complete the report for at least two (2) years after the deadline for filing the report.

If you have questions, please call our office at (512) 463-5800.

TEXAS ETHICS COMMISSION GUIDES

The Commission publishes a Campaign Finance Guide for each type of filer. These guides are designed to explain your responsibilities as a filer. The Commission encourages you to read the appropriate guide before you begin accepting political contributions or making or authorizing political expenditures.

PHOTOCOPIES OF FORMS

You may use photocopies of Commission forms. For example, if the space provided on Schedule A1 is insufficient, you may make copies of a blank Schedule A1 form and attach more pages as needed.

FILING DATE

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.

If you are filing with the Commission, please address your reports and correspondence to the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070. For hand-deliveries, the Commission's street address is 201 East 14th Street, Sam Houston Building, 10th Floor, Austin, Texas 78701.

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.

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH). A complete report includes the Form C/OH cover sheet, and any of the following schedules on which there is information to report: A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T. A complete Final Report must also include Form C/OH-FR.

Note: Judicial candidates and officeholders must use a different form, Form JC/OH.

GENERAL INFORMATION

Use Form C/OH for filing the following reports:

- Semiannual reports (January 15 and July 15)
- Pre-election reports (30th day before election, 8th day before election)
- Runoff report (8th day before runoff election)
- Exceeded \$500 limit report
- 15th day after officeholder campaign treasurer appointment
- Final Report

See the instructions for sections 9 and 10 of the Cover Sheet for help in deciding which reports you are required to file.

OFFICEHOLDER ACTIVITY

An officeholder may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. However, an officeholder must have a campaign treasurer appointment on file before the officeholder may make campaign expenditures or accept campaign contributions.

DUTIES OF CANDIDATE OR OFFICEHOLDER

As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

DUTIES OF CAMPAIGN TREASURER

State law does not impose any reporting or record-keeping obligations on a candidate's campaign treasurer.

WHERE TO FILE

This form is filed with the same filing authority with which you were required to file your Campaign Treasurer Appointment (Form CTA). If you are an officeholder who does not have a campaign treasurer appointment on file, file your reports with the same authority with which a candidate for your office must file the campaign treasurer appointment.

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a Final Report of contributions and expenditures. A Final Report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports *as a candidate*. If you are an officeholder at the time of filing a Final Report, you may be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

If you are not an officeholder at the time of filing a Final Report *and* if you have surplus funds or retain assets purchased with political funds, you will be required to file annual reports of Unexpended Contributions. (*See instructions for Form C/OH-UC.*)

To file a Final Report, you must complete the “C/OH CAMPAIGN FINANCE REPORT” (Form C/OH), check the “final” box in section 9 on the Cover Sheet, and complete and attach the “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH- FR).

COMPLETING THE COVER SHEET

Each numbered item in these instructions corresponds to the same numbered item on the form.

PAGE 1

- 1. FILER ID:** If you are filing with the Commission, you were assigned a filer identification number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your Filer ID. Enter this number wherever you see “FILER ID.” If you do not file with the Commission, you are not required to enter a Filer ID.
- 2. TOTAL PAGES FILED:** After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of page 1 only. Each side of a two-sided form counts as one page.
- 3. CANDIDATE/OFFICEHOLDER NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 4. CANDIDATE/OFFICEHOLDER MAILING ADDRESS:** Enter your complete mailing address. If your mailing address has changed since you last gave notice of your address, check the “Change of Address” box.
- 5. CANDIDATE/OFFICEHOLDER PHONE:** Enter your phone number including the area code, and your extension, if applicable.

Sections 6 - 8 pertain to a candidate’s campaign treasurer. If you are an officeholder who does not have a campaign treasurer appointment on file, skip these sections.

- 6. CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 7. CAMPAIGN TREASURER ADDRESS:** Enter the complete address of your campaign treasurer.
- 8. CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer including the area code, and the extension, if applicable.
- 9. REPORT TYPE:** Check the box that describes the type of report you are filing, according to the descriptions below. See the instructions for section 10 for the periods covered by each type of report.

January 15 Report: All candidates and most officeholders must file a semiannual report by January 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

All candidates and officeholders who file with the Commission must file this report by midnight Central Time on the January 15 report due date. All candidates and officeholders who file locally must file this report by 5 p.m. on the January 15 report due date.

Note: Anyone who has a campaign treasurer appointment (Form CTA) on file must file semiannual reports, even after an election has ended and even if the filer lost the election. To end this semiannual filing requirement, the filer must cease campaign activity and file a Final Report. (See “Final Report” below for more information.)

July 15 Report: All candidates and most officeholders must file a semiannual report by July 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

See “January 15 Report” above for more information on filing requirements and deadlines for semiannual reports.

30th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting, but then exceeded a threshold before the 30th day before the election, the candidate must file this report.

The report is due no later than 30 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

You are an "opposed" candidate if you have an opponent, including a minor party candidate, whose name is printed on the ballot. If your only opposition is a write-in candidate, you are not considered opposed for filing purposes. If you are a write-in candidate, you are an "opposed" candidate subject to the reporting requirements if you accept political contributions or make political expenditures. Candidates who are unopposed in an election are not required to file pre-election reports for that election.

8th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting but then exceeded a threshold before the 8th day before the election, the candidate must file this report.

The report is due no later than 8 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Runoff Report: Opposed candidates who are participating in a runoff election and who did not choose the modified reporting schedule must file this runoff report. The report is due no later than 8 days before the runoff election. For all candidates and officeholders who file with Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Exceeded \$500 Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded \$500 in contributions or \$500 in expenditures in connection with the election must file this Exceeded \$500 Limit report within 48 hours after exceeding the \$500 limit. The candidate must meet this deadline even if it falls on a weekend or a holiday.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): An officeholder must file this report if he or she appoints a campaign treasurer after a period of not having a campaign treasurer appointment (Form CTA) on file. For all officeholders who file with Commission, this report is due no later than midnight Central Time on the 15th day after an officeholder files Form CTA with the Commission. For all officeholders who file locally, this report is due no later than 5 p.m. on the 15th day after an officeholder files Form CTA with the filing authority. It is not required of officeholders who are merely changing their campaign treasurer. It is not required of an officeholder who files locally if the officeholder did not exceed \$500 in either contributions or expenditures during the period covered by the report. Candidates who are not officeholders do not file this report.

Final Report: A person who has a campaign treasurer appointment on file may file this report when he or she does not expect to accept any further campaign contributions or make or authorize any further campaign expenditures. There is not a fixed deadline for this report. This report must have a completed “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH-FR) attached.

A candidate must have a CTA on file to accept campaign contributions or make campaign expenditures, including contributions intended to offset campaign debts or expenditures made to pay campaign debts. A candidate who intends to continue campaign activity should not file a Final Report.

A Final Report terminates a candidate’s CTA and relieves the candidate from any additional filing obligations as a candidate. Officeholders who file a Final Report will still be subject to the filing requirements applicable to officeholders. A person who is not an officeholder but who has surplus political funds or assets after filing a Final Report will be required to file annual Unexpended Contribution reports. (See “Form C/OH-FR: Designation of Final Report” for more information.) A candidate or officeholder who does not have a CTA on file may still be required to file a personal financial statement (PFS).

Filing a Final Report does not relieve a candidate of responsibility for any delinquent reports or outstanding civil penalties.

Daily Pre-Election Report of Contributions: A candidate or officeholder who files with the Commission may be required to file daily pre-election reports disclosing contributions during the period beginning the 9th day before an election and ending at 12 noon on the day before the election. This information can be disclosed on Form C/OH-T. For more information, please see the instructions for Form C/OH-T.

Legislative Special Session Report: A candidate or officeholder who files with the Commission and who accepts a political contribution during the period beginning on the date the governor signs the proclamation calling a special legislative session and continuing through the date of final adjournment is required to file a report after a special session of the legislature. This information can be disclosed on Form C/OH-SS. For more information, please see the instructions for Form C/OH-SS.

- 10. PERIOD COVERED:** A reporting period includes the start date and the end date. The *due date* for filing will generally be *after* the end of the period. Generally, a report picks up where the last report left off, and there should be no gaps or overlapping periods. The exceptions are Daily Pre-election reports, which do create overlaps because you are required to report the activity twice.

First Reports: If this is the first report of contributions and expenditures that you have filed, the beginning date will depend on the date your campaign treasurer appointment (Form CTA) was filed or the date you took office.

- If you are a candidate (a person who has filed a Form CTA) and you are filing your first report, the start date will be the date your Form CTA was filed.
- If you are an officeholder who was appointed to an elective office and who did not have a Form CTA on file at the time of the appointment, the start date for your first report will be the date you took office.

January 15th Semiannual Report: The start date is July 1 of the previous year or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is December 31 of the previous year.

July 15th Semiannual Report: The start date is January 1 or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is June 30.

30th Day Before Election Report: The start date is the day after the last day covered by your last required report. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 40th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

8th Day Before Election Report: The start date is the 39th day before the election if you filed a 30th Day Before Election Report. If you did not file the 30th Day Before Election

Report, the day after the last day covered by your last required report is the start date. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 10th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

Runoff Report: The start date is the 9th day before the main election if you filed an 8th Day Before Election Report. Otherwise, the start date is the day after the last day covered by your last required report or the day you appointed a campaign treasurer, whichever is later. The end date is the 10th day before the runoff election. This report is not required for candidates who are filing under the modified reporting schedule.

Exceeded \$500 Limit Report: The start date for the report is either the day you appointed your campaign treasurer or the day after the last day covered by your last required report, whichever is later. The end date is the day you exceeded the \$500 limit for contributions or expenditures.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): The start date is either the day after the last day covered by your last required report or the day you began serving an appointment to elective office. The end date is the day before the campaign treasurer appointment was filed. This report is due no later than 15 days after the campaign treasurer appointment was filed.

Final Report: The start date is the day after the last day covered by your last required report. The end date is the day the final report is filed.

If you are an officeholder without a campaign treasurer appointment on file, or if you have a campaign treasurer appointment on file but you are not a candidate in an upcoming election and were not a candidate in a recent election, you may skip Section 11.

- 11. ELECTION:** If you are a candidate in an upcoming election or were a candidate in a recently held election, provide the following information concerning the upcoming or recent election.

Election Date: Enter the month, day, and year of the election for which this report is filed, if known.

Candidate in an Upcoming Election: If the political activity in the report primarily pertains to an upcoming election, provide the date of the upcoming election in which you intend to participate as a candidate that most immediately follows the deadline for this report.

Candidate in a Recently Held Election: If the political activity in this report primarily pertains to a recently held election, provide the date of the recently held election in which you participated as a candidate that most immediately precedes the deadline for this report.

Election Type: Check the box next to the type of election that most accurately describes the election for which this report is filed.

Primary: An election held by a political party to select its nominees for office.

Runoff: An election held if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote.

General: An election, other than a primary election, that regularly occurs at fixed dates.

Special: An election that is neither a general election nor a primary election nor a runoff election.

Other: If none of the listed election types apply, check “Other” and provide your own description of the election for which the report is filed.

- 12. OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
- 13. OFFICE SOUGHT:** If you are a candidate in an upcoming election, please enter the office you seek. If you were a candidate in a recently held election, but were unsuccessful or are not currently an officeholder, please enter the office you sought during the election that most immediately precedes the deadline for this report. Include the district, precinct, or other designation for the office, if applicable.

PAGE 2

- 14. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 15. FILER ID:** See instructions for section 1.
- 16. NOTICE FROM POLITICAL COMMITTEE(S):** Complete this section if you received notice from a political committee that it accepted political contributions or made political expenditures on your behalf. You are required to disclose the receipt of such a notice in the report covering the period in which you receive the notice. If you have not received such notice, you may skip this section.

The political committee is required to include in the notice the full name and address of the committee, the full name and address of the committee’s campaign treasurer, and a statement indicating whether the committee is a general-purpose committee or a specific-purpose committee. If the notice also describes the expenditure, do not include the description in this section.

“Additional Pages” box: If you received notice from more than one committee, check this box and attach an additional page listing the names and addresses of the other committees and of their campaign treasurers.

Committee Type:

“General” box: Check this box if the notice is from a general-purpose committee.

“Specific” box: Check this box if the notice is from a specific-purpose committee.

Committee Name: Enter the full name of the committee as reported in the notice.

Committee Address: Enter the address of the committee as reported in the notice.

Committee Campaign Treasurer Name: Enter the name of the committee’s campaign treasurer as reported in the notice.

Committee Campaign Treasurer Address: Enter the address of the committee’s campaign treasurer as reported in the notice.

17. TOTALS: Complete this section only after you have completed all applicable schedules.

Line 1- Total Political Contributions of \$50 or Less, Unless Itemized: Enter the total of all unitemized contributions (other than pledges or loans or guarantees of loans) of \$50 or less. Do not include any contributions itemized on Schedules A1 or A2. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you were required to itemize political contributions that totaled more than \$50 from one person. You also had the option of itemizing contributions of \$50 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

Line 2- Total Political Contributions: Add the total contributions listed on Schedules A1 and A2 to the amount you entered on line 1. Enter that total on line 2. Enter a “0” if you did not receive any contributions during the period covered.

Line 3- Total Political Expenditures of \$100 or Less, Unless Itemized: Enter the total of all unitemized political expenditures of \$100 or less. Do not include any expenditures itemized on Schedules F1, F2, F3, F4, G, or H. Enter a “0” if you did not make any unitemized expenditures during the period covered.

On Schedule F1, you were required to itemize political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing expenditures totaling \$100 or less to one payee. Do not include any expenditures itemized on Schedule F1 in the total entered on line 3, regardless of amount.

On Schedule F2, you were required to itemize incurred but not yet paid political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing incurred political expenditures totaling \$100 or less to one payee. Do not

include any political or non-political expenditures itemized on Schedule F2 in the total entered on line 3, regardless of amount.

On Schedule F4, you were required to itemize political expenditures made by a credit card that totaled more than \$100 to one payee. You also had the option of itemizing political expenditures totaling \$100 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F4 in the total entered on line 3, regardless of amount.

On Schedule G, you were required to itemize political expenditures from personal funds if you intend to seek reimbursement from political contributions. Do not include any expenditures itemized on Schedule G in the total entered on line 3, regardless of amount.

On Schedule H, you were required to itemize payments from political contributions made to certain businesses. Do not include any expenditures itemized on Schedule H in the total entered on line 3, regardless of amount.

Line 4- Total Political Expenditures: Add the following:

- (a) the total expenditures itemized on Schedule F1;
- (b) the total political expenditures itemized on Schedule F2;
- (c) the total political expenditures itemized on Schedule F4;
- (d) the total political expenditures itemized on Schedule G;
- (e) the total political expenditures itemized on Schedule H; and
- (f) the amount you entered on line 3.

Enter that total on line 4.

Enter a “0” if you did not make any expenditures during the period covered.

Line 5- Total Political Contributions Maintained: Enter the total amount of political contributions, including interest or other income on those contributions, maintained as of the last day of the reporting period. Enter “0” if you do not maintain political contributions, including interest or other income on those contributions, as of the last day of the reporting period. This is different from the total contributions reported on line 2. Only contributions accepted during the period covered by the report are entered on line 2.

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.

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.

Line 6- Total Principal Amount of All Outstanding Loans: Enter the aggregate outstanding principal amount of all loans accepted for campaign or officeholder purposes as of the last day of the reporting period. Enter a “0” if you did not accept any loans during the period covered and have no outstanding loans as of the last day of the reporting period. This is different from the information reported on Schedule E. This line must include outstanding principal of loans made in this reporting period as well as outstanding principal of loans made previously.

- 18. AFFIDAVIT:** Complete this section only after you have completed all applicable sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. *Only the candidate or officeholder filing the report may sign the affidavit.*

PAGE 3

- 19. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 20. FILER ID:** See instructions for section 1.
- 21. SCHEDULE SUBTOTALS:** Complete this section only after you have completed all applicable schedules.

Check the appropriate boxes to indicate which schedules are attached to your report. If a schedule is not included in the report, leave the check box blank.

Line 1- Schedule A1: Add the total amount of contributions itemized on Schedule A1 to the amount of unitemized monetary political contributions accepted during the period covered. Enter that total on line 1. Enter a “0” if you did not accept any contributions during the period covered.

Line 2- Schedule A2: Add the total amount of non-monetary in-kind contributions itemized on Schedule A2 to the amount of unitemized non-monetary in-kind contributions accepted during the period covered. Enter that total on line 2. Enter a “0”

if you did not accept any non-monetary in-kind contributions during the period covered.

Line 3- Schedule B: Add the total amount of pledged contributions itemized on Schedule B to the amount of unitemized pledged contributions accepted during the period covered. Enter that total on line 3. Enter a “0” if you did not accept any pledged contributions during the period covered.

Line 4- Schedule E: Add the total amount of loans itemized on Schedule E to the amount of unitemized loans accepted during the period covered. Enter that total on line 4. Enter a “0” if you did not accept any loans during the period covered.

Line 5- Schedule F1: Add the total amount of political expenditures from political contributions itemized on Schedule F1 to the amount of unitemized political expenditures from political contributions made during the period covered. Enter that total on line 5. Enter a “0” if you did not make any political expenditures from political contributions during the period covered.

Line 6- Schedule F2: Add the total amount of unpaid incurred obligations itemized on Schedule F2 to the amount of unitemized unpaid obligations incurred during the period covered. Enter that total on line 6. Enter a “0” if you did not incur any unpaid obligations during the period covered.

Line 7- Schedule F3: Enter the total amount of investments purchased from political contributions itemized on Schedule F3. Enter a “0” if you did not purchase any investments from political contributions during the period covered.

Line 8- Schedule F4: Add the total amount of expenditures made by a credit card itemized on Schedule F4 to the amount of unitemized expenditures made by a credit card during the period covered. Enter that total on line 8. Enter a “0” if you did not make any expenditures by credit card during the period covered.

Line 9- Schedule G: Add the total amount of political expenditures from personal funds itemized on Schedule G to the amount of unitemized political expenditures from personal funds made during the period covered. Enter that total on line 9. Enter a “0” if you did not make any political expenditures from personal funds during the period covered.

Line 10- Schedule H: Enter the total amount of payments from political contributions to a business of the candidate or officeholder itemized on Schedule H. Enter a “0” if you did not make any payments from political contributions to a business of the candidate or officeholder during the period covered.

Line 11- Schedule I: Enter the total amount of non-political expenditures from political contributions itemized on Schedule I. Enter a “0” if you did not make any non-political expenditures from political contributions during the period covered.

Line 12- Schedule K: Enter the total amount of interests, credits, gains, refunds, and contributions returned to the filer itemized on Schedule K. Enter a “0” if you did not have any such activity during the period covered.

SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about monetary campaign and officeholder contributions accepted during the reporting period. Do not enter on this schedule information on non-monetary, in-kind contributions, pledges, loans, or guarantees of loans. Once you actually receive pledged money, it must be reported on Schedule A1. (Report non-monetary, in-kind contributions on Schedule A2; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter incoming monetary contributions that exceed \$50 from one person during a reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE A1:** After you have completed Schedule A1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you *accepted* the contribution. Accepting a contribution is different from receiving a contribution. You accept a contribution when you decide to accept it rather than reject it. This may or may not be the same day that you receive the contribution.
- 5. FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor. If the contributor is an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable. If the contributor is an entity, enter the full name of the entity.

“Out-of-State PAC” box: If the contributor is an out-of-state political committee, check the box. Certain restrictions apply to contributions from out-of-state PACS. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state PAC for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state PAC. A political committee that makes most of its political expenditures outside of Texas may be an out-of-state PAC. A political committee must determine if it is an out-of-state PAC.

If the contributor is an out-of-state political committee from which you accepted more than \$500 in the reporting period (including pledges or loans from sources

other than financial institutions that have been in business for more than a year), you must include one of the following with your report:

- 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 \$100 to the out-of-state political committee during the 12 months immediately preceding the contribution; *or*
- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee.

If the contributor is an out-of-state political committee from which you accepted \$500 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee; *or*
- a document listing 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.

“ID #” Line (Electronic Filing Only): If you are filing your report electronically, you may enter in this field the out-of-state committee's Federal Election Commission (FEC) identification number. If you do not have an FEC # for the out-of-state PAC or are not filing electronically with the Commission, you must provide other documentation as explained above.

- 6. CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
- 7. AMOUNT OF CONTRIBUTION:** Enter the amount of the contribution.
- 8. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.
- 9. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the employer of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-monetary, in-kind campaign and officeholder contributions received during the reporting period. An in-kind contribution is a contribution of goods, services, or any other thing of value *other than money* that is given to your campaign. You are not required to include contributions of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on monetary political contributions, pledges, loans, or guarantees of loans. Once you actually receive a pledged in-kind contribution, it must be reported on Schedule A2. (Report monetary contributions on Schedule A1; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter non-monetary (in-kind) contributions of goods, services, or other things of value that exceed \$50 from one person during a reporting period on this schedule. If you accepted two or more non-monetary contributions from the same person, the total of which exceeds \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE A2:** After you have completed Schedule A2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS:** Enter the total amount of in-kind political contributions of \$50 or less that you accepted during the period covered that are not itemized on this schedule. If you choose to itemize an in-kind contribution of \$50 or less on this schedule, do not include it in this total.
- 5. DATE:** See instructions for Schedule A1, section 4.
- 6. FULL NAME OF CONTRIBUTOR:** See instructions for Schedule A1, section 5.

 “Out-of-State PAC” box: See instructions for Schedule A1, section 5.
- 7. CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
- 8. AMOUNT OF CONTRIBUTION:** Enter the fair market value of the in-kind contribution.

9. IN-KIND CONTRIBUTION DESCRIPTION: Enter a description of the contribution. The description should be sufficiently detailed to allow a person reviewing your report to understand what was contributed.

“Travel Outside of Texas” box: If the contribution was for travel outside of Texas, please check the box and report this information on Schedule T.

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

Sections 12-16 pertain to judicial candidates and officeholders only. Do not complete these sections. If you are a judicial candidate or officeholder, please use form JC/OH and the corresponding instructions.

SCHEDULE B: PLEDGED CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE B: PLEDGED CONTRIBUTIONS.

Use this schedule to disclose information about pledges accepted during the reporting period for campaign or officeholder purposes. You are not required to include pledges of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on contributions actually received, loans, or guarantees of loans. (Report contributions actually received on Schedule A1 or Schedule A2, as applicable; report loans and guarantees of loans on Schedule E.)

If you accept a pledge from a person to give you money, goods, services, or anything of value, that pledge is a reportable contribution and you must include the pledge on this schedule for the report covering the period in which you accept the pledge.

Itemization: You must itemize pledges that exceed \$50 in the aggregate from one person during the reporting period. If you received pledges totaling more than \$50 from one person during the reporting period, you must itemize all of those pledges, even if individual pledges were for \$50 or less. Although you are not required to do so, you may also itemize pledges for \$50 or less from one person. You must also disclose the receipt of the pledged contribution on Schedule A1 (used for monetary contributions) or A2 (used for non-monetary contributions), as applicable, in the reporting period in which you actually receive the pledged money or thing of value. If the pledge is accepted and received in the same reporting period, it is not required to be reported on Schedule B.

Note: See the Campaign Finance Guide for more information on pledges.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE B:** After you have completed Schedule B, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED PLEDGES:** Enter the total amount of pledges that you accepted during the period that did not exceed \$50 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of \$50 or less on this schedule. If you itemize some pledges of \$50 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of \$50 or less, do not enter a total amount here.
- 5. DATE:** Enter the date you *accepted* the pledge. Accepting a pledge is different from receiving a contribution. You accept a pledge when you decide to accept it rather than reject it.

Pledge accepted and received in different reporting periods: If you accept a pledge in one reporting period and then receive the pledged money or other thing of value in a later reporting period, you will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. You will also disclose the receipt of the pledged money or other thing of value on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E) in the reporting period in which you received the pledge.

Pledge received in same reporting period as accepted: If you receive a pledge in the same reporting period in which it was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E). The date of the contribution will be the date you accepted the pledged contribution, regardless of when the pledged contribution was actually received.

Pledge accepted but never received: You will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. If you never actually receive the pledge, it is not necessary to correct your report to delete the pledge.

Example: 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 disclose the pledge on his July 15 report covering the period in which he accepted the pledge. (Note: When he receives the \$1,000, he will disclose it as a monetary contribution on Schedule A1 of the report covering the period in which he received the money. Also, if he never receives the \$1,000, he does not correct/amend his report to delete the entry for the pledge.)

6. FULL NAME OF PLEDGOR: Enter the full name of the person who made the pledge.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

7. PLEDGOR ADDRESS: Enter the complete address of the person who made the pledge.

8. AMOUNT OF PLEDGE: Enter the amount of the pledge or the fair market value of any pledged goods or services or other thing of value, as applicable.

9. IN-KIND DESCRIPTION: If the pledge was for goods or services or any other thing of value, enter a description of the pledged goods or services or other thing of value. The description should be sufficiently detailed to allow a person reviewing your report to understand what was pledged.

“Travel Outside of Texas” box: If the pledged contribution was an in-kind contribution for travel outside of Texas, please check the box and report this information on Schedule T.

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

You do not need Schedules C1-4 and D. These schedules are for political committees to report contributions from corporations and labor organizations. Candidates and officeholders are generally prohibited from accepting such contributions.

SCHEDULE E: LOANS

These instructions are for candidates and officeholders using SCHEDULE E: LOANS.

Use this schedule to disclose information about loans and guarantees of loans accepted during the reporting period for campaign or officeholder purposes. This schedule must also be used to disclose deposits of personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. This schedule may also be used to disclose political expenditures from personal funds.

Loans to Your Campaign from Your Personal Funds: You may disclose political expenditures from personal funds as a loan to your campaign on Schedule E. Outgoing political expenditures made from that loan must then be disclosed as if they were made from political contributions. The amount you disclose as a loan from yourself in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from your personal funds in the reporting period was \$5,000. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan. (You may also disclose political expenditures from personal funds on Schedule G. See the Schedule G instructions below for more information.)

Personal Funds Deposited into a Political Account: If you deposit personal funds in an account in which political contributions are held, you must disclose the deposited amount as a loan on Schedule E and check the box indicating "Personal Funds Deposited into Political Account." Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction. Disclose the outgoing political expenditures made from that loan as if they were made from political contributions. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan.

Itemization: You must itemize loans (including loans from personal funds) that exceed \$50 that you accepted during the period from one person. If you accepted two or more loans from the same person, the total of which exceeds \$50, itemize each loan separately. Although you are not required to do so, you may also itemize loans that do not exceed \$50.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE E:** After you have completed Schedule E, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.

- 4. TOTAL OF UNITEMIZED LOANS:** Enter the total amount of loans accepted during the reporting period that did not exceed \$50 in the aggregate per person and were not from financial institutions.

Although you are not required to do so, you may itemize loans of \$50 or less from persons other than financial institutions on this schedule. If you itemize some loans of \$50 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$50 or less, enter a “0” here.

- 5. DATE OF LOAN:** Enter the date you *accepted* the loan.
- 6. IS LENDER A FINANCIAL INSTITUTION?:** If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, circle “Y” for yes. If you accepted the loan from any other source, circle “N” for no. A loan from a corporation that has not been legally engaged in the business of making loans for more than one year is a corporate contribution. Candidates and officeholders may not accept corporate contributions.
- 7. NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan. If the lender is an individual, enter the full first and last name and suffix (Jr., III, et.) if applicable. If the lender is an entity, enter the full name of the entity.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

Note: See the Campaign Finance Guide for detailed information on accepting and reporting contributions from out-of-state political committees.

- 8. LENDER ADDRESS:** Enter the complete address of the person or financial institution that made the loan.
- 9. LOAN AMOUNT:** Enter the principal amount of the loan.
- 10. INTEREST RATE:** Enter the interest rate.
- 11. MATURITY DATE:** Enter the maturity date.
- 12. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of each individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$500 or more during the reporting period. Other types of filers are not required to report this information but may do so.
- 13. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the full name of the employer of an individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$500 or more during the reporting period. Other types of filers are not required to report this information but may do so.

14. DESCRIPTION OF COLLATERAL: If there is no collateral for the loan, check the “none” box and go to section 15. If there is collateral for the loan, enter a description of the collateral for the loan.

15. “Check if personal funds were deposited into political account” box: Check this box *only if* the loan is a deposit of your personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported as if they were made from political contributions. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.

16. GUARANTOR INFORMATION: If there are no guarantors for the loan, check the “Not Applicable” box and go to the next loan. If you have no further loans to report, go to the next applicable schedule.

A person who guarantees all or part of a loan makes a reportable contribution in the amount of the guarantee. You must report such a contribution on this schedule, and not on the contributions schedule.

17. NAME OF GUARANTOR: Enter the full name of the person guaranteeing the loan. If the guarantor is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the guarantor is an entity, enter the full name of the entity.

18. GUARANTOR ADDRESS: Enter the complete address of the guarantor.

19. AMOUNT GUARANTEED: Enter the dollar amount of the loan that the guarantor has agreed to guarantee.

20. PRINCIPAL OCCUPATION: Enter the principal occupation of the guarantor.

21. EMPLOYER: Enter the employer of the guarantor.

SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about political expenditures from political contributions that were made during the reporting period. Do not enter on this schedule unpaid incurred obligations, political expenditures made from personal funds, the purchase of investments from political contributions, expenditures made by credit card, or payments from political contributions made to a business that you own or control. (Report unpaid incurred obligations on Schedule F2; report expenditures from personal funds on Schedule G; report the purchase of investments from political contributions on Schedule F3; report expenditures made by credit card on Schedule F4; and report payments from political contributions made to a business that you own or control on Schedule H.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 in the period on this schedule. If you choose not to itemize expenditures of \$100 and less on this schedule, you must total all unitemized expenditures and report them on the Cover Sheet, page 2, section 17, line 3.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F1:** After you have completed Schedule F1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made. Remember: Expenditure obligations you incurred in this reporting period *but have not yet paid* are entered on Schedule F2. Expenditures made by credit card are entered on Schedule F4.

5. PAYEE NAME: Enter the full name of the person to whom the expenditure was made.

Note: If you make an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor who sold you the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 8, “Purpose of Expenditure.”

6. AMOUNT: Enter the exact amount of the expenditure.

7. PAYEE ADDRESS: Enter the complete address of the person to whom the expenditure was made.

8. PURPOSE OF EXPENDITURE: You must disclose the purpose of the expenditure in two parts: Category and Description. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

(a) Category: Select a category of goods, services, or other thing of value for which an expenditure is made. If none of the listed categories apply, select “Other” and enter your own category. Examples of acceptable categories include:

- Advertising Expense
- Accounting/Banking
- Consulting Expense
- Contributions/Donations Made By Candidate/Officeholder/Political Committee
- Credit Card Payment
- Event Expense
- Fees
- Food/Beverage Expense
- Gifts/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 and Related Expense
- Travel In District
- Travel Out Of District
- Other

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of

value for which the expenditure is made does not adequately describe the purpose of an expenditure.

For examples of acceptable ways to disclose the purpose of an expenditure, please see the "Examples: Purpose of Expenditures" on page 46.

“Check if travel outside of Texas” box: Check this box if the expenditure is for travel outside of Texas. The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

“Check if Austin, TX, officeholder living expense” box: For expenditures made on or after July 1, 2014, check this box if the expenditure is an officeholder expense for living in Austin, Texas.

9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:

If you made a direct campaign expenditure to benefit another candidate or officeholder, enter the full name of the candidate or officeholder and the name of the office sought or held, including the district, precinct, or other designation of the office, as applicable. (Attach additional sheets to list multiple candidates.) Do not complete this section if the expenditure was not a direct campaign expenditure.

A “direct campaign expenditure” to benefit another candidate is not a “political contribution” to that other candidate. A direct campaign expenditure is a campaign expenditure that you make on someone else’s behalf and without the prior consent or approval of that person. This is in contrast to a political contribution, which the person has the opportunity to accept or reject.

Example: If you made expenditures to prepare and distribute an endorsement letter in support of a candidate after first asking for and getting the candidate’s approval, you made an *in-kind contribution*. However, if you did not get the candidate’s approval *before* you made the expenditure, you made a *direct campaign expenditure*.

SCHEDULE F2: UNPAID INCURRED OBLIGATIONS

These instructions are for candidates and officeholders using SCHEDULE F2: UNPAID INCURRED OBLIGATIONS.

Use this schedule to disclose information about obligations to make an expenditure that you incurred during the reporting period but have not yet paid. Do not enter on this schedule obligations that were incurred and paid during the reporting period, or other outgoing funds. (Report obligations incurred and paid during the reporting period on Schedule F1, F3, G, H, or I as appropriate, and report expenditures made by credit card on Schedule F4.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: Itemization requirements differ depending on whether the unpaid incurred obligation is for a political or non-political expenditure.

Unpaid Incurred Political Obligations: You must enter political obligations incurred but not yet paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you incurred more than one obligation to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report political obligations incurred to one person that do not exceed \$100 in the period on this schedule. If you choose not to itemize incurred political obligations of \$100 and less on this schedule, you must total all unitemized obligations and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$100 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Unpaid Incurred Non-Political Obligations: You must enter non-political obligations incurred but not yet paid to one individual or entity during a reporting period on this schedule, regardless of the amount.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F2:** After you have completed Schedule F2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS:** Enter the total amount of political obligations incurred during the reporting period that do not exceed \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of \$100 or less, but if you choose to do so, do not include those unpaid incurred obligations in the total you enter here.

5. DATE: Enter the date the obligation was incurred. Obligations you incurred *and* paid during the reporting period are not entered on this schedule.

6. PAYEE NAME: See instructions for Schedule F1, section 5.

Note: If you incurred an obligation for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you incurred the obligation. Include that information under section 10, “Purpose of Expenditure.”

7. AMOUNT: Enter the exact amount of the incurred obligation.

8. PAYEE ADDRESS: Enter the complete address of the person to whom the obligation is owed.

9. TYPE OF EXPENDITURE: Check only one box to indicate whether the incurred obligation was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. PURPOSE OF EXPENDITURE: See instructions for Schedule F1, section 8.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:
See instructions for Schedule F1, section 9.

SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about investments purchased from political contributions during the reporting period. Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, expenditures made by credit card, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report expenditures made by credit card on Schedule F4; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter investments purchased with political contributions during a reporting period that in the aggregate exceed \$100 on this schedule. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed \$100 in the period on this schedule.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F3:** After you have completed Schedule F3, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you purchased the investment.
- 5. NAME OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the full name of the person or entity from whom you purchased the investment. If you purchased the investment from an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable (title is optional). If you purchased the investment from an entity, enter the full name of the entity.
- 6. ADDRESS OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the complete address of the person or entity from whom you purchased the investment.
- 7. DESCRIPTION OF INVESTMENT:** Enter a brief statement or description of the investment. For example, “Ten shares of stock in ABC company.”
- 8. AMOUNT OF INVESTMENT:** Enter the amount of the investment purchased.

SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD

These instructions are for candidates and officeholders using SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD.

Use this schedule to disclose information about expenditures made by a credit card. Effective July 5, 2015, you must disclose expenditures charged to a credit card on this schedule and identify the individual, entity, or vendor who receives payment from the credit card company. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable.

Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report the purchase of investments from political contributions on Schedule F3; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

For examples regarding the disclosure of expenditures made by credit card, please see “Examples: Reporting Expenditures Made by Credit Card” on page 42.

Itemization: Itemization requirements differ depending on whether the expenditure made by a credit card is for a political or non-political expenditure.

Political Expenditures Made by Credit Card: You must itemize political expenditures made by credit card that exceed \$100 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee, the total of which exceeded \$100, enter each expenditure made by credit card separately. Although you are not required to do so, you may also report political expenditures made by credit card that do not exceed \$100 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of \$100 and less on this schedule, you must total all unitemized political expenditures and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$100 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Non-Political Expenditures Made by Credit Card: You must itemize any non-political expenditure made by credit card, regardless of the amount.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F4:** After you have completed Schedule F4, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD:** Enter the total amount of political expenditures charged to a credit card during the reporting period that do not exceed \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of \$100 or less, but if you choose to do so, do not include those political expenditures made by credit card in the total you enter here.
5. **DATE:** Enter the date you made the expenditure by credit card.

Note: There is a special reporting rule for expenditures made by credit card. For reports due 30 days and 8 days before an election (pre-election reports) and for runoff reports, the date of the credit card expenditure is the date the credit card is used. For other reports, the date of the credit card expenditure is either the date of the charge or the date the credit card statement is received. *A filer can never go wrong by disclosing the date of the expenditure as the date of the charge.*

6. **PAYEE NAME:** See instructions for Schedule F1, section 5. Disclose the name of the vendor who sold you the goods or services as the payee, NOT the credit card company. You do not report the name of the credit card company on this schedule.

Note: If you made an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 10, “Purpose of Expenditure.”

7. **AMOUNT:** Enter the amount of the credit card expenditure.
8. **PAYEE ADDRESS:** Enter the complete address of the payee of the credit card expenditure.
9. **TYPE OF EXPENDITURE:** Check only one box to indicate whether the credit card expenditure was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

Note: Do not choose “Credit Card Payment” as the category for an expenditure made by credit card when an individual, entity, or vendor receives payment from the credit card company. Instead, choose the category that corresponds to the goods, services, or other thing of value purchased from the individual, entity, or vendor.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:

See instructions for Schedule F1, section 9.

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for candidates and officeholders using SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS.

You may use this schedule to disclose information about political expenditures from personal funds that were made during the reporting period. Alternatively, you may choose to disclose political expenditures from personal funds as a loan on Schedule E (see the Schedule E instructions above for more information). Do not enter on this schedule information about personal funds deposited in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. (Report the deposit of personal funds into a political account as a loan on Schedule E.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

If you intend to seek reimbursement *in any amount* from political contributions for a political expenditure made from personal funds, you must either report the expenditure on Schedule E or itemize the expenditure on this schedule and check the box in Section 6 to indicate that you intend to seek reimbursement from political contributions. ***You may not correct a report to allow reimbursement.*** When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1.

See the Campaign Finance Guide for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: If you choose to report political expenditures from personal funds on this schedule, you must itemize political expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 in the period on this schedule. You must total all political expenditures from personal funds that you do not itemize on this schedule and include them in the total of unitemized political expenditures on the C/OH Cover Sheet, page 2, section 17, line 3.

Officeholder expenditures from personal funds for which you do not intend to seek reimbursement are not required to be reported on this schedule or included in the total of unitemized political expenditures.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. **TOTAL PAGES SCHEDULE G:** After you have completed Schedule G, count the total number of pages. Each side of a two-sided form counts as one page.
2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **DATE:** Enter the date the expenditure was made.
5. **PAYEE NAME:** See instructions for Schedule F1, section 7.
6. **AMOUNT:** Enter the exact amount of the expenditure.

“Reimbursement from Political Contributions Intended” box: Check this box if you intend to reimburse yourself for the expenditure. (In order to be reimbursed from political contributions in any amount for an expenditure made out of personal funds, you must itemize the expenditure on this schedule and check this box or you must report the expenditure as a loan to yourself on Schedule E.)

7. **PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
8. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
9. **DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

These instructions are for candidates and officeholders using SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH.

Use this schedule to disclose information about payments from political contributions that were made to a business in which you have an interest of more than 10%, a position on the governing body, or a position as an officer. Do not enter on this schedule other payments from political contributions made during the reporting period.

See the *Campaign Finance Guide for Candidates and Officeholders* for a discussion on the important restrictions on making and reporting payments from political contributions to a business in which you have an interest.

This schedule is for payments to a business in which you have one or more of the following interests or positions:

- 1) a participating interest of more than 10%;
- 2) a position on the governing body of the business; or
- 3) a position as an officer of the business.

Itemization: You must enter all payments from political contributions made to certain businesses (as defined above) of a candidate or officeholder made during the reporting period on this schedule, regardless of the amount.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE H:** After you have completed Schedule H, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you made the payment.
- 5. BUSINESS NAME:** Enter the full name of the business to which you made the payment.
- 6. AMOUNT:** Enter the dollar amount of the payment.
- 7. BUSINESS ADDRESS:** Enter the complete address of the business to which you made the payment.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
- 9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-political expenditures from political contributions made during the reporting period. Do not enter political expenditures on this schedule. Also, do not enter non-political expenditure obligations you incurred in this reporting period but have not yet paid or non-political expenditures made by credit card. (Report unpaid incurred obligations on Schedule F2; report expenditures made by a credit card on Schedule F4.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose non-political expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: Expenditures Made by Credit Card for more information.

Itemization: You must enter all non-political expenditures from political contributions on this schedule, regardless of the amount. A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures. You may not convert political contributions to personal use.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE I:** After you have completed Schedule I, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made.
- 5. PAYEE NAME:** See instructions for Schedule F1, section 5.
- 6. AMOUNT:** Enter the exact amount of the expenditure payment.
- 7. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

These instructions are for candidates and officeholders using SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER.

Use this schedule to report information regarding 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, any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$100, and any other gain from a political contribution received during the reporting period.

Itemization: You must enter interest, credits, gains, refunds and returned contributions received during a reporting period that in the aggregate exceed \$100 on this schedule. Although you are not required to do so, you may also report any credit/gain/refund, or interest that does not exceed \$100 in the period on this schedule.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE K:** After you have completed Schedule K, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the credit/gain/refund was received or the interest was earned, as applicable.
- 5. NAME OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the full name of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 6. ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 7. PURPOSE FOR WHICH AMOUNT IS RECEIVED:** Enter a brief statement or description of the purpose for which the amount was received (for example, “phone service deposit return” “returned contribution” or “interest on savings account”).

“Check if political contribution returned to filer” box: If the incoming credit/gain was originally made by you in the form of a political contribution to another candidate or political committee and was returned to you in this reporting period, check this box.

- 8. AMOUNT:** Enter the exact dollar amount of the credit/gain/refund/returned contribution, or interest.

SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS

These instructions are for candidates and officeholders using SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS.

Use this schedule to disclose information about contributions accepted or expenditures made during the reporting period. In addition to completing this schedule, you must also report the actual contribution or expenditure on the appropriate schedule or form. The law requires detailed information regarding in-kind contributions or political expenditures for travel outside of the state of Texas.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE T:** After you have completed Schedule T, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter the full name of the candidate, committee, or party on whose report you are including this schedule.
- 3. FILER ID:** If you are filing with the Commission, enter your account number. If you do not file with the Commission, you are not required to enter an account number.
- 4. NAME OF CONTRIBUTOR / CORPORATION OR LABOR ORGANIZATION / PLEDGOR / PAYEE:** Enter the full name of the contributor / corporation or labor organization / pledgor / payee as it appears on the schedule or form on which you reported the actual contribution or expenditure.
- 5. CONTRIBUTION / EXPENDITURE REPORTED ON:** Check the appropriate box for the schedule or form on which you reported the actual contribution or expenditure.
- 6. DATES OF TRAVEL:** Enter the dates on which the travel occurred.
- 7. NAME OF PERSON(S) TRAVELING:** Enter the full name of the person or persons traveling on whose behalf the travel was accepted or on whose behalf the expenditure was made.
- 8. DEPARTURE CITY OR NAME OF DEPARTURE LOCATION:** Enter the name of the departure city or the name of each departure location.
- 9. DESTINATION CITY OR NAME OF DESTINATION LOCATION:** Enter the name of the destination city or the name of each destination location.
- 10. MEANS OF TRANSPORTATION:** Enter the method of travel (e.g., airplane, bus, boat, car, etc.)
- 11. PURPOSE OF TRAVEL:** Enter the campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

These instructions are for candidates and officeholders using Form C/OH-FR: C/OH REPORT: DESIGNATION OF FINAL REPORT. A final report must include this form (Form C/OH-FR) and the CAMPAIGN FINANCE REPORT (Form C/OH) with the “Final Report” box checked on page 1, section 9. It must also include Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T, as applicable.

GENERAL INFORMATION

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate.

If you do not have an appointment of campaign treasurer on file, you may not accept **campaign** contributions or make **campaign** expenditures. A payment on a campaign debt is a campaign expenditure. An officeholder who does not have an appointment of campaign treasurer on file may accept **officeholder** contributions and make **officeholder** expenditures.

The effect of filing a final report differs depending on whether you are an officeholder at the time you file a final report.

Officeholders Filing a Final Report: You will not have to worry about surplus political funds and assets until you cease to be an officeholder. You may still be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are local officeholders who do not exceed \$500 in contributions or expenditures during the reporting period.

If you cease to be an officeholder at a time when you do not have a campaign treasurer appointment on file, and you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions after filing the last required report as an officeholder, you **must** file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year following the year in which you filed the last required report as an officeholder. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

Non-Officeholders Filing a Final Report: You will no longer be required to file reports **unless** you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions. If you retain any of those items, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. You may not retain these unexpended funds longer than six years after the date of filing a final report. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

COMPLETING THE FORM

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. C/OH NAME:** Enter your full name.
- 2. FILER ID:** If you are filing with the Commission, enter your Filer ID. If you do not file with the Commission, you are not required to enter a Filer ID.
- 3. SIGNATURE:** You must sign this section to indicate that you understand the consequences of filing a final report.
- 4. FILER WHO IS NOT AN OFFICEHOLDER:** Complete this section if you are not an officeholder at the time of filing your final report. Be sure to check the appropriate box in both sections A and B and sign on the “Signature” line.
- 5. OFFICEHOLDER:** Complete this section if you are an officeholder at the time of filing your final report. You must check the box to indicate awareness of further filing requirements.

EXAMPLES: REPORTING EXPENDITURES MADE BY CREDIT CARD

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures made by credit card and payments made to credit card companies.

Example #1: Candidate Using Credit Card to Make Political Expenditures and Using Political Contributions to Pay the Credit Card Bill in the Same Reporting Period

A candidate for office uses her credit card to buy \$1,000 in campaign office supplies from an office store. During the same reporting period, the candidate uses her credit card to buy \$500 in political advertising signs from a sign company. During the same reporting period, the candidate makes a single payment from her political contributions account to pay the \$1,500 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which she made the credit card charges and sent the payment to the credit card company:

1. For the credit card charges: a \$1,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the office store as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Office Overhead/Rental Expense,” and a description as “Campaign Office Supplies.” In Section 9 of the schedule, the box for “Political” is also checked. The candidate also reports the \$500 expenditure on the “Expenditures Made by Credit Card” Schedule and identifies the sign company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Signs.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$1,500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for credit card expenditures.”
3. Both \$1,500 amounts reported on each schedule will also be included in the appropriate totals sections of Cover Sheet Pages 2 and 3.

Example #2: Candidate Using Credit Card to Make a Political Expenditure and Using Personal Funds to Pay the Credit Card Bill in the Same Reporting Period

A candidate for *non-judicial* office uses his credit card to purchase \$3,000 in political advertising materials from a print shop. During the same reporting period, the candidate makes a payment from his personal funds account to pay the \$3,000 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which he made the credit card charge and sent the payment to the credit card company:

1. For the credit card charge: a \$3,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the print shop as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Materials.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$3,000 expenditure on the “Political Expenditures Made from Personal Funds” Schedule (G). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising materials.” If the candidate intends to seek reimbursement from political contributions, the candidate may also check the appropriate box in Section 6.
3. Both \$3,000 amounts reported on each schedule will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #3: Political Committee Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A general-purpose committee uses its credit card to buy \$500 in political advertising in a newspaper. The committee receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the committee sends a payment to the credit card company, it makes a \$500 payment from its political contributions account.

To report the credit card charge, the committee’s campaign treasurer would report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the committee’s campaign treasurer would also report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the payment to the credit card company:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the

expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”

2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #4: Candidate Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A candidate for *judicial* office uses her credit card to buy \$500 in political advertising in a newspaper. The candidate receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the candidate sends a payment to the credit card company, she makes a \$500 payment from her political contributions account.

To report the credit card charge, the candidate would report all of the following on a campaign finance report (Form JC/OH) covering the period in which she made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the candidate would also report all of the following on a campaign finance report (Form JC/OH) covering the period in which the payment to the credit card company was made:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”
2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

EXAMPLES: PURPOSE OF EXPENDITURES

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting the purpose of an expenditure. However, it is not, and is not intended to be, an exhaustive or an exclusive list of how a filer may permissibly report the purpose of an expenditure.

(1) Example: Candidate X is seeking the office of State Representative, District 2000. She purchases an airline ticket from ABC Airlines to attend a campaign rally within District 2000. The acceptable category for this expenditure is “travel in district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign rally. An acceptable brief statement is “airline ticket to attend campaign event.”

(2) Example: Candidate X purchases an airline ticket to attend a campaign event outside of District 2000 but within Texas, the acceptable category is “travel out of district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign event. An acceptable brief statement is “airline ticket to attend campaign or officeholder event.”

(3) Example: Candidate X purchases an airline ticket to attend an officeholder related seminar outside of Texas. The acceptable method for the purpose of this expenditure is by selecting the “travel out of district” category and completing the “Schedule T” (used to report travel outside of Texas).

(4) Example: Candidate X contracts with an individual to do various campaign related tasks such as work on a campaign phone bank, sign distribution, and staffing the office. The acceptable category is “salaries/wages/contract labor.” The candidate activity that is accomplished by making the expenditure is to compensate an individual working on the campaign. An acceptable brief statement is “contract labor for campaign services.”

(5) Example: Officeholder X is seeking re-election and makes an expenditure to purchase a vehicle to use for campaign purposes and permissible officeholder purposes. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “purchase of campaign/officeholder vehicle.”

(6) Example: Candidate X makes an expenditure to repair a flat tire on a campaign vehicle purchased with political funds. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “campaign vehicle repairs.”

(7) Example: Officeholder X purchases flowers for a constituent. The acceptable category is “gifts/awards/memorials expense” and an acceptable brief description is “flowers for constituent.”

(8) Example: Political Committee XYZ makes a political contribution to Candidate X. The acceptable category is “contributions/donations made by candidate/officeholder/political committee” and an acceptable brief description is “campaign contribution.”

(9) Example: Candidate X makes an expenditure for a filing fee to get his name on the ballot. The acceptable category is “fees” and an acceptable brief description is “candidate filing fee.”

(10) Example: Officeholder X makes an expenditure to attend a seminar related to performing a duty or engaging in an activity in connection with the office. The acceptable category is “fees” and an acceptable brief description is “attend officeholder seminar.”

(11) Example: Candidate X makes an expenditure for political advertising to be broadcast by radio. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.” Similarly, Candidate X makes an expenditure for political advertising to appear in a newspaper. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.”

(12) Example: Officeholder X makes expenditures for printing and postage to mail a letter to all of her constituents, thanking them for their participation during the legislative session. Acceptable categories are “advertising expense” OR “printing expense” and an acceptable brief description is “letter to constituents.”

(13) Example: Officeholder X makes an expenditure to pay the campaign office electric bill. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office electric bill.”

(14) Example: Officeholder X makes an expenditure to purchase paper, postage, and other supplies for the campaign office. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office supplies.”

(15) Example: Officeholder X makes an expenditure to pay the campaign office monthly rent. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office rent.”

(16) Example: Candidate X hires a consultant for fundraising services. The acceptable category is “consulting expense” and an acceptable brief description is “campaign services.”

(17) Example: Candidate/Officeholder X pays his attorney for legal fees related to either campaign matters or officeholder matters. The acceptable category is “legal services” and an acceptable brief description is “legal fees for campaign” or “for officeholder matters.”

(18) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting with her constituents. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting with constituents.”

(19) Example: Candidate X makes food and beverage expenditures for a meeting to discuss candidate issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign issues.”

(20) Example: Officeholder X makes food and beverage expenditures for a meeting to discuss officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss officeholder issues.”

(21) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting to discuss campaign and officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign/officeholder issues.”

EXAMPLES: REPORTING EXPENDITURES FROM PERSONAL FUNDS

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures from personal funds.

If you intend to seek reimbursement of any amount from political contributions for a political expenditure made from your personal funds, you must report the expenditure in one of three ways. Keep in mind that this reporting system is not an accounting system and duplication of expenditures is not uncommon when reporting transactions related to expenditures made from personal funds.

Method #1: Itemize the expenditure on the “Political Expenditures Made from Personal Funds” schedule (Schedule G) and check the box to indicate that you intend to seek reimbursement from political contributions. You may not correct a report to allow reimbursement without subjecting yourself to a possible penalty. When you reimburse yourself, which could be months or years later, report the reimbursement on the “Political Expenditures” schedule (Schedule F1).

Example: On December 1, 2007, Candidate A spends \$500 of her own personal funds to purchase political advertising signs. She reports the expenditure to the vendor on Schedule G and checks the box to indicate that reimbursement is intended. One year later, Candidate A reimburses herself from political contributions. She reports the reimbursement on Schedule F1. Candidate A is the payee and the purpose of the expenditure is to reimburse herself for a political expenditure made from personal funds on December 1, 2007.

If you intend to seek reimbursement from political contributions for a political expenditure of any amount made from personal funds, you must itemize the expenditure on Schedule G.

Method #2: Report the political expenditures made from your personal funds as a loan to your campaign on the “Loans” schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, F4, or H as appropriate). Do NOT report political expenditures made from the loan on Schedule G. The amount you report as a loan in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from personal funds in the reporting period was \$5,000. When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1.

Example: In one reporting period, Candidate B spends \$5,000 of his own personal funds to purchase political advertising materials. He spends \$3,000 at Business One and \$2,000 at Business Two. He reports the expenditures as a \$5,000 loan on Schedule E and then itemizes each of the two expenditures as a political expenditure on Schedule F1. A year later, Candidate B reimburses himself from political contributions by disclosing the reimbursement on Schedule F1. He reports the reimbursement on Schedule F1. The payee in this instance is Candidate B, the category of the expenditure is “Loan

Repayment/Reimbursement,” and “political expenditure made from personal funds reported as a loan” is an acceptable brief description.

Method #3: Deposit personal funds in an account in which your political contributions are maintained and report that amount as a loan on the "Loans" schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, or H as appropriate). When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction.)

Example: In one reporting period, Candidate C opens a campaign bank account and deposits \$5,000 of her own personal funds into the account. She makes one \$3,000 expenditure for political advertising. Candidate C has no other activity in the reporting period. She reports the \$5,000 as a loan on Schedule E, itemizes the \$3,000 expenditure for the political advertising on Schedule F1, and includes the remaining \$2,000 on her contributions maintained at the end of the reporting period total. A year later, Candidate C reimburses herself from political contributions by disclosing the reimbursement on Schedule F1. The payee in this instance is Candidate C, the category of expenditure is "Loan Repayment/Reimbursement," and "political expenditure made from personal funds reported as a loan" is an acceptable brief description.

EXAMPLES: REPORTING STAFF REIMBURSEMENT

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting staff reimbursements.

When a staff member makes political payment(s) out of his or her personal funds, how you disclose the payment(s) depends on two things: 1) the aggregate total of those payments in the reporting period; and 2) whether or not you reimburse the staff worker in the same reporting period.

Example #1: The payment out of the staff worker's personal funds does not exceed \$5,000 in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will simply itemize the payment (if over the \$100 itemization threshold) on Schedule F1 as if you made the expenditure directly to the vendor out of your political funds, with the name of the vendor who sold the goods or services as the payee for the expenditure. **Do not** disclose as the payee the name of your staff worker.

Example #2: The payment(s) out of the staff worker's personal funds are over \$5,000 in the aggregate in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will use a 3-step process, disclosing everything on the same report: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) On Schedule F1, disclose the payment to your staff worker for the reimbursement of the loan.

Example #3: The payment(s) out of the staff worker's personal funds do not exceed \$5,000 in the aggregate in the reporting period **but** you reimburse the staff worker from political funds in a different reporting period – You will use a 3-step process, disclosing steps 1 and 2 on the same report and step 3 later, when the reimbursement occurs: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) When you reimburse your staff worker, if ever, disclose on Schedule F1 of the report covering the period in which the reimbursement occurs the payment to your staff worker for the reimbursement of the loan.



TEXAS ETHICS COMMISSION
2019 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS
FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR

This is a filing schedule for local candidates for, and local officeholders in, offices that are regularly filled at the general election for state and county officers (the November election in even-numbered years). Candidates for and officeholders in local offices that are filled on uniform election dates in May and November should use the 2019 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH ELECTIONS HELD ON UNIFORM ELECTION DATES. Examples of these types of offices include school board positions and city offices. If you are a judicial candidate or officeholder, please see the note attached to the end of this schedule.

EXPLANATION OF THE FILING SCHEDULE CHART

COLUMN I: REPORT DUE DATE - This is the date by which the report must be filed. For most filing deadlines, a report is considered timely filed if it is properly addressed to the filing authority with postage or handling charges prepaid and bears a postmark or receipt mark of a common or contract carrier indicating a time before the deadline or if it is hand-delivered to the filing authority by the filing deadline. The deadline for filing a report is 5:00 p.m. on the due date. 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. **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 JUDICIAL CANDIDATES AND OFFICEHOLDERS for further information.

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|------------------------------|---|--|--|
| Tuesday, January 15, 2019 | January semiannual [FORM C/OH or JC/OH] (all candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$500 in contributions or expenditures for the reporting period) | July 1, 2018, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | December 31, 2018 |
| Tuesday, January 15, 2019 | Annual report of unexpended contributions [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, 2018, <i>or</i> the day after the date the final report was filed. | December 31, 2018 |
| Tuesday, April 30, 2019 | Personal Financial Statement [FORM PFS] (all officeholders, other than county chairs) NOTE: Office holders of the offices of district judge, district attorney, and criminal district attorney are required to file the personal financial statement with the Texas Ethics Commission. Local Government Code Chapter 159 sets out the filing requirements applicable to other local officeholders. | January 1, 2018 | December 31, 2018 |
| Monday, July 15, 2019 | July semiannual [FORM C/OH or JC/OH] (all candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$500 in contributions or expenditures for the reporting period) | January 1, 2019, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | June 30, 2019 |

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|--|--|---|--|
| Wednesday, January 15, 2020 | January semiannual [FORM C/OH or JC/OH] (all candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$500 in contributions or expenditures for the reporting period) | July 1, 2019, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | December 31, 2019 |
| Wednesday, January 15, 2020 | Annual report of unexpended contributions [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, 2019, <i>or</i> the day after the date the final report was filed. | December 31, 2019 |

IMPORTANT INFORMATION FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS

Judicial Declaration of Intent Required. A candidate subject to the Judicial Campaign Fairness Act must file a campaign treasurer appointment and judicial declaration of intent regarding expenditure limits (Form JCTA) with the proper filing authority before accepting a campaign contribution or making or authorizing a campaign expenditure. NOTE: The Judicial Campaign Fairness Act applies to political contributions and expenditures in connection with the office of chief justice or justice, supreme court; presiding judge or judge, court of criminal appeals; chief justice or justice, court of appeals; district judge; judge, statutory county court; or judge, statutory probate court.

Limited Time Period for Accepting Contributions: A candidate subject to the Judicial Campaign Fairness Act may accept political contributions (campaign contributions or officeholder contributions) only during a limited time period.

Beginning Date: Candidates seeking an office that will be filled at the November 3, 2020, general election may accept political contributions during a time period that begins on **May 13, 2019**. (A **write-in candidate** may begin accepting contributions only after filing a declaration of write-in candidacy with the secretary of state or county judge, as applicable.)

Ending Date: The time period ends on one of the following dates, as applicable:

July 1, 2020, for candidates who lost in the primary election.

September 23, 2020, for candidates who lost in the primary runoff election.

March 3, 2021, for candidates who last appeared on the ballot in the general election.

Other Restrictions: Candidates and officeholders subject to the Judicial Campaign Fairness Act are subject to various campaign finance restrictions that do not apply to nonjudicial candidates and officeholders. For more information, see the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS, on the Ethics Commission's web site at www.ethics.state.tx.us/guides/jcoh_guide.pdf or request a copy by mail from the Texas Ethics Commission.

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 <input type="checkbox"/> POLITICAL COMMITTEE <input type="checkbox"/> <i>If filing as a candidate, complete boxes 3 - 6, then read and sign page 2.</i> <i>If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.</i> | | |
| 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.

Signature

Date