

City Council Candidate Packet General Officers' Election

May 3, 2025



Mayor and Council Positions 2 and 4



TO: Candidates for City Officers' Election
FROM: Natasha R. Hinton, City Secretary
DATE: December 18, 2024
SUBJECT: Election Information for May 2025

The enclosed material contains the following information and forms for the May 3, 2025 City Officers' Election:

GENERAL OVERVIEW

Council Terms and City Information

ELECTION CALENDAR

The 2025 Election Calendar provides relevant dates and deadlines.

APPLICATION FOR A PLACE ON THE BALLOT

The Application for a Place on the Ballot must be received by Friday, February 14, 2025, by 5:00 p.m. There is no filing fee. Please note the application includes space for an e-mail address – this can be provided at your discretion. All information, with the exception of your e-mail address, is public record. If you list your e-mail address but do not want it made public, please advise when you file your application with the City Secretary's office so that we may redact this information when furnishing it as a public record.

CAMPAIGN FINANCE GUIDE

Campaign Finance Guide for Candidates and Officeholders from the Texas Ethics Commission.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

The Appointment of a Campaign Treasurer Instruction Guide along with the Appointment of a Campaign Treasurer by a Candidate form. It is recommended this form be filed at the same time you file your application for a place on the ballot. As you read over some of the materials you will see the reasoning for this.

CODE OF FAIR CAMPAIGN PRACTICES

Pursuant to Chapter 258 of the Election Code, every candidate and political committee is encouraged to subscribe to the Code of Fair Campaign Practices. Subscription to the Code of Fair Campaign Practices and completion of the Code of Fair Campaign Practices Form is voluntary.

2025 FILING SCHEDULE FOR REPORTS

The Texas Ethics Commission 2025 Filing Schedule for Reports due in connection with Elections held on Uniform Election Dates (May 3, 2025).

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

It is the duty of the candidate to become familiar with the law applicable to campaigns for office. Included are the Campaign Finance Report Instruction Guide and one copy of the Candidate/Officeholder Campaign Finance Report form (you may need up to three report copies, depending on your particular campaign).

POLITICAL ADVERTISING

The Texas Election Law requires certain disclosures and notices on political advertising. Included is a guide from the Texas Ethics Commission, Political Advertising – What You Need to Know.

SIGNS – CITY ORDINANCE

The City Ordinance regarding signs in the City.

POLITICAL FUNDRAISERS: What You Need To Know.

This is a guide for candidates, officeholders, and political committees.

REGULATING POLITICAL FUNDS AND CAMPAIGNS

Title 15, Election Code, Regulating Political Funds and Campaigns. It is the duty of the candidate to become familiar with the laws applicable to campaigns for office. The Texas Ethics Commission has oversight of these regulations and can be reached at 512-463-5800 or www.ethics.state.tx.us.

While I will help you to what extent I can with these forms, **the duty of the City Secretary is limited to accepting and filing the various applications, affidavits, and statements and noting the date and time of filing thereon.** This office is not expected to judge or comment upon the timeliness or sufficiency of reports filed. If you have questions about filings, I encourage you to contact the Ethics Commission. The phone number for the Secretary of State Elections Division is 1-800-252-8683 and information regarding campaign finance law is handled by the Ethics Commission at 512-463-5800.

All documents filed with the City Secretary are kept in this office. They are not required to be forwarded to any other agency; however, they are public records and are subject to inspection by any person.

If you have questions, please call the City Secretary's office at 281-334-1611.

Sincerely,



Natasha Hinton
City Secretary
City of Kemah

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 - Election Code Chapter 258- Fair Campaign Practices
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GENERAL OVERVIEW

OFFICE (for this election)	TERM	CURRENT OFFICEHOLDER
Mayor	2 years	Robin Collins
Councilmember Position 2	2 years	Darren Broadus
Councilmember Position 4	2 years	Justin Staton

TYPE OF GOVERNMENT	Mayor-Council General Law Type A
COMPOSITION OF COUNCIL	Mayor and five Council Members
ELECTED POSITIONS	Mayor and Council - At large - by position (not representing any particular geographic area)
VOTES REQUIRED	Plurality (individual receiving more votes than any other is elected)
TERMS OF OFFICE	Two-year staggered terms.
QUALIFICATIONS FOR OFFICE	A Candidate Must: 1. Be a United States citizen. 2. Be 18 years of age or older on first day of term to be filled at election. 3. For the office of mayor, have resided continuously within the State of Texas for ONE (1) year prior the filing deadline and within the city limits of Kemah for at least ONE (1) year preceding Election Day. For the office of Alderman (city councilmember), have resided continuously within the State of Texas for ONE (1) year prior to the filing deadline and within the city limits of Kemah for at least SIX (6) months preceding the filing deadline. 4. Have been a registered voter (possess current voter registration certificate) in the territory elected from by the filing deadline. 5. Have not been convicted of a felony or an offense involving moral turpitude for which the person has not been pardoned or otherwise released from the resulting disabilities. 6. Have not been determined by final judgment of a court to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.
COUNCIL MEETINGS	Regular meetings held on the first and third Wednesday of each month at 6:00 pm., City Hall Council Chambers. Special City Council meetings are subject to call.



IMPORTANT DATES FOR CANDIDATES

City of Kemah General Election – May 3, 2025

January

- January 15, 2025 FIRST DAY to file an Application For A Place On The General Election Ballot – City Secretary's Office opens at 7:30 a.m.
- January 15, 2025 LAST DAY for filing January semiannual report of candidate / officeholder campaign contributions and expenditures or annual report of unexpended contributions
Must Be Received By 5:00 p.m.

February

- February 14, 2025 LAST DAY to file an Application For A Place On The General Election Ballot
Must Be Received By 5:00 p.m.
- February 20, 2025 Drawing for order of names on ballot, **City Hall Council Chambers, 2:00 PM**
(Candidates will be provided official notice prior to drawing, Attendance is not mandatory)
- February 21, 2025 LAST DAY for a candidate to withdraw application for a place on the ballot
Must Be Received By 5:00 p.m.

April

- April 3, 2025 LAST DAY for filing first report of Candidate / Officeholder Campaign Contributions and Expenditures (for opposed candidates)
Must Be Received By 5:00 p.m.
- April 21, 2025 FIRST DAY for Early Voting by personal appearance
- April 25, 2025 LAST DAY for filing second report of campaign contributions and expenditures
Must Be Received By 5:00 p.m. or midnight if filing electronically
- April 29, 2025 LAST DAY of Early Voting (7:00 a.m. to 7:00 p.m.)

MAY

May 3, 2025

***** ELECTION DAY *****

Polls open from 7:00 a.m. to 7:00 p.m.

Kemah Community Center, 800 Harris Ave

May 07, 2025

Proposed date for Official Canvass Of Returns*

*At a meeting to be held May 07, 2025, the City Council canvasses the election returns and declares the official results of the election. This date may change and assumes completion of counting of any provisional and/or FPCA [military] ballots. Meeting to canvass requires a 72-hour posting notice.

May 21 ,2025

Official Swearing in and Oath of Office Ceremony **May 21, 2025 4:30 PM**
(Before the City Council Regular Meeting at 6:00 PM)

Elected Officials may be sworn in any time May 9 – June 2, 2025, but we will have the Official Swearing in Ceremony on May 21, 2025 4:30 PM in Council Chambers. Please invite your family and friends for photos and refreshments.

*Type A cites: **May 9, 2025** is the FIRST DAY elected officials may qualify and assume duties of office. Note: LGC §22.006 states 5th day after election not counting Sun. The resulting day is the 6th day after. Officials may not take office until the canvass is complete unless the election was cancelled. EC §86.007(d-1) does not apply.*

May 27, 2025

FIRST DAY of early voting in person for the runoff.

June

June 3, 2025

LAST DAY of early voting in the runoff.

June 7, 2025

****Runoff Election Day****

July

July 15, 2025

LAST DAY for filing semiannual report of candidate / officeholder campaign contributions and expenditures
Must Be Received By 5:00 p.m.

MAINTENANCE NOTICE: TRADEMARKS, DATA BROKERS AND VARIOUS OTHER APPLICATIONS WILL BE UNAVAILABLE ON MONDAY, DECEMBER 9, FROM 6:00 P.M. TO 8:00 P.M.

EFFECTIVE SEPTEMBER 1, 2023, OUR LOBBY WALK-IN HOURS WILL BE 9 A.M. - 4 P.M. (CENTRAL), MONDAY - FRIDAY.



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Note - Navigational menus along with other non-content related elements have been removed for your convenience. Thank you for visiting us online.

Election Advisory No. 2024-37

May 3, 2025 Election Law Calendar (Condensed)

Date	Description	Computation	Applicable Forms & Instructions	Legal Authority (TEX. ELEC. CODE Unless Otherwise Specified)
Monday, December 16, 2024	NOTICE OF DEADLINE FOR CANDIDATE APPLICATION: Post Notice of Deadline to File an Application for Place on the Ballot (PDF) in a building in which the authority maintains an office. NOTE FOR WATER DISTRICTS: The notice must be posted at the district's administrative office or at the public place established by the district under Section 49.063 of the	30th day before the first day to file an application for a place on the ballot	Candidate's Guide for Local Political Subdivisions Notice of Deadline to File an Application for Place on the Ballot (PDF)	§1.007 §141.031 §141.039 Water Code §141.040 §49.113 Education Code §11.066

	Water Code. (Sec. 49.113, Water Code).			Government Code §2051.201
Wednesday, January 1, 2025	NOTICE FOR ABBMs: First day for voters to submit an ABBM, an Annual ABBM, or a Federal Postcard Application (FPCA).		ABBM	§84.001(e) §84.007 §86.0015
Wednesday, January 15, 2025	FIRST DAY: First day to file application for a place on the ballot or a declaration of write-in candidacy.	30th day before Friday, February 14, 2025, regular filing deadline for a place on the ballot	Application for Place on City, School, Other Political Subdivision Ballot (PDF)	Election Code §1.007 §141.001 §143.007 §144.005 Education Code §11.055 §130.082(g)
Monday, January 20, 2025	Martin Luther King, Jr. Day			
Friday, January 31, 2025	RECOMMENDATION FOR CONDUCTING ELECTIONS: Recommended date that county election officials and local political subdivisions meet to discuss conducting elections at the same polling locations pursuant to Section 42.002, as well as any applicable joint election issues needed to be agreed upon.	Last weekday before February		§42.002
Monday, February 3, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day for eligible political subdivisions to submit Notice of Exemption Under Section 61.013 (PDF) or an Application of Undue Burden Status (PDF) to the Secretary of State for	89th day before election day, extended from 90th day, Sunday, February 2, 2025	Notice of Exemption Under Section 61.013 (PDF) Application of Undue	§1.006 §61.013

	exemption from the accessible voting system requirement.		Burden Status (PDF) Tex. Sec'y of State Election Advisory No. 2024-13: Exemptions to Voting System Accessibility Requirements	
Tuesday, February 11, 2025	DEATH OF CANDIDATE: If a candidate dies on or before this date, his or her name is not placed on the ballot, if the filing deadline is Friday, February 14, 2025. NOTE - Section 145.098 states if a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballots MAY choose to omit the candidate. If the authority does choose to omit the candidate, the deadline for filing an application for a place on the ballot is extended to the fifth day after the filing deadline, Wednesday, February 19, 2025. This extended deadline only applies to the regular filing deadline. It DOES NOT apply to the write-in deadline.	81st day before election day; 3rd day before filing deadline		§145.094(a)(1) §145.098
Friday, February 14, 2025	NOTICE OF DEADLINE FOR CANDIDATE AT 5:00 PM: Last day for a candidate in a political subdivision (other than a county) to file an application for a place on the ballot for general election for officers	78th day before election day	Candidacy Filing outline Order of Election for Municipalities	Election Code §1.007 §3.004 §3.005 §3.009 §4.007

	for most political subdivisions, except as otherwise provided by the Texas Election Code. NOTE FOR HOME-RULE CITY'S CHARTER: A home-rule city's charter may NOT provide an alternate candidate filing deadline. NOTE FOR CITY OFFICES WITH FOUR-YEAR TERMS: If no candidate has filed for a city office with a four-year term, the filing deadline is extended to 5:00 PM on Friday, March 7, 2025. DEADLINE FOR POLITICAL SUBDIVISIONS OTHER THAN COUNTIES (GENERAL ELECTION): Deadline for political subdivisions to order a general election to be held on Saturday, May 3, 2025, unless otherwise provided by the Election Code. DEADLINE FOR POLITICAL SUBDIVISIONS OTHER THAN COUNTIES (SPECIAL ELECTION): Deadline to order a special election on a measure to be held on Saturday, May 3, 2025. DEADLINE FOR COUNTIES: Deadline for counties to order a special election on a measure to be held on Saturday, May 3, 2025.		(PDF) Order of Election for Other Political Subdivisions (Including Schools) (PDF) Order of Special Election for County-Ordered Measure Elections (PDF) Notice of Appointment (PDF) Writ of Election (PDF)	§18.006 §32.005 §32.008 §32.001 §32.005 §32.009 §32.011 §32.032 §32.033 §87.001 §87.002 §87.004 §127.0023 §127.003 §127.004 §127.005 §143.005(a) §143.007 §143.008 §144.005(d) Subchapter C, Chapter 32 Subchapter A, Chapter 51 Education Code §11.055 Health Safety Code Chapter 286 WaterCode §4.007 §49.110
Monday, February 17, 2025	Presidents' Day			

Tuesday, February 18, 2025	NOTICE OF DEADLINE FOR WRITE-IN CANDIDATES AT 5:00 PM: Deadline for write-in candidates to file Declarations of Write-In Candidacy (PDF) for regular officers for city, school district, library district, junior college district, hospital district, common school districts, Chapter 36 and 49 Water Code districts, and other political subdivision elections, unless otherwise provided by law.	74th day before election day	Declarations of Write-In Candidacy (PDF)	<i>Election Code</i> §143.007(b) §144.005(b) §144.006(b) §146.054(b) §146.055 <i>Education Code</i> §11.056 §11.304 §130.0825 <i>Local Government Code</i> §326.0431 <i>Health and Safety Code</i> §285.131 <i>Water Code</i> §36.059 §49.101 §63.0945
Wednesday, February 19, 2025	DEATH OF CANDIDATE: If a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballots MAY choose to omit the candidate's name. If the authority does choose to omit the candidate's name, the deadline for filing an application for a place on the ballot is extended to the fifth day after the filing deadline, February 19, 2025. This extended deadline only applies to the regular	73rd day before election day; 5th day after regular filing deadline		§145.098

	filing deadline. It DOES NOT apply to the write-in deadline.			
Thursday, February 20, 2025	NOTICE OF BALLOT DRAWING: First day to post Notice of Drawing for Place on Ballot (PDF) if drawing is to be conducted on Monday, February 24, 2025. This notice must be posted for 72 hours immediately preceding the time of the drawing. The authority conducting the ballot position drawing shall provide notice of the date, hour, and place of the drawing to candidates by this date if the drawing is to be conducted on Monday, February 24, 2025, as recommended. If a candidate in a special election files on this date, they should be given a copy of the notice at the time they file.	72nd day before election day	Notice of Drawing for Place on Ballot (PDF)	§52.094
Friday, February 21, 2025	NOTICE OF DEADLINE FOR FILING AUTHORITIES AT 5:00 PM: Last day for a candidate to withdraw, by submission of a notarized Certificate of Withdrawal (PDF) or a notarized letter. If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot. NOTICE OF DEADLINE FOR FILING AUTHORITIES AT 5:00 PM: Last day to withdraw as a write-in candidate in the general election ordered by a political subdivision other than a county. FIRST DAY: First day that a general or special election must be cancelled	71st day before election day	Certificate of Withdrawal (PDF) Certification of Unopposed Candidates for Other Political Subdivisions (PDF) Sample Order of Cancellation (PDF) Cancellation of Election for	§2.051(a) §2.051(b) §2.052 §144.006(c) §145.092(f) §145.094(a)(4) §145.096(a)(4) §146.0301 §146.054(c)

	if all filing deadlines have passed, each candidate for an office listed on the ballot is unopposed, and write-in votes may be counted only for names appearing on a list of write-in candidates. • This recommended cancellation deadline presumes a filing deadline of Friday, February 14, 2025 and a write-in deadline of Tuesday, February 18, 2025. Special elections may have different deadlines, and may be cancelled separately.		Local Political Subdivisions. Cancellation of Election for Local Political Subdivisions (Not County).	
Saturday, February 22, 2025	NOTICE OF DEADLINE FOR SPECIAL ELECTIONS: Last day to order a special election to fill a vacancy (if authorized to fill vacancies by special election) and have the filing deadline be the 62nd day before election day. NOTE FOR SPECIAL ELECTIONS: Section 201.054 provides that if the special election to fill a vacancy is ordered (1) on or before the 70th day before election day, the candidate application must be filed by 5:00 PM on the 62nd day before election day, OR (2) after the 70th day but on or before the 46th day before election day, the candidate application must be filed by 5:00 PM on the 40th day before election day. This is the first of the two possible ordering times. We do not interpret the 70th day order date here as “moving” to the next business day because the date falls on a Saturday, as this is not the last	70th day before election day	Order of Special Election for Municipalities (PDF) Order of Special Election for Other Political Subdivisions (PDF)	§141.031 §141.039 §201.051 §201.052 §201.054 EducationCode §11.066

	day to order a special election to fill a vacancy for this uniform election date. If a candidate in a special election files on this date, they should be given a copy of the notice at the time they file.			
Monday, February 24, 2025	RECOMMENDATION: Recommended date to conduct ballot position drawing. You should also certify today to the county election officer the offices, propositions (in all necessary languages), and candidates' names (including the order) as they are to appear on the ballot, if you are contracting to have the county conduct your election or if you are conducting a joint election with the county.	68th day before election day		§52.094
Sunday, March 2, 2025	Texas Independence Day			
Monday, March 3, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS OTHER THAN COUNTIES AT 5:00 PM - Last day to file an application for a place on the ballot in a special election (PDF) to fill a vacancy, if the special election is ordered on or before the 70th day before election day, Saturday, February 22, 2025. NOTICE DEADLINE FOR POLITICAL SUBDIVISIONS OTHER THAN COUNTIES AT 5:00 PM - Deadline for write-in candidates to file Declarations of Write-In Candidacy (PDF) for officers for city, school district, library district, junior college district, hospital district, and common	61st day before election day, extended from 62nd day, Sunday, March 2, 2025, Sec. 1.006	Application For A Place On The Ballot In A Special Election Declarations of Write-In Candidacy (PDF) Notice of Drawing for Place on Ballot).	§1.006 §201.054(a)(1) §201.054(g) §52.094

	school districts in a special election to fill a vacancy if the special election is ordered on or before the 70th day before election day, Saturday, February 22, 2025. NOTE FOR WRITE-IN CANDIDACY: A declaration of write-in candidacy for a special election must be filed not later than the regular filing deadline to apply for a place on the ballot. The deadline to file an application for a place on the ballot in a special election to fill a vacancy, if the special election is ordered on or before the 70th day before election day, Saturday, February 22, 2025, is Monday, March 3, 2025.			
Tuesday, March 4, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS OTHER THAN COUNTIES: Last day for the governing body of a political subdivision to deliver notice of the election to the county clerk/elections administrator and voter registrar of each county in which the political subdivision is wholly or partly located. NOTE FOR COUNTIES: Section 4.003 requires that counties post on the county website the notice and list of polling locations of any political subdivision that delivers their notice to the county under Section 4.008. This is regardless of whether the county is contracting with the entity. RECOMENDATION: Recommended date for county clerk/county elections administrator to deliver an initial list of	60th day before election day		§4.003 §4.008 §86.0015

	voters who have submitted annual applications for ballot by mail under Section 86.0015 and scans or photocopies of those applications to the early voting clerk of any political subdivision located within the county that is holding an election on May 3, 2025.			
Thursday, March 6, 2025	NOTICE OF DEADLINE FOR COUNTIES: Last day to notify election judges of their appointment if they were appointed, as recommended, by Friday, February 14, 2025. (Sec. 32.009(b)). Presiding judges and their alternates must be notified (PDF) of their appointment in writing, not later than the 20th day after the date the appointment is made. If the appointment is for a single election, the notice may be combined with the Writ of Election (PDF), which is required to be delivered to each presiding judge not later than the 15th day before the election, Friday, April 18, 2025. If the notices are combined, both must be delivered by the date required by the earlier notice.	58th day before election day, 20th day after February 14, 2025	Election judge appointment in writing Writ of Election (PDF)	§4.007 §32.009(e)
Friday, March 7, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS AT 5:00 PM: Last day for a candidate to file Certificate of Withdrawal (PDF) in a special election, in which the filing deadline is the 62nd day before election day. If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot.	57th day before election day	Certificate of Withdrawal (PDF)	§145.092(b) and (e) §145.094(a)(3) §143.008

	NOTICE OF DEADLINE FOR CITY OFFICES WITH FOUR-YEAR TERMS AT 5:00 PM: Extended filing deadline in cities with four-year terms of office, when no candidate files for a particular office by the regular filing deadline of Friday, February 14, 2025.			
Sunday, March 9, 2025	Daylight Saving Time			
Friday, March 14, 2025	NOTICE OF DEADLINE FOR APPLICATION: Deadline to challenge the filing of an application for a place on the ballot as to form, content, and procedure. NOTE FOR CANDIDATE APPLICATION: Section 141.034 of the Code provides that a candidate application cannot be challenged for “Form, Content, and Procedure” defects after the 50th day before the date of the election for which the application is made.	50th day before election day		§141.034
Friday, March 14, 2025 - Thursday, June 12, 2025	NOTE FOR MANDATORY OFFICE HOURS: Each county clerk, city secretary, or secretary of a governing body (or the person performing duties of a secretary) must keep the office open for election duties for at least 3 hours each day, during regular office hours, on regular business days. CONTINUED NOTE FOR COUNTIES: This office hour rule applies to special elections ordered by the county.	50th day before election day – 40th day after election day		§31.122

	CONTINUED NOTE FOR SPECIAL ELECTIONS: In the case of a special election, the office hour rule is triggered starting the third day after the special election is ordered. CONTINUED NOTE FOR INDEPENDENT SCHOOL DISTRICTS: A “regular business day” means a day on which the school district’s main business office is regularly open for business.			
Sunday, March 16, 2025	NOTICE OF DEADLINE FOR COUNTIES: Last day to publish notice (PDF) for testing of automatic tabulation equipment testing and logic and accuracy testing (L&A testing) of a voting system that uses direct recording electronic (DRE) voting machines and precinct scanners if test will be completed by recommended deadline of Tuesday, March 18, 2025. Notice of the public tests must be published at least 48 hours before the test begins.	48th day before election day	Notice for testing of automatic tabulation equipment (PDF)	§127.093 §127.096 §129.022 §129.023
Tuesday, March 18, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to order a special election to fill a vacancy (if authorized to fill vacancies by special election). If the election was ordered after the 70th day before election day, the filing deadline will be the 40th day before election day. The Election Code requires the election to be ordered as soon as practicable after the vacancy occurs. RECOMMENDATION:	46th day before election day	Order of Special Election for Municipalities (PDF) Order of Special Election for Other Political Subdivisions (PDF)	§127.093 §127.096 §129.022 §129.023 §201.051 §201.052 §201.054(a)(2)

	Recommended date to conduct the first test of the automatic tabulating equipment and for logic and accuracy (L&A test) test on precinct scanners and DREs. The SOS recommends you complete your first round of testing prior to mailing your mail ballots if those ballots will be counted using automatic tabulation equipment. If you conduct your first round of testing by this date, you must publish notice of the test 48 hours prior to testing.			
Wednesday, March 19, 2025	NOTICE OF DEADLINE FOR COUNTIES: Deadline to mail (or email, if requested) ballots to military or overseas voters who already submitted their ballot requests via a federal postcard application (FPCA) or via a standard application for ballot by mail (ABBM) and indicated that they are outside the United States. If the early voting clerk cannot meet this 45th-day deadline, the clerk must notify the Secretary of State within 24 hours. Reminder Regarding FPCAs and Overseas ABBMs: If the early voting clerk receives an FPCA (from a military or non-military voter) or an ABBM from an overseas voter after the 45th day deadline, then the ballot must be mailed (or emailed, if requested) within seven days after the early voting clerk receives the FPCA or ABBM. Reminder: In regards to mail ballots for other voters (not military voters	45th day before election day	<u>Tex. Sec'y of State Election Advisory No. 2024-20: Early Voting Roster</u> <u>Tex. Sec'y of State Election Advisory No. 2023-13: Corrective Action Process for Defects on Application for a Ballot by Mail and Carrier</u>	§86.004 §87.121 §87.0222 §87.0411(a) §101.052 §101.104

using an FPCA or overseas voters using an FPCA or ABBM), the early voting clerk **must** mail a ballot not later than the 7th day after the later of: (1) the date the early voting clerk has accepted a voter's application for a ballot by mail or (2) the date the ballots become available for mailing. However, if the 7th day falls earlier than the 37th day before election day, the voter's mail ballot must be mailed no later than the 30th day before election day. This means that for every application that is accepted by the early voting clerk before the 37th day before election day, the balloting materials must be mailed by the 30th day before election day. Any application that comes in after the 37th day before election day will follow the 7-day timeline in Sec. 86.004.

NOTE FOR THE JACKET

ENVELOPES: Section 87.0222 of the Code provides that not later than the ninth day before election day, the jacket envelopes containing early voting ballots voted by mail **MUST** be delivered to the early voting ballot board. This requirement applies regardless of the county's population size.

NOTE FOR EARLY VOTING

BALLOT BOARD ACTIONS FOR A DEFECTIVE CARRIER ENVELOPE:

Section 87.0411 of the Code provides that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier

	envelope as described by Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board must send the voter a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier.			
Monday, March 24, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS AT 5:00 PM: Last day to file for a place on the ballot in a special election to fill a vacancy, if the special election is ordered after the 70th day before election day, but on or before the 46th day before election day, Tuesday, March 18, 2025. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS AT 5:00 PM: Deadline for write-in candidates to file Declarations of Write-In Candidacy(PDF) for officers for city, school district, library district, junior college district, hospital district, and common school districts in a special election to fill a vacancy if the special election is ordered after the 70th day before election day, but on or before the 46th day before election day, Tuesday, March 18, 2025. NOTE FOR WRITE-IN CANDIDACY: Section 201.054(g) provides that a declaration of write-in candidacy for a special election must be filed not later than the filing deadline.	40th day before election day	Declarations of Write-In Candidacy(PDF)	§201.054(a)(1) §201.054(a)(2) §201.054(g)

Saturday, March 29, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS OTHER THAN COUNTIES AT 5:00 PM: Last day for a candidate to file a Certificate of Withdrawal (PDF) in a special election in which the filing deadline is the 40th day before election day. If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot. This deadline does not extend to the next business day under	35th day before election day	Certificate of Withdrawal (PDF)	§1.006 §145.092(a) §145.094(a)(2)
Monday, March 31, 2025	Cesar Chavez Day			
Thursday, April 3, 2025	NOTICE OF DEADLINE FOR VOTERS: Last day to register to vote or make a change of address effective for the May 3, 2025 election. NOTICE OF DEADLINE FOR EARLY VOTING CLERK: Deadline for early voting clerk to mail a ballot by mail to a voter if the voter's Application for Ballot by Mail (ABBM) was accepted by the early voting clerk on or before Thursday, March 27, 2025. NOTE FOR EARLY VOTING CLERK: In regards to mail ballots for other voters (not military voters using an FPCA or overseas voters using an FPCA or ABBM), the early voting clerk must mail a ballot not later than the 7th day after the later of: (1) the date the early voting clerk has accepted a voter's application for a ballot by mail or (2) the date the	30th day before election day	Voter Registration and Ballot Request form (PDF) Order Calling for Signature Verification Committee (PDF) Notice of Voting Order Priority (PDF)	§1.006 §4.003(a)(1), (c), and (d) §13.143 §15.025 §63.0015 §85.007(d) §86.004 §87.027

ballots become available for mailing. However, if the 7th day falls earlier than the 37th day before election day, the voter's mail ballot must be mailed no later than the 30th day before election day. This means that for every application that is accepted by the early voting clerk before the 37th day before election day, the balloting materials must be mailed by the 30th day before election day. Any application that comes in after the 37th day before election day will follow the 7-day timeline in Sec. 86.004.

FIRST DAY: First day of period during which notices of election must be published in a newspaper of general circulation **if method of giving notice is not specified by a law outside the Texas Election Code**, and this method of giving notice is selected. The notice for elections ordered by the governor, by a county authority, or by an authority of a city or school district must be given by publication in a newspaper in addition to any other method specified by a law outside the Election Code.

RECOMMENDATION:
Recommended date for early voting clerk to issue order calling for appointment of signature verification committee if one has been appointed. (Sec. 87.027). This form may be used to issue order: [Order Calling for Signature Verification Committee \(PDF\)](#). If the signature verification

	committee will start meeting on Sunday, April 13, 2025, the early voting clerk must post a copy of the order calling for appointment of the signature verification committee on or before this date, in order to give notice of the meeting. The order must remain posted continuously for at least 10 days before the first day the committee meets. STRONG RECOMMENDATION FOR CITIES, SCHOOLS, AND OTHER POLITICAL SUBDIVISIONS: It is strongly recommended that the Notice of Voting Order Priority (PDF) for voters with mobility issues also be posted on the subdivision’s website, if one is maintained by the political subdivision. RECOMMENDATION FOR COUNTIES: Recommended time to include this notice on a county website is when the notice of election is also posted on the website. This notice is required to go on the county’s website.			
Friday, April 4, 2025	RECOMMENDATION: Recommended last day for early voting clerk to coordinate with the voter registrar receipt of supplemental and registration correction lists, if applicable, or coordinate receipt of revised original list from the voter registrar for early voting by personal appearance.	29th day before election day		§18.001 §18.002 §18.003 §18.004

Tuesday, April 8, 2025	RECOMMENDATION: Recommended last date for the governing body of political subdivision, as appropriate to appoint a signature verification committee (if one was ordered by the early voting clerk on Thursday, April 3, 2025). The members must be appointed not later than the fifth day after the order was issued by the early voting clerk. The appointing authority must post a notice of the appointment of committee members continuously until the last day the signature verification committee meets.	25th day before election day	Notice of Appointment of Signature Verification Committee (PDF) Handbook for Signature Verification Committee	§51.002 §87.027
Saturday, April 12, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to post notice of election on bulletin board used for posting notices of meetings of governing body. A Record of Posting Notice of Election (PDF) should be completed at the time of posting. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to post notice of election in each election precinct, if the method of giving notice is not specified by a law outside the Election Code and notice is given by this method in lieu of publication. RECOMMENDATION: The recommended time to include the notice of accepting voters with certain disabilities on a county website is when the notice of election is also posted on the website.	21st day before election day	Record of Posting Notice of Election (PDF)	§1.006 §1.006 §4.003(a)(2) §4.003(b) §4.005 §4.009 §63.0015 §85.007(d)

	NOTICE OF DEADLINE FOR COUNTIES,CITIES,AND SCHOOL DISTRICTS: Last day for a county that holds an election or provides election services for an election to post certain information regarding the upcoming election(s) on the county's website per Section 4.009. A city or independent school district that holds an election and maintains an Internet website must also post this same election information on their website even if the county is also posting this data.			
Sunday, April 13, 2025	SIGNATURE VERIFICATION COMMITTEE: First day that the signature verification committee may begin operating, if one is created. Signature Verification Committee (if appointed) Actions for a Defective Carrier Envelope: Section 87.0271 of the Code provides that not later than the second day after the signature verification committee discovers a defect(s) in a carrier envelope as described by Section 87.0271(a) of the Code and before the committee decides whether to accept or reject a timely delivered ballot under Section 87.027, the committee must send the voter a notice of the defect and a corrective action form developed under Section 87.0271(c-1) by mail or by common or contract carrier. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to publish notice (PDF) of L&A	20th day before election day	Tex. Sec'y of State Election Advisory No. 2023-13 : Corrective Action Process for Defects on Application for a Ballot by Mail and Carrier Envelope Public Notice of Testing of Automatic Tabulating Equipment (PDF)	§87.027 §87.0271 §129.001 §129.023

	test for DRE voting machines or precinct scanners if test will be held on Tuesday, April 15, 2025, if testing has not already been completed by Tuesday, March 18, 2025. Notice of the public L&A Test must be published at least 48 hours before the test begins.			
Monday, April 14, 2025	NOTICE OF DEADLINE FOR PERSON NOT PERMANENTLY REGISTERED TO VOTE: Deadline for a person who is not permanently registered to vote to submit a postmarked FPCA, in order to receive a ballot for any non-federal election held on May 3, 2025. A person who is not permanently registered to vote and submits a postmarked FPCA after this date (20th day) and before the deadline to submit an application for ballot by mail is not entitled to receive a ballot for any non-federal election.	19th day before election day, extended from 20th day, Sunday, April 13, 2025		§101.052(e) §101.052(i)(2)
Monday, April 14, 2025 Tuesday, April 22, 2025	NOTE FOR PERSON NOT REGISTERED TO VOTE: A person submitting an FPCA (PDF) during this period who is not registered to vote is not entitled to receive a ballot for any non-federal election held on Saturday, May 3, 2025. This means that a person submitting an FPCA during this period is entitled to receive a federal ballot only, if not already a permanent registered voter. In a local election (where there is no federal office on the ballot), this means there is no ballot to send the voter .	19th day before election day – 11th day before election day	FPCA/Voter Registration and Absentee Ballot Request (PDF)	§101.052(f) §114.002 §114.004

Tuesday, April 15, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to conduct public L&A test of a voting system that uses DRE voting machines or precinct scanners. STRONG RECOMMENDATION: We highly recommend that the test above is done on an earlier date to allow time for corrections to programming, if necessary. Per Section 129.023, the L&A test shall be conducted not later than 48 hours before voting begins on such voting systems, assuming that the voting system will first be used for early voting in person.	18th day before election day	<u>Tex. Sec'y of State Election Advisory No. 2019-23: Electronic Voting System Procedures Advisory</u> <u>Tex. Sec'y of State Election Advisory No. 2022-30: Hash Validation Procedures for Logic and Accuracy Testing</u>	§129.023
Wednesday, April 16, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to publish notice of L&A test for voting systems or precinct scanners if test will be held on Friday, April 18, 2025, if testing was not already completed by March 18, 2025. Notice of the public L&A Test must be published at least 48 hours before the test begins. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to post <u>notice (PDF)</u> of places, days, and hours for voting at branch early voting polling place if voting is to begin at that location on the first day of early voting in person. The schedule may be amended after the beginning of early voting by personal	17th day before election day	<u>Notice of Early Voting at Branch Polling Places (PDF)</u>	§85.062 §85.067(c) and (d) §129.001 §129.023

	appearance to include notice of additional branch locations, but any amendment must be made and posted not later than the fifth day before voting begins at the additional temporary branch.			
Friday, April 18, 2025	Good Friday NOTE FOR OFFICE HOURS: Note that the office hour requirement of Section 31.122 applies to Good Friday. NOTICE OF DEADLINE FOR EARLY VOTING CLERK: Deadline to receive an FPCA without a postmark. If an FPCA is received by this date without a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot even if the applicant is not a permanently registered voter but meets the requirements under Title 2 of the Election Code (unless the voter marks the FPCA form indicating “my intent to return is uncertain” , or “my return is uncertain”, in which case the voter receives a federal-only ballot). NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to conduct public L&A test of a voting system or precinct scanner. STRONG RECOMMENDATION: We highly recommend that this test is done on an earlier date to allow time for corrections to programming, if necessary. Per Section 129.023, the	15th day before election day	<u>Voter Registration and Absentee Ballot Request (PDF)</u> <u>Writ of Election (PDF)</u>	\$4.007 \$101.052(i)

	L&A test shall be conducted not later than 48 hours before voting begins on such voting systems, assuming that the voting system will first be used for early voting in person. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to notify election judges of duty to hold election (Writ of Election (PDF)). Notice must be given by the 15th day before the election or the 7th day after the day the election is ordered, whichever is later.			
Sunday, April 20, 2025	Easter Day			
Monday, April 21, 2025	San Jacinto Day NOTE FOR EARLY VOTING: Because Monday, April 21, 2025 is San Jacinto Day, which is a legal holiday, early voting will not be conducted on this date. NOTE FOR VOTER WHO BECOMES SICK OR DISABLED AFTER THIS DATE: A voter who becomes sick or disabled on or after Monday, April 21, 2025 may submit an application for a late ballot if the sickness or physical condition prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. An application may be submitted after the last day of the period for early voting by personal appearance and before 5:00 PM on election day.	12th day before election day; day before the last day to apply for a ballot by mail	Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability (PDF)	§1.006 §85.005 §102.001 §102.003

Tuesday, April 22, 2025	EARLY VOTING IN PERSON: First day to vote early in person. NOTE FOR EARLY VOTING PERIOD: The early voting period for the May uniform election begins 12 days prior to election day, but because the first day of the early voting period falls on a legal holiday (Monday, April 21, 2025), it is extended to the next regular business day, Tuesday, April 22, 2025. NOTICE OF DEADLINE FOR REGISTERED VOTER: Last day to receive an FPCA (PDF) from a registered voter. If the voter is not registered in the county (and/or marked intent to return “not certain”), the voter is still eligible for a ballot containing federal offices only. In a local (non-federal) election, this means there is no ballot to send the voter. NOTICE OF DEADLINE FOR EARLY VOTING CLERK: Last day for early voting clerk to receive applications for a ballot to be voted by mail. All applications to vote by mail must be received by the early voting clerk before the close of regular business or 12 noon, whichever is later. If an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant must submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk receives the original no later than the 4th business day after	11th day before election day	FPCA (PDF) Request for Additional Early Voting on Saturday or Sunday for County or City Elections (PDF) Request for Additional Early Voting on Saturday or Sunday for Other Political Subdivision Elections (PDF) Notice of weekend voting (PDF)	§84.007(c) §85.001(c) and (e) §85.006(d) §85.007(c) §86.0015(c) §101.052(b) and (f) §112.002(a) §114.004(c)

	receiving the emailed or faxed ABBM or faxed FPCA. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may NOT send the applicant a ballot. The requirement to mail the original application does not apply to an emailed FPCA. NOTICE OF DEADLINE FOR COUNTIES: Last day for county clerk/elections administrator to deliver final list of voters that have submitted an annual application for ballot by mail to political subdivisions located within the county holding an election on May 3, 2025, for which the county clerk/elections administrator is not the early voting clerk via a joint election agreement or contract for election services. NOTICE OF DEADLINE FOR COUNTIES: Deadline to file a petition to require the early voting clerk to conduct extended early voting on Saturday, April 26, 2025. <u>NOTE FOR WEEKEND VOTING:</u> The Weekend Voting form must be posted beginning no later than Wednesday, April 23, 2025, and continuing through Friday, April 25, 2025.			
Wednesday, April 23, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day of period during which notice of	10th day before election day	Request for Additional Early Voting	\$4.003

	election must be published if method of giving notice is not specified by a law outside the Election Code and publication is the selected method of giving notice. The notice of election ordered by a county authority or by an authority of a city or school district must be given by publication in a newspaper, in addition to any other method specified. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to mail a copy of the notice of election to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving notice if method of giving notice is not specified by a law outside the Election Code and this method of giving notice is selected. NOTICE OF DEADLINE FOR COUNTIES: Deadline to file a petition to require the early voting clerk to conduct extended early voting on Sunday, April 27, 2025.		on Saturday or Sunday for County or City Elections (PDF), Request for Additional Early Voting on Saturday or Sunday for Other Political Subdivision Elections (PDF)	
Thursday, April 24, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Section 87.0222 of the Code provides that not later than the ninth day before election day, the jacket envelopes containing early voting ballots voted by mail MUST be delivered to the early voting ballot board. This requirement applies regardless of the county's population size. NOTE FOR EARLY VOTING	9th day before election day		§87.0222

	BALLOT BOARD: The early voting ballot board has to meet by this deadline, regardless of whether carrier envelopes have been received by this date. Early Voting Ballot Board Actions for a Defective Carrier Envelope: Section 87.0411 of the Code provides that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier envelope as described by Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board must send the voter a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier.			
Monday, April 28, 2025	FIRST DAY: A voter is eligible to vote a late ballot if they will be out of the county of residence on election day due to a death in the immediate family (related within 2nd degree of consanguinity or affinity) that occurs on or after this day. The voter may submit the Application for Emergency Early Ballot Due to Death in Family (PDF) starting Wednesday, April 30, 2025 (the day after early voting in person ends). An application may be submitted after the last day of the period for early voting by personal appearance and before the close of business on the day before election day.	5th day before election day, day before last day of early voting, 4th business day after the deadline to apply for a ballot by mail	Application for Emergency Early Ballot Due to Death in Family (PDF)	§103.001 §103.003 §127.096

	NOTICE OF DEADLINE FOR EARLY VOTING CLERK: Deadline for the early voting clerk to receive, by mail, the original of an ABBM that was faxed or emailed or an FPCA that was faxed on the deadline to apply for a ballot by mail, Tuesday, April 22, 2025. NOTE FOR VOTER FAXING OR EMAILING: A voter who faxed or emailed their ABBM or faxed their FPCA must mail the original to the early voting clerk so that the early voting clerk receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to publish notice of public test of automatic tabulating equipment, if test will be held on Wednesday, April 30, 2025, and testing was not already completed. The public notice of the test of automatic tabulating equipment must be published at least 48 hours before the test begins.			
Tuesday, April 29, 2025	EARLY VOTING IN PERSON: Last day to vote early by personal appearance. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Deadline to submit a Request for Election Inspectors (PDF) for election day, Saturday, May 3, 2025 to the Secretary of State. NOTE FOR EARLY VOTING	4th day before election day	Request for Election Inspectors (PDF) Notice of Delivery of Early Voting Balloting Materials (PDF)	§34.001 §85.001(e) §87.0221 §87.0222 §87.023 §87.024 §87.0241 §87.0411

CLERK: Early voting clerk must post [Notice of Delivery of Early Voting Balloting Materials \(PDF\)](#) to the early voting ballot board if materials are to be delivered to the board on Wednesday, April 30, 2025. Notice must be posted continuously for 24 hours preceding each delivery to the board.

The Notice of Delivery of Early Voting Balloting Materials serves as notice of the convening of the early voting ballot board. Your entity should also post notice every time the early voting ballot board reconvenes.

NOTE FOR COUNTIES THAT HAVE A POPULATION OF 100,000 OR MORE OR LOCAL POLITICAL SUBDIVISIONS CONDUCTING A JOINT ELECTION OR CONTRACTING WITH SUCH A COUNTY:

After the polls close at the end of early voting by personal appearance, counties with a population of 100,000 or more (or local subdivisions conducting a joint election with such a county or conducting an election through a contract for election services with such a county) may convene their early voting ballot board and begin **counting** ballots; **however, the results may not be announced until after the polls close.**

NOTE FOR COUNTIES THAT HAVE A POPULATION OF LESS THAN 100,000 OR LOCAL POLITICAL SUBDIVISIONS CONDUCTING A

[Tex. Sec'y of State Election Advisory No. 2023-13: Exemptions to Voting System Accessibility Requirements](#)

[Notice of Delivery of Early Voting Balloting Materials](#)

	JOINT ELECTION OR CONTRACTING WITH SUCH A COUNTY: Counties may begin convening their early voting ballot board as the county has received voted ballots by mail from voters and those materials are delivered to the ballot board, but cannot begin counting the ballots until the polls open on election day. The early voting clerk shall continuously post notice for 24 hours preceding each delivery of voting materials that is to be made before the time for opening the polls on election day. NOTE FOR EARLY VOTING BALLOT BOARD ACTIONS FOR A DEFECTIVE CARRIER ENVELOPE: Section 87.0411 of the Code provides that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier envelope as described by Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board must send the voter a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier.			
Wednesday, April 30, 2025	FIRST DAY: First day to submit an Application for Emergency Early Ballot Due to Death in Family (PDF) to vote a late ballot because of a death in the immediate family that occurred on or after April 28, 2025, and will require absence from the	3rd day before election day; day after early voting in person ends	Application for Emergency Early Ballot Due to Death in Family (PDF)	§103.001 §103.003(b) §127.093

	county on election day. NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to conduct public test of automatic tabulation equipment. Per Section 127.093, the test shall be conducted at least 48 hours before the automatic tabulating equipment is used to count ballots voted in an election and was not previously tested. STRONG RECOMMENDATION: We highly recommend that this test is done on an earlier date to allow time for corrections to programming, if necessary.			
Friday, May 2, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS: Last day to submit an Application for Emergency Early Ballot Due to Death in Family (PDF). The application must be submitted by the close of business on this day. NOTICE OF DEADLINE FOR EARLY VOTING CLERKS: Last day for early voting clerk to mark the precinct list of registered voters with a notation beside each name of voter who voted early, and deliver list to election judges. The early voting clerk must also deliver the precinct early voting list. This may be delivered electronically if your county is using an e-pollbook. Delivery of Provisional Ballots and Forms: If the voter registrar wants to	Day before election day	Application for Emergency Early Ballot Due to Death in Family (PDF) Notice of Election Night Transfer (PDF) Notice of Delivery of Provisional Ballots (PDF)	§87.122 §103.003(b) 1 T.A.C. §81.174(d)(3) 1 T.A.C. §81.174(b)(1)

	take possession of the provisional ballots and forms on election night, the voter registrar must inform the custodian of the election records and post a Notice of Election Night Transfer (PDF) no later than Friday, May 2, 2025, 24 hours before election day. However, under this type of delivery, the county voter registrar must go to the office of the custodian of election records and pick up the provisional ballots and forms. NOTE FOR GENERAL CUSTODIAN OF RECORDS: The general custodian of election records (or the early voting clerk, if applicable) must also post a Notice of Delivery of Provisional Ballots (PDF) at least 24 hours before delivery will occur.			
Saturday, May 3, 2025	7:00 AM – 7:00 PM - Polls open - Voter registrar's office is open. - Early voting clerk's office is open for early voting activities. 5:00 PM Deadline for receiving Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability (PDF) for late ballots to be voted by persons who became sick or disabled on or after Monday, April 21, 2025. 7:00 PM - Regular deadline for receiving early voting ballots by mail. - This is also the deadline for	Election Day	Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability (PDF) Preliminary Election Reconciliation (PDF) – Unofficial Totals form (Election Day) (PDF) Election	§12.004(c) §41.031 §67.003 §83.011 §86.007 §101.057 §102.003(b) §102.006(c) §127.131 Texas Government Code §551.002 §551.041 §551.043

receiving **late ballots cast by voters who became sick or disabled** on or after Monday, April 21, 2025.

NOTE FOR PRESIDING JUDGE:

The presiding judge of the central counting station must provide and attest to a [written reconciliation \(PDF\)](#) of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots.

NOTE FOR RECEIPT OF MAIL

BALLOTS: All early voting ballots sent by mail from inside the United States that are received by 7:00 PM on election day, May 3, 2025, **must be counted on election night**. If the carrier envelope does not bear a cancellation mark or a receipt mark, the ballot must arrive before the time the polls are required to close **on election day**. If the early voting clerk cannot determine whether a ballot arrived before that deadline, the ballot is considered to have arrived at the time the place at which the carrier envelopes are deposited was last inspected for removal of returned ballots. The early voting clerk **must** check the mailbox for early voting mail ballots at least once after the time for regular mail delivery.

NOTE FOR EARLY VOTING

BALLOTS: An early voting mail ballot that is not received by 7:00 pm on election day may not be counted

[Reconciliation Form \(PDF\)](#) –
[Official Results \(Canvass Form\)\(PDF\)](#).

unless the ballot may be counted late, which applies to late domestic ballots, ballots mailed from outside the United States, and ballots from members of the armed forces and merchant marine of the United States, Texas National Guard or the National Guard of another state or members of the Reserves, as well as their spouses and dependents.

NOTE FOR DELIVERY OF EARLY VOTING BALLOTS TO EARLY VOTING BALLOT BOARD BEFORE ELECTION DAY:

Any jacket envelopes of early voting ballots voted by mail returned after delivery of the ballots to the early voting ballot board may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge.

NOTICE OF DEADLINE FOR

POLITICAL SUBDIVISIONS: Last day to post notice of governing authority's meeting to canvass returns of election if canvass is to take place on Tuesday, May 6, 2025 (3rd day after election). This notice must be posted at least 72 hours before the scheduled time of the meeting.

NOTE FOR LOCAL

CANVASSING AUTHORITY:

Section 67.003 provides that, except

	as provided by Section 67.003(c), each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of: 1. the third day after election day; 2. the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or 3. the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States; or 4. the date on which all ballots received in defective carriers are timely corrected, if any ballots in defective carriers have been received.			
Monday, May 5, 2025	NOTICE OF DEADLINE FOR POLITICAL SUBDIVISIONS AT 5:00 PM– Deadline to receive “late domestic ballots” mailed within the United States from non-military voters and from any military voters who submitted an Application for Ballot by Mail (“ABBM”) (not a Federal Postcard Application – “FPCA”), if the carrier envelope was placed for delivery by mail or	1st business day after election day		§65.052 §65.053 §86.007 §101.057 §101.001 1 T.A.C. §§ 81.172 – 81.174 & 81.176

common or contract carrier **AND** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier indicating a time not later than **7:00 PM** at the location of the election on election day, May 3, 2025.

NOTE FOR MARKED BALLOT

VOTED BY MAIL: Section 86.007 provides that a marked ballot voted by mail that a voter received due to submitting an ABBM may arrive at the address on the carrier envelope not later than 5:00 PM on the day **after** election day, if the carrier envelope was placed for delivery by mail or common or contract carrier from **within** the United States **and** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier **not later than 7:00 PM** at the location of the election on election day.

CONTINUED NOTE: This deadline does **not** apply to ballots sent by non-military voters who are overseas but who applied for a ballot using an ABBM or FPCA; these voters have until the 5th day after election day to return their ballots (or the next business day if the 5th day falls on a weekend or legal state or federal holiday). This deadline also does **not** apply to ballots mailed (domestically or from overseas) by certain members of the military who applied for a ballot using an FPCA, as well as members of the Texas National Guard or the National Guard of

	another state, or members of the Reserves, as well as their spouses and dependents; those voters have until the 6th day after election day to return their ballots.			
Tuesday, May 6, 2025	NOTICE OF DEADLINE FOR PARTIAL MANUAL COUNT: Last day to begin the partial manual count for entities using electronic voting systems for the counting of ballots. The count must be completed not later than the 21st day after election day. Results of the manual count must be delivered to Secretary of State not later than the 3rd day after the manual count is completed. NOTICE FOR LOCAL CANVASS OF RETURNS: The first possible day to conduct official local canvass of returns by governing authority of the political subdivision. However, the canvass may not be conducted until the ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election, AND counted all timely received mailed domestic ballots cast from addresses within the United States, and all timely received mailed ballots cast from addresses outside the United States and defective carrier envelopes that were corrected by voters. Notice of canvass must be posted at least 72 hours continuously before the canvass is conducted. RUNOFF NOTE: A candidate in a runoff election may not withdraw from	3rd day after election day	<u>Tex. Sec'y of State Election Advisory No. 2018-30: Revised Procedures for the Partial Manual Count Officers of a Type A General Law City.</u>	§2.053(e) §67.003 §67.003 §67.016 §86.007 §127.201(a), (e), and (g) §145.092 §212.0331 Government Code Chapter 602

the election after 5 p.m. of the third day after the date of the final canvass for the main election.

RUNOFF NOTE: The runoff election can be ordered as soon as the canvass is completed. Therefore, May 6, 2025 is the first date a runoff election can be ordered. Our office **recommends** that a political subdivision order their runoff election as soon as the election has been canvassed.

NOTE: Section 1.012 of the Code provides that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection.

NOTE: If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed.

NOTICE FOR NEWLY-ELECTED LOCAL OFFICERS: First day that newly- elected local officers may qualify and assume the duties of their offices. Please note that the canvass must have been completed **before** an officer can assume office. If a political subdivision was able to **cancel** its election, this is the first day its elected officials can be issued a certificate of election and take the oath of office.

	NOTE: This does not apply to officers of a Type A general law city, who cannot qualify until the 6th day after election day.			
Thursday, May 8, 2025	NOTICE OF DEADLINE FOR VOTERS CASTING BALLOTS OUTSIDE OF UNITED STATES: Last day to receive ballots from non-military and any military voters casting ballots from outside of the United States, who submitted an ABBM (not an FPCA) AND who placed their ballots in delivery by 7:00 PM on election day, Saturday, May 3, 2025, as evidenced by a postal service cancellation mark or a receipt mark of a common or contract carrier or a courier. CONTINUED NOTE: Section 86.007 provides that a marked ballot voted by mail from outside of the United States by a voter who received the ballot due to submitting an ABBM is considered timely if it is received at the address on the carrier envelope not later than the fifth day after the date of the election. Further, the delivery is considered timely if the carrier envelope or, if applicable, the envelope containing the carrier envelope is properly addressed with postage or handling charges prepaid and bears a cancellation mark of a recognized postal service or a receipt mark of a common or contract carrier or a courier indicating a time by 7:00 PM on election day.	5th day after election day		§86.007 §101.001 §101.057

	NOTICE OF DEADLINE FOR NON-MILITARY VOTERS CASTING BALLOTS OVERSEAS: Last day to receive ballots from non-military voters casting ballots from overseas, who submitted an FPCA, AND who placed their ballots in delivery by 7:00 PM on election day, Saturday, May 3, 2025.			
Friday, May 9, 2025	NOTICE OF DEADLINE FOR VOTERS: Last day a voter may come to the early voting clerk's office in person to correct certain defects on their carrier envelope. NOTICE OF DEADLINE FOR ID-RELATED PROVISIONAL VOTERS:Deadline for ID related provisional voter to: (1) present acceptable photo identification to county voter registrar; or (2) if the voter does not possess and cannot reasonably obtain acceptable photo identification, follow the Reasonable Impediment Declaration procedure at the county voter registrar; or (3) execute an affidavit relative to "natural disaster" or "religious objection" in presence of county voter registrar, if applicable; or (4) qualify for the disability exemption, if applicable, with the county voter registrar. NOTICE OF DEADLINE FOR VOTER REGISTRATION: Deadline for voter registrar to complete the review of provisional ballots. NOTICE OF DEADLINE FOR	6th day after election day	<u>Tex. Sec'y of State Election Advisory No. 2023-13: Corrective Action Process for Defects on Application for a Ballot by Mail and Carrier Envelope</u>	§65.054 §65.0541 §67.016 §86.007 §87.0271 §87.0411 §101.001 §101.057 §212.0331 1 T.A.C. § 81.175(a)(1) Local Government Code §22.006 §22.007

CARRIER ENVELOPES: Last day to receive carrier envelopes mailed domestically (within the United States) OR overseas from voters who submitted a **FPCA AND** who are **members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine**, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves.

NOTE FOR CARRIER ENVELOPES: Section 101.057 provides that carrier envelopes mailed domestically or overseas from certain **military voters** who submitted a **Federal Post Card Application (FPCA)** may arrive on or before the 6th day after election day.

FIRST DAY: First day that newly elected officers of Type A general law city may qualify and assume duties of office, but see **NOTE**, below.

NOTE FOR TYPE-A MUNICIPAL OFFICER-ELECT: If a Type-A municipal officer-elect fails to qualify for office within 30 days after the date

	of the officer's election, the office is considered vacant.Council members may take office anytime following the canvass. Section 22.006 of the Texas Local Government Code states that a newly-elected municipal officer of a Type A city may exercise the duties of office beginning the fifth day after the date of the election, excluding Sundays. However, no newly elected official may qualify for office before the official canvass of the election has been conducted (or would have been conducted, in the event of a cancelled election).			
Monday, May 12, 2025	NOTICE OF DEADLINE FOR CUSTODIAN OF ELECTION RECORDS: Deadline for custodian of election records or presiding judge of the early voting ballot board to retrieve provisional ballots from county voter registrar. NOTICE OF DEADLINE FOR EARLY VOTING BALLOT BOARD: Last day for early voting ballot board to convene to qualify and count: 1. any late domestic ballots (from non-military and from any military voters who submitted an ABBM)) that bear a cancellation mark or receipt mark indicating they were placed for delivery by mail or common or contract carrier not later than 7:00 PM on election day, May 3, 2025, and were received not later than 5:00	9th day after election day		§65.051(a) §65.0581 §86.007(a) §86.007(d) §86.011(d) §87.125(a) §101.057

PM on the first business day after election day, Monday, May 5, 2025.

2. any late ballots that were submitted from outside the United States by voters who applied for the ballot using an ABBM or by non-military voters who applied for the ballot using an FPCA, and which were received by the 5th day after election day, Thursday, May 8, 2025.
3. any ballots received by the 6th day after election day, Friday, May 9, 2025, from voters who are members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves, and who applied for a ballot using an FPCA.
4. any provisional ballots that have been reviewed by the voter registrar.

	5. ballots contained in defective carrier envelopes corrected by voters.			
Tuesday, May 13, 2025	NOTICE OF DEADLINE FOR PRESIDING JUDGE OF THE EVBB: The presiding judge of the EVBB shall mail a Notice of Rejected Ballot (PDF) to voters whose mail ballots were rejected no later than the 10th day after election day or as soon as practicable, depending on when the EVBB last convenes.	10th day after election day	Notice of Rejected Ballot (PDF)	§87.0431
Wednesday, May 14, 2025	NOTICE OF DEADLINE FOR OFFICIAL CANVASS OF RETURNS: Last day for official canvass of returns by the governing body of the political subdivision. NOTE FOR GENERAL CUSTODIAN OF ELECTION RECORDS: Section 1.012 of the Code provides that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection. NOTE FOR CERTIFICATE OF ELECTION: If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed.	11th day after election day		§67.003 §67.016 §212.0331
Friday, May 16, 2025	NOTICE OF DEADLINE FOR PRESIDING JUDGE OF EARLY VOTING BALLOT BOARD: Last day	13th day after election day	Notice of Outcome to	§65.059; §81.176(e) 1 T.A.C.

	for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional Voter (PDF) to provisional voters if the local canvass was held on Tuesday, May 6, 2025, the first day of the canvass period. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass.		Provisional Voter (PDF)	
Sunday, May 18, 2025	NOTICE OF DEADLINE FOR ELECTION RECORDS: Election records from the May 3, 2025 election must be available in an electronic format no later than this day, for a fee of not more than \$50.00.	15th day after election day		§1.012(e)
Monday, May 26, 2025	Memorial Day			
Tuesday, May 27, 2025	NOTICE OF DEADLINE FOR PRESIDING JUDGE OF THE EARLY VOTING BALLOT BOARD: Last day for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional Voter (PDF) to provisional voters, if the canvass was held on Wednesday, May 14, 2025. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass. (The deadline falls on Saturday, May 24, 2025, and is extended to Tuesday, May 27, 2025 under Section 1.006.) NOTICE OF DEADLINE FOR PARTIAL MANUAL COUNT: Last day to complete the partial manual	24th day after election day; extended from 21st day, Saturday, May 24, 2025	Notice of Outcome to Provisional Voter (PDF)	§1.006 §65.059 §81.176(e) §127.201(a) 1 T.A.C.

	count, which is the first business day after the 21st day after the election.			
Monday, June 2, 2025	NOTICE OF DEADLINE FOR TYPE A MUNICIPAL OFFICER-ELECT: If a Type A municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant.	30th day after election day		Local Government Code §22.007
Thursday, June 12, 2025	NOTICE OF DEADLINE FOR MANDATORY OFFICE HOURS: Last day of the period for mandatory office hours.	40th day after May 3, 2025 election day		§31.122
Thursday, July 3, 2025	NOTE FOR ORIGINAL VOTED BALLOTS: Section 1.012 of the Code provides that on the 61st day after election day, the general custodian of election records shall make the original voted ballots available for public inspection. FIRST DAY: First day that ballot box(es) from the May 3, 2025 election may be unlocked and its voted ballots may be transferred to another secure container for the remainder of the preservation period.	61st day after May 3, 2025 election day	<u>Tex. Sec'y of State Election Advisory No. 2024-05: Public Inspection of Ballot Images and cast Vote Records and Ballot Security</u> <u>Tex. Sec'y of State Election Advisory No. 2024-20: Emergency Guidance on Voter Privacy</u> <u>Tex. Sec'y of State Election Advisory No. 2019-23: Electronic Voting System</u>	§1.012 §66.058(b)

			<u>Procedures Advisory</u>	
Thursday, January 1, 2026	NOTE REGARDING SURVEILLANCE VIDEO: First day that surveillance video of areas containing voted ballots from the May 3, 2025 election and June 7, 2025 runoff election may be destroyed IF there is no unresolved election contest.	1st day after the end of the calendar year in which the election was held	<u>Tex. Sec'y of State Election Advisory No. 2022-10 : Ballot Security Requirements</u>	
Thursday, March 4, 2027	NOTE REGARDING BALLOT BOXES: Contents of ballot box(es) may be destroyed IF no contest or criminal investigation has arisen and IF no open records request has been filed.	Day after 22 months after May 3, 2025 election day	<u>Tex. Attorney Gen. ORD- 505 (1988)</u>	\$1.013 \$66.058

MAINTENANCE NOTICE: TRADEMARKS, DATA BROKERS AND VARIOUS OTHER APPLICATIONS WILL BE
UNAVAILABLE ON MONDAY, DECEMBER 9, FROM 6:00 P.M. TO 8:00 P.M.

EFFECTIVE SEPTEMBER 1, 2023, OUR LOBBY WALK-IN HOURS WILL BE 9 A.M. - 4 P.M. (CENTRAL), MONDAY -
FRIDAY.



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Election Advisory No. 2024-38

June 7, 2025 Election Law Calendar (Condensed)

Date	Description	Computation	Applicable Forms & Instructions	Legal Authority (TEX. ELEC. CODE Unless Otherwise Specified)
Tuesday, May 6, 2025	NOTICE OF DEADLINE FOR CANDIDATE IN A RUNOFF ELECTION: A candidate in a runoff election may not withdraw from the election after 5 p.m. of the third day after the date of the final canvass for the main election. This deadline will	32nd day before runoff election day		§145.092



	depend on the date of the actual canvass. If the third day after the final canvass falls on a weekend or holiday, please contact our office. FIRST DAY: The runoff election can be ordered as soon as the canvass is completed. Therefore, May 6, 2025 is the first date a runoff election can be ordered, if the canvass of the main election has been completed by this date. RECOMMENDATION: Our office recommends that a political subdivision order their runoff election as soon as the election has been canvassed.			
Thursday, May 8, 2025	NOTICE OF DEADLINE FOR VOTER REGISTRATION: Last day to register to vote or make a change of address effective for the Saturday, June 7, 2025 runoff election. NOTE FOR VOTER CHANGE OF ADDRESS: A voter who submits a change of address after this date may still be eligible to return to his or her previous precinct to vote under “fail-safe”	30th day before runoff election day	Notice of Voting Order Priority.(PDF) Tex. Sec'y of StateElectioAdvisory No. 2023-14.	§4.003(a)(1), (c), and (d) §15.025 §18.001 §18.002 §18.003 §18.004 §63.0011 §63.0015 §85.007(d) §112.002

voting, if he or she still resides in the **same** county and the same local political subdivision, if applicable, conducting the election. If a voter has moved to a new county, then a voter can vote a limited ballot. Voting by a limited ballot is only available during the early voting period and **only** at the main early voting polling place (or by mail).

FIRST DAY: First day of period during which notice of elections must be published if a runoff election has been ordered, in a newspaper of general circulation **if method of giving notice is not specified by a law outside the Texas Election Code**, and this method of giving notice is selected. The notice for elections ordered by a county authority or by an authority of a city or school district must be given by publication in a newspaper in addition to any other method specified by a law outside the Election Code.

RECOMMENDATION FOR CITIES, SCHOOLS, AND OTHER POLITICAL SUBDIVISIONS: It is

	strongly recommended that the Notice of Voting Order Priority (PDF) for voters with mobility issues also be posted on the subdivision's website, if one is maintained by the political subdivision. RECOMMENDATION FOR COUNTIES: The recommended time to include this notice on a county website is when the notice of election is also posted on the subdivision's website. RECOMMENDATION FOR EARLY VOTING CLERK: Recommended last day for early voting clerk to order supplemental and registration correction lists, if applicable, or order revised original list of registered voters from the voter registrar for early voting by personal appearance.			
Wednesday, May 14, 2025	NOTICE OF DEADLINE FOR CANVASS OF RETURNS: Last day for official canvass of returns by the governing body of the political subdivision for the May 3, 2025 election. NOTE FOR A CANDIDATE IN A	24th day before runoff election day		\$67.003 \$145.092

	RUNOFF: A candidate in a runoff election may not withdraw from the election after 5 p.m. of the third day after the date of the final canvass for the main election. RECOMMENDATION: Our office recommends that once you have the canvass finalized, your entity should immediately order your runoff election if necessary, finalize your ballots preparation, and program your equipment as soon as possible.			
Saturday, May 17, 2025	NOTICE OF DEADLINE FOR CANDIDATE IN RUNOFF ELECTION: Last day for a candidate to withdraw from a runoff election if the canvass was conducted on Wednesday, May 14, 2025. This deadline will depend on the date of the actual canvass. If the third day after the final canvass falls on a weekend or holiday, please contact our office.	21st day before runoff election day		\$145.092
Sunday, May 18, 2025	FIRST DAY: First day that the signature verification committee, if one is appointed, may begin operating. If your local political subdivision has not created a signature	20th day before runoff election day	<u>Tex. Sec'y of State Election Advisory No. 2023-13.</u>	\$87.027(f)

	verification committee, please see below about early voting ballot board.			
Monday, May 19, 2025	NOTICE OF DEADLINE FOR RUNOFF ELECTION: Deadline to order a runoff election for June 7, 2025. The deadline to order a runoff election is the fifth day after the date the original election was canvassed. The above date reflects the deadline to order a runoff election if the entity canvassed on May 14, 2025. NOTICE OF DEADLINE FOR COUNTIES, CITIES, AND SCHOOLDISTRICTS: Last day for a county that provides election services for an election to post certain information regarding the upcoming election(s) on the county's website per Section 4.009. A city or independent school district that holds an election and maintains an Internet website must also post this same election information on their website even if the county is also posting this data. RECOMMENDATION: Recommended date for	19th day before runoff election day; extended from 21st day, Saturday, May 17, 2025	Order Calling for Signature Verification Committee (PDF)	\$1.006 \$2.024 \$4.009 \$87.027 \$87.027

	early voting clerk to issue order calling for appointment of signature verification committee if one has been appointed. If the signature verification committee will start meeting on Thursday, May 29, 2025, the early voting clerk must post a copy of the order calling for appointment of the signature verification committee on or before this date, in order to give notice of the meeting. The order must remain posted continuously for at least 10 days before the first day the committee meets			
Friday, May 23, 2025	NOTICE OF DEADLINE FOR NOTICE OF AN ELECTION: Due to the short timeframe between the May 3, 2025 election and the June 7, 2025 runoff election, this is the last day that the notice of an election can be posted on the local political subdivision's website. NOTICE OF DEADLINE FOR LOGIC AND ACCURACY TESTING: Last business day to conduct the public Logic and Accuracy testing before early voting as the first test shall be	15th day before runoff election day	FPCA (PDF)	§2.026 §4.003 §101.052(i) (1) §127.093

conducted at least 48 hours before the automatic tabulating equipment is used to count ballots voted in the election.

RECOMMENDATION FOR LOGIC AND ACCURACY

TESTING: While this is the last business day to conduct the public Logic and Accuracy test, our office highly recommends that the test be conducted as early as possible.

NOTICE OF DEADLINE

FOR FPCA: Deadline to receive an FPCA **without** a postmark. If an FPCA is received by this date **without** a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot even if the applicant is **not** a permanently registered voter but meets the requirements under Title 2 of the Election Code (unless the voter marks the FPCA form “**my intent to return is uncertain**” or “**my return is uncertain**”, in which case the voter receives a federal-only ballot).

NOTICE OF DEADLINE

FOR COUNTIES: Last day

	to notify election judges of duty to hold election. Notice must be given by the 15th day before the election or the 7th day after the day the election is ordered, whichever is later.			
Monday, May 26, 2025	Memorial Day FIRST DAY: First day a voter who becomes sick or disabled on or after Monday, May 26, 2025 may submit an application for a late ballot if the sickness or physical condition prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. Applications may continue to be submitted until 5:00 p.m. on election day.	12th day before runoff election day	Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability_(PDF).	§102.001 §102.003
Tuesday, May 27, 2025	Runoff Election Early Voting Dates: Tuesday, May 27, 2025 – Tuesday, June 3, 2025 First day to vote early in person. NOTICE OF DEADLINE FOR FPCA: Last day to receive an (FPCA)(PDF) from a registered voter. If the voter is not registered in the county	11th day before runoff election day; extended from 12th day, Monday, May 26, 2025	(FPCA)(PDF)	§1.006 §84.007(c) §85.001(e) §86.0015(c) §101.052(b) and (f) §114.004(c)

(and/or marked intent to return “not certain”), **the voter is still eligible for a ballot containing federal offices only.** In a local (non-federal) election, this means there is **no ballot** to send the voter.

**NOTICE OF DEADLINE
FOR EARLY VOTING**

CLERK: Last day for early voting clerk to receive applications for a ballot to be voted by mail. All applications to vote by mail must be received by the early voting clerk before the close of regular business or 12 noon, **whichever is later.**

Applications to vote by mail must be submitted by mail, common or contract carrier, fax (if a fax machine is available in the office of the early voting clerk), or by electronic submission of a scanned application with an original signature. The early voting clerk’s designated email address must be posted on the Secretary of State’s website.

**NOTICE OF DEADLINE
FOR COUNTIES:** Last day for county clerk/elections administrator to deliver final list of voters that have

	submitted an annual application for ballot by mail to political subdivisions located within the county holding an election on June 7, 2025 for which the county clerk/elections administrator is not the early voting clerk via a joint election agreement or contract for election services.			
Wednesday, May 28, 2025	NOTICE OF DEADLINE FOR NOTICE OF ELECTION: Last day of period during which notice of election must be published if method of giving notice is not specified by a law outside the Election Code and publication is the selected method of giving notice. The notice for elections ordered by the governor, a county authority, or by an authority of a city or school district must be given by publication in a newspaper in addition to any other method specified by a law outside the Election Code. NOTICE OF DEADLINE FOR NOTICE OF ELECTION: Last day to mail a copy of the notice of election to each registered voter of the territory that is	10th day before runoff election day		§1.006 §4.003(a)(1) & (3), (c), (d) §63.0015 §85.007(d)

	covered by the election and is in the jurisdiction of the authority responsible for giving the notice if method of giving notice is not specified by a law outside the Election Code and this method of giving notice is selected. RECOMMENDATION: The recommended time to include the notice of accepting voters with certain disabilities on a political subdivision's website is when the notice of election is also posted on the website.			
Thursday, May 29, 2025	NOTE FOR JACKET ENVELOPES: Section 87.0222 of the Code provides that not later than the ninth day before election day, the jacket envelopes containing early voting ballots voted by mail MUST be delivered to the early voting ballot board. This requirement applies regardless of the county's population size. NOTE FOR EARLY VOTING BALLOT BOARDS: The early voting ballot board must meet by this deadline, regardless of whether carrier envelopes have been received by this	9th day before runoff election day		§87.0222

	date. The early voting ballot board can meet as soon as the county has received voted ballots by mail from voters and those materials are delivered to the ballot board. The ballot board does not have to wait until this ninth-day deadline to meet.			
Monday, June 2, 2025	FIRST DAY FOR LATE BALLOT: A voter is eligible to vote a late ballot if they will be out of the county of residence on election day due to a death in the immediate family (related within 2nd degree of consanguinity or affinity) that occurs on or after this day. The voter may submit the Application for Emergency Early Ballot Due to Death in Family (PDF) starting Wednesday, June 4, 2025 (the day after early voting in person ends). (An application may be submitted after the last day of the period for early voting by personal appearance and before the close of business on the day before election day.)	5th day before runoff election day	the Application for Emergency Early Ballot Due to Death in Family (PDF)	§103.001 §103.003
Tuesday, June 3, 2025	EARLY VOTING IN PERSON: Last day to vote early by personal appearance.	4th day before runoff election day	Notice of Delivery of Early Voting Balloting Materials Notice of Delivery of Early Voting	§85.001(e) §87.0221 §87.0222 §87.023 §87.024

NOTE FOR EARLY

VOTING CLERK: Early voting clerk must post [Notice of Delivery of Early Voting Balloting Materials \(PDF\)](#) to the early voting ballot board if materials are to be delivered to the board on Wednesday, June 4, 2025. Notice must be posted continuously for 24 hours preceding each delivery to the board.

Entities Contracting with Counties that have a Population of 100,000 or More: After the polls close at the end of early voting by personal appearance, counties with a population of 100,000 or more (or local subdivisions conducting a joint election with such a county or conducting an election through a contract for election services with such a county) may convene their early voting ballot board and begin **counting** ballots; **however, the results may not be announced until after the polls close.** (Secs. 87.0222, 87.0241).

NOTE: If a county with a population of 100,000 or more (or a local subdivision conducting a

[Balloting Materials.](#)
[Tex. Sec'y of State](#)
[Election Advisory](#)
[No. 2023-13 \(PDF\).](#)

\$87.0241

\$87.0411

joint election with such a county or conducting an election through a contract for election services with such a county) is convening their early voting ballot board early to begin **counting** ballots, the test of the tabulation equipment will need to be completed at least 48 hours before the equipment is used to count ballots. (Secs. 87.0222, 87.0241, 127.096).

Entities Contracting with Counties that have a Population of Less than 100,000: Counties may begin convening their early voting ballot board as soon as the county receives voted ballots by mail from voters and those materials are delivered to the ballot board, **but cannot begin counting the ballots until the polls open on election day.** The early voting clerk shall continuously post notice for 24 hours preceding each delivery of voting materials that is to be made before the time for opening the polls on election day.

NOTE FOR EARLY VOTING BALLOT

	BOARD ACTIONS FOR A DEFECTIVE CARRIER ENVELOPE: Section 87.0411 of the Code provides that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier envelope as described by Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board must send the voter a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier.			
Wednesday, June 4, 2025	FIRST DAY: First day to submit an Application for Emergency Early Ballot Due to Death in Family (PDF). NOTICE OF DEADLINE FOR PUBLIC TESTING OF AUTOMATIC TABULATION EQUIPMENT: Last day to conduct public test of automatic tabulation equipment. Per Section 127.093, the test shall be conducted at least 48 hours before the automatic tabulating equipment is	3rd day before runoff election day; day after early voting in person ends	Application for Emergency Early Ballot Due to Death in Family (PDF)	§103.003(b) §127.093

	used to count ballots voted in an election and was not previously tested. We highly recommend that this test is done on an earlier date to allow time for corrections to programming, if necessary.			
Friday, June 6, 2025	NOTICE OF DEADLINE FOR APPLICATION FOR EMERGENCY EARLY BALLOT DUE TO DEATH OF THE FAMILY: Last day to submit an Application for Emergency Early Ballot Due to Death in Family (PDF). The application must be submitted by the close of business on this day. NOTICE OF DEADLINE FOR EARLY VOTING CLERK: Last day for early voting clerk to mark the precinct list of registered voters with a notation beside each name of voter who voted early, and deliver list to election judges. The early voting clerk must also deliver the precinct early voting list. This may be delivered electronically if your county is using an electronic pollbook. Delivery of Provisional Ballots and Forms: If the	Day before runoff election day	Application for Emergency Early Ballot Due to Death in Family (PDF) Notice of Election Night Transfer (PDF) a Notice of Delivery of Provisional Ballots (PDF)	§87.122 §103.003(b) 1 T.A.C. § 81.174(b)(1) 1 T.A.C. § 81.174(d)(3)

	voter registrar wants to take possession of the provisional ballots and forms on election night, the voter registrar must inform the custodian of the election records and post a Notice of Election Night Transfer (PDF) no later than Friday, June 6, 2025, 24 hours before election day. However, under this type of delivery, the county voter registrar must go to the custodian of election records office and pick up the provisional ballots and forms. The general custodian of election records (or the early voting clerk, if applicable) must post a Notice of Delivery of Provisional Ballots (PDF) at least 24 hours before delivery will occur.			
Saturday, June 7, 2025	7:00 a.m. – 7:00 p.m. - Polls open. - Voter registrar’s office is open. - Early voting clerk’s office is open for early voting activities. A voter may deliver a marked ballot by mail to the early voting clerk’s office while the polls are open on election day. The voter must provide an	Runoff Election Day	Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability (PDF)	§12.004(c) §41.031 §63.0101 §67.003 §83.011 §86.006 §86.007(a) §86.007(a) (1) §86.007(a) (2) §86.007(b) §86.007(d) §101.057 §102.003(b)

acceptable form of identification under Section 63.0101 upon delivery. The identification procedure is the same as that used for personal appearance voting.

5:00 p.m.

- Deadline for receiving Runoff Election Day [Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability \(PDF\)](#)

7:00 p.m.

- Regular deadline for receiving **early voting ballots** by mail. **BUT see** entry for Monday, June 9, 2025 on “late domestic ballots,” and **entry for Thursday, June 12, 2025 on other “late” ballots.** This is also the deadline to receive **late ballots cast by voters who became sick or disabled** on or after Monday, May 26, 2025.

NOTE FOR RECEIPT OF MAIL BALLOTS: All early voting ballots sent by mail from inside the United States that are received by

§102.006(c)

**Texas
Government
Code**

§551.002

§551.041

§551.043

7:00 p.m. on election day, June 7, 2025, **must be counted on election night**. If the carrier envelope does not bear a cancellation mark or a receipt mark, the ballot must arrive before the time the polls are required to close **on election day**. If the early voting clerk cannot determine whether a ballot arrived before the deadline, the ballot is considered to have arrived at the time the place at which the carrier envelopes are deposited was last inspected for removal of returned ballots. The early voting clerk **must** check the mailbox for early voting mail ballots at least once after the time for regular mail delivery.

NOTE FOR EARLY VOTING MAIL BALLOT:
An early voting mail ballot that is not received by 7:00 p.m. on election day may not be counted unless the ballot may be counted late, which applies to late domestic ballots, ballots mailed from outside the United States, and ballots from members of the armed forces and merchant

marine of the United States, Texas National Guard or the National Guard of another state or members of the Reserves, as well as their spouses and dependents

CONTINUED NOTE: This deadline does **not** apply to ballots mailed (domestically or from overseas) by certain members of the military who applied for a ballot using an FPCA, as well as members of the Texas National Guard or the National Guard of another state, or members of the Reserves, as well as their **spouses and dependents**; those voters have until the 6th day after election day (Friday, June 13, 2025) to return their ballots.

NOTICE OF DEADLINE FOR GOVERNING AUTHORITY'S MEETING TO CANVASS: Last day to post notice of governing authority's meeting to canvass returns of election if canvass is to take place on Tuesday, June 10, 2025 (3rd day after election). This notice must be posted at least 72 hours before

the scheduled time of the meeting.

NOTE FOR LOCAL

CANVASSING: Section 67.003 provides that, except as provided by Section 67.003(c), each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of:

1. the **third day after election day**;
2. the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
3. the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States; or

	4. the date on which all ballots received in defective carriers are timely corrected, if any ballots in defective carriers have been received.			
Monday, June 9, 2025	NOTICE OF DEADLINE FOR “LATE DOMESTIC BALLOTS” AT 5:00pm: Deadline to receive “late domestic ballots” mailed within the United States from non-military voters and from any military voters who submitted an Application for Ballot by Mail (“ABBM”) (not a Federal Post Card Application – “FPCA”), if the carrier envelope was placed for delivery by mail or common or contract carrier AND bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier indicating a time not later than 7:00 p.m. at the location of the election on election day, June 7, 2025. A late domestic ballot cannot be counted if it does not bear a cancellation mark or a receipt mark. NOTE FOR MARKED BALLOT VOTED BY	1st business day after runoff election day		\$86.007 \$101.001 \$101.057

MAIL: Section 86.007 provides that a marked ballot voted by mail that a voter received due to submitting an ABBM may arrive at the address on the carrier envelope not later than 5:00 p.m. on the day **after** election day, if the carrier envelope was placed for delivery by mail or common or contract carrier from **within** the United States **and** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier from **not later than 7:00p.m.** at the location of the election on election day.

NOTE FOR MARKED BALLOT SENT BY NON-MILITARY VOTERS: This deadline does **not** apply to ballots sent by non-military voters who are overseas but applied for a ballot using an ABBM; these voters have until the 5th day after election day to return their ballots (or the next business day if the 5th day falls on a weekend or legal state or federal holiday). This deadline also does **not** apply to ballots mailed (domestically or from

	overseas) by certain members of the military who applied for a ballot using an FPCA, as well as members of the Texas National Guard or the National Guard of another state, or members of the Reserves, as well as their spouses and dependents; those voters have until the 6th day after election day to return their ballots.			
Tuesday, June 10, 2025	NOTICE OF DEADLINE FOR PARTIAL MANUAL COUNT: Last day to begin the partial manual count for districts using electronic voting systems. This is the last day to begin manual recount of ballots in three precincts or one percent of precincts, whichever is greater. The count must be completed not later than the 21st day after election day. Results of the manual count must be delivered to the Secretary of State not later than the 3rd day after the manual count is completed. No partial manual count needs to be done of ballots cast on DRE voting machines. FIRST DAY: The first possible day to conduct the official local canvass of	3rd day after runoff election day	<u>Tex. Sec'y of State Election Advisory No. 2018-30: Revised Procedures for the Partial Manual Count</u> <u>Tex. Sec'y of State Election Advisory No. 2024-05: Public Inspection of Ballot Images and Cast Vote Records and Ballot Security</u> <u>Tex. Sec'y of State Election Advisory No. 2024-20: Emergency Guidance on Voter Privacy</u>	§1.012 §2.053(e) §67.003 §67.016 §86.007 §127.201(a) and (g) §127.201(e) Government Code Chapter 602

returns by the governing authority of the political subdivision. However, the canvass may not be conducted until the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election, **AND** counted all timely received mailed domestic ballots cast from addresses within the United States, and all timely received mailed ballots cast from addresses outside the United States and defective carrier envelopes that were corrected by voters. Notice of canvass must be posted at least 72 hours continuously before the canvass is conducted.

**NOTE FOR GENERAL
CUSTODIAN OF
ELECTION RECORDS:**

Section 1.012 of the Code provides that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection.

**FIRST DAY FOR
CITIES, SCHOOLS,**

	AND OTHER POLITICAL SUBDIVISIONS: First day that newly-elected local officers may qualify and assume the duties of their offices. Please note that the canvass must have been completed before an officer can assume office. If a political subdivision was able to cancel its election, this is the first day its elected officials can take the oath of office and be issued a certificate of election.			
Thursday, June 12, 2025	NOTICE OF DEADLINE FOR BALLOTS SENT FROM OUTSIDE OF THE UNITED STATES: Last day to receive ballots from non-military and any military voters casting ballots from outside of the United States, who submitted an ABBM (not an FPCA) AND who placed their ballots in delivery by 7:00 p.m. on election day, Saturday, June 7, 2025, as evidenced by a postal service cancellation mark or a receipt mark of a common or contract carrier or a courier. A late overseas ballot sent by a voter who applied for a ballot using an ABBM (not an FPCA) cannot be	5th day after runoff election day		§86.007 §101.001 §101.057

counted if it does **not** bear a cancellation mark or a receipt mark.

CONTINUED NOTE:

Section 86.007 provides that a marked ballot voted by mail from **outside** of the United States by a voter who received the ballot due to submitting an ABBM is considered timely if it is received at the address on the carrier envelope not later than **the fifth day** after the date of the election. Further, the delivery is considered timely if the carrier envelope or, if applicable, the envelope containing the carrier envelope is properly addressed with postage or handling charges prepaid **and** bears a cancellation mark of a recognized postal service or a receipt mark of a common or contract carrier or a courier indicating a time **by 7:00 p.m.** on election day.

**NOTICE OF DEADLINE
FOR NON-MILITARY
MEMBERS CASTING
BALLOTS FROM**

OVERSEAS: Last day to receive ballots from **non-military voters** casting ballots from **overseas**,

	who submitted a FPCA , AND who placed their ballots in delivery by 7:00 p.m. on election day, Saturday, June 7, 2025.			
Friday, June 13, 2025	NOTICE OF DEADLINE FOR MILITARY VOTERS: Last day to receive carrier envelopes mailed domestically (within the United States) OR overseas from voters who submitted a FPCA AND who are members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves. NOTE FOR MILITARY	6th day after runoff election day	<u>Tex. Sec'y of State</u> <u>Election Advisory</u> <u>No. 2023-13:</u> <u>Corrective Action</u> <u>Process for Defects</u> <u>on Application for a</u> <u>Ballot by Mail and</u> <u>Carrier Envelope</u>	§22.006 §22.036 §65.054 §65.0541 §86.007 §87.0271 §87.0411 §101.001 §101.057 1 T.A.C. § 81.175(a)(1)

VOTERS: Section 101.057 provides that carrier envelopes mailed domestically or overseas from certain **military voters** (see corresponding date above for extended list) who submitted a **Federal Post Card Application (FPCA)** may arrive on or before the 6th day after election day.

NOTICE OF DEADLINE FOR VOTERS: Last day a voter may come to the early voting clerk's office in person to correct certain defects on their carrier envelope.

NOTICE OF DEADLINE FOR ID RELATED PROVISIONAL VOTERS:
Deadline for ID related provisional voter to (1) present acceptable photo identification to county voter registrar; or (2) if the voter does not possess and cannot reasonably obtain acceptable photo identification, follow the Reasonable Impediment Declaration procedure at the county voter registrar; or (3) execute an affidavit relative to "natural disaster" or "religious objection" in presence of county voter registrar, if

	applicable; or (4) qualify for the disability exemption, if applicable, with the county voter registrar. NOTICE OF DEADLINE FOR VOTER REGISTRATION: Deadline for voter registrar to complete the review of provisional ballots. FIRST DAY: First day that newly-elected officers of Type A general law city may qualify and assume duties of office. However, council members may take office anytime following the canvass.			
Monday, June 16, 2025	NOTICE OF DEADLINE FOR CUSTODIAN OF ELECTION RECORDS OR PRESIDING JUDGE OF EARLY VOTING: Deadline for custodian of election records or presiding judge of the early voting ballot board to retrieve provisional ballots from county voter registrar. NOTICE OF DEADLINE FOR EARLY VOTING BALLOT BOARD: Last day for early voting ballot board to convene to qualify and count the following ballots addressed below:	9th day after runoff election day		§65.051(a) §86.007(a) §86.007(d) §86.011(d) §87.125 §101.057

1. any late **domestic** ballots (from non-military and from any military voters who submitted an ABBM) that bear a cancellation mark or receipt mark indicating they were placed for delivery by mail or common or contract carrier not later than 7:00 p.m. on election day, June 7, 2025, and were received not later than 5:00 p.m. on the first business day after election day, Monday, June 9, 2025.

2. any late ballots that were submitted from outside the United States by voters who applied for the ballot using an ABBM or by non-military voters who applied for the ballot using an FPCA, and which were received by the 5th day after election day, Thursday, June 12, 2025.

	3. any ballots received by the 6th day after election day, Friday, June 13, 2025, from voters who are members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves, and who applied for a ballot			

	using an FPCA. 4. any provisional ballots that have been reviewed by the voter registrar. 5. ballots contained in defective carrier envelopes corrected by voters. The time the board reconvenes is set by the presiding judge of the early voting ballot board.			
Tuesday, June 17, 2025	NOTICE OF DEADLINE FOR PRESIDING JUDGE OF EARLY VOTING BALLOT BOARD: Last day for the presiding judge of the early voting ballot board to mail a Notice of Rejected Ballot (PDF) to voters whose mail ballots were rejected.	10th day after runoff election day	Notice of Rejected Ballot (PDF)	\$87.0431
Wednesday, June 18, 2025	NOTICE OF DEADLINE FOR OFFICIAL CANVASS OF RETURNS: Last day for official canvass of returns by governing authority of political subdivision. NOTE FOR GENERAL CUSTODIAN OF ELECTION RECORDS: Section	11th day after runoff election day	Tex. Sec'y of State Election Advisory No. 2024-05: Public Inspection of Ballot Images and Cast Voter Records and Ballot Security. Tex. Sec'y of State Election Advisory No. 2024-20: Emergency.	\$1.012 \$67.003

	1.012 of the Code provides that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection.		Guidance on Voter Privacy	
Thursday, June 19, 2025	Juneteenth	12th day after runoff election day		
Friday, June 20, 2025	NOTICE OF DEADLINE FOR PRESIDING JUDGE OF EARLY VOTING BALLOT BOARD: Last day for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional Voter (PDF) to provisional voters if the local canvass was held on Tuesday, June 10, 2025, the first day of the canvass period. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass.	13th day after runoff election day	Notice of Outcome to Provisional Voter (PDF)	§65.059 1 T.A.C. § 81.176(e)
Saturday, June 28, 2025	NOTICE OF DEADLINE FOR PRESIDING JUDGE OF EARLY VOTING BALLOT BOARD: Last day for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional	21st day after runoff election	Notice of Outcome to Provisional Voter (PDF)	§65.059 1 T.A.C. § 81.176(e)

	Voter (PDF) to provisional voters if the local canvass was held on Wednesday, June 18, 2025, the last day of the canvass period. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass.			
Monday, June 30, 2025	NOTICE OF DEADLINE FOR PARTIAL MANUAL COUNT: Last day to complete the partial manual count for the June 7, 2025 runoff election. This deadline is extended to the next regular business day, which is Monday, June 30, 2025, due to the 21st day falling on a Saturday.	23rd day after runoff election day		§1.006 §127.201(a)
Friday, July 4, 2025	Independence Day			
Monday, July 7, 2025	NOTE: If a Type A municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant.	30th day after runoff election day		Local Government Code §22.007
Thursday, August 7, 2025	NOTE FOR GENERAL CUSTODIAN OF ELECTION RECORDS: Section 1.012 of the Code provides that on the 61st day after election day, the general custodian of	61st day after runoff election day	Tex. Sec'y of State Election Advisory No. 2024-05: Public Inspection of Ballot Images and Cast Voter Records and Ballot Security.	§1.012 §66.058(b)

	election records shall make the original voted ballots available for public inspection. FIRST DAY: First day that ballot box(es) from the June 7, 2025 election may be unlocked and its voted ballots may be transferred to another secure container for the remainder of the preservation period.		Tex. Sec'y of State Election Advisory No. 2024-20: Emergency Guidance on Voter Privacy	
Thursday, January 1, 2026	FIRST DAY: First day that surveillance video of areas containing voted ballots from the May 3, 2025 election and June 7, 2025 runoff election may be destroyed IF there is no unresolved election contest.	1st day after the end of the calendar year in which the election was held		
Thursday, April 8, 2027	NOTE REGARDING BALLOT BOXES: Contents of ballot box(es) may be destroyed IF no contest or criminal investigation has arisen, and IF no open records request has been filed. ALL election records must be preserved for 22 months from election day, even when there is no federal office on the ballot. Notable Exceptions:	Day after 22 months after June 7, 2025 runoff election day	Tex. Att'y Gen. ORD-505 (1988) (PDF) Tex. Sec'y of State Election Advisory No. 2019-23: Electronic Voting System Procedures Advisory (PDF)	§1.013 §66.058 §67.006

	Permanent Records: Election results must be permanently maintained in the election register. Electronic Voting Systems: See advisories on our website for preservation procedures for electronic voting systems.			
Tuesday, June 8, 2027	NOTE FOR RETENTION OF VOTER REGISTRATION LIST: County voter registrar must maintain copy of each voter list prepared for each countywide election for 2 years (24 months) after election day. NOTE FOR RETENTION OF CANDIDATE APPLICATIONS: Candidate applications must be retained by the governing body for two years after date of election.	Day after two years after June 7, 2025 runoff election day		§18.011 §141.036



TEXAS ETHICS COMMISSION
2025 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH
ELECTIONS HELD ON UNIFORM ELECTION DATES

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2025 are May 3 and November 4.

Candidates and officeholders must file semiannual reports (due on January 15, 2025, and July 15, 2025). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file two pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2025 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2025 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

EXPLANATION OF THE FILING SCHEDULE CHART

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

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

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

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

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

<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, 2025	January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,080 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2024, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	December 31, 2024
Wednesday, January 15, 2025	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, 2024, <u>or</u> the day after the date the final report was filed.	December 31, 2024

REPORTS DUE BEFORE THE MAY 3, 2025, UNIFORM ELECTION

Thursday, April 3, 2025 NOTE: This report must be received by the appropriate filing authority no later than April 3, 2025.	30th day before the May 3, 2025, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 3 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved with the May 3 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 3 election)	January 1, 2025, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	March 24, 2025

NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

<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
Friday, April 25, 2025 NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 25, 2025.	8th day before May 3, 2025, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 3 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the May 3 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the May 3 election)	March 25, 2025, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	April 23, 2025 NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 23, 2025, may be required. Please consult the Campaign Finance Guide for further information.

Tuesday, July 15, 2025	July semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,110 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	January 1, 2025, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	June 30, 2025

NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

<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

REPORTS DUE BEFORE THE NOVEMBER 4, 2025, UNIFORM ELECTION

Monday, October 6, 2025 <i>Deadline is extended because of weekend.</i> NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 6, 2025.	30th day before the November 4, 2025, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the November 4 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved with the November 4 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 4 election)	July 1, 2025, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	September 25, 2025
Monday, October 27, 2025 NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 27, 2025.	8th day before the November 4, 2025, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the November 4 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the November 4 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the November 4 election)	September 26, 2025, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	October 25, 2025 NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 25, 2025, may be required. Please consult the Campaign Finance Guide for further information.

NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

<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
Thursday, January 15, 2026	January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,110 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2025, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	December 31, 2025
Thursday, January 15, 2026	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, 2025, <u>or</u> the day after the date the final report was filed.	December 31, 2025

LOCAL GOVERNMENT CODE

TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

SUBTITLE B. MUNICIPAL FORM OF GOVERNMENT

CHAPTER 22. ALDERMANIC FORM OF GOVERNMENT IN TYPE A GENERAL-LAW
MUNICIPALITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 22.001. CHAPTER APPLICABLE TO TYPE A GENERAL-LAW MUNICIPALITY.
This chapter applies only to a Type A general-law municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.002. CONTINUATION OF OFFICES IN MUNICIPALITY CHANGING TO TYPE
A GENERAL-LAW MUNICIPALITY. If a municipality changes to a Type A general-
law municipality under Subchapter B of Chapter 6, the officers serving in
the municipality on the date of the change shall continue in office until
their offices are superseded in conformity to the law applying to Type A
general-law municipalities.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.003. DATE OF MUNICIPAL ELECTION. An election for officers of
the municipality shall be held annually, except as otherwise provided by
law, in each ward of the municipality on an authorized uniform election
date as provided by Chapter 41, Election Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.004. PLURALITY VOTE REQUIRED FOR ELECTION OF MUNICIPAL
OFFICER. To be elected to an office of the municipality, a person must
receive more votes than any other person for the office.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.005. OATH FOR ELECTED OR APPOINTED OFFICER. (a) A person
who is elected or appointed to a municipal office under this code must take

and sign the official oath of office before beginning to perform the duties of the office.

(b) The governing body of the municipality by ordinance may require a municipal officer to take any additional oath that the governing body considers best calculated to secure the faithful performance of the officer's duties.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.006. DATE ON WHICH OFFICERS BEGIN TO PERFORM DUTIES. A newly elected municipal officer may exercise the duties of office beginning on the fifth day after the date of the election, excluding Sundays.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.007. VACANCY CREATED ON FAILURE TO QUALIFY. If a municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.008. DISQUALIFICATION FROM OFFICE. (a) An officer who is entrusted with the collection or custody of funds belonging to the municipality and who is in default to the municipality may not hold any municipal office until the amount of the default, plus 10 percent interest, is paid to the municipality.

(b) If a member of the governing body changes the member's place of residence to a location outside the corporate boundaries of the municipality, the member is automatically disqualified from holding the member's office and the office is considered vacant.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 1096 (H.B. [3727](#)), Sec. 1, eff. September 1, 2017.

Sec. 22.009. REMOVAL FROM OFFICE FOR MISAPPROPRIATION OF SPECIAL FUNDS. A municipal officer who misappropriates money in a special fund created by the municipality under Section [101.004](#) is guilty of malfeasance in office. On the complaint of a person who has an interest in the

affected funds, the officer shall be removed from office and is ineligible to hold any office in that municipality after removal.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.010. FILLING VACANCY ON GOVERNING BODY OR IN OTHER MUNICIPAL OFFICE. (a) If for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members who are present and voting, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Section 11, Article XI, Texas Constitution. The mayor may vote on the appointment only if there is a tie.

(a-1) A person serving as a member of the governing body is not, because of that service, ineligible to be appointed to fill a vacancy in the office of mayor of the municipality, but the person may not vote on the person's own appointment.

(b) The person appointed to fill the vacancy serves until the next regular municipal election.

(c) In lieu of appointing a person to fill a vacancy on the governing body, a special election may be ordered to elect a person to fill the vacancy.

(d) If two or more vacancies on the governing body exist at the same time, a special election shall be ordered to fill the vacancies.

(d-1) A member of the governing body is ineligible to vote to fill a vacancy on the governing body by special election after resigning from the governing body.

(e) If a vacancy exists in any other municipal office, the mayor or acting mayor shall appoint a person to fill the vacancy, subject to confirmation by the governing body.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 513 (S.B. [653](#)), Sec. 1, eff. June 16, 2007.

Acts 2017, 85th Leg., R.S., Ch. 1096 (H.B. [3727](#)), Sec. 2, eff. September 1, 2017.

Sec. 22.011. FILLING VACANCY IN MUNICIPAL OFFICE UNDER SPECIAL CIRCUMSTANCES. If a vacancy occurs in a municipal office by a resignation or in another manner and if the vacancy cannot be filled as provided by other law, the commissioners court of the county in which the municipality

is located shall order an election to fill the vacancy if the court is petitioned to do so by at least 26 taxpaying voters residing in the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.012. RESIGNATION OF ELECTED OR APPOINTED MUNICIPAL OFFICER. A municipal officer elected or appointed under this chapter may resign by submitting the resignation in writing to the governing body of the municipality. The resignation is subject to the approval and acceptance of the governing body. However, a person who is appointed by the mayor may submit the written resignation to the mayor for the mayor's action.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

SUBCHAPTER B. GOVERNING BODY

Sec. 22.031. COMPOSITION OF GOVERNING BODY; WARD SYSTEM OPTIONAL.

(a) If the municipality is divided into wards, the governing body of the municipality consists of a mayor who is elected by the qualified voters of the municipality and of two aldermen from each ward who are elected by the qualified voters of the ward.

(b) If the municipality is not divided into wards, the governing body consists of a mayor and five aldermen who are elected by the qualified voters of the municipality, and the provisions of this subchapter relating to proceedings in a ward apply to the whole municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.032. QUALIFICATIONS OF MEMBERS OF GOVERNING BODY. (a) To be eligible for the office of mayor of the municipality, a person must be a registered voter and must have resided within the municipal limits for at least the 12 months preceding the election day. For purposes of this subsection, residency in an area while the area was not within the municipal limits is considered as residency within the limits if the area is a part of the municipality on election day.

(b) To be eligible for the office of alderman of the municipality, a person must be a registered voter and must reside on election day in the ward from which the person may be elected.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.033. GOVERNING BODY TO JUDGE ELECTION AND QUALIFICATION OF MEMBERS. The governing body of the municipality is the judge of the election and qualifications of its members.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.034. INITIAL ELECTION AND TERM OF OFFICE. (a) If the municipality is divided into wards, at the initial election for officers of the municipality, the mayor and the two aldermen from each ward shall be elected. The aldermen for each ward are the candidates from that ward who receive the highest and second highest number of votes at the initial election.

(b) The two aldermen elected from each ward shall draw lots at the first regular meeting of the governing body of the municipality to determine which alderman serves for one year and which alderman serves for two years after the initial election. At each following annual election, one alderman shall be elected from each ward for the regular term.

(c) If the municipality is not divided into wards, the governing body by ordinance may determine the number and the manner of deciding which aldermen elected at the initial election for officers serve for one year and which serve for two years.

(d) If the aldermen of the governing body of a municipality are not serving staggered terms of office as provided by Subsection (c), the governing body by majority vote may establish staggered terms by requiring the aldermen to draw lots.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 405 (H.B. [1434](#)), Sec. 1, eff. June 9, 2023.

Sec. 22.035. REGULAR TERM OF OFFICE. The mayor and aldermen of the municipality are elected for a term of two years unless a longer term is established under Article XI, Section 11, of the Texas Constitution.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.036. INSTALLATION OF GOVERNING BODY. On the fifth day after the date of the election, excluding Sundays, or as soon as possible after

that fifth day, the newly elected governing body of the municipality shall meet at the usual meeting place and shall be installed.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO TEMPORE. (a) The mayor shall preside at all meetings of the governing body of the municipality and, except in elections, may vote only if there is a tie.

(b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

(c) If the mayor fails, is unable, or refuses to act, the president pro tempore shall perform the mayor's duties and is entitled to receive the fees and compensation prescribed for the mayor.

(d) If the mayor and the president pro tempore are absent, any alderman may be appointed to preside at the meeting.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.038. MEETINGS. (a) The governing body of the municipality shall meet at the time and place determined by a resolution adopted by the governing body.

(b) The mayor may call a special meeting on the mayor's own motion and shall call a special meeting on the application of three aldermen. Each member of the governing body, the secretary, and the municipal attorney must be notified of the special meeting. The notice may be given personally or left at the person's usual place of residence.

(c) The governing body shall determine the rules of its proceedings and may compel the attendance of absent members and punish them for disorderly conduct.

(d) An alderman shall be fined \$3 for each meeting that the alderman fails to attend unless the absence is caused by the alderman's illness or the illness of a family member.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 947 (H.B. [1734](#)), Sec. 1, eff. June 14, 2013.

Sec. 22.039. QUORUM. A majority of the number of aldermen established by Section [22.031](#) for the municipality constitutes a quorum.

However, at a called meeting or at a meeting to consider the imposition of taxes, two-thirds of the number of aldermen established by that section constitutes a quorum unless provided otherwise.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.040. CHANGE OF WARDS. (a) The governing body of the municipality may divide the municipality into as many wards as it considers necessary for the good of the residents and may change ward boundaries. The wards must contain an equal number of voters as far as practicable.

(b) The governing body may not change the number of wards or boundaries of a ward during the three-month period preceding the date of a municipal election.

(c) The wards of a municipality that changes to a Type A general-law municipality under Subchapter B, Chapter 6, are not affected by that action.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.041. VACANCY ON GOVERNING BODY IS CREATED. (a) If an alderman moves from the ward from which the alderman is elected, the alderman's office is considered vacant.

(b) If a member of the governing body is absent for three regular consecutive meetings, the member's office is considered vacant unless the member is sick or has first obtained a leave of absence at a regular meeting.

(c) In addition to an absence described by Subsection (b), a member of a governing body is also considered absent for the purposes of that subsection if the member is not present at the adjournment of a meeting at which a quorum is established, unless the member is first allowed to withdraw by the unanimous vote of the members present. This subsection applies only to a municipality that is located in a county that borders the United Mexican States and contains a municipality with a population of 500,000 or more.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 995 (H.B. 2259), Sec. 1, eff. June 14, 2013.

Acts 2023, 88th Leg., R.S., Ch. 644 (H.B. 4559), Sec. 120, eff. September 1, 2023.

Sec. 22.042. POWERS AND DUTIES OF MAYOR. (a) The mayor is the chief executive officer of the municipality. The mayor shall at all times actively ensure that the laws and ordinances of the municipality are properly carried out. The mayor shall perform the duties and exercise the powers prescribed by the governing body of the municipality.

(b) The mayor shall inspect the conduct of each subordinate municipal officer and shall cause any negligence, carelessness, or other violation of duty to be prosecuted and punished.

(c) The mayor shall give to the governing body any information, and shall recommend to the governing body any measure, that relates to improving the finances, police, health, security, cleanliness, comfort, ornament, or good government of the municipality.

(d) The mayor may administer oaths of office.

(e) In the event of a riot or unlawful assembly or to preserve the peace and good order in the municipality, the mayor may order and enforce the closing of a theater, ballroom, or other place of recreation or entertainment, or a public room or building and may order the arrest of a person who violates a state law or a municipal ordinance in the presence of the mayor.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.043. PETITIONS AND REMONSTRANCES PRESENTED TO GOVERNING BODY. Petitions and remonstrances may be presented to the governing body of the municipality and must be in writing.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

SUBCHAPTER C. OTHER MUNICIPAL OFFICERS

Sec. 22.071. OTHER MUNICIPAL OFFICERS. (a) In addition to the members of the governing body of the municipality, the other officers of the municipality are the secretary, treasurer, assessor and collector, municipal attorney, marshal, municipal engineer, and any other officers or agents authorized by the governing body.

(b) The governing body by ordinance shall provide for the election or appointment of the officers provided by this section.

(c) The governing body may confer on other municipal officers the powers and duties of an officer provided for by this section.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.072. POWERS AND DUTIES OF MUNICIPAL OFFICERS; BOND. (a) The governing body of the municipality may require a municipal officer whose duties are prescribed by this code to perform additional duties.

(b) The governing body may prescribe the powers and duties of a municipal officer appointed or elected to an office under this code whose duties are not specified by this code.

(c) The governing body may require a municipal officer to execute a bond payable to the municipality and conditioned that the officer will faithfully perform the duties of the office.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.073. POWERS AND DUTIES OF SECRETARY. (a) The secretary of the municipality shall attend each meeting of the governing body of the municipality and shall keep, in a record provided for that purpose, accurate minutes of the governing body's proceedings.

(b) The secretary shall:

(1) engross and enroll all laws, resolutions, and ordinances of the governing body;

(2) keep the corporate seal;

(3) take charge of, arrange, and maintain the records of the governing body;

(4) countersign all commissions issued to municipal officers and all licenses issued by the mayor, and keep a record of those commissions and licenses; and

(5) prepare all notices required under any regulation or ordinance of the municipality.

(c) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 1324, Sec. 5(2), eff. June 17, 2011.

(d) The secretary shall draw all the warrants on the treasurer, countersign the warrants, and keep, in a record provided for that purpose, an accurate account of the warrants.

(e) The secretary serves as the general accountant of the municipality and shall keep regular accounts of the municipal receipts and disbursements. The secretary shall keep each cause of receipt and disbursement separately and under proper headings. The secretary shall also keep separate accounts with each person, including each officer, who has monetary transactions with the municipality. The secretary shall

credit accounts allowed by proper authority and shall specify the particular transaction to which each entry applies. The secretary shall keep records of the accounts and other information covered by this subsection.

(f) The secretary shall keep a register of bonds and bills issued by the municipality and all evidence of debt due and payable to the municipality, noting the relevant particulars and facts as they occur.

(g) The secretary shall carefully keep all contracts made by the governing body.

(h) The secretary shall perform all other duties required by law, ordinance, resolution, or order of the governing body.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 47, eff. Sept. 1, 1989.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1184 (H.B. [3475](#)), Sec. 3(2), eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1324 (S.B. [480](#)), Sec. 5(2), eff. June 17, 2011.

Sec. 22.074. CERTIFICATION OF SECRETARIES. (a) In this section, "institution of higher education" has the meaning assigned by Section [61.003](#), Education Code.

(b) A person may be certified to practice as a municipal secretary in this state. The person shall be granted a certificate on completion of a program of instruction for municipal secretaries conducted at an institution of higher education.

(c) A private association of secretaries of municipalities may contract with an institution of higher education to use the facilities of the institution to provide a program of instruction for municipal secretaries. The association shall develop the program with the assistance of the institution. The institution shall approve a program that meets qualifications for approval developed by the institution. The association shall conduct the program at the institution.

(d) A private association of secretaries that establishes a program of instruction under this section shall pay the costs of the program, including the payment of a reasonable fee to the institution that houses the program for the use of the institution's facilities. State funds may not be appropriated to finance a certification program established under this section.

(e) A private association of secretaries that establishes a program of instruction under this section shall issue a certificate to each person who successfully completes the program. A person who holds a certificate issued under this section must renew the certificate not later than five years after the date on which the original certificate was issued. The person may renew the certificate on completion of a supplementary program of instruction conducted at the institution of higher education.

(f) This section does not require a person to be certified as a municipal secretary in order to practice in that capacity.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.075. BOND AND DUTIES OF TREASURER. (a) The treasurer of the municipality shall execute a bond. The bond must:

- (1) be in favor of the municipality;
 - (2) be in the form and amount required by the governing body of the municipality;
 - (3) have security approved as sufficient by the governing body;
- and
- (4) be conditioned that the treasurer will faithfully discharge the duties of the office.

(b) The treasurer shall receive and securely keep all money belonging to the municipality. The treasurer shall make all payments on the order of the mayor, attested by the secretary of the municipality under the seal of the municipality. The treasurer may not pay an order unless the face of the order shows that the governing body directed the issuance of the order and shows the purpose for which it is issued.

(c) The treasurer shall render to the governing body a full statement of the receipts and payments. The statement must be rendered at the governing body's first regular meeting in every quarter and at other times as required by the governing body.

(d) The treasurer shall perform other acts and duties as the governing body requires.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.076. BOND OF MARSHAL; ABOLITION OF OFFICE. (a) The marshal of the municipality shall execute a bond. The bond must be conditioned that the marshal will faithfully perform the official duties as the governing body of the municipality may require.

(b) The governing body of a municipality with a population of less than 5,000 by ordinance may abolish the office of marshal and, at the same time in the ordinance, confer the duties of the office on a municipal police officer appointed as the governing body directs or on any other peace officer of the county. However, an elected marshal may not be removed from office under this subsection.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.077. REMOVAL OF MUNICIPAL OFFICERS. (a) The governing body of the municipality may remove a municipal officer for incompetency, corruption, misconduct, or malfeasance in office after providing the officer with due notice and an opportunity to be heard.

(b) If the governing body lacks confidence in a municipal officer appointed by the governing body, the governing body may remove the officer at any time. The removal is effective only if two-thirds of the elected aldermen vote in favor of a resolution declaring the lack of confidence.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2001, 77th Leg., ch. 402, Sec. 4, eff. Sept. 1, 2001.

First Steps for Candidates Running for a City Office

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

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

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

2. Opposed Candidates: Will you accept or spend more than **\$1,080*** for the election?

- YES:

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

- NO:

- You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of [Form CTA](#). File [Form CTA](#) with the city clerk or city secretary.
- If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.

- Exceed \$1,080*: If you elect to file on the modified reporting schedule but later exceed \$1,080 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$1,080*.

- If you exceed \$1,080* on or before the 30th day before the election, you are **required** to file pre-election campaign finance reports due 30 days and 8 days prior to an election using [Form C/OH](#). To be timely filed, pre-election reports must be received by the city clerk or city secretary no later than the due date. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
- If you exceed \$1,080* after the 30th day before the election, you are **required** to file an Exceeded Modified Reporting Limit report using [Form C/OH](#). To be timely filed, this report must be filed with the city clerk or city secretary within 48 hours of exceeding \$1,080.* You must also file the pre-election report due 8 days prior to an election. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage. If you exceed \$1,080* on or before the 8th day before the election, you are **required** to file a pre-election campaign finance report due 8 days prior to an election using [Form C/OH](#). To be timely filed, the pre-election

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

3. Unopposed Candidates.

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

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

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

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

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

6. Need More Information?

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

***NOTE:** The \$1,080 threshold is specific to transactions made in 2024.

TEXAS ETHICS COMMISSION
TITLE 15, ELECTION CODE
REGULATING POLITICAL FUNDS AND CAMPAIGNS



All Amendments Effective on September 1, 2023

(Revised 8/1/2023)

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

www.ethics.state.tx.us

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Promoting Public Confidence in Government

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ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 251. GENERAL PROVISIONS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 251.001. DEFINITIONS. In this title:

(1) "Candidate" means 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 a 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.

(2) "Contribution" means a direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by this subdivision, and a guarantee of a loan or extension of credit, including a loan described by this subdivision. The term does not include:

(A) a loan made in the due course of business by a corporation that is legally engaged in the business of lending money and that has conducted the business continuously for more than one year before the loan is made; or

(B) an expenditure required to be reported under Section 305.006(b), Government Code.

(3) "Campaign contribution" means a contribution to a candidate or political committee that is offered or given with the intent that it be used in connection with a campaign for elective office or on a measure. Whether a contribution is made before, during, or after an election does not affect its status as a campaign contribution.

(4) "Officeholder contribution" means a contribution to an officeholder or political committee that is offered or given with the intent that it be used to defray expenses that:

(A) are incurred by the officeholder in performing a duty or engaging in an activity in connection with the office; and

(B) are not reimbursable with public money.

(5) "Political contribution" means a campaign contribution or an officeholder contribution.

(6) "Expenditure" means a payment of money or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a payment.

(7) "Campaign expenditure" means an expenditure made by any person in connection with a campaign for an elective office or on a measure. Whether an expenditure is made before, during, or after an election does not affect its status as a campaign expenditure.

(8) "Direct campaign expenditure" means a campaign expenditure that does not constitute a campaign contribution by the person making the expenditure. A campaign expenditure does not constitute a contribution by the person making the expenditure to a candidate or officeholder if the expenditure is made without the prior consent or approval of the candidate or officeholder on whose behalf the expenditure is made. A campaign expenditure made in connection with a measure does not constitute a contribution by the person making the expenditure if it is not made as a political contribution to a political committee supporting or opposing the measure.

(9) "Officeholder expenditure" means an expenditure made by any person to defray expenses that:

(A) are incurred by an officeholder in performing a duty or engaging in an activity in connection with the office; and

(B) are not reimbursable with public money.

(10) "Political expenditure" means a campaign expenditure or an officeholder expenditure.

(11) "Reportable activity" means a political contribution, political expenditure, or other activity required to be reported under this title.

(12) "Political committee" means two or more persons acting in concert with a principal purpose of accepting political contributions or making political expenditures. The term does not include a group composed exclusively of two or more individual filers or political committees required to file reports under this title who make reportable expenditures for a joint activity.

(13) "Specific-purpose committee" means a political committee that does not have among its principal purposes those of a general-purpose committee but does have among its principal purposes:

(A) supporting or opposing one or more:

(i) candidates, all of whom are identified and are seeking offices that are known; or

(ii) measures, all of which are identified;

(B) assisting one or more officeholders, all of whom are identified; or

(C) supporting or opposing only one candidate who is unidentified or who is seeking an office that is unknown.

(14) "General-purpose committee" means a political committee that has among its principal purposes:

(A) supporting or opposing:

(i) two or more candidates who are unidentified or are seeking offices that are unknown; or

(ii) one or more measures that are unidentified; or

(B) assisting two or more officeholders who are unidentified.

(15) "Out-of-state political committee" means a political committee that:

(A) makes political expenditures outside this state; and

(B) in the 12 months immediately preceding the making of a political expenditure by the committee inside this state (other than an expenditure made in connection with a campaign for a federal office or made for a federal officeholder), makes 80 percent or more of the committee's total political expenditures in any combination of elections outside this state and federal offices not voted on in this state.

(16) "Political advertising" means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that:

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or

(B) appears:

(i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or

(ii) on an Internet website.

(17) "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.

(18) "Labor organization" means an agency, committee, or any other organization in which employees participate that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(19) "Measure" means a question or proposal submitted in an election for an expression of the voters' will and includes the circulation and submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters' will.

(20) "Commission" means the Texas Ethics Commission.

(21) "In-kind contribution" means a contribution of goods, services, or any other thing of value that is not money, and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make the contribution. The term does not include a direct campaign expenditure.

Sec. 251.0015. COMMUNICATION WITH CANDIDATE. For purposes of Section 251.001(8), communication between a person and a candidate, officeholder, or candidate's or officeholder's agent is not evidence that the person obtained the candidate's or officeholder's consent or approval for a campaign expenditure made after the communication by the person on behalf of the candidate or officeholder unless the communication establishes that:

(1) the expenditure is incurred at the request or suggestion of the candidate, officeholder, or candidate's or officeholder's agent;

(2) the candidate, officeholder, or candidate's or officeholder's agent is materially involved in decisions regarding the creation, production, or distribution of a campaign communication related to the expenditure; or

(3) the candidate, officeholder, or candidate's or officeholder's agent shares information about the candidate's or officeholder's plans or needs that is:

- (A) material to the creation, production, or distribution of a campaign communication related to the expenditure; and
- (B) not available to the public.

Sec. 251.0016. COMMON VENDOR. A person using the same vendor as a candidate, officeholder, or political committee established or controlled by a candidate or officeholder is not acting in concert with the candidate, officeholder, or committee to make a campaign expenditure unless the person makes the expenditure using information from the vendor about the campaign plans or needs of the candidate, officeholder, or committee that is:

- (1) material to the expenditure; and
- (2) not available to the public.

Sec. 251.002. OFFICEHOLDERS COVERED. (a) The provisions of this title applicable to an officeholder apply only to a person who holds an elective public office and to the secretary of state.

(b) For purposes of this title, a state officer-elect or a member-elect of the legislature is considered an officeholder beginning on the day after the date of the general or special election at which the officer-elect or member-elect was elected. This subsection does not relieve a state officer-elect or member-elect of the legislature of any reporting requirements the person may have as a candidate under this title.

Sec. 251.003. PROHIBITION OF DOCUMENT FILING FEE. A charge may not be made for filing a document required to be filed under this title.

Sec. 251.004. VENUE. (a) Venue for a criminal offense prescribed by this title is in the county of residence of the defendant, unless the defendant is not a Texas resident, in which case venue is in Travis County.

(b) Venue for the recovery of delinquent civil penalties imposed by the commission under this title is in Travis County.

Sec. 251.005. OUT-OF-STATE COMMITTEES EXCLUDED.

(a) An out-of-state political committee is not subject to Chapter 252 or 254, except as provided by Subsection (b), (c), or (d).

(b) If an out-of-state committee decides to file a campaign treasurer appointment under Chapter 252, at the time the appointment is filed the committee becomes subject to this title to the same extent as a political committee that is not an out-of-state committee.

(c) If an out-of-state committee performs an activity that removes the committee from out-of-state status as defined by Section 251.001(15), the committee becomes subject to this title to the same extent as a political committee that is not an out-of-state committee.

(d) An out-of-state political committee that does not file a campaign treasurer appointment shall comply with Section 254.1581.

Sec. 251.006. FEDERAL OFFICE EXCLUDED.

(a) Except as provided by Subsection (b), this title does not apply to a candidate for an office of the federal government.

(b) A candidate for an elective office of the federal government shall file with the commission a copy of each document relating to the candidacy that is required to be filed under federal law. The document shall be filed within the same period in which it is required to be filed under the federal law.

Sec. 251.007. TIMELINESS OF ACTION BY MAIL. When this title requires a notice, report, or other document or paper to be delivered, submitted, or filed within a specified period or before a specified deadline, a delivery, submission, or filing by first-class United States mail or common or contract carrier is timely, except as otherwise provided by this title, 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 of a common or contract carrier indicating a time within the period or before the deadline, or if the person required to take the action furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier within the period or before the deadline.

Sec. 251.008. CERTAIN POLITICAL CLUB MEETINGS EXCLUDED.

(a) An expense incurred in connection with the conduct of a meeting of an organization or club affiliated with a political party at which a candidate for an office regularly filled at the general election for state and county officers, or a person holding that office, appears before the members of the organization or club is not considered to be a political contribution or political expenditure if no political contributions are made to or solicited for the candidate or officeholder at the meeting.

(b) In this section, an organization or club is affiliated with a political party if it:

- (1) supports the nominees of that political party but does not support any candidate seeking the party's nomination for an office over any other candidate seeking that nomination; and
- (2) is recognized by the political party as an auxiliary of the party.

Sec. 251.009. LEGISLATIVE CAUCUS CONTRIBUTION OR EXPENDITURE NOT CONSIDERED TO BE OFFICEHOLDER CONTRIBUTION OR EXPENDITURE. A contribution to or expenditure by a legislative caucus, as defined by Section 253.0341, is not considered to be an officeholder contribution or officeholder expenditure for purposes of this title.

SUBCHAPTER B. DUTIES OF COMMISSION

Sec. 251.032. FORMS. In addition to furnishing samples of the appropriate forms to the authorities having administrative duties under this title, the commission shall furnish the forms to each political party's state executive committee and county chair of each county executive committee.

Sec. 251.033. NOTIFICATION OF DEADLINE FOR FILING REPORTS.

(a) The commission shall notify each person responsible for filing a report with the commission under Subchapters C through F, Chapter 254, of the deadline for filing a report, except that notice of the deadline is not required for a political committee involved in an election other than a primary election or the general election for state and county officers. Notification under this subsection may be sent by electronic mail.

(b) If the commission is unable to notify a person of a deadline after two attempts, the commission is not required to make any further attempts to notify the person of that deadline or any future deadlines until the person has notified the commission of the person's current address or electronic mail address.

(c) Chapter 552, Government Code, does not apply to a notification under this section sent by electronic mail.

CHAPTER 252. CAMPAIGN TREASURER

Sec. 252.001. APPOINTMENT OF CAMPAIGN TREASURER REQUIRED.

Each candidate and each political committee shall appoint a campaign treasurer as provided by this chapter.

Sec. 252.0011. INELIGIBILITY FOR APPOINTMENT AS CAMPAIGN TREASURER.

(a) Except as provided by Subsection (b) or (c), a person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that does not file a report required by Chapter 254.

(b) The period for which a person is ineligible under Subsection (a) for appointment as a campaign treasurer ends on the date on which the political committee in connection with which the person's ineligibility arose has filed each report required by Chapter 254 that was not timely filed or has paid all fines and penalties in connection with the failure to file the report.

(c) Subsection (a) does not apply to a person if, in any semiannual reporting period prescribed by Chapter 254:

(1) the political committee in connection with which the person's ineligibility arose did not accept political contributions that in the aggregate exceed \$5,000 or make political expenditures that in the aggregate exceed \$5,000; and

(2) the candidate who or political committee that subsequently appoints the person does not accept political contributions that in the aggregate exceed \$5,000 or make political expenditures that in the aggregate exceed \$5,000.

(d) Subsection (c) applies to a person who is the campaign treasurer of a general-purpose committee regardless of whether the committee files monthly reports under Section 254.155. For purposes of this subsection, political contributions accepted and political expenditures made during a monthly reporting period are aggregated with political contributions accepted and political expenditures made in each other monthly reporting period that corresponds to the semiannual reporting period that contains those months.

(e) A candidate or political committee is considered to have not appointed a campaign treasurer if the candidate or committee appoints a person as campaign treasurer whose appointment is prohibited by Subsection (a).

(f) A person who violates this section 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 section.

Sec. 252.002. CONTENTS OF APPOINTMENT.

(a) A campaign treasurer appointment must be in writing and include:

- (1) the campaign treasurer's name;
- (2) the campaign treasurer's residence or business street address;
- (3) the campaign treasurer's telephone number; and
- (4) the name of the person making the appointment.

(b) A political committee that files its campaign treasurer appointment with the commission must notify the commission in writing of any change in the campaign treasurer's address not later than the 10th day after the date on which the change occurs.

Sec. 252.003. CONTENTS OF APPOINTMENT BY GENERAL-PURPOSE COMMITTEE.

(a) In addition to the information required by Section 252.002, a campaign treasurer appointment by a general-purpose committee must include:

(1) the full name, and any acronym of the name that will be used in the name of the committee as provided by Subsection (d), of each corporation, labor organization, or other association or legal entity that directly establishes, administers, or controls the committee, if applicable, or the name of each person who determines to whom the committee makes contributions or the name of each person who determines for what purposes the committee makes expenditures;

(2) the full name and address of each general-purpose committee to whom the committee intends to make political contributions;

(3) the name of the committee and, if the name is an acronym, the words the acronym represents; and

(4) before the committee may use a political contribution from a corporation or a labor organization to make a direct campaign expenditure in connection with a campaign for an elective office, an affidavit stating that:

(A) the committee is not established or controlled by a candidate or an officeholder; and

(B) the committee will not use any political contribution from a corporation or a labor organization to make a political contribution to:

(i) a candidate for elective office;

(ii) an officeholder; or

(iii) a political committee that has not filed an affidavit under this subdivision or Section 252.0031(a)(2).

(a-1) Filing an affidavit under Subsection (a)(4) does not create any additional reporting requirements under Section 254.261.

(b) If any of the information required to be included in a general-purpose committee's appointment changes, excluding changes reported under Section 252.002(b), the committee shall file an amended appointment with the commission not later than the 30th day after the date the change occurs.

(c) The name of a general-purpose committee may not be the same as or deceptively similar to the name of any other general-purpose committee whose campaign treasurer appointment is filed with the commission. The commission shall determine whether the name of a general-purpose political committee is in violation of this prohibition and shall immediately notify the campaign treasurer of the offending political committee of that determination. The campaign treasurer of the political committee must file a name change with the commission not later than the 14th day after the date of notification. A campaign treasurer who fails to file a name change as provided by this subsection or a political committee that continues to use a prohibited name after its campaign treasurer has been notified by the commission commits an offense. An offense under this subsection is a Class B misdemeanor.

(d) The name of a general-purpose committee must include the name of each corporation, labor organization, or other association or legal entity other than an individual that directly establishes, administers, or controls the committee. The name of an entity that is required to be included in the name of the committee may be a commonly recognized acronym by which the entity is known.

Sec. 252.0031. CONTENTS OF APPOINTMENT BY SPECIFIC-PURPOSE COMMITTEE.

(a) In addition to the information required by Section 252.002, a campaign treasurer appointment by a specific-purpose committee for supporting or opposing a candidate for an office specified by Section 252.005(1) must include:

(1) the name of and the office sought by the candidate; and

(2) before the committee may use a political contribution from a corporation or a labor organization to make a direct campaign expenditure in connection with a campaign for an elective office, an affidavit stating that:

(A) the committee is not established or controlled by a candidate or an officeholder; and

(B) the committee will not use any political contribution from a corporation or a labor organization to make a political contribution to:

(i) a candidate for elective office;

(ii) an officeholder; or

(iii) a political committee that has not filed an affidavit under this subdivision or Section 252.003(a)(4).

(a-1) If the information required to be provided under Subsection (a) changes, the committee shall immediately file an amended appointment reflecting the change.

(a-2) Filing an affidavit under Subsection (a)(2) does not create any additional reporting requirements under Section 254.261.

(b) The name of a specific-purpose committee for supporting a candidate for an office specified by Section 252.005(1) must include the name of the candidate that the committee supports.

Sec. 252.0032. CONTENTS OF APPOINTMENT BY CANDIDATE.

(a) In addition to the information required by Section 252.002, a campaign treasurer appointment by a candidate must include:

(1) the candidate's telephone number; and

(2) a statement, signed by the candidate, that the candidate is aware of the nepotism law, Chapter 573, Government Code.

(b) A campaign treasurer appointment that is filed in a manner other than by use of an officially prescribed form is not invalid because it fails to comply with Subsection (a)(2).

Sec. 252.004. DESIGNATION OF ONESELF. An individual may appoint himself or herself as campaign treasurer.

Sec. 252.005. AUTHORITY WITH WHOM APPOINTMENT FILED: CANDIDATE. An individual must file a campaign treasurer appointment for the individual's own candidacy with:

(1) the commission, if the appointment is made for candidacy for:

(A) a statewide office;

(B) a district office filled by voters of more than one county;

(C) a judicial district office filled by voters of only one county;

(D) state senator;

(E) state representative; or

(F) the State Board of Education;

(2) the county clerk, if the appointment is made for candidacy for a county office, a precinct office, or a district office other than one included in Subdivision (1);

(3) the clerk or secretary of the governing body of the political subdivision or, if the political subdivision has no clerk or secretary, with the governing body's presiding officer, if the appointment is made for candidacy for an office of a political subdivision other than a county;

(4) the county clerk if:

(A) the appointment is made for candidacy for an office of a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) no boundary of the political subdivision crosses a boundary of the county; or

(5) the commission if:

(A) the appointment is made for candidacy for an office of a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) the political subdivision is situated in more than one county.

Sec. 252.006. AUTHORITY WITH WHOM APPOINTMENT FILED: SPECIFIC-PURPOSE COMMITTEE FOR SUPPORTING OR OPPOSING CANDIDATE OR ASSISTING OFFICEHOLDER. A specific-purpose committee for supporting or opposing a candidate or assisting an officeholder must file its campaign treasurer appointment with the same authority as the appointment for candidacy for the office.

Sec. 252.007. AUTHORITY WITH WHOM APPOINTMENT FILED: SPECIFIC-PURPOSE COMMITTEE FOR SUPPORTING OR OPPOSING MEASURE. A specific-purpose committee for supporting or opposing a measure must file its campaign treasurer appointment with:

(1) the commission, if the measure is to be submitted to voters of the entire state;

(2) the county clerk, if the measure is to be submitted to voters of a single county in an election ordered by a county authority;

(3) the secretary of the governing body of the political subdivision or, if the political subdivision has no secretary, with the governing body's presiding officer, if the measure is to be submitted at an election ordered by an authority of a political subdivision other than a county;

(4) the county clerk if:

(A) the measure concerns a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) no boundary of the political subdivision crosses a boundary of a county; or

(5) the commission if:

(A) the measure concerns a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) the political subdivision is situated in more than one county.

Sec. 252.008. MULTIPLE FILINGS BY SPECIFIC-PURPOSE COMMITTEE NOT REQUIRED. If under this chapter a specific-purpose committee is required to file its campaign treasurer appointment with more than one authority, the appointment need only be filed with the commission and, if so filed, need not be filed with the other authorities.

Sec. 252.009. AUTHORITY WITH WHOM APPOINTMENT FILED: GENERAL-PURPOSE COMMITTEE. A general-purpose committee must file its campaign treasurer appointment with the commission.

Sec. 252.010. TRANSFER OF APPOINTMENT.

(a) 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.

(b) The original appointment terminates on the filing of the copy with the appropriate authority or on the 10th day after the date the decision to seek a different office is made, whichever is earlier.

Sec. 252.011. TIME APPOINTMENT TAKES EFFECT; PERIOD OF EFFECTIVENESS.

(a) A campaign treasurer appointment takes effect at the time it is filed with the authority specified by this chapter.

(b) A campaign treasurer appointment continues in effect until terminated.

Sec. 252.012. REMOVAL OF CAMPAIGN TREASURER.

(a) A campaign treasurer appointed under this chapter may be removed at any time by the appointing authority by filing the written appointment of a successor in the same manner as the original appointment.

(b) The appointment of a successor terminates the appointment of the campaign treasurer who is removed.

(c) If the campaign treasurer of a specific-purpose political committee required to file its campaign treasurer appointment with the commission or of a general-purpose political committee is removed by the committee, the departing campaign treasurer shall immediately file written notification of the termination of appointment with the commission.

Sec. 252.013. TERMINATION OF APPOINTMENT ON VACATING POSITION.

(a) If a campaign treasurer resigns or otherwise vacates the position, the appointment is terminated at the time the vacancy occurs.

(b) A campaign treasurer who vacates the treasurer's position shall immediately notify the appointing authority in writing of the vacancy.

(c) If the campaign treasurer of a specific-purpose political committee required to file its campaign treasurer appointment with the commission or of a general-purpose political

committee resigns or otherwise vacates the position, the campaign treasurer shall immediately file written notification of the vacancy with the commission.

Sec. 252.0131. TERMINATION OF CAMPAIGN TREASURER APPOINTMENT.

(a) The commission by rule shall adopt a process by which the commission may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the commission. The governing body of a political subdivision by ordinance or order may adopt a process by which the clerk or secretary, as applicable, of the political subdivision may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the clerk or secretary. For purposes of this section, a candidate or political committee is inactive if the candidate or committee:

- (1) has never filed or has ceased to file reports under Chapter 254;
- (2) in the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the authority who is seeking to terminate the candidate's campaign treasurer appointment; and
- (3) has not filed:
 - (A) a final report under Section 254.065 or 254.125; or
 - (B) a dissolution report under Section 254.126 or 254.159.

(b) Before the commission may terminate a campaign treasurer appointment, the commission must consider the proposed termination in a regularly scheduled open meeting. Before the clerk or secretary of a political subdivision may terminate a campaign treasurer appointment, the governing body of the political subdivision must consider the proposed termination in a regularly scheduled open meeting.

(c) Rules or an ordinance or order adopted under this section must:

- (1) define "inactive candidate or political committee" for purposes of terminating the candidate's or committee's campaign treasurer appointment; and
- (2) require written notice to the affected candidate or committee of:
 - (A) the proposed termination of the candidate's or committee's campaign treasurer appointment;
 - (B) the date, time, and place of the meeting at which the commission or governing body of the political subdivision, as applicable, will consider the proposed termination; and
 - (C) the effect of termination of the candidate's or committee's campaign treasurer appointment.

(d) The termination of a campaign treasurer appointment under this section takes effect on the 30th day after the date of the meeting at which the commission or governing body, as applicable, votes to terminate the appointment. Following that meeting, the commission or the clerk or secretary of the political subdivision, as applicable, shall promptly notify the affected candidate or political committee that the appointment has been terminated. The notice must state the effective date of the termination.

Sec. 252.014. PRESERVATION OF FILED APPOINTMENTS. The authority with whom a campaign treasurer appointment is filed under this chapter shall preserve the appointment for two years after the date the appointment is terminated.

Sec. 252.015. ASSISTANT CAMPAIGN TREASURER.

(a) Each specific-purpose committee for supporting or opposing a candidate for an office specified by Section 252.005(1) or a statewide or district measure and each general-purpose committee may appoint an assistant campaign treasurer by written appointment filed with the commission.

(b) In the campaign treasurer's absence, the assistant campaign treasurer has the same authority as a campaign treasurer.

(c) Sections 252.011, 252.012, 252.013, and 252.014 apply to the appointment and removal of an assistant campaign treasurer.

CHAPTER 253. RESTRICTIONS ON CONTRIBUTIONS AND EXPENDITURES

SUBCHAPTER A. GENERAL RESTRICTIONS

Sec. 253.001. CONTRIBUTION OR EXPENDITURE IN ANOTHER'S NAME PROHIBITED.

(a) A person may not knowingly make or authorize a political contribution in the name of or on behalf of another unless the person discloses in writing to the recipient the name and address of the person actually making the contribution in order for the recipient to make the proper disclosure.

(b) A person may not knowingly make or authorize a political expenditure in the name of or on behalf of another unless the person discloses in writing to the person on whose behalf the expenditure is made the name and address of the person actually making the expenditure in order for the person on whose behalf the expenditure is made to make the proper disclosure.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.003. UNLAWFULLY MAKING OR ACCEPTING CONTRIBUTION.

(a) A person may not knowingly make a political contribution in violation of this chapter.

(b) A person may not knowingly accept a political contribution the person knows to have been made in violation of this chapter.

(c) This section does not apply to a political contribution made or accepted in violation of Subchapter F.

(d) Except as provided by Subsection (e), a person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(e) A violation of Subsection (a) or (b) is a felony of the third degree if the contribution is made in violation of Subchapter D.

Sec. 253.004. UNLAWFULLY MAKING EXPENDITURE.

(a) A person may not knowingly make or authorize a political expenditure in violation of this chapter.

(b) This section does not apply to a political expenditure made or authorized in violation of Subchapter F.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.005. EXPENDITURE FROM UNLAWFUL CONTRIBUTION.

(a) A person may not knowingly make or authorize a political expenditure wholly or partly from a political contribution the person knows to have been made in violation of this chapter.

(b) This section does not apply to a political expenditure that is:

(1) prohibited by Section 253.101; or

(2) made from a political contribution made in violation of Subchapter F.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.006. CERTAIN CONTRIBUTIONS AND EXPENDITURES BY LOBBYISTS RESTRICTED. Notwithstanding any other provision of law, a person required to register under Chapter 305, Government Code, may not knowingly make or authorize a political contribution or political expenditure that is a political contribution to another candidate, officeholder, or political committee, or direct campaign expenditure, from political contributions accepted by:

- (1) the person as a candidate or officeholder;
- (2) a specific-purpose committee for the purpose of supporting the person as a candidate or assisting the person as an officeholder; or
- (3) a political committee that accepted a political contribution from a source described by Subdivision (1) or (2) during the two-year period immediately before the date the political contribution or expenditure was made.

Sec. 253.007. PROHIBITION ON LOBBYING BY PERSON MAKING OR AUTHORIZING CERTAIN POLITICAL CONTRIBUTIONS AND DIRECT CAMPAIGN EXPENDITURES.

(a) In this section, "administrative action," "communicates directly with," "legislation," "member of the executive branch," and "member of the legislative branch" have the meanings assigned by Section 305.002, Government Code.

(b) Notwithstanding any other provision of law and except as provided by Subsection (c), a person who knowingly makes or authorizes a political contribution or political expenditure that is a political contribution to another candidate, officeholder, or political committee, or direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder may not engage in any activities that require the person to register under Chapter 305, Government Code, during the two-year period after the date the person makes or authorizes the political contribution or direct campaign expenditure.

(c) Subsection (b) does not apply to a person who:

(1) communicates directly with a member of the legislative or executive branch only to influence legislation or administrative action on behalf of:

(A) a nonprofit organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code;

(B) a group of low-income individuals; or

(C) a group of individuals with disabilities; and

(2) does not receive compensation other than reimbursement for actual expenses for engaging in communication described by Subdivision (1).

SUBCHAPTER B. CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES

Sec. 253.031. CONTRIBUTION AND EXPENDITURE WITHOUT CAMPAIGN TREASURER PROHIBITED.

(a) A candidate may not knowingly accept a campaign contribution or make or authorize a campaign expenditure at a time when a campaign treasurer appointment for the candidate is not in effect.

(b) A political committee may not knowingly accept political contributions totaling more than \$500 or make or authorize political expenditures totaling more than \$500 at a time when a campaign treasurer appointment for the committee is not in effect.

(c) A political committee may not knowingly make or authorize a campaign contribution or campaign expenditure supporting or opposing a candidate for an office specified by Section 252.005(1) in a primary or general election unless the committee's campaign treasurer appointment has been filed not later than the 30th day before the appropriate election day.

(d) This section does not apply to a political party's county executive committee that accepts political contributions or makes political expenditures, except that:

(1) a county executive committee that accepts political contributions or makes political expenditures shall maintain the records required by Section 254.001; and

(2) a county executive committee that accepts political contributions or makes political expenditures that, in the aggregate, exceed \$25,000 in a calendar year shall file:

(A) a campaign treasurer appointment as required by Section 252.001 not later than the 15th day after the date that amount is exceeded; and

(B) the reports required by Subchapter F, Chapter 254, including in the political committee's first report all political contributions accepted and all political expenditures made before the effective date of the campaign treasurer appointment.

(e) This section does not apply to an out-of-state political committee unless the committee is subject to Chapter 252 under Section 251.005.

(f) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.032. LIMITATION ON CONTRIBUTION BY OUT-OF-STATE COMMITTEE.

(a) In a reporting period, a candidate, officeholder, or political committee may not knowingly accept political contributions totaling more than \$500 from an out-of-state political committee unless, before accepting a contribution that would cause the total to exceed \$500, the candidate, officeholder, or political committee, as applicable, receives from the out-of-state committee:

(1) a written statement, certified by an officer of the out-of-state committee, listing the full name and address of each person who contributed more than \$100 to the out-of-state committee during the 12 months immediately preceding the date of the contribution; or

(2) a copy of the out-of-state 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.

(b) This section does not apply to a contribution from an out-of-state political committee if the committee appointed a campaign treasurer under Chapter 252 before the contribution was made and is subject to the reporting requirements of Chapter 254.

(c) A person who violates Subsection (a) commits an offense. An offense under this section is a Class A misdemeanor.

(d) A candidate, officeholder, or political committee shall include the statement or copy required by Subsection (a) as a part of the report filed under Chapter 254 that covers the reporting period to which Subsection (a) applies.

(e) A candidate, officeholder, or political committee that accepts political contributions totaling \$500 or less from an out-of-state political committee shall include as part of the report filed under Chapter 254 that covers the reporting period in which the contribution is accepted:

(1) the same information for the out-of-state political committee required for general-purpose committees by Sections 252.002 and 252.003; or

(2) a copy of the out-of-state 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.

Sec. 253.033. CASH CONTRIBUTIONS EXCEEDING \$100 PROHIBITED.

(a) A candidate, officeholder, or specific-purpose committee may not knowingly accept from a contributor in a reporting period political contributions in cash that in the aggregate exceed \$100.

(b) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.034. RESTRICTIONS ON CONTRIBUTIONS DURING AND FOLLOWING REGULAR LEGISLATIVE SESSION.

(a) During the period beginning on the 30th day before the date a regular legislative session convenes and continuing through the 20th day after the date of final adjournment, a person may not knowingly make a political contribution to:

(1) a statewide officeholder;

(2) a member of the legislature; or

(3) a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature.

(b) A statewide officeholder, a member of the legislature, or a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature may not knowingly accept a political contribution, and shall refuse a political contribution that is received, during the period prescribed by Subsection (a). A political contribution that is received and refused during that period shall be returned to the contributor not later than the 30th day after the date of receipt. A contribution made by United States mail or by common or contract carrier is not considered received during that period if it was properly addressed and placed with postage or carrier charges prepaid or prearranged in the mail or delivered to the contract carrier before the beginning of the period. The date indicated by the post office cancellation mark or the common or contract carrier documents is considered to be the date the contribution was placed in the mail or delivered to the common or contract carrier unless proven otherwise.

(c) This section does not apply to a political contribution that was made and accepted with the intent that it be used:

(1) in an election held or ordered during the period prescribed by Subsection (a) in which the person accepting the contribution is a candidate if the contribution was made after the person appointed a campaign treasurer with the appropriate authority and before the person was sworn in for that office;

(2) to defray expenses incurred in connection with an election contest; or

(3) by a person who holds a state office or a member of the legislature if the person or member was defeated at the general election held immediately before the session is convened or by a specific-purpose political committee that supports or assists only that person or member.

(d) This section does not apply to a political contribution made to or accepted by a holder of an office to which Subchapter F applies.

(e) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.0341. RESTRICTIONS ON CONTRIBUTIONS TO LEGISLATIVE CAUCUSES DURING AND FOLLOWING REGULAR LEGISLATIVE SESSION.

(a) During the period beginning on the 30th day before the date a regular legislative session convenes and continuing through the 20th day after the date of final adjournment, a person not a member of the caucus may not knowingly make a contribution to a legislative caucus.

(b) A legislative caucus may not knowingly accept from a nonmember a contribution, and shall refuse a contribution from a nonmember that is received, during the period prescribed by Subsection (a). A contribution that is received and refused during that period shall be returned to the contributor not later than the 30th day after the date of receipt. A contribution made by United States mail or by common or contract carrier is not considered received during that period if it was properly addressed and placed with postage or carrier charges prepaid or prearranged in the mail or delivered to the contract carrier before the beginning of the period. The date indicated by the post office cancellation mark or the common or contract carrier documents is considered to be the date the contribution was placed in the mail or delivered to the common or contract carrier unless proven otherwise.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(d) A person who knowingly makes or accepts a contribution in violation of this section is liable for damages to the state in the amount of triple the value of the unlawful contribution.

(e) In this section, "legislative caucus" means an organization that is composed exclusively of members of the legislature, that elects or appoints officers and recognizes identified legislators as members of the organization, and that exists for research and other support of policy development and interests that the membership hold in common. The term includes an entity established by or for a legislative caucus to conduct research, education, or any other caucus activity. An organization whose only nonlegislator members are the lieutenant governor or the governor remains a "legislative caucus" for purposes of this section.

Sec. 253.035. RESTRICTIONS ON PERSONAL USE OF CONTRIBUTIONS.

(a) A person who accepts a political contribution as a candidate or officeholder may not convert the contribution to personal use.

(b) A specific-purpose committee that accepts a political contribution may not convert the contribution to the personal use of a candidate, officeholder, or former candidate or officeholder.

(c) The prohibitions prescribed by Subsections (a) and (b) include the personal use of an asset purchased with the contribution and the personal use of any interest and other income earned on the contribution.

(d) In this section, "personal use" means a use that primarily furthers individual or family purposes not connected with the performance of duties or activities as a candidate for or holder of a public office. The term does not include:

(1) payments made to defray ordinary and necessary expenses incurred in connection with activities as a candidate or in connection with the performance of duties or activities as a public officeholder, including payment of rent, utility, and other reasonable housing or household expenses incurred in maintaining a residence in Travis County by

members of the legislature who do not ordinarily reside in Travis County, but excluding payments prohibited under Section 253.038; or

(2) payments of federal income taxes due on interest and other income earned on political contributions.

(e) Subsection (a) applies only to political contributions accepted on or after September 1, 1983. Subsection (b) applies only to political contributions accepted on or after September 1, 1987.

(f) A person who converts a political contribution to the person's personal use in violation of this section is civilly liable to the state for an amount equal to the amount of the converted contribution plus reasonable court costs.

(g) A specific-purpose committee that converts a political contribution to the personal use of a candidate, officeholder, or former candidate or officeholder in violation of this section is civilly liable to the state for an amount equal to the amount of the converted contribution plus reasonable court costs.

(h) Except as provided by Section 253.0351 or 253.042, a candidate or officeholder who makes political expenditures from the candidate's or officeholder's personal funds may reimburse those personal funds from political contributions in the amount of those expenditures only if:

(1) the expenditures from personal funds were fully reported as political expenditures, including the payees, dates, purposes, and amounts of the expenditures, in the report required to be filed under this title that covers the period in which the expenditures from personal funds were made; and

(2) the report on which the expenditures from personal funds are disclosed clearly designates those expenditures as having been made from the person's personal funds and that the expenditures are subject to reimbursement.

(i) "Personal use" does not include the use of contributions for:

(1) defending a criminal action or prosecuting or defending a civil action brought by or against the person in the person's status as a candidate or officeholder; or

(2) participating in an election contest or participating in a civil action to determine a person's eligibility to be a candidate for, or elected or appointed to, a public office in this state.

(j), (k) Repealed by Acts 1991, 72nd Leg., ch. 304, Sec. 5.20, eff. Jan. 1, 1992.

Sec. 253.0351. LOANS FROM PERSONAL FUNDS.

(a) A candidate or officeholder who makes political expenditures from the candidate's or officeholder's personal funds may report the amount expended as a loan and may reimburse those personal funds from political contributions in the amount of the reported loan.

(b) Section 253.035(h) applies if the person does not report an amount as a loan as authorized by Subsection (a).

(c) A candidate or officeholder who deposits personal funds in an account in which political contributions are held shall report the amount of personal funds deposited as a loan and may reimburse the amount deposited as a loan from political contributions or unexpended personal funds deposited in the account. 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 Section 253.035 and must be included in the reports of the total amount of political contributions maintained required by Sections 254.031(a)(8) and 254.0611(a).

Sec. 253.036. OFFICEHOLDER CONTRIBUTIONS USED IN CONNECTION WITH CAMPAIGN. An officeholder who lawfully accepts officeholder contributions may use those contributions in connection with the officeholder's campaign for elective office after appointing a campaign treasurer.

Sec. 253.037. RESTRICTIONS ON CONTRIBUTION OR EXPENDITURE BY GENERAL-PURPOSE COMMITTEE.

(a) Repealed by Acts 2019, 86th Leg., R.S., Ch. 209 (H.B. 3580), Sec. 5(1), eff. September 1, 2019.

(b) A general-purpose committee may not knowingly make a political contribution to another general-purpose committee unless the other committee is listed in the campaign treasurer appointment of the contributor committee.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 209 (H.B. 3580), Sec. 5(1), eff. September 1, 2019.

(d) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.038. PAYMENTS MADE TO PURCHASE REAL PROPERTY OR TO RENT CERTAIN REAL PROPERTY PROHIBITED.

(a) A candidate or officeholder or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not knowingly make or authorize a payment from a political contribution to purchase real property or to pay the interest on or principal of a note for the purchase of real property.

(a-1) A candidate or officeholder or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not knowingly make or authorize a payment from a political contribution for the rental or purchase of real property from:

(1) a person related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to the candidate or officeholder; or

(2) a business in which the candidate or officeholder or a person described by Subdivision (1) has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer.

(b) A person who violates this section commits an offense. An offense under this subsection is a Class A misdemeanor.

(c) This section does not apply to a payment made in connection with real property that was purchased before January 1, 1992.

Sec. 253.039. CONTRIBUTIONS IN CERTAIN PUBLIC BUILDINGS PROHIBITED.

(a) A person may not knowingly make or authorize a political contribution while in the Capitol or a courthouse to:

(1) a candidate or officeholder;

(2) a political committee; or

(3) a person acting on behalf of a candidate, officeholder, or political committee.

(b) A candidate, officeholder, or political committee or a person acting on behalf of a candidate, officeholder, or political committee may not knowingly accept a political contribution, and shall refuse a political contribution that is received, in the Capitol or a courthouse.

(c) This section does not prohibit contributions made in the Capitol or a courthouse through the United States postal service or a common or contract carrier.

(d) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(h) In this section, "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.

Sec. 253.040. SEPARATE ACCOUNTS.

(a) Except as provided by Section 253.0351(c), each candidate or officeholder shall keep the person's campaign and officeholder contributions in one or more accounts that are separate from any other account maintained by the person.

(b) A person who violates this section commits an offense. An offense under this section is a Class B misdemeanor.

Sec. 253.041. RESTRICTIONS ON CERTAIN PAYMENTS.

(a) A candidate or officeholder or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not knowingly make or authorize a payment from a political contribution if the payment is made for personal services rendered by the candidate or officeholder or by the spouse or dependent child of the candidate or officeholder to:

(1) a business in which the candidate or officeholder has a participating interest of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business; or

(2) the candidate or officeholder or the spouse or dependent child of the candidate or officeholder.

(b) A payment that is made from a political contribution to a business described by Subsection (a) and that is not prohibited by that subsection may not exceed the amount necessary to reimburse the business for actual expenditures made by the business.

(c) A person who violates this section commits an offense. An offense under this subsection is a Class A misdemeanor.

Sec. 253.042. RESTRICTIONS ON REIMBURSEMENT OF PERSONAL FUNDS AND PAYMENTS ON CERTAIN LOANS.

(a) A candidate or officeholder who makes political expenditures from the candidate's or officeholder's personal funds may not reimburse those personal funds from political contributions in amounts that in the aggregate exceed the following amounts for each election in which the person's name appears on the ballot:

(1) for a statewide office other than governor, \$250,000; and

(2) for governor, \$500,000.

(b) A candidate or officeholder who accepts one or more political contributions in the form of loans, including an extension of credit or a guarantee of a loan or extension of credit, from one or more persons related to the candidate or officeholder within the second degree by affinity or consanguinity may not use political contributions to repay the loans in amounts that in the aggregate exceed the amount prescribed by Subsection (a).

(c) The total amount of both reimbursements and repayments made by a candidate or officeholder under this section may not exceed the amount prescribed by Subsection (a).

(d) A person who is both a candidate and an officeholder covered by Subsection (a) may reimburse the person's personal funds or repay loans from political contributions only in one capacity.

(e) This section does not prohibit the payment of interest on loans covered by this section at a commercially reasonable rate, except that interest on loans from a candidate's or officeholder's personal funds or on loans from the personal funds of any person related to the candidate or officeholder within the second degree by affinity or consanguinity is included in the amount prescribed by Subsection (a), (b), or (c).

(f) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(g) The commission shall study possible restrictions on amounts of reimbursements under Subsection (a) in connection with the offices of state senator and state representative and shall make appropriate recommendations to the legislature on those matters.

Sec. 253.043. POLITICAL CONTRIBUTIONS USED IN CONNECTION WITH APPOINTIVE OFFICE. A former candidate or former officeholder who lawfully accepts political contributions may use those contributions to make an expenditure to defray expenses incurred by the person in performing a duty or engaging in an activity in connection with an appointive office of a state board or commission.

SUBCHAPTER D. CORPORATIONS AND LABOR ORGANIZATIONS

Sec. 253.091. CORPORATIONS COVERED. This subchapter applies only to corporations that are organized under the Texas Business Corporation Act, the Texas For-Profit Corporation Law, the Texas Non-Profit Corporation Act, the Texas Nonprofit Corporation Law, federal law, or law of another state or nation.

Sec. 253.092. TREATMENT OF INCORPORATED POLITICAL COMMITTEE. If a political committee the only principal purpose of which is accepting political contributions and making political expenditures incorporates for liability purposes only, the committee is not considered to be a corporation for purposes of this subchapter.

Sec. 253.093. CERTAIN ASSOCIATIONS COVERED.

(a) For purposes of this subchapter, the following associations, whether incorporated or not, are considered to be corporations covered by this subchapter: banks, trust companies, savings and loan associations or companies, insurance companies, reciprocal or interinsurance exchanges, railroad companies, cemetery companies, government-regulated cooperatives, stock companies, and abstract and title insurance companies.

(b) For purposes of this subchapter, the members of the associations specified by Subsection (a) are considered to be stockholders.

Sec. 253.094. CONTRIBUTIONS PROHIBITED.

(a) A corporation or labor organization may not make a political contribution that is not authorized by this subchapter.

(b) A corporation or labor organization may not make a political contribution in connection with a recall election, including the circulation and submission of a petition to call an election.

(c) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.095. PUNISHMENT OF AGENT. An officer, director, or other agent of a corporation or labor organization who commits an offense under this subchapter is punishable for the grade of offense applicable to the corporation or labor organization.

Sec. 253.096. CONTRIBUTION ON MEASURE. A corporation or labor organization may make campaign contributions from its own property in connection with an election on a measure only to a political committee for supporting or opposing measures exclusively.

Sec. 253.097. CONTRIBUTION FROM CORPORATION OR LABOR ORGANIZATION. A corporation or labor organization may make campaign contributions from its own property to a political committee that has filed an affidavit with the committee's campaign treasurer appointment in accordance with Section 252.003(a)(4) or 252.0031(a)(2).

Sec. 253.098. COMMUNICATION WITH STOCKHOLDERS OR MEMBERS.

(a) A corporation or labor organization may make one or more direct campaign expenditures from its own property for the purpose of communicating directly with its stockholders or members, as applicable, or with the families of its stockholders or members.

(b) An expenditure under this section is not reportable under Chapter 254.

Sec. 253.099. NONPARTISAN VOTER REGISTRATION AND GET-OUT-THE-VOTE CAMPAIGNS.

(a) A corporation or labor organization may make one or more expenditures to finance nonpartisan voter registration and get-out-the-vote campaigns aimed at its stockholders or members, as applicable, or at the families of its stockholders or members.

(b) An expenditure under this section is not reportable under Chapter 254.

Sec. 253.100. EXPENDITURES FOR GENERAL-PURPOSE COMMITTEE.

(a) A corporation, acting alone or with one or more other corporations, may make one or more political expenditures to finance the establishment or administration of a general-purpose committee. In addition to any other expenditure that is considered permissible under this section, a corporation may make an expenditure for the maintenance and operation of a general-purpose committee, including an expenditure for:

- (1) office space maintenance and repairs;
- (2) telephone and Internet services;
- (3) office equipment;
- (4) utilities;
- (5) general office and meeting supplies;
- (6) salaries for routine clerical, data entry, and administrative assistance necessary for the proper administrative operation of the committee;
- (7) legal and accounting fees for the committee's compliance with this title;
- (8) routine administrative expenses incurred in establishing and administering a general-purpose political committee;

(9) management and supervision of the committee, including expenses incurred in holding meetings of the committee's governing body to interview candidates and make endorsements relating to the committee's support;

(10) the recording of committee decisions;

(11) expenses incurred in hosting candidate forums in which all candidates for a particular office in an election are invited to participate on the same terms;

(12) expenses incurred in preparing and delivering committee contributions;

(13) creation and maintenance of the committee's public Internet web pages that do not contain political advertising.

(b) A corporation may make political expenditures, including fully or partially matching contributions to an organization that is exempt from federal income tax under Section 501(c)(3), Internal Revenue Code of 1986, to finance the solicitation of political contributions to a general-purpose committee assisted under Subsection (a) from the stockholders, employees, or families of stockholders or employees of one or more corporations.

(c) A labor organization may engage in activity authorized for a corporation by this section. For purposes of this section, the members of a labor organization are considered to be corporate stockholders.

(d) A corporation or labor organization may not make expenditures under this section for:

(1) political consulting to support or oppose a candidate;

(2) telephoning or telephone banks to communicate with the public;

(3) brochures and direct mail supporting or opposing a candidate;

(4) partisan voter registration and get-out-the-vote drives;

(5) political fund-raising other than from its stockholders or members, as applicable, or the families of its stockholders or members;

(6) voter identification efforts, voter lists, or voter databases that include persons other than its stockholders or members, as applicable, or the families of its stockholders or members;

(7) polling designed to support or oppose a candidate other than of its stockholders or members, as applicable, or the families of its stockholders or members; or

(8) recruiting candidates.

(e) Subsection (d) does not apply to a corporation or labor organization making a campaign contribution to a political committee under Section 253.097 or an expenditure to communicate with its stockholders or members, as applicable, or with the families of its stockholders or members as provided by Section 253.098.

Sec. 253.101. UNLAWFUL CONTRIBUTION OR EXPENDITURE BY COMMITTEE.

(a) A political committee assisted by a corporation or labor organization under Section 253.100 may not make a political contribution or political expenditure in whole or part from money that is known by a member or officer of the political committee to be dues, fees, or other money required as a condition of employment or condition of membership in a labor organization.

(a-1) Subsection (a) does not prohibit a political committee from making a political contribution or political expenditure wholly or partly from a campaign contribution made by a corporation or labor organization to the political committee under Section 253.096 or 253.097.

(b) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.102. COERCION PROHIBITED.

(a) A corporation or labor organization or a political committee assisted by a corporation or labor organization under Section 253.100 commits an offense if it uses or threatens to use physical force, job discrimination, or financial reprisal to obtain money or any other thing of value to be used to influence the result of an election or to assist an officeholder.

(b) A political committee assisted by a corporation or labor organization under Section 253.100 commits an offense if it accepts or uses money or any other thing of value that is known by a member or officer of the political committee to have been obtained in violation of Subsection (a).

(c) An offense under this section is a felony of the third degree.

Sec. 253.103. CORPORATE LOANS.

(a) A corporation may not make a loan to a candidate, officeholder, or political committee for campaign or officeholder purposes unless:

(1) the corporation has been legally and continuously engaged in the business of lending money for at least one year before the loan is made; and

(2) the loan is made in the due course of business.

(b) This section does not apply to a loan covered by Section 253.096.

(c) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.104. CONTRIBUTION TO POLITICAL PARTY.

(a) A corporation or labor organization may make a contribution from its own property to a political party to be used as provided by Chapter 257.

(b) A corporation or labor organization may not knowingly make a contribution authorized by Subsection (a) during a period beginning on the 60th day before the date of a general election for state and county officers and continuing through the day of the election.

(c) A corporation or labor organization that knowingly makes a contribution in violation of this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.105. CONTRIBUTIONS TO DIRECT EXPENDITURE ONLY COMMITTEES.

(a) A corporation or labor organization may make a political contribution from its own property to a political committee that:

(1) is not established or controlled by a candidate or an officeholder;

(2) makes or intends to make direct campaign expenditures;

(3) does not make or intend to make political contributions to:

(A) a candidate;

(B) an officeholder;

(C) specific-purpose committee established or controlled by a candidate or an officeholder; or

(D) a political committee that makes or intends to make political contributions to a candidate, an officeholder, or a specific-purpose committee established or controlled by a candidate or an officeholder; and

(4) has filed an affidavit with the commission stating the committee's intention to operate as described by Subdivisions (2) and (3).

(b) A political contribution made by a corporation or labor organization under this section does not constitute a violation of Section 253.094(a) and the acceptance of the political contribution does not constitute a violation of Section 253.003(b).

SUBCHAPTER E. CIVIL LIABILITY

Sec. 253.131. LIABILITY TO CANDIDATES.

(a) A person who knowingly makes or accepts a campaign contribution or makes a campaign expenditure in violation of this chapter is liable for damages as provided by this section.

(b) If the contribution or expenditure is in support of a candidate, each opposing candidate whose name appears on the ballot is entitled to recover damages under this section.

(c) If the contribution or expenditure is in opposition to a candidate, the candidate is entitled to recover damages under this section.

(d) In this section, "damages" means:

- (1) twice the value of the unlawful contribution or expenditure; and
- (2) reasonable attorney's fees incurred in the suit.

(e) Reasonable attorney's fees incurred in the suit may be awarded to the defendant if judgment is rendered in the defendant's favor.

Sec. 253.132. LIABILITY TO POLITICAL COMMITTEES.

(a) A corporation or labor organization that knowingly makes a campaign contribution to a political committee or a direct campaign expenditure in violation of Subchapter D is liable for damages as provided by this section to each political committee of opposing interest in the election in connection with which the contribution or expenditure is made.

(b) In this section, "damages" means:

- (1) twice the value of the unlawful contribution or expenditure; and
- (2) reasonable attorney's fees incurred in the suit.

(c) Reasonable attorney's fees incurred in the suit may be awarded to the defendant if judgment is rendered in the defendant's favor.

Sec. 253.133. LIABILITY TO STATE. A person who knowingly makes or accepts a political contribution or makes a political expenditure in violation of this chapter is liable for damages to the state in the amount of triple the value of the unlawful contribution or expenditure.

Sec. 253.134. CIVIL PENALTIES IMPOSED BY COMMISSION. This title does not prohibit the imposition of civil penalties by the commission in addition to criminal penalties or other sanctions imposed by law.

SUBCHAPTER F. JUDICIAL CAMPAIGN FAIRNESS ACT

Sec. 253.151. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a political contribution or political expenditure in connection with the office of:

- (1) chief justice or justice, supreme court;
- (2) presiding judge or judge, court of criminal appeals;
- (3) chief justice or justice, court of appeals;
- (4) district judge;
- (5) judge, statutory county court; or
- (6) judge, statutory probate court.

Sec. 253.152. DEFINITIONS. In this subchapter:

(1) "Child" means a person under 18 years of age who is not and has not been married or who has not had the disabilities of minority removed for general purposes.

(2) "In connection with an election" means:

(A) with regard to a contribution that is designated in writing for a particular election, the election designated; or

(B) with regard to a contribution that is not designated in writing for a particular election, the next election for that office occurring after the contribution is made.

(3) "Judicial district" means the territory from which a judicial candidate is elected or appointed.

(4) "Law firm" means a partnership, limited liability partnership, limited liability company, professional corporation, or other entity organized for the practice of law.

(5) "Law firm group" means:

(A) a law firm;

(B) a general-purpose committee established or controlled by the law firm or a member of the law firm;

(C) a member of the law firm; and

(D) the spouse of a member of the law firm.

(6) "Member of a law firm" means:

(A) a person designated "of counsel" or "of the firm";

(B) a partner of the law firm, whether an individual or an entity;

(C) an associate of the law firm;

(D) a shareholder of the law firm, whether an individual or an entity; or

(E) an employee of the law firm

(7) "Statewide judicial office" means the office of chief justice or justice, supreme court, or presiding judge or judge, court of criminal appeals.

Sec. 253.153. CONTRIBUTION PROHIBITED EXCEPT DURING ELECTION PERIOD.

(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 knowingly accept a political contribution except during the period:

(1) beginning on:

(A) the 210th day before the date an application for a place on the ballot or for nomination by convention for the office is required to be filed, if the election is for a full term; or

(B) the later of the 210th day 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, if the election is for an unexpired term; and

(2) ending on the 120th day after the date of the election in which the candidate or officeholder last appeared on the ballot, regardless of whether the candidate or officeholder has an opponent in that election.

(b) Subsection (a)(2) does not apply to a political contribution that was made and accepted with the intent that it be used to defray expenses incurred in connection with an election, including the repayment of any debt that is:

(1) 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 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 that election; and

(2) subject to the restrictions prescribed by Sections 253.162 and 253.1621.

(c) Repealed by Acts 2009, 81st Leg., R.S., Ch. 1329, Sec. 2, eff. September 1, 2009.

(d) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

Sec. 253.154. WRITE-IN CANDIDACY.

(a) A write-in candidate for judicial office or a specific-purpose committee for supporting a write-in candidate for judicial office may not knowingly accept a political contribution before the candidate files a declaration of write-in candidacy.

(b) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

Sec. 253.1541. ACCEPTANCE OF POLITICAL CONTRIBUTIONS BY PERSON APPOINTED TO FILL VACANCY.

(a) This section applies only to a person appointed to fill a vacancy in an office covered by this subchapter who, at the time of appointment, does not hold another office covered by this subchapter.

(b) Notwithstanding Section 253.153, a person to whom this section applies may accept political contributions beginning on the date the person assumes the duties of office and ending on the 60th day after that date.

Sec. 253.155. CONTRIBUTION LIMITS.

(a) A judicial candidate or officeholder may not knowingly accept political contributions from a person that in the aggregate, exceed the contribution limits prescribed by Subsection (b) in connection with each election in which the judicial candidate's name appears on the ballot.

(b) The contribution limits under this section are:

(1) for a statewide judicial office, \$5,000; or

(2) for any other judicial office:

(A) \$1,000, if the population of the judicial district is less than 250,000;

(B) \$2,500, if the population of the judicial district is 250,000 to one million; or

(C) \$5,000, if the population of the judicial district is more than one million.

(c) This section does not apply to a political contribution made by a general-purpose committee.

(d) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(1), eff. June 2, 2019.

(d-1) In addition to the contribution limits imposed on each contributor under this section, a judicial candidate or officeholder may not accept a political contribution in excess of \$50 from a person if:

- (1) the person is part of a law firm group; and
- (2) the contribution, when aggregated with all political contributions accepted by the candidate or officeholder from the same law firm group in connection with the election, would exceed six times the applicable contribution limit under this section.

(e) A person who receives a political contribution that violates this section shall return the contribution to the contributor not later than the later of:

- (1) the last day of the reporting period in which the contribution is received; or
- (2) the fifth day after the date the contribution is received.

(f) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

Sec. 253.157. LIMIT ON CONTRIBUTION BY GENERAL-PURPOSE COMMITTEES.

(a) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(2), eff. June 2, 2019.

(a-1) A judicial candidate or officeholder may not knowingly accept political contributions from a general-purpose committee that, in the aggregate, exceed the contribution limits prescribed by this subsection in connection with an election in which the judicial candidate's name appears on the ballot. The contribution limits under this subsection are:

- (1) for a statewide judicial office, \$25,000; or
- (2) for any other judicial office, \$5,000.

(a-2) In addition to the contribution limits imposed on each contribution in Subsection (a-1), a judicial candidate or officeholder may not accept a political contribution in excess of \$50 from a general-purpose committee if the contribution, when aggregated with all political contributions from all general-purpose committees in connection with an election, would exceed:

- (1) for a statewide judicial office, \$300,000;
- (2) for the office of chief justice or justice, court of appeals:
 - (A) \$75,000, if the population of the judicial district is more than one million; or
 - (B) \$52,500, if the population of the judicial district is one million or less;
- or
- (3) for an office other than an office included under Subdivision (1) or (2):
 - (A) \$52,500, if the population of the judicial district is more than one million;
 - (B) \$30,000, if the population of the judicial district is 250,000 to one million; or
 - (C) \$15,000, if the population of the judicial district is less than 250,000.

(b) A person who receives a political contribution that violates this section shall return the contribution to the contributor not later than the later of:

- (1) the last day of the reporting period in which the contribution is received; or
- (2) the fifth day after the date the contribution is received.

(c) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

(d) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(2), eff. June 2, 2019.

(e) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(2), eff. June 2, 2019.

Sec. 253.158. CONTRIBUTION BY SPOUSE OR CHILD.

(a) For purposes of this subchapter, a contribution by the spouse of an individual is not considered to be a contribution by the individual.

(b) For purposes of this subchapter, a contribution by a child of an individual is considered to be a contribution by the individual.

Sec. 253.159. EXCEPTION TO CONTRIBUTION LIMITS. Section 253.155 does not apply to an individual who is related to the candidate or officeholder within the second degree by consanguinity, as determined under Subchapter B, Chapter 573, Government Code.

Sec. 253.1601. CONTRIBUTION TO CERTAIN COMMITTEES CONSIDERED CONTRIBUTION TO CANDIDATE OR OFFICEHOLDER. For purposes of Sections 253.155 and 253.157, a contribution to a specific-purpose committee for the purpose of supporting a judicial candidate, opposing the candidate's opponent, or assisting a judicial officeholder is considered to be a contribution to the candidate or officeholder.

Sec. 253.161. USE OF CONTRIBUTION FROM NONJUDICIAL OR JUDICIAL OFFICE PROHIBITED.

(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 and the contribution was made in connection with an election 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 and the contribution was made in connection with an election for judicial office.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(4), eff. June 2, 2019.

(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.

Sec. 253.1611. CERTAIN CONTRIBUTIONS BY JUDICIAL CANDIDATES, OFFICEHOLDERS, AND COMMITTEES RESTRICTED.

(a) A judicial candidate or officeholder or a specific-purpose committee for supporting or opposing a judicial candidate or assisting a judicial officeholder may not use a political contribution to knowingly make political contributions that in the aggregate exceed \$100 in a calendar year to a candidate or officeholder.

(b) A judicial candidate or a specific-purpose committee for supporting or opposing a judicial candidate may not use a political contribution to knowingly make political contributions to a political committee in connection with a primary election.

(c) A judicial candidate or a specific-purpose committee for supporting or opposing a judicial candidate may not 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 connection with a general election, exceeds \$500.

(d) 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.

(e) This section does not apply to a political contribution made to the principal political committee of the state executive committee or a county executive 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.

(e-1) This subsection applies only to a political party required to nominate candidates by primary election. This section does not apply to a political 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).

(f) Repealed by Acts 2017, 85th Leg., R.S., Ch. 905 (H.B. 3903), Sec. 2, eff. June 15, 2017.

(g) 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.

Sec. 253.1612. CERTAIN CAMPAIGN ACTIVITIES AUTHORIZED. The Code of Judicial Conduct may not prohibit, and a judicial candidate may not be penalized for, a joint campaign activity conducted by two or more judicial candidates.

Sec. 253.162. RESTRICTIONS ON REIMBURSEMENT OF PERSONAL FUNDS AND PAYMENTS ON CERTAIN LOANS.

(a) A judicial candidate or officeholder who makes political expenditures from the person's personal funds or who accepts one or more political contributions in the form of a loan, including an extension of credit or guarantee of a loan or extension of credit, from one or more persons related to the candidate or officeholder within the second degree of affinity or

consanguinity, as determined under Subchapter B, Chapter 573, Government Code, may not reimburse those personal funds or repay those loans from political contributions in amounts that in the aggregate exceed, for each election in which the person's name appears on the ballot:

(1) for a statewide judicial office, \$100,000; or

(2) for an office other than a statewide judicial office, five times the applicable contribution limit under Section 253.155.

(b) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(5), eff. June 2, 2019.

(c) A person who is both a candidate and an officeholder may reimburse the person's personal funds in only one capacity.

(d) A person who violates this section is liable for a civil penalty not to exceed three times the amount by which the reimbursement made in violation of this section exceeds the applicable limit prescribed by Subsection (a).

Sec. 253.1621. APPLICATION OF CONTRIBUTION AND REIMBURSEMENT LIMITS TO CERTAIN CANDIDATES.

(a) For purposes of the contribution limits prescribed by Section 253.155 or 253.157 and the limit on reimbursement of personal funds and repayment of certain loans prescribed by Section 253.162, the general and primary elections are considered separate elections for a candidate whose name appears on the ballot.

(b) For purposes of the contribution limits prescribed by Sections 253.155 and 253.157 and the limits on reimbursement of personal funds and repayment of certain loans prescribed by Section 253.162, a runoff election in which the candidate's name is on the ballot is considered a separate election.

Sec. 253.167. CERTIFICATION OF POPULATION; NOTICE OF CONTRIBUTION LIMITS.

(a) For purposes of this subchapter only, not later than June 1 of each odd-numbered year, the commission shall:

(1) make a written certification of the population of each judicial district for which a candidate for judge or justice must file a campaign treasurer appointment with the commission; and

(2) deliver to the county clerk of each county a written certification of the county's population, if the county:

(A) comprises an entire judicial district under Chapter 26, Government Code; or

(B) has a statutory county court or statutory probate court, other than a multicounty statutory county court created under Subchapter D, Chapter 25, Government Code.

(b) Following certification of population under Subsection (a), the commission or county clerk, as appropriate, shall make available to each candidate for an office covered by this subchapter written notice of the contribution limits applicable to the office the candidate seeks.

(c) The commission shall post the written certification required by this section on the commission's Internet website.

Sec. 253.171. CONTRIBUTION FROM OR DIRECT CAMPAIGN EXPENDITURE BY POLITICAL PARTY. A political expenditure that is made by the principal political committee of the state executive committee or a county executive committee

of a political party for a generic get-out-the-vote campaign or to create and distribute a written list of two or more candidates is not considered a contribution to a judicial candidate who benefits from the get-out-the-vote campaign or is included in the written list and is not subject to the limits of Section 253.155 or 253.157 if the get-out-the-vote campaign or written list:

- (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.

Sec. 253.176. CIVIL PENALTY.

(a) The commission may impose a civil penalty against a person as provided by this subchapter only after a formal hearing as provided by Subchapter E, Chapter 571, Government Code.

(b) The commission shall base the amount of the penalty on:

- (1) the seriousness of the violation;
- (2) the history of previous violations;
- (3) the amount necessary to deter future violations; and
- (4) any other matter that justice may require.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(7), eff. June 2, 2019.

CHAPTER 254. POLITICAL REPORTING

SUBCHAPTER A. RECORDKEEPING

Sec. 254.001. RECORDKEEPING REQUIRED. (a) Each candidate and each officeholder shall maintain a record of all reportable activity.

(b) Each campaign treasurer of a political committee shall maintain a record of all reportable activity.

(c) The record must contain the information that is necessary for filing the reports required by this chapter.

(d) A person required to maintain a record under this section shall preserve the record for at least two years beginning on the filing deadline for the report containing the information in the record.

(e) A person who violates this section commits an offense. An offense under this section is a Class B misdemeanor.

SUBCHAPTER B. POLITICAL REPORTING GENERALLY

Sec. 254.031. GENERAL CONTENTS OF REPORTS.

(a) Except as otherwise provided by this chapter, each report filed under this chapter must include:

(1) the amount of political contributions, other than political contributions described by Subdivision (1-a), from each person that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions;

(1-a) the amount of political contributions from each person that are made electronically and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions;

(2) the amount of loans that are made during the reporting period for campaign or officeholder purposes to the person or committee required to file the report and that in the aggregate exceed \$50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period;

(3) the amount of political expenditures that in the aggregate exceed \$100 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures;

(4) the amount of each payment made during the reporting period from a political contribution if the payment is not a political expenditure, the full name and address of the person to whom the payment is made, and the date and purpose of the payment;

(5) the total amount or a specific listing of the political contributions of \$50 or less accepted and the total amount or a specific listing of the political expenditures of \$100 or less made during the reporting period;

(6) the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period;

(7) the name of each candidate or officeholder who benefits from a direct campaign expenditure made during the reporting period by the person or committee required to file the report, and the office sought or held, excluding a direct campaign expenditure that is made by the principal political committee of a political party on behalf of a slate of two or more nominees of that party;

(8) as of the last day of a reporting period for which the person is required to file a report, 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;

(9) 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 that is received during the reporting period and the amount of which exceeds \$100;

(10) any proceeds of the sale of an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds \$100;

(11) any investment purchased with a political contribution that is received during the reporting period and the amount of which exceeds \$100;

(12) any other gain from a political contribution that is received during the reporting period and the amount of which exceeds \$100; and

(13) the full name and address of each person from whom an amount described by Subdivision (9), (10), (11), or (12) is received, the date the amount is received, and the purpose for which the amount is received.

(a-1) A de minimis error in calculating or reporting a cash balance under Subsection (a)(8) is not a violation of this section.

(b) If no reportable activity occurs during a reporting period, the person required to file a report shall indicate that fact in the report.

Sec. 254.0311. REPORT BY LEGISLATIVE CAUCUS.

(a) A legislative caucus shall file a report of contributions and expenditures as required by this section.

(b) A report filed under this section must include:

(1) the amount of contributions from each person, other than a caucus member, that in the aggregate exceed \$50 and that are accepted during the reporting period by the legislative caucus, the full name and address of the person making the contributions, and the dates of the contributions;

(2) the amount of loans that are made during the reporting period to the legislative caucus and that in the aggregate exceed \$50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period;

(3) the amount of expenditures that in the aggregate exceed \$50 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures;

(4) the total amount or a specific listing of contributions of \$50 or less accepted from persons other than caucus members and the total amount or a specific listing of expenditures of \$50 or less made during the reporting period; and

(5) the total amount of all contributions accepted, including total contributions from caucus members, and the total amount of all expenditures made during the reporting period.

(c) If no reportable activity occurs during a reporting period, the legislative caucus shall indicate that fact in the report.

(d) A legislative caucus shall file with the commission two reports for each year.

(e) The first report shall be filed not later than July 15. The report covers the period beginning January 1 or the day the legislative caucus is organized, as applicable, and continuing through June 30.

(f) The second report shall be filed not later than January 15. The report covers the period beginning July 1 or the day the legislative caucus is organized, as applicable, and continuing through December 31.

(g) A legislative caucus shall maintain a record of all reportable activity under this section and shall preserve the record for at least two years beginning on the filing deadline for the report containing the information in the record.

(h) In this section, "legislative caucus" has the meaning assigned by Section 253.0341.

Sec. 254.0312. BEST EFFORTS.

(a) A person required to file a report under this chapter is considered to be in compliance with Section 254.0612, 254.0912, or 254.1212 only if the person or the person's campaign treasurer shows that the person has used best efforts to obtain, maintain, and report the information required by those sections. A person is considered to have used best efforts to obtain, maintain, and report that information if the person or the person's campaign treasurer complies with this section.

(b) Each written solicitation for political contributions from an individual must include:

(1) a clear request for the individual's full name and address, the individual's principal occupation or job title, and the full name of the individual's employer; and

(2) an accurate statement of state law regarding the collection and reporting of individual contributor information, such as:

(A) "State law requires (certain candidates, officeholders, or political committees, as applicable) to use best efforts to collect and report the full name and address, principal occupation or job title, and full name of employer of individuals whose contributions equal or exceed \$500 in a reporting period."; or

(B) "To comply with state law, (certain candidates, officeholders, or political committees, as applicable) must use best efforts to obtain, maintain, and report the full name and address, principal occupation or job title, and full name of employer of individuals whose contributions equal or exceed \$500 in a reporting period.".

(c) For each political contribution received from an individual that, when aggregated with all other political contributions received from the individual during the reporting period, equals or exceeds \$500 and for which the information required by Section 254.0612, 254.0912, or 254.1212 is not provided, the person must make at least one oral or written request for the missing information. A request under this subsection:

(1) must be made not later than the 30th day after the date the contribution is received;

(2) must include a clear and conspicuous statement that complies with Subsection (b);

(3) if made orally, must be documented in writing; and

(4) may not be made in conjunction with a solicitation for an additional political contribution.

(d) A person must report any information required by Section 254.0612, 254.0912, or 254.1212 that is not provided by the individual making the political contribution and that the person has in the person's records of political contributions or previous reports under this chapter.

(e) A person who receives information required by Section 254.0612, 254.0912, or 254.1212 after the filing deadline for the report on which the contribution is reported must include the missing information on the next report the person is required to file under this chapter.

Sec. 254.0313. OMISSION OF ADDRESS FOR JUDGE AND FAMILY MEMBER.

(a) In this section, "family member" has the meaning assigned by Section 31.006, Finance Code.

(b) On receiving notice from the Office of Court Administration of the Texas Judicial System of a judge's qualification for office or on receipt of a written request from a federal judge, including a federal bankruptcy judge, a state judge, or a family member of a federal judge, including a federal bankruptcy judge, or a state judge, the commission shall remove or redact the residence address of a federal judge, including a federal bankruptcy judge, a state judge, or the family member of a federal judge, including a federal bankruptcy judge, or a state judge from any report filed by the judge in the judge's capacity or made available on the Internet under this chapter.

Sec. 254.032. NONREPORTABLE PERSONAL TRAVEL EXPENSE. A political contribution consisting of personal travel expense incurred by an individual is not required to be reported under this chapter if the individual receives no reimbursement for the expense.

Sec. 254.033. NONREPORTABLE PERSONAL SERVICE. A political contribution consisting of an individual's personal service is not required to be reported under this chapter if the individual receives no compensation for the service.

Sec. 254.034. TIME OF ACCEPTING CONTRIBUTION.

(a) A determination to accept or refuse a political contribution that is received by a candidate, officeholder, or political committee shall be made not later than the end of the reporting period during which the contribution is received.

(b) If the determination to accept or refuse a political contribution is not made before the time required by Subsection (a), for purposes of this chapter, the contribution is considered to have been accepted on the last day of that reporting period.

(c) A political contribution that is received but not accepted shall 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 considered to be accepted.

(d) A candidate, officeholder, or political committee commits an offense if the person knowingly fails to return a political contribution as required by Subsection (c).

(e) An offense under this section is a Class A misdemeanor.

Sec. 254.035. TIME OF MAKING EXPENDITURE.

(a) For purposes of reporting under this chapter, a political expenditure is not considered to have been made until the amount is readily determinable by the person making the expenditure, except as provided by Subsection (b).

(b) If the character of an expenditure is such that under normal business practice the amount is not disclosed until receipt of a periodic bill, the expenditure is not considered made until the date the bill is received.

(c) The amount of a political expenditure made by credit card is readily determinable by the person making the expenditure on the date the person receives the credit card statement that includes the expenditure.

(d) Subsection (c) does not apply to a political expenditure made by credit card during the period covered by a report required to be filed under Section 254.064(b) or (c), 254.124(b) or (c), or 254.154(b) or (c).

Sec. 254.036. FORM OF REPORT; AFFIDAVIT; MAILING OF FORMS.

(a) Each report filed under this chapter with an authority other than the commission must be in a format prescribed by the commission. A report filed with the commission that is not required to be filed by computer diskette, modem, or other means of electronic transfer must be on a form prescribed by the commission and written in black ink or typed with black typewriter ribbon or, if the report is a computer printout, the printout must conform to the same format and paper size as the form prescribed by the commission.

(b) Except as provided by Subsection (c) or (e), each report filed under this chapter with the commission must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

(c) A candidate, officeholder, or political committee that is required to file reports with the commission may file reports that comply with Subsection (a) if:

(1) the candidate, officeholder, or campaign treasurer of the committee files with the commission an affidavit stating that the candidate, officeholder, or committee, an agent of the candidate, officeholder, or committee, or a person with whom the candidate, officeholder, or committee contracts does not use computer equipment to keep the current records of political contributions, political expenditures, or persons making political contributions to the candidate, officeholder, or committee; and

(2) the candidate, officeholder, or committee does not, in a calendar year, accept political contributions that in the aggregate exceed \$20,000 or make political expenditures that in the aggregate exceed \$20,000.

(c-1) An affidavit under Subsection (c) must be filed with each report filed under Subsection (a). The affidavit must include a statement that the candidate, officeholder, or political committee understands that the candidate, officeholder, or committee shall file reports as required by Subsection (b) if:

(1) the candidate, officeholder, or committee, a consultant of the candidate, officeholder, or committee, or a person with whom the candidate, officeholder, or committee contracts uses computer equipment for a purpose described by Subsection (c); or

(2) the candidate, officeholder, or committee exceeds \$20,000 in political contributions or political expenditures in a calendar year.

(d) Repealed by Acts 2003, 78th Leg., ch. 249, Sec. 2.26.

(e) A candidate for an office described by Section 252.005(5) or a specific-purpose committee for supporting or opposing only candidates for an office described by Section 252.005(5) or a measure described by Section 252.007(5) may file reports that comply with Subsection (a).

(f) In prescribing the format of a report filed under this chapter with an authority other than the commission, the commission shall ensure that:

(1) a report may be filed:

(A) by first class United States mail or common or contract carrier;

(B) by personal delivery; or

(C) by electronic filing, if the authority with whom the report is required to be filed has adopted rules and procedures to provide for the electronic filing of the report and the report is filed in accordance with those rules and procedures; and

(2) an authority with whom a report is electronically filed issues an electronic receipt for the report to the person filing the report.

(g) In prescribing the format of a report filed under this chapter, including a report filed with an authority other than the commission under Subsection (a), the commission shall ensure that the report requires for political expenditures made with a credit card that:

(1) the expenditures be reported in a single itemized list; and

(2) the list include, stated by credit card issuer:

(A) the name of the credit card issuer;

(B) the date and amount of each expenditure; and

(C) the date the credit card issuer was repaid for the expenditure.

(h) Each report filed under this chapter that is not filed by electronic transfer must be accompanied by an affidavit executed by the person required to file the report. The affidavit must contain the statement: "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." Each report filed under this chapter by electronic transfer must be under oath by the person required to file the report and must contain, in compliance with commission specifications, the digitized signature of the person required to file the report. A report filed under this chapter is considered to be under oath by the person required to file the report, and the person is subject to prosecution under Chapter 37, Penal Code, regardless of the absence of or a defect in the affidavit.

(i) Each person required to file reports with the commission that comply with Subsection (b) shall file with the commission a written statement providing the manner of electronic transfer that the person will use to file the report. A statement under this subsection must be filed not later than the 30th day before the filing deadline for the first report a person is required to file under Subsection (b). A person who intends to change the manner of filing described by the person's most recent statement shall notify the commission of the change not later than the 30th day before the filing deadline for the report to which the change applies. If a person does not file a statement under this subsection, the commission may accept as authentic a report filed in any manner that complies with Subsection (b). If the commission receives a report that is not filed in the manner described by the person's most recent statement under this

subsection, the commission shall promptly notify the person in writing that the commission has received a report filed in a different manner than expected.

(j) As part of the notification required by Section 251.033, the commission shall mail the appropriate forms to each person required to file a report with the commission during that reporting period.

(k) The commission shall prescribe forms for purposes of legislative caucus reports under Section 254.0311 that are separate and distinct from forms for other reports under this chapter.

(l) This section applies to a report that is filed electronically or otherwise.

Sec. 254.0362. USE OF PUBLICLY ACCESSIBLE COMPUTER TERMINAL FOR PREPARATION OF REPORTS.

(a) Except as provided by Subsection (d), a person who is required to file reports under this chapter may use a publicly accessible computer terminal that has Internet access and web browser software to prepare the reports.

(b) A public entity may prescribe reasonable restrictions on the use of a publicly accessible computer terminal for preparation of reports under this chapter, except that a public entity may not prohibit a person from using a computer terminal for preparation of reports during the public entity's regular business hours if the person requests to use the computer terminal less than 48 hours before a reporting deadline to which the person is subject.

(c) This section does not require a public entity to provide a person with consumable materials, including paper and computer diskettes, in conjunction with the use of a publicly accessible computer terminal.

(d) An officeholder may not use a computer issued to the officeholder for official use to prepare a report under this title.

(e) In this section:

(1) "Public entity" means a state agency, city, county, or independent school district.

(2) "Publicly accessible computer terminal" means a computer terminal that is normally available for use by members of the public and that is owned by a state agency, an independent school district, or a public library operated by a city or county.

Sec. 254.037. FILING DEADLINE.

(a) Except as provided by Subsection (b), the deadline for filing a report required by this chapter is 5 p.m. on the last day permitted under this chapter for filing the report.

(b) The deadline for filing a report electronically with the commission as required by this chapter is midnight on the last day for filing the report.

Sec. 254.038. SPECIAL REPORT NEAR ELECTION BY CERTAIN CANDIDATES AND POLITICAL COMMITTEES.

(a) In addition to other reports required by this chapter, the following persons shall file additional reports during the period beginning the ninth day before election day and ending at 12 noon on the day before election day:

(1) a candidate for an office specified by Section 252.005(1) who accepts political contributions from a person that in the aggregate exceed \$1,000 during that reporting period; and

(2) a specific-purpose committee for supporting or opposing a candidate described by Subdivision (1) and that accepts political contributions from a person that in the aggregate exceed \$1,000 during that reporting period.

(b) Each report required by this section must include the amount of the contributions specified by Subsection (a), the full name and address of the person making the contributions, and the dates of the contributions.

(c) A report under this section shall be filed electronically, by ~~[telegram or]~~ telephonic facsimile machine, or by hand, in the form required by Section 254.036. The commission must receive a report under this section filed by ~~[telegram,]~~ telephonic facsimile machine or hand not later than 5 p.m. of the first business day after the date the contribution is accepted. The commission must receive a report under this section filed electronically not later than midnight of the first business day after the date the contribution is accepted. A report under this section is not required to be accompanied by the affidavit required under Section 254.036(h) or to be submitted on a form prescribed by the commission. A report under this section that complies with Section 254.036(a) must be accompanied by an affidavit under Section 254.036(c)(1) unless the candidate or committee has submitted an affidavit under Section 254.036(c)(1) with another report filed in connection with the election for which a report is required under this section.

(d) To the extent of a conflict between this section and Section 254.036, this section controls.

Sec. 254.039. SPECIAL REPORT NEAR ELECTION BY CERTAIN GENERAL-PURPOSE COMMITTEES.

(a) In addition to other reports required by this chapter, a general-purpose committee shall file additional reports during the period beginning the ninth day before election day and ending at 12 noon on the day before election day if the committee:

(1) accepts political contributions from a person that in the aggregate exceed \$5,000 during that reporting period; or

(2) makes direct campaign expenditures supporting or opposing either a single candidate that in the aggregate exceed \$1,000 or a group of candidates that in the aggregate exceed \$15,000 during that reporting period.

(a-1) A report under this section shall be filed electronically, by ~~[telegram or]~~ telephonic facsimile machine, or by hand, in the form required by Section 254.036. The commission must receive a report under this section not later than 5 p.m. of the first business day after the date the contribution is accepted or the expenditure is made. A report under this section is not required to be accompanied by the affidavit required under Section 254.036(h) or to be submitted on a form prescribed by the commission. A report under this section that complies with Section 254.036(a) must be accompanied by an affidavit under Section 254.036(c)(1) unless the committee has submitted an affidavit under Section 254.036(c)(1) with another report filed in connection with the election for which a report is required under this section.

(a-2) Each report required by Subsection (a)(1) must include the amount of the contributions specified by that subsection, the full name and address of the person making the contributions, and the dates of the contributions.

(b) Each report required by Subsection (a)(2) must include the amount of the expenditures, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures.

(c) To the extent of a conflict between this section and Section 254.036, this section controls.

Sec. 254.0391. REPORT DURING SPECIAL LEGISLATIVE SESSION.

(a) A statewide officeholder, a member of the legislature, or a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature, or a candidate for statewide office or the legislature or a specific-purpose committee for supporting or opposing the candidate, that 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 shall report the contribution to the commission not later than the 30th day after the date of final adjournment.

(b) A determination to accept or refuse the political contribution shall be made not later than the third day after the date the contribution is received.

(c) Each report required by this section must include the amount of the political contribution, the full name and address of the person making the contribution, and the date of the contribution.

(d) A report is not required under this section if a person covered by Subsection (a) is required to file another report under this chapter not later than the 10th day after the date a report required under this section would be due.

Sec. 254.040. PRESERVATION OF REPORTS; RECORD OF INSPECTION.

(a) Each report filed under this chapter shall be preserved by the authority with whom it is filed for at least two years after the date it is filed.

(b) Each time a person requests to inspect a report, the commission shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The commission shall retain that statement in the file for one year after the date the requested report is filed. This subsection does not apply to a request to inspect a report by:

- (1) a member or employee of the commission acting on official business; or
- (2) an individual acting on the individual's own behalf.

Sec. 254.0401. AVAILABILITY OF REPORTS ON INTERNET.

(a) The commission shall make each report filed with the commission under Section 254.036(b) available to the public on the Internet not later than the second business day after the date the report is filed.

(a-1) *Repealed.*

(b) *The clerk or secretary of a political subdivision's governing body or, if the governing body does not have a clerk or secretary, the governing body's presiding officer shall make a report filed with the political subdivision by a candidate, officeholder, or specific-purpose committee under this subchapter available to the public on the political subdivision's Internet website not later than the 10th business day after the date the report is received..*

(c) *Repealed.*

(d) The access allowed by this section to reports is in addition to the public's access to the information through other electronic or print distribution of the information.

(e) Before making a report filed under Section 254.036(b) available on the Internet, the commission shall remove each portion, other than city, state, and zip code, of the address of a person listed as having made a political contribution to the person filing the report. The address information removed must remain available on the report maintained in the commission's office but may not be available electronically at that office.

(e-1) *Before making a report available on the Internet as required by Subsection (b), the authority with whom the report is filed may remove each portion, other than city, state, and zip*

code, of the address of a person listed as having made a political contribution to the person filing the report. The address information removed must remain available on the report maintained in the authority's office.

(f) The commission shall clearly state on the Internet website on which reports are provided that reports filed by an independent candidate, a third-party candidate, or a specific-purpose committee for supporting or opposing an independent or third-party candidate will not be available if the candidate or committee has not yet filed a report.

(g) Electronic report data saved in a temporary storage location of the authority with whom the report is filed for later retrieval and editing before the report is filed is confidential and may not be disclosed. After the report is filed with the authority, the information disclosed in the filed report is public information to the extent provided by this title.

(h) *A report made available on an Internet website under this section must be accessible on that website until the fifth anniversary of the date the report is first made available.*

Sec. 254.04011. Repealed.

Sec. 254.0402. PUBLIC INSPECTION OF REPORTS.

(a) Notwithstanding Section 552.222(a), Government Code, the authority with whom a report is filed under this chapter may not require a person examining the report to provide any information or identification.

(b) The commission shall make information from reports filed with the commission under Section 254.036(b) available by electronic means, including:

- (1) providing access to computer terminals at the commission's office;
- (2) providing information on computer diskette for purchase at a reasonable cost; and
- (3) providing modem or other electronic access to the information.

Sec. 254.0405. AMENDMENT OF FILED REPORT.

(a) A person who files a semiannual report under this chapter may amend the report.

(b) A semiannual report that is amended before the eighth day after the date the original report was filed is considered to have been filed on the date on which the original report was filed.

(c) A semiannual report that is amended on or after the eighth day after the original report was filed is considered to have been filed on the date on which the original report was filed if:

- (1) the amendment is made before any complaint is filed with regard to the subject of the amendment; and
- (2) the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

Sec. 254.041. CRIMINAL PENALTY FOR UNTIMELY OR INCOMPLETE REPORT.

(a) A person who is required by this chapter to file a report commits an offense if the person knowingly fails:

- (1) to file the report on time;
- (2) to file a report by computer diskette, modem, or other means of electronic transfer, if the person is required to file reports that comply with Section 254.036(b); or

(3) to include in the report information that is required by this title to be included.

(b) Except as provided by Subsection (c), an offense under this section is a Class C misdemeanor.

(c) A violation of Subsection (a)(3) by a candidate or officeholder is a Class A misdemeanor if the report fails to include information required by Section 254.061(3) or Section 254.091(2), as applicable.

(d) It is an exception to the application of Subsection (a)(3) that:

(1) the information was required to be included in a semiannual report; and

(2) the person amended the report within the time prescribed by Section 254.0405(b) or under the circumstances described by Section 254.0405(c).

Sec. 254.042. CIVIL PENALTY FOR LATE REPORT.

(a) The commission shall determine from any available evidence whether a report required to be filed with the commission under this chapter is late. On making that determination, the commission shall immediately mail a notice of the determination to the person required to file the report.

(b) If a report other than a report under Section 254.064(c), 254.124(c), or 254.154(c) or the first report under Section 254.063 or 254.123 that is required to be filed following the primary or general election is determined to be late, the person required to file the report is liable to the state for a civil penalty of \$500. If a report under Section 254.064(c), 254.124(c), or 254.154(c) or the first report under Section 254.063 or 254.153 that is required to be filed following the primary or general election is determined to be late, the person required to file the report is liable to the state for a civil penalty of \$500 for the first day the report is late and \$100 for each day thereafter that the report is late. If a report is more than 30 days late, the commission shall issue a warning of liability by registered mail to the person required to file the report. If the penalty is not paid before the 10th day after the date on which the warning is received, the person is liable for a civil penalty in an amount determined by commission rule, but not to exceed \$10,000.

(c) A penalty paid voluntarily under this section shall be deposited in the State Treasury to the credit of the General Revenue Fund.

(d) Repealed by Acts 1991, 72nd Leg., ch. 304, Sec. 5.20, eff. Jan. 1, 1992.

Sec. 254.043. ACTION TO REQUIRE COMPLIANCE.

(a) This section applies only to:

(1) a person required to file reports under this chapter with the commission; or

(2) a person required to file reports under this chapter with an authority other than the commission in connection with an office of a political subdivision in a county with a population of at least 500,000.

(b) A resident of the territory served by an office may bring an action for injunctive relief against a candidate for or holder of that office or a specific-purpose committee for supporting or opposing such a candidate or assisting such an officeholder to require the person to file a report under this chapter that the person has failed to timely file.

(c) An action under this section may be brought against a person required to file reports under this chapter only if:

(1) the report is not filed before the 60th day after the date on which the report was required to be filed;

(2) not earlier than the 60th day after the date on which the report was required to be filed, the person bringing the action delivers written notice by certified mail to the person required to file the report, stating:

(A) the person's intention to bring an action under this section if the report is not filed; and

(B) that an action to require the filing of the report may be filed if the report is not filed before the 30th day after the date on which the person required to file the report receives the notice; and

(3) the report is not filed before the 30th day after the date on which the person required to file the report receives the notice required by Subdivision (2).

(d) The court shall award a plaintiff who prevails in an action under this section reasonable attorney's fees and court costs.

Sec. 254.044. REPORTING OF POLITICAL CONTRIBUTIONS AND EXPENDITURES MADE USING CREDIT CARD.

(a) A candidate or officeholder who accepts a political contribution made using a credit card shall:

(1) for a political contribution for which a processing fee is deducted by the credit card issuer from the political contribution amount:

(A) report as a political contribution the full amount, including the deducted amount; and

(B) report as a political expenditure the deducted amount; and

(2) for a political contribution for which a processing fee is paid by the person making the political contribution in excess of the political contribution amount, report only as a political contribution the full amount the candidate or officeholder accepts, not including the amount paid in excess of the political contribution amount.

(b) A candidate or officeholder who accepts a political contribution described by Subsection (a)(2) is not required to report the excess amount paid as a processing fee by the person making the political contribution.

SUBCHAPTER C. REPORTING BY CANDIDATE

Sec. 254.061. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by a candidate must include:

(1) the candidate's full name and address, the office sought, and the identity and date of the election for which the report is filed;

(2) the campaign treasurer's name, residence or business street address, and telephone number;

(3) for each political committee from which the candidate received notice under Section 254.128 or 254.161:

(A) the committee's full name and address;

(B) an indication of whether the committee is a general-purpose committee or a specific-purpose committee; and

(C) the full name and address of the committee's campaign treasurer; and

(4) on a separate page or pages of the report, the identification of any payment from political contributions made to a business in which the candidate has a participating interest

of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business.

Sec. 254.0611. ADDITIONAL CONTENTS OF REPORTS BY CERTAIN JUDICIAL CANDIDATES.

(a) In addition to the contents required by Sections 254.031 and 254.061, each report by a candidate for a judicial office covered by Subchapter F, Chapter 253, must include:

(1) the total amount of political contributions, including interest or other income, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period;

(2) for each individual from whom the person filing the report has accepted political contributions that in the aggregate exceed \$50 and that are accepted during the reporting period:

(A) the principal occupation and job title of the individual and the full name of the employer of the individual or of the law firm of which the individual or the individual's spouse is a member, if any; or

(B) if the individual is a child, the full name of the law firm of which either of the individual's parents is a member, if any;

(3) a specific listing of each asset valued at \$500 or more that was purchased with political contributions and on hand as of the last day of the reporting period;

(4) for each political contribution accepted by the person filing the report but not received as of the last day of the reporting period:

(A) the full name and address of the person making the contribution;

(B) the amount of the contribution; and

(C) the date of the contribution; and

(5) for each outstanding loan to the person filing the report as of the last day of the reporting period:

(A) the full name and address of the person or financial institution making the loan; and

(B) the full name and address of each guarantor of the loan other than the candidate.

(b) In this section:

(1) "Child" and "law firm" have the meanings assigned by Section 253.152.

(2) "Member" has the meaning assigned to "member of a law firm" by Section 253.152.

Sec. 254.0612. ADDITIONAL CONTENTS OF REPORTS BY CANDIDATE FOR STATEWIDE EXECUTIVE OFFICE OR LEGISLATIVE OFFICE. In addition to the contents required by Sections 254.031 and 254.061, each report by a candidate for a statewide office in the executive branch or a legislative office must include, for each individual from whom the person filing the report has accepted political contributions that in the aggregate equal or exceed \$500 and that are accepted during the reporting period:

(1) the individual's principal occupation or job title; and

(2) the full name of the individual's employer.

Sec. 254.062. CERTAIN OFFICEHOLDER ACTIVITY INCLUDED. If an officeholder who becomes a candidate has reportable activity that is not reported under Subchapter D before the end of the period covered by the first report the candidate is required to file under this subchapter, the reportable activity shall be included in the first report filed under this subchapter instead of in a report filed under Subchapter D.

Sec. 254.063. SEMIANNUAL REPORTING SCHEDULE FOR CANDIDATE.

(a) A candidate shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31.

Sec. 254.064. ADDITIONAL REPORTS OF OPPOSED CANDIDATE.

(a) In addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports.

(b) The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the candidate's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through the 40th day before election day.

(c) The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

(d) If a person becomes an opposed candidate after a reporting period prescribed by Subsection (b) or (c), the person's first report must be received by the authority with whom the report is required to be filed not later than the regular deadline for the report covering the period during which the person becomes an opposed candidate. The period covered by the first report begins the day the candidate's campaign treasurer appointment is filed.

(e) In addition to other required reports, an opposed candidate in a runoff election shall file one report for that election. The runoff election report must be received by the authority with whom the report is required to be filed not later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the date of the main election and continuing through the 10th day before runoff election day.

Sec. 254.065. FINAL REPORT.

(a) If a candidate expects no reportable activity in connection with the candidacy to occur after the period covered by a report filed under this subchapter, the candidate may designate the report as a "final" report.

(b) The designation of a report as a final report:

(1) relieves the candidate of the duty to file additional reports under this subchapter, except as provided by Subsection (c); and

(2) terminates the candidate's campaign treasurer appointment.

(c) If, after a candidate's final report is filed, reportable activity with respect to the candidacy occurs, the candidate shall file the appropriate reports under this subchapter and is otherwise subject to the provisions of this title applicable to candidates. A report filed under this subsection may be designated as a final report.

Sec. 254.066. AUTHORITY WITH WHOM REPORTS FILED. Reports under this subchapter shall be filed with the authority with whom the candidate's campaign treasurer appointment is required to be filed.

SUBCHAPTER D. REPORTING BY OFFICEHOLDER

Sec. 254.091. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by an officeholder must include:

(1) the officeholder's full name and address and the office held;

(2) for each political committee from which the officeholder received notice under Section 254.128 or 254.161:

(A) the committee's full name and address;

(B) an indication of whether the committee is a general-purpose committee or a specific-purpose committee; and

(C) the full name and address of the committee's campaign treasurer;

and

(3) on a separate page or pages of the report, the identification of any payment from political contributions made to a business in which the officeholder has a participating interest of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business.

Sec. 254.0911. ADDITIONAL CONTENTS OF REPORTS BY CERTAIN JUDICIAL OFFICEHOLDERS. In addition to the contents required by Sections 254.031 and 254.091, each report by a holder of a judicial office covered by Subchapter F, Chapter 253, must include the contents prescribed by Section 254.0611.

Sec. 254.0912. ADDITIONAL CONTENTS OF REPORTS BY STATEWIDE EXECUTIVE OFFICEHOLDERS AND LEGISLATIVE OFFICEHOLDERS. In addition to the contents required by Sections 254.031 and 254.091, each report by a holder of a statewide office in the executive branch or a legislative office must include the contents prescribed by Section 254.0612.

Sec. 254.092. CERTAIN OFFICEHOLDER EXPENDITURES EXCLUDED. An officeholder is not required to report officeholder expenditures made from the officeholder's personal funds, except as provided by Section 253.035(h).

Sec. 254.093. SEMIANNUAL REPORTING SCHEDULE FOR OFFICEHOLDER.

(a) An officeholder shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the officeholder takes office, or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the officeholder takes office, or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through December 31.

Sec. 254.094. REPORT FOLLOWING APPOINTMENT OF CAMPAIGN TREASURER.

(a) An officeholder who appoints a campaign treasurer shall file a report as provided by this section.

(b) The report covers the period beginning the first day after the period covered by the last report required to be filed under this chapter or the day the officeholder takes office, as applicable, and continuing through the day before the date the officeholder's campaign treasurer is appointed.

(c) The report shall be filed not later than the 15th day after the date the officeholder's campaign treasurer is appointed.

Sec. 254.095. REPORT NOT REQUIRED. If at the end of any reporting period prescribed by this subchapter an officeholder who is required to file a report with an authority other than the commission has not accepted political contributions that in the aggregate exceed \$500 or made political expenditures that in the aggregate exceed \$500, the officeholder is not required to file a report covering that period.

Sec. 254.096. OFFICEHOLDER WHO BECOMES CANDIDATE. An officeholder who becomes a candidate is subject to Subchapter C during each period covered by a report required to be filed under Subchapter C.

Sec. 254.097. AUTHORITY WITH WHOM REPORTS FILED. Reports under this subchapter shall be filed with the authority with whom a campaign treasurer appointment by a candidate for the office held by the officeholder is required to be filed.

SUBCHAPTER E. REPORTING BY SPECIFIC-PURPOSE COMMITTEE

Sec. 254.121. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by a campaign treasurer of a specific-purpose committee must include:

- (1) the committee's full name and address;
- (2) the full name, residence or business street address, and telephone number of the committee's campaign treasurer;
- (3) the identity and date of the election for which the report is filed, if applicable;
- (4) the name of each candidate and each measure supported or opposed by the committee, indicating for each whether the committee supports or opposes;
- (5) the name of each officeholder assisted by the committee;

(6) the amount of each political expenditure in the form of a political contribution that is made to a candidate, officeholder, or another political committee and that is returned to the committee during the reporting period, the name of the person to whom the expenditure was originally made, and the date it is returned;

(7) on a separate page or pages of the report, the identification of any payment from political contributions made to a business in which the candidate or officeholder has a participating interest of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business; and

(8) on a separate page or pages of the report, the identification of any contribution from a corporation or labor organization made and accepted under Subchapter D, Chapter 253.

Sec. 254.1211. ADDITIONAL CONTENTS OF REPORTS OF CERTAIN COMMITTEES. In addition to the contents required by Sections 254.031 and 254.121, each report by a specific-purpose committee for supporting or opposing a candidate for or assisting a holder of a judicial office covered by Subchapter F, Chapter 253, must include the contents prescribed by Section 254.0611.

Sec. 254.1212. ADDITIONAL CONTENTS OF REPORTS OF COMMITTEE SUPPORTING OR OPPOSING CANDIDATE FOR STATEWIDE EXECUTIVE OFFICEHOLDERS OR LEGISLATIVE OFFICEHOLDERS OR ASSISTING STATEWIDE EXECUTIVE OFFICEHOLDERS OR LEGISLATIVE OFFICEHOLDERS. In addition to the contents required by Sections 254.031 and 254.121, each report by a specific-purpose committee for supporting or opposing a candidate for or assisting a holder of a statewide office in the executive branch or a legislative office must include the contents prescribed by Section 254.0612.

Sec. 254.122. INVOLVEMENT IN MORE THAN ONE ELECTION BY CERTAIN COMMITTEES. If a specific-purpose committee for supporting or opposing more than one candidate becomes involved in more than one election for which the reporting periods prescribed by Section 254.124 overlap, the reportable activity that occurs during the overlapping period is not required to be included in a report filed after the first report in which the activity is required to be reported.

Sec. 254.123. SEMIANNUAL REPORTING SCHEDULE FOR COMMITTEE.

(a) The campaign treasurer of a specific-purpose committee shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31.

Sec. 254.124. ADDITIONAL REPORTS OF COMMITTEE FOR SUPPORTING OR OPPOSING CANDIDATE OR MEASURE.

(a) In addition to other required reports, for each election in which a specific-purpose committee supports or opposes a candidate or measure, the committee's campaign treasurer shall file two reports.

(b) The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable, and continuing through the 40th day before election day.

(c) The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

(d) If a specific-purpose committee supports or opposes a candidate or measure in an election after a reporting period prescribed by Subsection (b) or (c), the first report must be received by the authority with whom the report is required to be filed not later than the regular deadline for the report covering the period during which the committee becomes involved in the election. The period covered by the first report begins the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable.

(e) In addition to other required reports, the campaign treasurer of a specific-purpose committee that supports or opposes a candidate in a runoff election shall file one report for the runoff election. The runoff election report must be received by the authority with whom the report is required to be filed not later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the date of the main election and continuing through the 10th day before runoff election day.

(f) This section does not apply to a specific-purpose committee supporting only candidates who do not have opponents whose names are to appear on the ballot.

Sec. 254.125. FINAL REPORT OF COMMITTEE FOR SUPPORTING OR OPPOSING CANDIDATE OR MEASURE.

(a) If a specific-purpose committee for supporting or opposing a candidate or measure expects no reportable activity in connection with the election to occur after the period covered by a report filed under this subchapter, the committee's campaign treasurer may designate the report as a "final" report.

(b) The designation of a report as a final report:

(1) relieves the campaign treasurer of the duty to file additional reports under this subchapter, except as provided by Subsection (c); and

(2) terminates the committee's campaign treasurer appointment.

(c) If, after a committee's final report is filed, reportable activity with respect to the election occurs, the committee must file the appropriate reports under this subchapter and is otherwise subject to the provisions of this title applicable to political committees. A report filed under this subsection may be designated as a final report.

Sec. 254.126. DISSOLUTION REPORT OF COMMITTEE FOR ASSISTING OFFICEHOLDER.

(a) If a specific-purpose committee for assisting an officeholder expects no reportable activity to occur after the period covered by a report filed under this subchapter, the committee's campaign treasurer may designate the report as a "dissolution" report.

(b) The filing of a report designated as a dissolution report:

(1) relieves the campaign treasurer of the duty to file additional reports under this subchapter; and

(2) terminates the committee's campaign treasurer appointment.

(c) A dissolution report must contain an affidavit, executed by the committee's campaign treasurer, that states that all the committee's reportable activity has been reported.

Sec. 254.127. TERMINATION REPORT.

(a) If the campaign treasurer appointment of a specific-purpose committee is terminated, the terminated campaign treasurer shall file a termination report.

(b) A termination report is not required if the termination occurs on the last day of a reporting period under this subchapter and a report for that period is filed as provided by this subchapter.

(c) The report covers the period beginning the day after the period covered by the last report required to be filed under this subchapter and continuing through the day the campaign treasurer appointment is terminated.

(d) The report shall be filed not later than the 10th day after the date the campaign treasurer appointment is terminated.

(e) Reportable activity contained in a termination report is not required to be included in any subsequent report of the committee that is filed under this subchapter. The period covered by the committee's first report filed under this subchapter after a termination report begins the day after the date the campaign treasurer appointment is terminated.

Sec. 254.128. NOTICE TO CANDIDATE AND OFFICEHOLDER OF CONTRIBUTIONS AND EXPENDITURES.

(a) If a specific-purpose committee accepts political contributions or makes political expenditures for a candidate or officeholder, the committee's campaign treasurer shall deliver written notice of that fact to the affected candidate or officeholder not later than the end of the period covered by the report in which the reportable activity occurs.

(b) The notice must include the full name and address of the political committee and its campaign treasurer and an indication that the committee is a specific-purpose committee.

(c) A campaign treasurer commits an offense if the campaign treasurer fails to comply with this section. An offense under this section is a Class A misdemeanor.

Sec. 254.129. NOTICE OF CHANGE IN COMMITTEE STATUS.

(a) If a specific-purpose committee changes its operation and becomes a general-purpose committee, the committee's campaign treasurer shall deliver written notice of the change in status to the authority with whom the specific-purpose committee's reports under this chapter are required to be filed.

(b) The notice shall be delivered not later than the next deadline for filing a report under this subchapter that:

(1) occurs after the change in status; and

(2) would be applicable to the political committee if the committee had not changed its status.

(c) The notice must indicate the filing authority with whom future filings are expected to be made.

(d) A campaign treasurer commits an offense if the campaign treasurer fails to comply with this section. An offense under this section is a Class B misdemeanor.

Sec. 254.130. AUTHORITY WITH WHOM REPORTS FILED.

(a) Except as provided by subsection (b), reports filed under this subchapter shall be filed with the authority with whom the political committee's campaign treasurer appointment is required to be filed.

(b) A specific-purpose committee created to support or oppose a measure on the issuance of bonds by a school district shall file reports under this subchapter with the commission.

SUBCHAPTER F. REPORTING BY GENERAL-PURPOSE COMMITTEE

Sec. 254.151. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by a campaign treasurer of a general-purpose committee must include:

- (1) the committee's full name and address;
- (2) the full name, residence or business street address, and telephone number of the committee's campaign treasurer;
- (3) the identity and date of the election for which the report is filed, if applicable;
- (4) the name of each identified candidate or measure or classification by party of candidates supported or opposed by the committee, indicating whether the committee supports or opposes each listed candidate, measure, or classification by party of candidates;
- (5) the name of each identified officeholder or classification by party of officeholders assisted by the committee;
- (6) the principal occupation of each person from whom political contributions that in the aggregate exceed \$50 are accepted during the reporting period;
- (7) the amount of each political expenditure in the form of a political contribution made to a candidate, officeholder, or another political committee that is returned to the committee during the reporting period, the name of the person to whom the expenditure was originally made, and the date it is returned;
- (8) on a separate page or pages of the report, the identification of any contribution from a corporation or labor organization made and accepted under Subchapter D, Chapter 253; and
- (9) on a separate page or pages of the report, the identification of the name of the donor, the amount, and the date of any expenditure made by a corporation or labor organization to:
 - (A) establish or administer the political committee; or
 - (B) finance the solicitation of political contributions to the committee under Section 253.100.

Sec. 254.152. TIME FOR REPORTING CERTAIN EXPENDITURES. If a general-purpose committee makes a political expenditure in the form of a political contribution to another general-purpose committee or to an out-of-state political committee and the contributing committee does not intend that the contribution be used in connection with a particular election, the contributing committee shall include the expenditure in the first report required to be filed under this subchapter after the expenditure is made.

Sec. 254.153. SEMIANNUAL REPORTING SCHEDULE FOR COMMITTEE.

(a) The campaign treasurer of a general-purpose committee shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31.

Sec. 254.154. ADDITIONAL REPORTS OF COMMITTEE INVOLVED IN ELECTION.

(a) In addition to other required reports, for each election in which a general-purpose committee is involved, the committee's campaign treasurer shall file two reports.

(b) The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable, and continuing through the 40th day before election day.

(c) The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

(d) If a general-purpose committee becomes involved in an election after a reporting period prescribed by Subsection (b) or (c), the first report must be received by the authority with whom the report is required to be filed not later than the regular deadline for the report covering the period during which the committee becomes involved in the election. The period covered by the first report begins the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable.

(e) In addition to other required reports, the campaign treasurer of a general-purpose committee involved in a runoff election shall file one report for the runoff election. The runoff election report must be received by the authority with whom the report is required to be filed not earlier than the 10th day or later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the date of the main election and continuing through the 10th day before runoff election day.

Sec. 254.1541. ALTERNATE REPORTING REQUIREMENTS FOR CERTAIN COMMITTEES.

(a) This section applies only to a general-purpose committee with less than \$20,000 in one or more accounts maintained by the committee in which political contributions are deposited, as of the last day of the preceding reporting period for which the committee was required to file a report.

(b) A report by a campaign treasurer of a general-purpose committee to which this section applies may include, instead of the information required under Sections 254.031(a)(1) and (5) and Section 254.151(6):

(1) the amount of political contributions from each person that in the aggregate exceed \$100 and that are accepted during the reporting period by the committee, the full name and address of the person making the contributions, the person's principal occupation, and the dates of the contributions; and

(2) the total amount or a specific listing of the political contributions of \$100 or less accepted and the total amount or a specific listing of the political expenditures of \$100 or less made during the reporting period.

Sec. 254.155. OPTION TO FILE MONTHLY; NOTICE.

(a) As an alternative to filing reports under Sections 254.153 and 254.154, a general-purpose committee may file monthly reports.

(b) To be entitled to file monthly reports, the committee must deliver written notice of the committee's intent to file monthly to the commission not earlier than January 1 or later than January 15 of the year in which the committee intends to file monthly. The notice for a committee formed after January 15 must be delivered at the time the committee's campaign treasurer appointment is filed.

(c) A committee that files monthly reports may revert to the regular filing schedule prescribed by Sections 254.153 and 254.154 by delivering written notice of the committee's intent not earlier than January 1 or later than January 15 of the year in which the committee intends to revert to the regular reporting schedule. The notice must include a report of all political contributions accepted and all political expenditures made that were not previously reported.

Sec. 254.156. CONTENTS OF MONTHLY REPORTS. Each monthly report filed under this subchapter must comply with Sections 254.031 and 254.151 except that the maximum amount of a political contribution, expenditure, or loan that is not required to be individually reported is:

(1) \$10 in the aggregate; or

(2) \$20 in the aggregate for a contribution accepted by a general-purpose committee to which Section 254.1541 applies.

Sec. 254.157. MONTHLY REPORTING SCHEDULE.

(a) The campaign treasurer of a general-purpose committee filing monthly reports shall file a report not later than the fifth day of the month following the period covered by the report. A report covering the month preceding an election in which the committee is involved must be received by the authority with whom the report is required to be filed not later than the fifth day of the month following the period covered by the report.

(b) A monthly report covers the period beginning the 26th day of each month and continuing through the 25th day of the following month, except that the period covered by the first report begins January 1 and continues through January 25.

Sec. 254.158. EXCEPTION TO MONTHLY REPORTING SCHEDULE. If the campaign treasurer appointment of a general-purpose committee filing monthly reports is filed after January 1 of the year in which monthly reports are filed, the period covered by the first monthly report begins the day the appointment is filed and continues through the 25th day of the month in which the appointment is filed unless the appointment is filed the 25th or a succeeding day of the month. In that case, the period continues through the 25th day of the month following the month in which the appointment is filed.

Sec. 254.1581. REPORTING BY OUT-OF-STATE POLITICAL COMMITTEE. For each reporting period under this subchapter in which an out-of-state political committee accepts political contributions or makes political expenditures, the committee shall file with the commission a copy of one or more reports filed with the Federal Election Commission or with the proper filing authority of at least one other state that shows the political contributions accepted, political expenditures made, and other expenditures made by the committee. A report must be filed within the same period in which it is required to be filed under federal law or the law of the other state.

Sec. 254.159. DISSOLUTION REPORT. If a general-purpose committee expects no reportable activity to occur after the period covered by a report filed under this subchapter, the report may be designated as a "dissolution" report as provided by Section 254.126 for a specific-purpose committee and has the same effect.

Sec. 254.160. TERMINATION REPORT. If the campaign treasurer appointment of a general-purpose committee is terminated, the campaign treasurer shall file a termination report as prescribed by Section 254.127 for a specific-purpose committee.

Sec. 254.161. NOTICE TO CANDIDATE AND OFFICEHOLDER OF CONTRIBUTIONS AND EXPENDITURES. If a general-purpose committee other than the principal political committee of a political party or a political committee established by a political party's county executive committee accepts political contributions or makes political expenditures for a candidate or officeholder, notice of that fact shall be given to the affected candidate or officeholder as provided by Section 254.128 for a specific-purpose committee.

Sec. 254.162. NOTICE OF CHANGE IN COMMITTEE STATUS. If a general-purpose committee changes its operation and becomes a specific-purpose committee, notice of the change in status shall be given to the commission as provided by Section 254.129 for a specific-purpose committee.

Sec. 254.163. AUTHORITY WITH WHOM REPORTS FILED. Reports filed under this subchapter shall be filed with the commission.

Sec. 254.164. CERTAIN COMMITTEES EXEMPT FROM CIVIL PENALTIES. The commission may not impose a civil penalty on a general-purpose committee for a violation of this chapter if the report filed by the committee that is the subject of the violation discloses

that the committee did not accept political contributions totaling \$3,000 or more, accept political contributions from a single person totaling \$1,000 or more, or make or authorize political expenditures totaling \$3,000 or more during:

- (1) the reporting period covered by the report that is the subject of the violation;
- or
- (2) either of the two reporting periods preceding the reporting period described by Subdivision (1).

SUBCHAPTER G. MODIFIED REPORTING PROCEDURES; \$500 MAXIMUM IN CONTRIBUTIONS OR EXPENDITURES

Sec. 254.181. MODIFIED REPORTING AUTHORIZED.

(a) An opposed candidate or specific-purpose committee required to file reports under Subchapter C or E may file a report under this subchapter instead if the candidate or committee does not intend to accept political contributions that in the aggregate exceed \$500 or to make political expenditures that in the aggregate exceed \$500 in connection with the election.

(b) The amount of a filing fee paid by a candidate is excluded from the \$500 maximum expenditure permitted under this section.

Sec. 254.182. DECLARATION OF INTENT REQUIRED.

(a) To be entitled to file reports under this subchapter, an opposed candidate or specific-purpose committee must file with the campaign treasurer appointment a written declaration of intent not to exceed \$500 in political contributions or political expenditures in the election.

(b) The declaration of intent must contain a statement that the candidate or committee understands that if the \$500 maximum for contributions and expenditures is exceeded, the candidate or committee is required to file reports under Subchapter C or E, as applicable.

Sec. 254.183. MAXIMUM EXCEEDED.

(a) An opposed candidate or specific-purpose committee that exceeds \$500 in political contributions or political expenditures in the election shall file reports as required by Subchapter C or E, as applicable.

(b) If a candidate or committee exceeds the \$500 maximum after the filing deadline prescribed by Subchapter C or E for the first report required to be filed under the appropriate subchapter, the candidate or committee shall file a report not later than 48 hours after the maximum is exceeded.

(c) A report filed under Subsection (b) covers the period beginning the day the campaign treasurer appointment is filed and continuing through the day the maximum is exceeded.

(d) The reporting period for the next report filed by the candidate or committee begins on the day after the last day of the period covered by the report filed under Subsection (b).

Sec. 254.184. APPLICABILITY OF REGULAR REPORTING REQUIREMENTS.

(a) Subchapter C or E, as applicable, applies to an opposed candidate or specific-purpose committee filing under this subchapter to the extent that the appropriate subchapter does not conflict with this subchapter.

(b) A candidate or committee filing under this subchapter is not required to file any reports of political contributions and political expenditures other than the semiannual reports required to be filed not later than July 15 and January 15.

SUBCHAPTER H. UNEXPENDED CONTRIBUTIONS

Sec. 254.201. ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS.

(a) This section applies to:

(1) a former officeholder who has unexpended political contributions after filing the last report required to be filed by Subchapter D; or

(2) a person who was an unsuccessful candidate who has unexpended political contributions after filing the last report required to be filed by Subchapter C.

(b) A person covered by this section shall file an annual report for each year in which the person retains unexpended contributions.

Sec. 254.202. FILING OF REPORT; CONTENTS.

(a) A person shall file the report required by Section 254.201 not earlier than January 1 or later than January 15 of each year following the year in which the person files a final report under this chapter.

(b) The report shall be filed with the authority with whom the person's campaign treasurer appointment was required to be filed.

(c) The report must include:

(1) the person's full name and address;

(2) the full name and address of each person to whom a payment from unexpended political contributions was made during the previous year;

(3) the date, amount, and purpose of each payment made under Subdivision (2);

(4) the total amount of unexpended political contributions as of December 31 of the previous year; and

(5) the total amount of interest and other income earned on unexpended political contributions during the previous year.

Sec. 254.203. RETENTION OF CONTRIBUTIONS.

(a) A person may not retain political contributions covered by this title, assets purchased with the contributions, or interest and other income earned on the contributions for more than six years after the date the person either ceases to be an officeholder or candidate or files a final report under this chapter, whichever is later.

(b) If the person becomes an officeholder or candidate within the six-year period, the prohibition in Subsection (a) does not apply until the person again ceases to be an officeholder or candidate.

(c) A person who violates Subsection (a) commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 254.204. DISPOSITION OF UNEXPENDED CONTRIBUTIONS.

(a) At the end of the six-year period prescribed by Section 254.203, the former officeholder or candidate shall remit any unexpended political contributions to one or more of the following:

(1) the political party with which the person was affiliated when the person's name last appeared on a ballot;

(2) a candidate or political committee;

(3) the comptroller for deposit in the state treasury;

(4) one or more persons from whom political contributions were received, in accordance with Subsection (d);

(5) a recognized charitable organization formed for educational, religious, or scientific purposes that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986, and its subsequent amendments; or

(6) a public or private postsecondary educational institution or an institution of higher education as defined by Section 61.003(8), Education Code, solely for the purpose of assisting or creating a scholarship program.

(b) A person who disposes of unexpended political contributions under Subsection (a)(2) shall report each contribution as if the person were a campaign treasurer of a specific-purpose committee.

(c) Political contributions disposed of under Subsection (a)(3) may be appropriated only for financing primary elections.

(d) The amount of political contributions disposed of under Subsection (a)(4) to one person may not exceed the aggregate amount accepted from that person during the last two years that the candidate or officeholder accepted contributions under this title.

Sec. 254.205. REPORT OF DISPOSITION OF UNEXPENDED CONTRIBUTIONS.

(a) Not later than the 30th day after the date the six-year period prescribed by Section 254.203 ends, the person required to dispose of unexpended political contributions shall file a report of the disposition.

(b) The report shall be filed with the authority with whom the person's campaign treasurer appointment was required to be filed.

(c) The report must include:

(1) the person's full name and address;

(2) the full name and address of each person to whom a payment from unexpended political contributions is made; and

(3) the date and amount of each payment reported under Subdivision (2).

SUBCHAPTER I. CIVIL LIABILITY

Sec. 254.231. LIABILITY TO CANDIDATES.

(a) A candidate or campaign treasurer or assistant campaign treasurer of a political committee who fails to report in whole or in part a campaign contribution or campaign expenditure as required by this chapter is liable for damages as provided by this section.

(b) Each opposing candidate whose name appears on the ballot is entitled to recover damages under this section.

(c) In this section, "damages" means:

(1) twice the amount not reported that is required to be reported; and

(2) reasonable attorney's fees incurred in the suit.

(d) Reasonable attorney's fees incurred in the suit may be awarded to the defendant if judgment is rendered in the defendant's favor.

Sec. 254.232. LIABILITY TO STATE. A candidate, officeholder, or campaign treasurer or assistant campaign treasurer of a political committee who fails to report in whole or in part a political contribution or political expenditure as required by this chapter is liable in damages to the state in the amount of triple the amount not reported that is required to be reported.

SUBCHAPTER J. REPORTING BY CERTAIN PERSONS MAKING DIRECT CAMPAIGN EXPENDITURES

Sec. 254.261. DIRECT CAMPAIGN EXPENDITURE EXCEEDING \$100.

(a) A person not acting in concert with another person who makes one or more direct campaign expenditures in an election from the person's own property shall comply with this chapter as if the person were the campaign treasurer of a general-purpose committee that does not file monthly reports under Section 254.155.

(b) A person is not required to file a report under this section if the person is required to disclose the expenditure in another report required under this title within the time applicable under this section for reporting the expenditure.

(c) This section does not require a general-purpose committee that files under the monthly reporting schedule to file reports under Section 254.154.

(d) A person is not required to file a campaign treasurer appointment for making expenditures for which reporting is required under this section, unless the person is otherwise required to file a campaign treasurer appointment under this title.

Sec. 254.262. TRAVEL EXPENSE. A direct campaign expenditure consisting of personal travel expenses incurred by a person may be made without complying with Section 254.261.

CHAPTER 255. REGULATING POLITICAL ADVERTISING AND CAMPAIGN COMMUNICATIONS

Sec. 255.001. REQUIRED DISCLOSURE ON POLITICAL ADVERTISING.

(a) A person may not knowingly cause to be published, distributed, or broadcast political advertising containing express advocacy that does not indicate in the advertising:

(1) that it is political advertising; and

(2) the full name of:

(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.

(b) Political advertising that is authorized by a candidate, an agent of a candidate, or a political committee filing reports under this title shall be deemed to contain express advocacy.

(c) A person may not knowingly use, cause or permit to be used, or continue to use any published, distributed, or broadcast political advertising containing express advocacy that the person knows does not include the disclosure required by Subsection (a). A person is presumed to know that the use of political advertising is prohibited by this subsection if the commission notifies the person in writing that the use is prohibited. A person who learns that political advertising signs, as defined by Section 259.001, that have been distributed do not include the disclosure required by Subsection (a) or include a disclosure that does not comply with Subsection (a) does not commit a continuing violation of this subsection if the person makes a good faith attempt to remove or correct those signs. A person who learns that printed political advertising other than a political advertising sign that has been distributed does not include the disclosure required by Subsection (a) or includes a disclosure that does not comply with Subsection (a) is not required to attempt to recover the political advertising and does not commit a continuing violation of this subsection as to any previously distributed political advertising.

(d) This section does not apply to:

(1) tickets or invitations to political fund-raising events;

(2) campaign buttons, pins, hats, or similar campaign materials; or

(3) circulars or flyers that cost in the aggregate less than \$500 to publish and distribute.

(e) A person who violates this section is liable to the state for a civil penalty in an amount determined by the commission not to exceed \$4,000.

Sec. 255.002. RATES FOR POLITICAL ADVERTISING.

(a) The rate charged for political advertising by a radio or television station may not exceed:

(1) during the 45 days preceding a general or runoff primary election and during the 60 days preceding a general or special election, the broadcaster's lowest unit charge for advertising of the same class, for the same time, and for the same period; or

(2) at any time other than that specified by Subdivision (1), the amount charged other users for comparable use of the station.

(b) The rate charged for political advertising that is printed or published may not exceed the lowest charge made for comparable use of the space for any other purposes.

(c) In determining amounts charged for comparable use, the amount and kind of space or time used, number of times used, frequency of use, type of advertising copy submitted, and any other relevant factors shall be considered.

(d) Discounts offered by a newspaper or magazine to its commercial advertisers shall be offered on equal terms to purchasers of political advertising from the newspaper or magazine.

(e) A person commits an offense if the person knowingly demands or receives or knowingly pays or offers to pay for political advertising more consideration than permitted by this section.

(f) An offense under this section is a Class C misdemeanor.

Sec. 255.003. UNLAWFUL USE OF PUBLIC FUNDS FOR POLITICAL ADVERTISING.

(a) An officer or employee of a political subdivision may not knowingly spend or authorize the spending of public funds for political advertising.

(b) Subsection (a) does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure.

(b-1) An officer or employee of a political subdivision may not spend or authorize the spending of public funds for a communication describing a measure if the communication contains information that:

(1) the officer or employee knows is false; and

(2) is sufficiently substantial and important as to be reasonably likely to influence a voter to vote for or against the measure.

(c) A person who violates Subsection (a) or (b-1) commits an offense. An offense under this section is a Class A misdemeanor.

(d) It is an affirmative defense to prosecution for an offense under this section or the imposition of a civil penalty for conduct under this section that an officer or employee of a political subdivision reasonably relied on a court order or an interpretation of this section in a written opinion issued by:

(1) a court of record;

(2) the attorney general; or

(3) the commission.

(e) On written request of the governing body of a political subdivision that has ordered an election on a measure, the commission shall prepare an advance written advisory opinion as to whether a particular communication relating to the measure does or does not comply with this section.

(f) Subsections (d) and (e) do not apply to a port authority or navigation district.

Sec. 255.0031. UNLAWFUL USE OF INTERNAL MAIL SYSTEM FOR POLITICAL ADVERTISING.

(a) An officer or employee of a state agency or political subdivision may not knowingly use or authorize the use of an internal mail system for the distribution of political advertising.

(b) Subsection (a) does not apply to:

(1) the use of an internal mail system to distribute political advertising that is delivered to the premises of a state agency or political subdivision through the United States Postal Service; or

(2) the use of an internal mail system by a state agency or municipality to distribute political advertising that is the subject of or related to an investigation, hearing, or other official proceeding of the agency or municipality.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(d) In this section:

(1) "Internal mail system" means a system operated by a state agency or political subdivision to deliver written documents to officers or employees of the agency or subdivision.

(2) "State agency" means:

(A) a department, commission, board, office, or other agency that is in the legislative, executive, or judicial branch of state government;

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

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

Sec. 255.004. TRUE SOURCE OF COMMUNICATION.

(a) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person enters into a contract or other agreement to print, publish, or broadcast political advertising that purports to emanate from a source other than its true source.

(b) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person knowingly represents in a campaign communication that the communication emanates from a source other than its true source.

(c) An offense under this section is a Class A misdemeanor.

(d) A person commits an offense if the person, with intent to injure a candidate or influence the result of an election:

(1) creates a deep fake video; and

(2) causes the deep fake video to be published or distributed within 30 days of an election.

(e) In this section, "deep fake video" means a video, created with the intent to deceive, that appears to depict a real person performing an action that did not occur in reality.

Sec. 255.005. MISREPRESENTATION OF IDENTITY.

(a) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person misrepresents the person's identity or, if acting or purporting to act as an agent, misrepresents the identity of the agent's principal, in political advertising or a campaign communication.

(b) An offense under this section is a Class A misdemeanor.

Sec. 255.006. MISLEADING USE OF OFFICE TITLE.

(a) A person commits an offense if the person knowingly enters into a contract or other agreement to print, publish, or broadcast political advertising with the intent to represent to an ordinary and prudent person that a candidate holds a public office that the candidate does not hold at the time the agreement is made.

(b) A person commits an offense if the person knowingly represents in a campaign communication that a candidate holds a public office that the candidate does not hold at the time the representation is made.

(c) For purposes of this section, a person represents that a candidate holds a public office that the candidate does not hold if:

(1) the candidate does not hold the office that the candidate seeks; and

(2) the political advertising or campaign communication states the public office sought but does not include the word "for" in a type size that is at least one-half the type size used for the name of the office to clarify that the candidate does not hold that office.

(d) A person other than an officeholder commits an offense if the person knowingly uses a representation of the state seal in political advertising.

(e) An offense under this section is a Class A misdemeanor.

Sec. 255.008. DISCLOSURE ON POLITICAL ADVERTISING FOR JUDICIAL OFFICE.

(a) This section applies only to a candidate or political committee covered by Subchapter F, Chapter 253.

(b) Political advertising by a candidate who files a declaration of intent to comply with the limits on expenditures under Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate may include the following statement: "Political advertising paid for by (name of candidate or committee) in compliance with the voluntary limits of the Judicial Campaign Fairness Act."

(c) Political advertising by a candidate who files a declaration of intent to comply with the limits on expenditures under Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate that does not contain the statement prescribed by Subsection (b) must comply with Section 255.001.

(d) Political advertising by a candidate who files a declaration of intent to exceed the limits on expenditures under Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate must include 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."

(e) The commission shall adopt rules providing for:

(1) the minimum size of the disclosure required by this section in political advertising that appears on television or in writing; and

(2) the minimum duration of the disclosure required by this section in political advertising that appears on television or radio.

(f) A person who violates this section or a rule adopted under this section is liable for a civil penalty not to exceed:

(1) \$15,000, for a candidate for a statewide judicial office or a specific-purpose committee for supporting such a candidate;

(2) \$10,000, for a candidate for chief justice or justice, court of appeals, or a specific-purpose committee for supporting such a candidate; or

(3) \$5,000, for a candidate for any other judicial office covered by Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate.

(g) Section 253.176 applies to the imposition and disposition of a civil penalty under this section.

CHAPTER 257. POLITICAL PARTIES

Sec. 257.001. PRINCIPAL POLITICAL COMMITTEE OF POLITICAL PARTY.

The state or county executive committee of a political party may designate a general-purpose committee as the principal political committee for that party in the state or county, as applicable.

Sec. 257.002. REQUIREMENTS RELATING TO CORPORATE OR LABOR UNION CONTRIBUTIONS.

(a) A political party that accepts a contribution authorized by Section 253.104 may use the contribution only to:

(1) defray normal overhead and administrative or operating costs incurred by the party; or

(2) administer a primary election or convention held by the party.

(b) A political party that accepts contributions authorized by Section 253.104 shall maintain the contributions in a separate account.

Sec. 257.003. REPORT REQUIRED.

(a) A political party that accepts contributions authorized by Section 253.104 shall report all contributions and expenditures made to and from the account required by Section 257.002.

(b) The report must be filed with the commission and must include the information required under Section 254.031 as if the contributions or expenditures were political contributions or political expenditures.

(c) Sections 254.001 and 254.032-254.037 apply to a report required by this section as if the party chair were a campaign treasurer of a political committee and as if the contributions or expenditures were political contributions or political expenditures.

(d) The commission shall prescribe by rule reporting schedules for each primary election held by the political party and for the general election for state and county officers.

Sec. 257.004. RESTRICTIONS ON CONTRIBUTIONS BEFORE GENERAL ELECTION.

(a) Beginning on the 60th day before the date of the general election for state and county officers and continuing through the day of the election, a political party may not knowingly accept a contribution authorized by Section 253.104 or make an expenditure from the account required by Section 257.002.

(b) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 257.005. CANDIDATE FOR STATE OR COUNTY CHAIR OF POLITICAL PARTY.

(a) Except as provided by this section, the following are subject to the requirements of this title that apply to a candidate for public office:

(1) a candidate for state chair of a political party with a nominee on the ballot in the most recent gubernatorial general election; and

(2) a candidate for election to the office of county chair of a political party with a nominee on the ballot in the most recent gubernatorial general election if the county has a population of 350,000 or more.

(b) A political committee that supports or opposes a candidate covered by Subsection (a) is subject to the provisions of this title that apply to any other committee that supports or opposes candidates for public office, except as provided by this section.

(c) The reporting schedules for a candidate covered by Subsection (a) or a political committee supporting or opposing the candidate shall be prescribed by commission rule.

(d) Except as provided by this section, each contribution to and expenditure by a candidate covered by Subsection (a) is subject to the same requirements of this title as a political contribution to or a political expenditure by a candidate for public office. Each contribution to and expenditure by a political committee supporting or opposing a candidate covered by Subsection (a) is subject to the same requirements of this title as a political contribution to or political expenditure by any other specific-purpose committee.

(e) Section 251.001(1) does not apply to this section.

Sec. 257.006. CRIMINAL PENALTY FOR FAILURE TO COMPLY.

(a) Except as provided by Section 257.004, a person who knowingly uses a contribution in violation of Section 257.002 or who knowingly fails to otherwise comply with this chapter commits an offense.

(b) An offense under this section is a Class A misdemeanor.

Sec. 257.007. RULES. The commission shall adopt rules to implement this chapter.

CHAPTER 258. FAIR CAMPAIGN PRACTICES

Sec. 258.001. SHORT TITLE. This chapter may be cited as the Fair Campaign Practices Act.

Sec. 258.002. PURPOSE.

(a) The purpose of this chapter is to encourage every candidate and political committee to subscribe to the Code of Fair Campaign Practices.

(b) It is the intent of the legislature that every candidate and political committee that subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents.

Sec. 258.003. DELIVERY OF COPY OF CODE.

(a) When a candidate or political committee files its campaign treasurer appointment, the authority with whom the appointment is filed shall give the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The authority shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with the authority and that subscription to the code is voluntary.

Sec. 258.004. TEXT OF CODE. The Code of Fair Campaign Practices reads as follows:
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.

VOID – COPY ONLY - VOID¹

Date

Signature

Sec. 258.005. FORMS. The commission shall print copies of the Code of Fair Campaign Practices and shall supply the forms to the authorities with whom copies of the code may be filed in quantities and at times requested by the authorities.

Sec. 258.006. ACCEPTANCE AND PRESERVATION OF COPIES.

(a) An authority with whom a campaign treasurer appointment is filed shall accept each completed copy of the code submitted to the authority that is properly subscribed to by a candidate or the campaign treasurer of a political committee.

(b) Each copy of the code accepted under this section shall be preserved by the authority with whom it is filed for the period prescribed for the filer's campaign treasurer appointment.

Sec. 258.007. SUBSCRIPTION TO CODE VOLUNTARY. The subscription to the Code of Fair Campaign Practices by a candidate or a political committee is voluntary.

Sec. 258.008. INDICATION ON POLITICAL ADVERTISING. A candidate or a political committee that has filed a copy of the Code of Fair Campaign Practices may so indicate on political advertising in a form to be determined by the commission.

Sec. 258.009. CIVIL CAUSE OF ACTION. This chapter does not create a civil cause of action for recovery of damages or for enforcement of this chapter.

¹ This document is a copy of chapter 258, Election Code. To subscribe to the Code of Fair Campaign Practices, a candidate or campaign treasurer of a political committee must submit Texas Ethics Commission FORM CFCP, not a signed copy of this document.

CHAPTER 259. POLITICAL SIGNS

[Section 259.001, Election Code, was moved from Section 255.007, Election Code, with amendments indicated.]

Sec. 259.001. NOTICE REQUIREMENT ON POLITICAL ADVERTISING SIGNS. (a) The following notice must be written on each political advertising sign:

"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."

(b) A person commits an offense if the person:

(1) knowingly enters into a contract to print or make a political advertising sign that does not contain the notice required by Subsection (a); or

(2) instructs another person to place a political advertising sign that does not contain the notice required by Subsection (a).

(c) An offense under this section is a Class C misdemeanor.

(d) It is an exception to the application of Subsection (b) that the political advertising sign was printed or made before September 1, 1997, and complied with Subsection (a) as it existed immediately before that date.

(e) In this section, "political advertising sign" means a written form of political advertising designed to be seen from a road but does not include a bumper sticker.

[Section 259.002, Election Code, was moved from Section 202.009, Property Code, with amendments indicated.]

Sec. 259.002. REGULATION OF DISPLAY OF POLITICAL SIGNS BY PROPERTY OWNERS' ASSOCIATIONS.

(a) In this section, "property owners' association" has the meaning assigned by Section 202.001, Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

(1) on or after the 90th day before the date of the election to which the sign relates; or

(2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

(1) requires a sign to be ground-mounted; or

(2) limits a property owner to displaying only one sign for each candidate or measure.

(d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

(1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

(2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;

(3) includes the painting of architectural surfaces;

- (4) threatens the public health or safety;
- (5) is larger than four feet by six feet;
- (6) violates a law;
- (7) contains language, graphics, or any display that would be offensive to the ordinary person; or
- (8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

(e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

[Section 259.003, Election Code, was moved from Section 216.903, Local Government Code, with amendments indicated.]

Sec. 259.003. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY.

(a) In this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(b) A municipal charter provision or ordinance that regulates signs may not, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner:

- (1) prohibit the sign from being placed;
- (2) require a permit or approval of the municipality or impose a fee for the sign to be placed;
- (3) restrict the size of the sign; or
- (4) provide for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance.

(c) Subsection (b) does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.

(d) Subsection (b) does not apply to a sign that:

- (1) has an effective area greater than 36 feet;
- (2) is more than eight feet high;
- (3) is illuminated; or
- (4) has any moving elements.

TEXAS ETHICS COMMISSION

CHAPTER 258, ELECTION CODE

FAIR CAMPAIGN PRACTICES



**Effective September 1,
1997 (Revised 9/1/2023)**

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

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Promoting Public Confidence in Government

CHAPTER 258, ELECTION CODE

FAIR CAMPAIGN PRACTICES

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ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 258. FAIR CAMPAIGN PRACTICES

Sec. 258.001. SHORT TITLE. This chapter may be cited as the Fair Campaign Practices Act.

Sec. 258.002. PURPOSE.

(a) The purpose of this chapter is to encourage every candidate and political committee to subscribe to the Code of Fair Campaign Practices.

(b) It is the intent of the legislature that every candidate and political committee that subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents.

Sec. 258.003. DELIVERY OF COPY OF CODE.

(a) When a candidate or political committee files its campaign treasurer appointment, the authority with whom the appointment is filed shall give the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The authority shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with the authority and that subscription to the code is voluntary.

Sec. 258.004. TEXT OF CODE. The Code of Fair Campaign Practices reads as follows:

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.

VOID – COPY ONLY - VOID¹

Date

Signature

Sec. 258.005. FORMS. The commission shall print copies of the Code of Fair Campaign Practices and shall supply the forms to the authorities with whom copies of the code may be filed in quantities and at times requested by the authorities.

Sec. 258.006. ACCEPTANCE AND PRESERVATION OF COPIES.

(a) An authority with whom a campaign treasurer appointment is filed shall accept each completed copy of the code submitted to the authority that is properly subscribed to by a candidate or the campaign treasurer of a political committee.

(b) Each copy of the code accepted under this section shall be preserved by the authority with whom it is filed for the period prescribed for the filer's campaign treasurer appointment.

Sec. 258.007. SUBSCRIPTION TO CODE VOLUNTARY. The subscription to the Code of Fair Campaign Practices by a candidate or a political committee is voluntary.

¹ This document is a copy of chapter 258, Election Code. To subscribe to the Code of Fair Campaign Practices, a candidate or campaign treasurer of a political committee must submit Texas Ethics Commission FORM CFCP, not a signed copy of this document.

Sec. 258.008. INDICATION ON POLITICAL ADVERTISING. A candidate or a political committee that has filed a copy of the Code of Fair Campaign Practices may so indicate on political advertising in a form to be determined by the commission.

Sec. 258.009. CIVIL CAUSE OF ACTION. This chapter does not create a civil cause of action for recovery of damages or for enforcement of this chapter.

TEXAS ETHICS COMMISSION

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



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

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

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

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

Revised January 1, 2024

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

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Promoting Public Confidence in Government

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

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INTRODUCTION

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

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

IMPORTANT UPDATES

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

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

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

OFFICEHOLDERS

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

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

JUDICIAL CANDIDATES AND OFFICEHOLDERS

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

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

FEDERAL OFFICES

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

FILING AUTHORITIES

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

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

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

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

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

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

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

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

POLITICAL COMMITTEES (PACS)

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

FINANCIAL DISCLOSURE STATEMENTS

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

FEDERAL INCOME TAX

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

TEXAS ETHICS COMMISSION

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

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

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

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. Tex. Elec. Code § 253.038 (a-1). This restriction applies to a payment made from political funds on or after September 1, 2007, without regard to whether the payment was made under a lease or other agreement entered into before that date.

ACCEPTING CONTRIBUTIONS

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

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

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

REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

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

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

SEPARATE ACCOUNT REQUIRED

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

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

RESTRICTIONS INVOLVING LOBBYING

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

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

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

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

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

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

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

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

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

INFORMATION REQUIRED ON REPORTS

CONTRIBUTIONS

A report must disclose the amount of each contribution or the value and nature of any in-kind contribution, as well as the name and address of the individual or political committee making the contribution, and the date of the contribution. (Detailed information about a contributor is not required to be reported if the contributor contributed \$110 or less during the reporting period. However, all contributions made electronically must be itemized with this information.)

PLEDGES

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

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

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

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

LOANS

Loans made for campaign or officeholder purposes are reportable. A filer must report the amount of a loan, the date the loan is made, the interest rate, the maturity date, the type of collateral, and the name and address of the lender. The filer must also report the name, address, principal occupation, and employer of any guarantor and the amount guaranteed by the guarantor. (Detailed information is not required if a particular lender lent \$110 or less during a reporting period.) If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan. See “Campaign Expenditures from Personal

Funds” in this guide for additional information.

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

CONTRIBUTIONS OF PERSONAL SERVICES

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

CONTRIBUTIONS OF PERSONAL TRAVEL

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

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

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

Contributions over \$1,080 in a reporting period. Before *accepting* more than \$1,080 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 \$220 to the out-of-state political committee during the 12 months immediately preceding the contribution, *or* (2) a copy of the out-of-state political committee’s statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee.

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

Contributions of \$1,080 or less in a reporting period. For a contribution of \$1,080 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 \$220 during the reporting period, a filer may report those expenditures as part of a lump sum. Otherwise, a filer must report the date of an expenditure, the name and address of the person to whom the expenditure is made, and the purpose of the expenditure.

UNPAID INCURRED OBLIGATIONS

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

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

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

EXPENDITURES MADE BY CREDIT CARD

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

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

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

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

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

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

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

OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS

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

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

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

DIRECT EXPENDITURES

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

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

SUPPORTING POLITICAL COMMITTEES

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

PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER

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

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

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

INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS

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

- any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, the amount of which exceeds \$140;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$140; and
- any other gain from a political contribution, the amount of which exceeds \$140.

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 \$140 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 \$140. This information must be disclosed on Schedule F3 of the campaign finance report.

TOTAL POLITICAL CONTRIBUTIONS MAINTAINED

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

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

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

TIME OF ACCEPTING CONTRIBUTION

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

TIME OF MAKING EXPENDITURE

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

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

PREPARING REPORTS

FORMS

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

SIGNATURE REQUIRED

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

FILING DEADLINES

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

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

PERIODS COVERED BY REPORTS

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

DEADLINE ON WEEKEND OR HOLIDAY

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

5 P.M. DEADLINE

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

DELIVERY BY MAIL OR OTHER CARRIER

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

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

RETENTION OF RECORDS USED FOR REPORTS

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

REPORTS

SEMIANNUAL REPORTS

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

However, there is an exception to this requirement for officeholders who file with a local filing authority, do not have a campaign treasurer appointment on file, and do not accept more than \$1,080 in officeholder contributions or make more than \$1,080 in officeholder expenditures during the period covered by the report.

REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

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

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

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

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

REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION

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

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

MODIFIED REPORTING

On the campaign treasurer appointment form, there is an option to choose modified reporting for the next election cycle. Modified reporting excuses an opposed candidate from filing reports 30 days and 8 days before an election and 8 days before a runoff. An opposed candidate is eligible for modified reporting only if the candidate does not intend to exceed either \$1,080 in contributions or \$1,080 in expenditures (excluding filing fees) in connection with an election.

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

If an opposed candidate selects modified reporting but exceeds the \$1,080 threshold for contributions or expenditures after the 30th day before the election, the filer must file a report within 48 hours of exceeding the threshold. (The filer must meet this deadline even if it falls on a weekend or a holiday.) At that point, the filer is no longer eligible for modified reporting and must file according to the regular filing schedule.

A selection to file on the modified reporting schedule lasts for an entire election cycle. In other words, the selection is valid for a primary, a primary runoff, and a general election (as long as the candidate does not exceed one of the \$1,080 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 \$1,080 in contributions or make more than \$1,080 in expenditures by the end of the reporting period.

FINAL REPORT

See “Ending Filing Obligations” below.

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

See “Ending Filing Obligations” below.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT

See “Ending Filing Obligations” below.

THINGS TO REMEMBER

- An officeholder must file semiannual reports for any period during which he or she is an officeholder. (There is an exception to this rule for officeholders who do not have a campaign treasurer appointment on file and who do not accept more than \$1,080 in political contributions or make more than \$1,080 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.
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THINGS TO REMEMBER

- Anyone who has an appointment of campaign treasurer on file must file periodic reports of campaign contributions and expenditures.
 - An individual who expects no further reportable activity in connection with his or her candidacy, files a final report and thereby terminates his or her campaign treasurer appointment. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with Chapter 572 of the Government Code or Chapter 159 of the Local Government Code.)
 - An officeholder may be required to file semiannual reports even if he or she does not have a campaign treasurer appointment on file. A local officeholder who has not accepted more than \$1,080 in contributions or made more than \$1,080 in expenditures in a semiannual period since terminating his or her campaign treasurer appointment is not required to file a semiannual report for that period.
-

PENALTIES FOR REPORTING VIOLATIONS

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

CAMPAIGN FINANCE RESTRICTIONS

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

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

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

2. Political contributions from labor organizations and from most corporations are prohibited. Tex. Elec. Code § 253.091, *et seq.* Partnerships that include one or more corporate partners are subject to the prohibition.
3. Certain documentation must be obtained in order to accept contributions from an out-of-state political committee. Tex. Elec. Code § 253.032. See “Contributions from Out-of-State Political Committees” in this guide.
4. Cash contributions of more than \$100 in the aggregate from one contributor in a reporting period are prohibited. (Here “cash” means coins and currency, not checks.) Tex. Elec. Code § 253.033.
5. The use of political contributions to purchase real property is prohibited. There is also a restriction on the use of political funds to rent or purchase real property from a person related to the candidate or officeholder within the second degree of consanguinity or affinity or from a business in which the candidate or officeholder or such a relative has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer. Tex. Elec. Code § 253.038.
6. Texas law does not allow anonymous contributions. Also, reports must disclose the actual source of a contribution, not an intermediary. Tex. Elec. Code § 253.001.
7. Personal use of political contributions is prohibited. Tex. Elec. Code § 253.035.
8. A candidate or officeholder may not use political contributions to pay for personal services rendered by the candidate or officeholder or by the spouse, or dependent children of the candidate or officeholder. There are also restrictions of a candidate’s or officeholder’s use of political contributions to make payments to a business in which the candidate or officeholder holds a participating interest of more than 10 percent, a position on the governing body of the business, or a position as an officer of the business. See to Op. Tex. Ethics Comm’n No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions). Tex. Elec. Code § 253.041.
There are restrictions on the use of political contributions to reimburse political expenditures from personal funds. See “Reimbursement for Political Expenditures from Personal Funds,” in this guide.
9. A candidate, officeholder, or political committee may not accept political contributions in the Capitol, the Capitol Extension, or a courthouse. “Courthouse” means any building owned by the state, a county, or a municipality, or an office or part of a building leased to the state, a county, or a municipality, in which a justice or judge sits to conduct court proceedings. Tex. Elec. Code § 253.039.
10. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or

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

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

Violations of the law often occur because someone finds it irresistible to wrap up a factual explanation with a motivational slogan such as:

IT PAYS TO INVEST IN THE FUTURE.

or

IT'S TIME TO MOVE AHEAD.

Another common misstep is to include "calls to action" such as:

LET'S BUILD A BETTER CITY.

or

SHOW THAT YOU CARE ABOUT OUR FUTURE.

Remember: No matter how much factual information about the purposes of a measure election is in a communication, *any amount* of advocacy is impermissible.

★ A violation of the prohibition is a **Class A misdemeanor**. This means that a violation could lead to criminal prosecution. Also, the Ethics Commission has authority to impose fines for violations of section 255.003.

Another provision of the Texas Election Code prohibits an officer or employee of a political subdivision from using or authorizing the use of an internal mail system to distribute political advertising. An internal mail system is a system operated by a political subdivision to deliver written documents to its officers or employees. A violation of this prohibition could also lead to the imposition of fines by the Ethics Commission or to criminal prosecution.

Although you may not use political subdivision resources for political advertising, you are free to campaign for or against a proposition on your own time and with your own resources. If you do plan to become involved in a campaign, you should educate yourself about filing requirements and about the rules regarding disclosures on political advertising.

Information is available from the Texas Ethics Commission by phone at (512) 463-5800 or on the Ethics Commission's web site at <https://www.ethics.state.tx.us>.

A Short Guide to the Prohibition Against Using Political Subdivision Resources For Political Advertising In Connection With An Election



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Revised October 13, 2017

A Short Guide to the Prohibition Against Using Political Subdivision Resources For Political Advertising In Connection With An Election

No matter how enthusiastic you are about an election, it is important to remember that the Texas Election Code prohibits the use of political subdivision resources to produce or distribute political advertising in connection with an election. Section 255.003 of the Election Code provides as follows:

- An officer or employee of a political subdivision may not spend or authorize the spending of public funds for political advertising.
- This section does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure.
- A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

New legislation effective September 1, 2009, further clarifies that an officer or employee of a political subdivision may not spend or authorize the spending of public funds for a communication describing a measure if the communication contains information that:

- (1) the officer or employee knows is false; and
- (2) is sufficiently substantial and important as to be reasonably likely to influence a voter for or against the measure.

To understand the practical significance of this prohibition, it is useful to look at some of the specific words and phrases used in the law.

“Political advertising” means

- (1) a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, that: (A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or (B) appears: (i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or (ii) on an Internet website; and
- (2) a communication that advocates passage or defeat of a measure, and that: (A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or (B) appears: (i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or (ii) on an Internet website.

Newsletter of Public Officer of a Political Subdivision. The Ethics Commission adopted a rule providing guidelines for when a newsletter of a public officer of a political subdivision is not political advertising. Texas Ethics Commission Rule 26.2 provides as follows:

For purposes of section 255.003 of the Election Code, a newsletter of a public officer of a political subdivision is not political advertising if:

- (1) It includes no more than two pictures of a public officer per page and if the total amount of area covered by the pictures is no more than 20 percent of the page on which the pictures appear;
- (2) It includes no more than eight personally phrased references (such as the public officer’s name, “I”, “me”, “the city council member”) on a page that is 8 ½” x 11” or larger, with a reasonable reduction in the number of such personally phrased references in pages smaller than 8 ½” x 11”; and
- (3) When viewed as a whole and in the proper context:

- (A) is informational rather than self-promotional;
- (B) does not advocate passage or defeat of a measure; and
- (C) does not support or oppose a candidate for nomination or election to a public office or office of political party, a political party, or a public officer.

The prohibition applies to any **“officer or employee of a political subdivision.”** In other words, if an officer or employee of a political subdivision makes a decision to use political subdivision resources in violation of the prohibition, the employee could be fined by the Ethics Commission or held criminally liable. School board members, as “officers” of a school district, are also subject to the prohibition.

★ The prohibition applies to **“spending or authorizing the spending of public funds”** for political advertising. Not only does this mean that the political subdivision may not purchase or authorize the purchase of new materials for use in creating political advertising, it also means that a political subdivision would violate the prohibition by using existing paper and machinery to generate, display, or distribute political advertising.

Also, it is not permissible to use or authorize the use of the paid time of an employee of a political subdivision to create or distribute political advertising.

★ The prohibition does not apply to **“a communication that factually describes the purposes”** of a measure election. In other words, it is permissible to use the resources of a political subdivision to produce explanatory material about what is at stake in a measure election. However, the communication may not contain information that an officer or employee of a political subdivision knows is false. The information must not be sufficiently substantial and important, such that it would be reasonably likely to influence a voter to vote a certain way.

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](#).

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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.

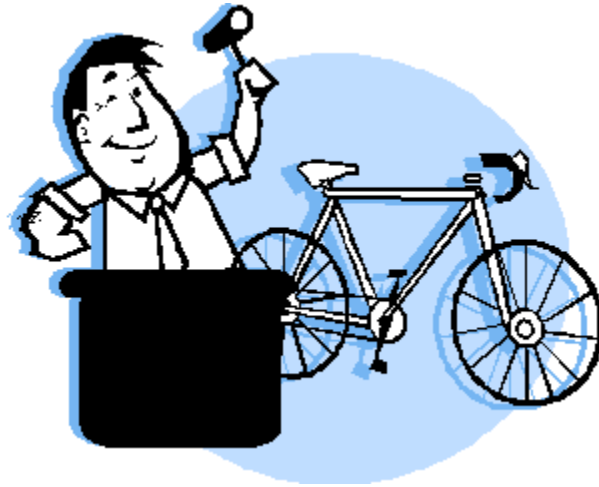
Only current officeholders may use the state seal in political advertising.

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](#).

POLITICAL FUNDRAISERS:

What You Need to Know



A GUIDE FOR CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES

January 1, 2024

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

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Promoting Public Confidence in Government

Fundraising Events

Rule No. 1

File a Campaign Treasurer Appointment

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

All political committees must file a campaign treasurer appointment before accepting or spending over \$1,080, and additional requirements may also apply.

Rule No. 2

No Raffles

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

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

Rule No. 3

No Cash Contributions Over \$100

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

Rule No. 4

Auction Activity is Reportable

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

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

Rule No. 5

No Anonymous Contributions

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

Rule No. 6

No Contributions from Corporations or Labor Organizations

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

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

Rule No. 7

No Contributions from Foreign Nationals

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

Rule No. 8

No Misuse of Government Property to Campaign

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

Texas Ethics Commission

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

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TEXAS ETHICS COMMISSION RULES



Effective September 25, 2024

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Promoting Public Confidence in Government

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CHAPTER 6. ORGANIZATION AND ADMINISTRATION

Subchapter A. GENERAL RULES

§6.1. Definitions.

The following words and terms, when used in this part, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Act--The Government Code, Chapter 571 (concerning Texas Ethics Commission).
- (2) Administrative Procedure Act--The Government Code, Chapter 2001 (concerning Administrative Procedure).
- (3) Agency--The state agency governed by the commission, as it functions and operates through the administrative staff hired by the commission and its executive director.
- (4) Commission--The Texas Ethics Commission, as constituted and described in the Texas Constitution, Article 3, §24a.
- (5) Document--A report, complaint, response, letter, or any other written material.
- (6) Executive director--The person employed by the commission to serve as the agency's chief administrative officer, or any other employee of the commission acting as the designee of the executive director.
- (7) Family member or relative--An individual who is related within the second degree of affinity or consanguinity, as defined by the Government Code, Chapter 573, Subchapter B (concerning Relationships by Consanguinity or by Affinity).
- (8) Filer--A person required to file a report with the commission or a local filing authority in accordance with this title.
- (9) Individual--A human being who has been born and is alive.
- (10) Local filing authority--A public servant other than the Texas Ethics Commission with whom a filer must file a report in accordance with this title, as identified in §20.5 of this title (relating to Reports Filed with a County Filing Authority) and §20.7 of this title (relating to Reports Filed with Other Local Filing Authority).
- (11) Open Meetings Law--The Government Code, Chapter 551 (concerning Open Meetings).
- (12) Open Records Law--The Government Code, Chapter 552 (concerning Open Records).
- (13) Person--An individual, representative, corporation, association, or other entity, including any nonprofit corporation, or any agency or instrumentality of federal, state, or local government.

(14) Postmark--A postal cancellation by the United States Postal Service that contains the post office name, state, and zip code and the month, day, and year the canceling post office accepted custody of the material.

(15) Presiding officer--The person elected to serve as the commission's chairman or chairwoman under §6.21 of this title (relating to Officers of the Commission).

(16) Report--Any document or other information required to be filed under this title.

(17) Staff--Employees of the commission, hired by the commission or the executive director.

(18) Title 15--The Election Code, Title 15 (concerning Regulating Political Funds and Campaigns).

(19) First responder--An individual who is:

(A) a peace officer whose duties include responding rapidly to an emergency;

(B) fire protection personnel, as that term is defined by Section 419.021, Government Code;

(C) a volunteer firefighter who performs firefighting duties on behalf of a political subdivision;

(D) an ambulance driver; or

(E) an individual certified as emergency medical services personnel by the Department of State Health Services.

(20) Judicial office--The office of:

(A) chief justice or justice, supreme court;

(B) presiding judge or judge, court of criminal appeals;

(C) chief justice or justice, court of appeals;

(D) district judge;

(E) judge, statutory county court; or

(F) judge, statutory probate court.

(21) Non-judicial office--An elective public office and the secretary of state, but not including an office described by paragraph (20) of this section.

§6.3. Purpose and Construction of Rules.

(a) This title is adopted for the following purposes:

- (1) to establish and explain the practice and procedures followed by the commission and its employees performing its duties under the law; and
- (2) to provide specific guidance necessary to encourage and ensure full compliance with all laws administered and enforced by the commission.

(b) A person's obligation to comply with a requirement or prohibition established by statute exists even if this title is silent concerning a statutory requirement.

(c) This title shall always be construed in a manner consistent with all applicable constitutional and statutory requirements.

§6.5. Authority To Adopt Rules.

This title is adopted under the authority granted by the Act, the Administrative Procedure Act, and by any other law administered and enforced by the commission that establishes the commission's authority to adopt rules.

§6.7. Actions That Require Six Votes.

(a) The following actions require the affirmative vote of no less than six members of the commission:

- (1) to adopt a rule to administer any law administered and enforced by the commission;
- (2) to render any decision on a complaint or a report of a violation as provided by the Government Code, Chapter 571 (concerning Texas Ethics Commission), other than a final decision after a formal hearing that a violation has not occurred, which requires only five votes;
- (3) to prohibit participation by a member of the commission in commission proceedings relating to the investigation, complaint, or motion;
- (4) without a sworn complaint, to initiate a preliminary review of an alleged violation of a law administered or enforced by the commission;
- (5) to subpoena and examine witnesses and documents that directly relate to a sworn complaint and issue a written request to a peace officer to serve a subpoena of the commission in the manner prescribed for service of a district court subpoena;
- (6) to order and perform a complete audit at an informal or formal hearing of a sworn complaint or commission-initiated complaint; and
- (7) to initiate civil enforcement actions and refer matters to the appropriate prosecuting attorney for criminal prosecution.

(b) Any action not listed in subsection (a) of this section that requires a vote of the commission requires the affirmative vote of no less than five members of the commission.

§6.9. Computation of Time.

(a) This section states how to compute a period of time prescribed or allowed by this title, by any order of the agency, or by any applicable statute. The day of the act, event, or default after which the designated period of time begins to run is not included. The last day of the period is included. However, if the last day of the time period would be a Saturday, a Sunday, or a legal holiday, the period is extended until the next day that is not a Saturday, a Sunday, or a legal holiday. A legal holiday, for purposes of this section, is any day other than a Saturday or Sunday that the agency is closed for a holiday established by state law.

(b) A time period described by statute or this title to be a certain number of business days is calculated under subsection (a) of this section without including any Saturday, Sunday, or legal holiday within that time period.

(c) A document required to be filed or served by a deadline established by statute or this title is filed or served when it is actually received. A document may be deemed to be filed or served when it is deposited with the United States Postal Service, properly addressed to the recipient, with all postage prepaid. The date of the postmark on the envelope for the document is presumed to be the date the document was deposited with the United States Postal Service.

(d) A document filed or served by delivery to the United States Postal Service is presumed to have been filed before 5:00 p.m. on the date indicated by the postmark.

Subchapter B. OFFICERS AND EMPLOYEES OF THE COMMISSION

§6.21. Officers of the Commission.

(a) The commission shall select a presiding officer and a vice-presiding officer.

(b) Commission officers are elected annually by majority vote of the commission. The election shall take place at the first commission meeting held after June 1 of each year. Each officer shall serve until his or her successor is selected.

(c) The presiding officer and the vice-presiding officer shall be elected from different political party caucus lists.

(d) The presiding officer may be re-elected; however, if a new presiding officer is elected it should be from a different political party caucus list than the former presiding officer.

(e) The presiding officer shall preside at all meetings of the commission. While presiding, the presiding officer shall direct the order of the meeting, appoint committees and persons to chair committees, recognize persons to be heard at hearings, set reasonable and necessary time limits for speakers, and take other actions to clarify issues and preserve order. When the presiding officer is absent, the vice-presiding officer shall perform all duties of the presiding officer.

(f) The presiding officer may perform the following actions of the commission:

- (1) Sign previously approved subpoenas and orders;
- (2) Schedule hearings and meetings;
- (3) Timely respond to litigation matters on behalf of the commission when action is required before the next scheduled meeting and is within the scope of the authorization granted by the commission; and
- (4) Respond to matters on behalf of the commission when action is required and is within the scope of the authorization granted by the commission.

(g) The presiding officer may appoint a commissioner as chair pro tem to preside over a hearing held by the commission.

§6.23. Commission Staff.

(a) The executive director is the chief administrative officer of the agency. The executive director shall attend commission meetings at the pleasure of the commission and serve as liaison between the commission and the public.

(b) The commission delegates to the executive director all powers conferred on the commission by the Act or other law, except for any power that requires a vote of the commission. Any action taken by the executive director shall conform with all applicable law, including this title and other policies that may be adopted from time to time by the commission.

(c) The executive director shall attend commission meetings unless specifically excused by the commission and shall perform any duties or assignments established by the commission.

(d) The general counsel shall attend commission meetings unless specifically excused by the commission, shall provide legal advice to the commission and executive director, and shall perform any duties delegated by the executive director.

§6.25. Appointment and Operation of Advisory Committees.

(a) The commission by resolution may establish one or more committees to obtain the viewpoints and advice of interested persons with respect to any contemplated rulemaking. The membership or method of appointment of members to a committee established under this section shall be specified in the resolution that creates the committee. A committee created under this section is advisory only.

(b) In addition to committees established under subsection (a) of this section, with the consent of other members of the commission the presiding officer may from time to time establish and appoint commission members and others to a special committee to exercise advisory duties specified by the presiding officer.

Subchapter C. COMMISSION MEETINGS

§6.31. Quorum.

Five commissioners must be present as a quorum to hold a commission meeting.

§6.33. Frequency of Meetings.

The commission shall meet at least once a quarter at the call of the presiding officer.

§6.35. Called Meetings.

The executive director shall give notice to each commissioner of the date and time of each meeting. Notice under this section shall be provided a reasonable amount of time in advance of the meeting, and may be by telephone, fax, or mail.

§6.37. Open Meetings.

(a) Except as provided by subsection (b) of this section, each meeting of the commission shall be conducted in accordance with the Open Meetings Law.

(b) A commission meeting limited to consideration and action on matters relating to sworn complaints is not subject to the Open Meetings Law.

§6.39. Meeting Agenda.

(a) The agenda shall consist of agenda items proposed by the executive director prior to the meetings for which the agenda is specified. At a reasonable time before filing a copy of the agenda as required by the Open Meetings Law, the executive director shall provide a copy of the proposed agenda to the presiding officer. If the presiding officer is not reasonably available, the executive director shall provide a copy of the proposed agenda to the vice-presiding officer. If the vice-presiding officer is not reasonably available, the executive director shall provide a copy of the proposed agenda to any two commissioners.

(b) The presiding officer, a commission member with the consent of the presiding officer, or any two commissioners may direct the executive director to include an item on the agenda if it complies with the posting requirements specified by law. The presiding officer may direct the executive director to remove an item included on a proposed agenda unless that item is requested by two commission members other than the presiding officer.

(c) A member of the public may ask the executive director to place an item on a proposed agenda. The executive director shall advise the commission of the request and may include the item on a proposed agenda.

§6.41. Public Hearing and Participation.

(a) A public hearing on an agenda item shall be conducted when required by law or requested by a commissioner.

(b) The executive director shall prepare and maintain a plan for providing special assistance (including without limitation translation of the English language) to persons who request such assistance for the purpose of attending, observing, or participating in a commission meeting.

§6.43. Speakers Addressing the Commission.

(a) The executive director shall prescribe a speaker registration form. Each person who wishes to speak at a commission meeting shall provide the following information:

- (1) the speaker's name;
- (2) the person or entity the speaker represents, if any;
- (3) the agenda item the speaker wishes to address; and
- (4) his or her mailing address and telephone number.

(b) Any person who addresses the commission shall state his or her name and the name of the person or entity the speaker represents, if any, for purposes of the tape recording under §6.47 of this title (relating to Tape Recording of Meeting; Minutes).

§6.45. Order and Conduct of Commission Meeting.

(a) The presiding officer shall preside at all meetings of the commission. The presiding officer shall direct the order of the meeting in accordance with its agenda, recognize persons to be heard, set reasonable and necessary time limits for speakers, maintain and enforce appropriate standards of conduct, and take any other action necessary in his or her discretion to clarify issues and preserve order. When the presiding officer is absent, the vice-presiding officer shall perform all duties under this subsection.

(b) Commission meetings shall be conducted in accordance with rules and procedures set forth in the most recently published edition of Robert's Rules of Order.

(c) With unanimous consent of all commissioners present, any provision or requirement of this section may be waived.

(d) No action of the commission that otherwise complies with law shall be void or invalid because the action was taken in violation of a rule or procedure established by this section.

§6.47. Tape Recording of Meeting; Minutes.

(a) All meetings of the commission shall be tape recorded. The tape recording shall be the official record of actions taken at the meeting.

(b) The presiding officer shall announce the names of each commissioner who makes or seconds a motion to be voted upon by the commission. After the vote has been taken, the presiding officer shall announce the vote in a manner that identifies how each commissioner voted, if a commissioner abstained, or if a commissioner was not present for the vote.

(c) The executive director shall prepare minutes after each meeting that reflect all commission votes and other actions taken during the meeting. The minutes shall be approved by vote of the commission at a subsequent commission meeting.

Subchapter D. RULEMAKING PROCEDURES

§6.61. Comments on Proposed Rules.

(a) Written comments on a proposed rule received at the agency office shall be reviewed by the executive director and made available to each member of the commission before final action to adopt the rule.

(b) Oral or written comments on a proposed rule may also be offered at the public hearing required by §6.63 of this title (relating to Public Hearings on Proposed Rules).

§6.63. Public Hearings on Proposed Rules.

The commission will hold a public hearing on each proposed rule before it takes final action to adopt the rule. Unless otherwise scheduled, the public hearing will be held immediately before the commission votes on the proposed rule.

Subchapter E. AGENCY FEES AND CHARGES

§6.81. Charges; Payment of Money; Refunds.

(a) Any fee or charge payable to the agency shall be paid in advance, unless satisfactory arrangements for subsequent payment are approved by the executive director.

(b) Money paid by actual mistake or in excess, such as a payment not required by law, may be refunded. A mere change of purpose after the payment of money, as when a party desires to withdraw a filing, will not entitle a party to a refund.

§6.83. Copying Charges.

The charge for providing copies of documents shall be in accordance with rules established by the General Services Commission or other applicable law.

§6.87. Waiver of Fees for Copies or Publications.

The executive director may waive or reduce a charge established by this subchapter when, in his or her discretion, a waiver or reduction of the fee is in the public interest because furnishing the information primarily benefits the general public.

CHAPTER 8. ADVISORY OPINIONS

§8.1. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise: AOR number--An advisory opinion request file number assigned by the executive director to a pending advisory opinion request in accordance with this chapter.

§8.3. Subject of an Advisory Opinion.

(a) The commission may only issue a written advisory opinion on the application of any of the following laws:

- (1) Government Code, Chapter 302 (concerning Speaker of the House of Representatives);
- (2) Government Code, Chapter 303 (concerning Governor for a Day and Speaker's Reunion Day Ceremonies);
- (3) Government Code, Chapter 305 (concerning Registration of Lobbyists);
- (4) Government Code, Chapter 572 (concerning Personal Financial Disclosure, Standards of Conduct, and Conflict of Interest);
- (5) Government Code, Chapter 2004 (concerning Representation Before State Agencies);
- (6) Local Government Code, Chapter 159, Subchapter C, in connection with a county judicial officer, as defined by Section 159.051, Local Government Code, who elects to file a financial statement with the commission;
- (7) Election Code, Title 15 (concerning Regulating Political Funds and Campaigns);
- (8) Penal Code, Chapter 36 (concerning Bribery and Corrupt Influence);
- (9) Penal Code, Chapter 39 (concerning Abuse of Office).
- (10) Government Code, §2152.064 (concerning Conflict of Interest in Certain Transactions); and
- (11) Government Code, §2155.003 (concerning Conflict of Interest).

(b) The commission may not issue an advisory opinion that concerns the subject matter of pending litigation known to the commission.

(c) For purposes of this section, the term litigation includes a sworn complaint proceeding before the commission only if the Government Code Subchapters C-H, Chapter 2001, applies to the proceeding.

(d) An advisory opinion cannot resolve a disputed question of fact.

§8.5. Persons Eligible To Receive an Advisory Opinion.

A person who is subject to one of the laws described in §8.3(a) of this chapter (relating to Subject of Advisory Opinions) may request an opinion that advises how the law applies to that person in a specific real or hypothetical factual situation.

§8.7. Request for an Advisory Opinion.

(a) A request for an advisory opinion shall describe a specified factual situation. The facts specified may be real or hypothetical. The request must provide sufficient detail to permit the commission to provide a response to the request, including the name of the person making the request and, if applicable, the name of the person on whose behalf the request is made.

(b) A request for an advisory opinion shall be:

- (1) in writing; and
- (2) mailed or hand-delivered to the commission at the agency office or emailed to the commission's email address designated for receiving requests.

§8.9. Commission Initiated Opinion.

When a majority of the commission determines that an opinion would be in the public interest or in the interest of any person or persons within the jurisdiction of the commission, the commission may on its own motion issue an advisory opinion.

§8.11. Review and Processing of a Request.

(a) Upon receipt of a written request for an advisory opinion, the executive director shall determine whether the request:

- (1) pertains to the application of a law specified under §8.3 of this chapter;
- (2) meets the standing requirements of §8.5 of this chapter;
- (3) meets the form requirements of §8.7 of this chapter; and
- (4) cannot be answered by written response under § 8.17 of this chapter by reference to the plain language of a statute, commission rule, or advisory opinion.

(b) If the executive director determines that a request for an opinion meets the requirements of this chapter as set forth in subsections (a)(1)-(3) of this section and that the request cannot be answered by written response under §8.17 of this chapter, the executive director shall assign an AOR number to the request. The executive director shall notify the person making the request of the AOR number and of the proposed wording of the question to be answered by the commission.

(c) If the executive director determines that a request for an opinion does not meet the requirements of this chapter as set forth in subsections (a)(1)-(3) of this section or that the request can be answered by written response under §8.17 of this chapter, the executive director shall

notify the person making the request of the reason the person making the request is not entitled to an advisory opinion in response to the request.

(d) A person who requests an opinion may withdraw the request prior to its inclusion on a meeting agenda filed by the Commission pursuant to the Open Meetings Law. Once a request is included on such an agenda, it may not be withdrawn by the requestor.

§8.13. Time Period.

(a) The commission shall issue an advisory opinion in response to a request that meets the requirements of this chapter not later than the 60th day after the date the commission receives the request.

(b) The time available to issue an advisory opinion in response to a written request is automatically extended for 60 days pursuant to §571.092(b), Government Code.

§8.15. Publication in Texas Register; Comments.

(a) Each request assigned an AOR number under this chapter shall be published in summary form in the Texas Register.

(b) Any person may submit written comments to the commission concerning an advisory opinion request. Comments submitted should reference the AOR number.

§8.17. Request Answered by Written Response.

If the executive director determines that a request can be answered by reference to the plain language of a statute, commission rule, or advisory opinion:

- (1) the executive director shall provide a written response to the person making the request that cites the language of the statute, rule, or advisory opinion, as applicable; and
- (2) the person making the request is not entitled to an advisory opinion in response to the request.

§8.18. No Defense to Prosecution or Civil Penalty.

A person who requests an advisory opinion does not obtain a defense to prosecution or to imposition of a civil penalty by requesting the opinion if any of the following apply:

- (1) the commission is not authorized to answer the request because it does not pertain to the application of a law specified under §8.3 of this chapter;
- (2) the request does not meet the standing requirements of §8.5 of this chapter;
- (3) the request does not meet the form requirements of §8.7 of this chapter; or
- (4) the executive director responds to the request by written response under §8.17 of this chapter.

§8.19. Confidentiality.

- (a) The name of a person who requests an advisory opinion is confidential.
- (b) The original request for an advisory opinion shall be placed in a confidential file.
- (c) Confidentiality under subsection (a) of this section may be waived only if the person making the request for an advisory opinion provides a verified, written waiver of confidentiality to the executive director.
- (d) If a request for a copy of an advisory opinion request is received, the executive director shall prepare a redacted version of the advisory opinion request by deleting any information that is likely to identify the person making the request. The redacted version of the request shall be provided to the person who requested a copy of the advisory opinion request.

§8.21. Compilation of Advisory Opinions.

The executive director shall number and categorize each advisory opinion issued and shall annually compile a summary of advisory opinions in a single reference document. The executive director may publish and provide copies of advisory opinions in other formats as may be in the public interest.

CHAPTER 10. ETHICS TRAINING PROGRAMS

§10.1. Training Programs.

Upon approval of the commission, the executive director shall establish a program to provide training relating to the laws administered and enforced by the commission and related laws for:

- (1) members and members-elect of the legislature, to be held by January of each odd-numbered year;
- (2) state employees, in cooperation with state agencies; and
- (3) other persons and officials whose conduct is regulated by laws administered and enforced by the commission and related laws.

§10.3. Tuition Charges to Attendees of Training Programs.

Upon approval of the commission, the executive director may establish tuition charges for persons who attend training programs under §10.1(3) of this title (relating to Training Programs) to recover costs of the training.

CHAPTER 12. SWORN COMPLAINTS

Subchapter A. GENERAL PROVISIONS AND PROCEDURES

§12.5. Deadline for Filing a Complaint.

(a) The commission has no jurisdiction over an alleged violation:

(1) if the alleged violation is also a criminal offense, and if, at the time the complaint is filed or at the time the commission would vote to initiate a preliminary review of a matter, the allegation would be barred from criminal prosecution by operation of the applicable statute of limitations; or

(2) if the alleged violation is not also a criminal offense and if the allegation is based on facts that occurred more than three years before the date the complaint is filed or the date the commission would vote to initiate a preliminary review of a matter.

(b) For purposes of this section, a complaint is filed on the date it is hand-delivered to the commission or on the date that it is deposited in the mail or with a common or contract carrier, properly addressed, with postage prepaid.

(c) For purposes of this section, a complaint is not filed unless it complies with the requirements of section 571.122 of the Government Code.

§12.6. File Date for Purposes of Commission Response Deadline.

For purposes of section 571.123 of the Government Code, the file date for a complaint is the date the complaint is received at the agency office.

§12.7. Confidentiality.

(a) The commission and its employees shall not communicate any information about a sworn complaint, including whether or not a complaint has been filed, to any person other than the respondent, the complainant, and a witness or potential witness identified by the respondent, the complainant, or another witness or potential witness.

(b) Confidentiality under section 571.140 of the Government Code may be waived only if the complainant and each respondent named in the complaint provide a verified, written waiver of confidentiality to the executive director.

§12.9. Compliance with Open Meetings Law and Open Records Law.

(a) The Open Meetings Law, chapter 551 of the Government Code, does not apply to a meeting or decision of the commission in connection with a complaint until written notice of a formal hearing on the complaint is sent to the respondent and complainant.

(b) The Open Records Law, chapter 552 of the Government Code, does not apply to information relating to a complaint until written notice of a formal hearing on the complaint is sent to the respondent and complainant.

§12.11. Delegation to Executive Director.

Any duty or power of the commission relating to a complaint that does not require a commission vote is delegated to the executive director.

§12.13. Representation by Counsel.

(a) A respondent has the right to be represented by counsel retained by the respondent in any proceeding of a complaint.

(b) Counsel representing a respondent shall enter an appearance with the commission that contains the counsel's mailing address, email address, and telephone and fax numbers. If the respondent's counsel is not licensed to practice law in Texas, the representative must show authority to appear as the respondent's counsel.

(c) The commission may, through the approval of its presiding officer, admit an attorney who is a resident of and licensed to practice law in another state, and who is not an active member of the State Bar of Texas, to represent a respondent before the commission if the nonresident attorney complies with the requirements of Tex. Gov't Code §82.0361 and Rule XIX of the Rules Governing Admission to the Bar of Texas and files a motion, accompanied by proof of compliance with those provisions, with the commission requesting to be admitted to represent a respondent.

(d) This rule does not allow a person to engage in the unauthorized practice of law.

§12.15. Appearance of Complainant at Hearing.

The commission may grant a complainant the opportunity to be heard at a hearing.

§12.19. Agreements to be in Writing.

No stipulation or agreement with respect to any matter in a complaint shall be effective unless it has been:

(1) reduced to writing and signed by each person making the stipulation or agreement, or by that person's authorized representative; or

(2) entered into the record during the course of a hearing.

§12.21. Notice.

(a) A notice required to be sent to a complainant under chapter 571 of the Government Code shall be sent to the address most recently provided by the complainant.

(b) A notice required to be sent to a respondent under chapter 571 of the Government Code shall be sent to the address provided by the complainant or to the address most recently provided by the respondent.

(c) A person entitled to receive notice may waive that right by filing a written waiver with the executive director.

(d) A respondent or complainant in a complaint may waive the right under section 571.032 of the Government Code to receive written notices related to the complaint by registered or certified mail, restricted delivery, return receipt requested, and may agree to receive written notices related to the complaint by first class mail, electronic mail, or other means.

§12.23. Hearing in Respondent's Absence.

If a respondent fails to appear at a hearing, the commission may proceed in the respondent's absence and may find credible evidence of the violations alleged in the complaint and may issue a final order imposing a civil penalty.

§12.25. Waiver of Hearing.

A respondent may waive the right to a hearing.

§12.27. Deadline Extension.

The executive director may extend a deadline pursuant to §571.136 of the Government Code.

§12.28. Production of Documents During Preliminary Review.

(a) Before applying for the commission to issue a subpoena under §571.137(a-1) of the Government Code, commission staff must send to the person from whom records are sought a written request for the production or inspection of documents or other tangible things that:

- (1) specifies the items to be produced or inspected, either by individual item or by category, and describes with reasonable particularity each item and category; and
- (2) provides a reasonable amount of time, but not less than 30 days, to comply with the request.

(b) The person from whom records are sought must produce or allow the inspection of documents or other tangible things within the person's possession, custody or control within the time provided in the request, or submit in writing, as appropriate:

- (1) objections to those records that are unreasonable, improper, or unnecessary to investigate the complaint; or
- (2) that, after a diligent search, no items have been identified that are responsive to the request.

(c) Commission staff shall provide to the commission any response it receives to its request for production or inspection when applying for a subpoena under §571.137(a-1) of the Government Code.

§12.29. Subpoenas Issued by Commission.

(a) A subpoena issued under §571.137 of the Government Code shall specify the date, time, place, and manner for execution of the subpoena.

(b) A subpoena issued under section 571.137 of the Government Code that requires a person to provide testimony shall be served on that person at least 10 business days before the date the subpoena is to be executed.

§12.30. Subpoenas Issued by Counsel for the Respondent.

(a) This section applies only to subpoenas issued by a respondent's counsel under section 571.125(f) (concerning the issuance of a subpoena for a witness in a preliminary review hearing) or 571.130(f) (concerning the issuance of a subpoena for a witness in a formal hearing) of the Government Code.

(b) A subpoena must be issued in the name of "The State of Texas" and must:

(1) state the sworn complaint numbers for the sworn complaints at issue in the hearing at which the witness is summoned to appear;

(2) state that the subpoena pertains to a sworn complaint proceeding before the Texas Ethics Commission;

(3) state the date on which the subpoena is issued;

(4) identify the person to whom the subpoena is directed;

(5) state the time and place of the preliminary review hearing or formal hearing at which the subpoena directs the person to appear;

(6) identify the respondent at whose instance the subpoena is issued and the respondent's attorney of record;

(7) specify with reasonable particularity any documents with which the person to whom the subpoena is directed shall appear;

(8) state the text of § 12.31(i) of this chapter; and

(9) be signed by the attorney issuing the subpoena.

(c) A subpoena must command the person to whom it is directed to appear and give testimony at:

(1) a preliminary review hearing; or

(2) a formal hearing.

(d) A subpoena may only direct a person to appear, with or without documents, and give testimony at a preliminary review hearing or formal hearing before the commission.

(e) A subpoena may be issued only by the counsel of record for a respondent in a sworn complaint proceeding before the commission against that respondent.

(f) Service.

(1) Manner of service. A subpoena may be served at any place within the State of Texas by any sheriff or constable of the State of Texas, or any person who is not a party and is 18 years of age or older. A subpoena must be served by delivering a copy to the witness and tendering to that person any fees required by law. If the witness is a party and is represented by an attorney of record in the sworn complaint proceeding, the subpoena may be served on the witness's attorney of record.

(2) Deadline for service. A subpoena must be served upon the person required to appear at least 21 days before the preliminary review hearing or formal hearing at which the person is required to appear. The subpoena and proof of service must be filed with the commission within three days of its service on the person required to appear.

(3) Proof of service. Proof of service must be made by filing either:

(A) the witness's signed written memorandum attached to the subpoena showing that the witness accepted the subpoena; or

(B) a statement by the person who made the service stating the date, time, and manner of service, and the name of the person served.

(g) Response.

(1) Except as provided in this subsection, a person served with a subpoena must comply with the command stated therein unless discharged by the commission or by the party summoning such witness. A person commanded to appear and give testimony must remain at the place of hearing from day to day until discharged by the commission or the party summoning the witness.

(2) If a subpoena commanding testimony is directed to a corporation, partnership, association, governmental agency, or other organization, and the matters on which examination is requested are described with reasonable particularity, the organization must designate one or more persons to testify on its behalf as to matters known or reasonably available to the organization.

(3) A person commanded to appear with documents must produce the documents as they are kept in the usual course of business or must organize and label them to correspond with the categories in the demand.

(4) A person commanded to appear at a hearing must file any motion to quash the subpoena or objection to a requirement to appear with certain documents with the commission no later than the 14th day before the hearing at which the person is directed to appear. Commission staff may move to quash a subpoena or object to appearance with certain documents in the same manner as the person commanded to appear by the subpoena. The filer of a motion to quash or objection to a requirement to appear with certain documents must serve the motion or objection on the proponent of the subpoena in person, by mail, by commercial delivery service, by fax, by email, or by other such manner as the presiding officer of the commission may direct, no later than the deadline for filing the motion to quash or objection to appearance with documents with the commission. After affording commission staff and the person commanded to appear an opportunity to move to quash the subpoena or object to

appearance with certain documents, and affording the proponent of the subpoena an opportunity to respond to the motion to quash or objection to appearance with documents, the commission's presiding officer shall rule on a motion to quash or objection to appearance with documents.

(5) A person commanded to attend and give testimony, or to produce documents or things, at a preliminary review hearing or formal hearing may object to giving testimony or producing documents at the time and place specified for the hearing, rather than under subsection (g)(4) of this section.

(6) A party's appearance with a document in response to a subpoena directing the party to appear with the document authenticates the document for use against that party in any proceeding before the commission unless the party appearing with the document objects to the authenticity of the document, or any part of it, at the time of the party's appearance, stating the specific basis for objection. An objection must have a good faith factual and legal basis. An objection made to the authenticity of only part of a document does not affect the authenticity of the remainder. If objection is made, the party attempting to use the document should be given a reasonable opportunity to establish its authenticity. The requirement that the commission provide a reasonable opportunity to establish the document's authenticity may be satisfied by the opportunity to present a witness to authenticate the document at a subsequent hearing before the commission.

(h) A counsel for a respondent issuing a subpoena must take reasonable steps to avoid imposing undue burden or expense on the person served. In ruling on a motion to quash or objection to appearance with documents, the presiding officer must provide a person served with a subpoena an adequate time for compliance, protection from disclosure of privileged material or information, and protection from undue burden or expense. The presiding officer may impose reasonable conditions on compliance with a subpoena, including compensating the witness for undue hardship.

§12.31. Conduct and Decorum.

(a) Parties, representatives, and other participants at a hearing shall conduct themselves with dignity, show courtesy and respect for one another and for the commission, and follow any additional guidelines of decorum prescribed by the presiding officer, including adherence to the amount of time allotted for the hearing. Attorneys shall adhere to the standards of conduct in the Texas Lawyer's Creed promulgated by the Supreme Court of Texas and the Court of Criminal Appeals and the Texas Disciplinary Rules of Professional Conduct promulgated by the Supreme Court of Texas.

(b) Attorneys should advise their clients and witnesses of the applicable rules of conduct and decorum.

(c) All objections, arguments, and other comments by parties shall be directed to the commission and not to an opposing party.

(d) While a party is addressing the commission or questioning a witness, any other party shall not interrupt for any purpose except to make a valid objection.

(e) Parties shall not approach the dais without leave of the presiding officer and must not lean on the dais.

(f) Parties shall remain seated at the counsel table at all times except:

- (1) when addressing the commission; and
- (2) whenever it may be proper to handle documents, exhibits, or other evidence.

(g) Parties must question witnesses and deliver arguments to the commission while seated at the counsel table or standing at the lectern. If a party seeks to question or argue from another location, leave of the presiding officer must be requested and granted.

(h) Parties must request leave of the presiding officer to conduct a demonstration.

(i) The presiding officer may take appropriate action to maintain and enforce proper conduct and decorum, including:

- (1) issuing a warning;
- (2) sanctioning a party pursuant to §12.33 of this chapter;
- (3) excluding persons from the proceeding;
- (4) recessing the proceeding; and
- (5) clearing the hearing room of persons causing a disruption.

§12.33. Sanctioning Authority.

(a) The presiding officer has the authority to impose appropriate sanctions against a party or its representative for:

- (1) filing a motion or pleading that is deemed by the presiding officer to be groundless and brought:
 - (A) in bad faith;
 - (B) for the purpose of harassment; or
 - (C) for any other improper purpose, such as to cause unnecessary delay or needless increase in the cost of the proceeding;
- (2) abuse of the discovery process in seeking, making, or resisting discovery;
- (3) failure to comply with a commission order; or
- (4) violating §12.31 of this chapter.

(b) The presiding officer may issue an order imposing sanctions when justified by party or representative behavior described in subsection (a) of this section and after notice and opportunity for hearing. Sanctions may include:

- (1) disallowing or limiting further discovery by the offending party;
- (2) charging all or part of the expenses of discovery against the offending party or its representatives;
- (3) deeming designated facts be admitted for purposes of the proceeding;
- (4) refusing to allow the offending party to support or oppose a claim or defense or prohibiting the party from introducing designated matters into the record;
- (5) disallowing in whole or in part requests for relief by the offending party and excluding evidence in support of those requests; and
- (6) striking motions or testimony in whole or in part.

§12.34. Agreed Orders.

(a) The commission may enter into an agreed order with a respondent to resolve and settle a complaint filed against the respondent, including an assurance of voluntary compliance, a notice of reporting error, or an agreed order and resolution.

(b) An assurance of voluntary compliance:

- (1) resolves a sworn complaint:
 - (A) with no determination that a violation within the jurisdiction of the commission has occurred, if entered into before a preliminary review hearing is completed; or
 - (B) with a determination that all violations within the jurisdiction of the commission, when viewed as a whole in consideration of any mitigating action taken by the respondent, are technical or de minimis; and
- (2) may include a civil penalty.

(c) A notice of reporting error resolves a complaint with a determination that all violations within the jurisdiction of the commission are reporting errors that do not materially defeat the purpose of disclosure and may include a civil penalty in the form of an assessment fee.

(d) An agreed order and resolution resolves a sworn complaint with a determination that one or more violations within the jurisdiction of the commission occurred and may include a civil penalty.

§12.35. Frivolous Complaint.

In deciding if a complaint is frivolous, the commission will be guided by the Texas Rules of Civil Procedure, Rule 13, and interpretations of that rule, and may also consider:

- (1) the timing of the complaint with respect to when the facts supporting the alleged violation became known or should have become known to the complainant, and with respect to the date of any pending election in which the respondent is a candidate or is involved with a candidacy, if any;
- (2) the nature and type of any publicity surrounding the filing of the complaint, and the degree of participation by the complainant in publicizing the fact that a complaint was filed with the commission;
- (3) the existence and nature of any relationship between the respondent and the complainant before the complaint was filed;
- (4) if respondent is a candidate for election to office, the existence and nature of any relationship between the complainant and any candidate or group opposing the respondent;
- (5) any evidence that the complainant knew or reasonably should have known that the allegations in the complaint were groundless; and
- (6) any evidence of the complainant's motives in filing the complaint.

§12.36. Assessment of Civil Penalty.

- (a) The commission shall consider the factors listed in §571.177 of the Government Code when assessing a civil penalty against a respondent, including whether the respondent timely responds to written questions or subpoenas.
- (b) The commission may consider the fine amounts established by chapter 18 of this title in determining the amount of a fine to be assessed in a sworn complaint proceeding.
- (c) The commission may consider a late or corrected report or corrective action to be a mitigating factor in determining the amount of a fine, if any.

Subchapter B. FILING AND INITIAL PROCESSING OF A COMPLAINT

§12.51 Non-Complying Complaint.

- (a) A complaint does not comply with the requirements of §571.122 of the Government Code if:
 - (1) the complaint includes an allegation of conduct that the commission has previously determined is not a violation of a statute or rule within the commission's jurisdiction; and
 - (2) before the complaint was filed the complainant was provided notice that such conduct is an invalid basis for an allegation.
- (b) A complainant has been provided notice if, before a complaint is filed, the commission states the basis for rejecting an allegation in a written communication mailed to the complainant at the last address provided to the commission by the complainant, or in a written communication

transmitted by electronic mail to the complainant at the last electronic mail address provided to the commission by the complainant.

(c) A complaint determined to be non-complying under subsection (a) of this section is presumed to be a frivolous or bad faith complaint.

§12.52. Response to Notice of Complaint.

(a) The response required by section 571.1242 of the Government Code must:

- (1) be in writing;
- (2) admit or deny the allegations set forth in the complaint; and
- (3) be signed by the respondent.

(b) If a respondent does not submit a response within the time period prescribed by section 571.1242 of the Government Code, the commission may issue an order imposing a civil penalty for failure to file a response.

(c) If a respondent does not submit a response that satisfies the requirements of subsection (a) of this section, the commission may issue an order imposing a penalty for failure to file a complete response.

§12.53. Commission Initiated Complaint.

(a) Commission staff may gather or present documents or evidence, make recommendations, and otherwise communicate outside the presence of the respondent with commissioners in contemplation of, or in preparation for, a commission initiated preliminary review. Commissioners may request documents, evidence, or recommendations, and otherwise communicate with commission staff outside the presence of the respondent, in contemplation of, or in preparation for, a commission initiated preliminary review.

(b) A preliminary review initiated by the commission under section 571.124(b) of the Government Code is deemed to be a complaint for purposes of all further proceedings under chapter 571 of the Government Code and of this chapter.

(c) Documents or evidence gathered by the commission and commission staff in contemplation of, or in preparation for, a commission initiated preliminary review are related to the processing of a preliminary review or motion for the purposes of sections 571.139 and 571.140 of the Government Code.

(d) Discussions between the commission and commission staff regarding gathering documents or evidence in contemplation of, or in preparation for, a commission initiated preliminary review are related to the processing of a preliminary review or motion for the purposes of sections 571.139 and 571.140 of the Government Code.

§12.59. Description of Violation.

(a) If a complaint does not include the specific rule or provision of law alleged to have been violated, the complaint must clearly and concisely describe facts that, if true, would constitute a violation of a law administered and enforced by the commission.

(b) A complaint that erroneously cites a specific rule or provision of law is nonetheless sufficient if the correct citation can reasonably be ascertained by the commission. When a complaint erroneously cites a specific rule or provision of law, the commission shall cite the correct rule or provision of law in the notice provided to the respondent.

§12.61. Statement of Facts.

(a) The alleged facts must provide sufficient detail to reasonably place the respondent on notice of the law violated and of the manner and means by which the violation allegedly occurred and to afford the respondent a basis on which to prepare a response.

(b) The facts alleged must disclose the specific date or dates on which the alleged violation occurred, if that date is known to the complainant. If the complainant is unable to provide a specific date for the violation, the complaint must disclose a specific period of time during which the alleged violation may have occurred.

(c) The facts alleged may adopt by reference the content of documents submitted with the complaint. However, the allegations must reasonably identify those portions of the document that are relevant to the alleged violation.

§12.67. Copies and Documents Provided by the Commission.

(a) The executive director shall provide to a respondent copies of all documents submitted with a complaint unless the executive director determines that certain supporting documents are redundant.

(b) If the executive director determines that supporting documents are redundant, the notice of complaint shall describe the documents and inform the respondent that the documents are available for examination by the respondent at the agency office and that copies will be provided to the respondent on request at the respondent's expense.

(c) Whenever the executive director believes a complainant or respondent may agree a document is not needed, the executive director may ask if the complainant or respondent will waive the right to receive the document.

Subchapter C. INVESTIGATION AND PRELIMINARY REVIEW

§12.81. Technical, Clerical, or *De Minimis* Violations.

(a) A technical, clerical, or de minimis violation for purposes of §571.0631 of the Government Code may include a first-time allegation against a respondent for:

- (1) Typographical or incomplete information on a campaign finance report that is not misleading and does not substantially affect disclosure;
- (2) Failure to include a disclosure statement on political advertising;
- (3) Failure of a non-incumbent to use the word “for” in a campaign communication that is not otherwise misleading;
- (4) Failure to include the highway right-of-way notice on political advertising;
- (5) Using a representation of the state seal by a person who is not an officeholder in political advertising that is not otherwise misleading;
- (6) Filing a late campaign finance report that is not a report due 30 or 8 days before an election or a special pre-election report, and the alleged violations do not substantially affect disclosure;
- (7) Filing an incomplete or corrected campaign finance report that is not a report due 30 or 8 days before an election or a special pre-election report if:
 - (A) the total amount of incomplete or incorrectly reported political contributions does not exceed the lesser of 10% of the total amount of political contributions on the corrected report, or \$5,000;
 - (B) the total amount of incomplete or incorrectly reported political expenditures does not exceed the lesser of 10% of the total amount of political expenditures on the corrected report, or \$5,000; or
 - (C) the total amount of incomplete or incorrectly reported political contributions or political expenditures does not exceed the amount of the filing fee for a place on the ballot for the office sought or held by the respondent during the period covered by the report at issue, or, if there is not a set filing fee, \$500;
- (8) Filing an incomplete or corrected campaign finance report if the incomplete or corrected information is not misleading and does not substantially affect disclosure, including:
 - (A) the filer’s full name, address, office sought, or office held;
 - (B) the identity and date of the election for which the report is filed;
 - (C) the campaign treasurer’s full name, address, or telephone number;
 - (D) the full name of each identified candidate or measure or classification by party of candidates supported or opposed by a political committee;
 - (E) the full name of each identified officeholder or classification by party of officeholders assisted by a political committee;

(F) the amount of total political contributions maintained as of the last day of the reporting period, if the error is a de minimis error as defined by §20.50 of this title;

(G) the purpose of a political expenditure; or

(H) the period covered by the report;

(9) Failure to timely file a campaign treasurer appointment if, before filing the campaign treasurer appointment, the total amount of political contributions accepted does not exceed \$2,500 and the total amount of political expenditures made or authorized does not exceed \$2,500;

(10) Failure to disclose information related to an out-of-state political committee required by §20.29 or §22.7 of this title if the total amount of political contributions accepted from the committee does not exceed \$10,000 and the contributions are otherwise properly disclosed;

(11) Failure to disclose the principal occupation, job title, or employer of a contributor if the total amount of political contributions accepted from the contributor does not exceed \$15,000 and the contributions are otherwise properly disclosed;

(12) As a general-purpose committee, making a political contribution to another general-purpose committee without including in its campaign treasurer appointment the name of the recipient committee before making the contribution, if the contributing committee properly disclosed the contribution;

(13) Failure to file a termination report required by §20.317 or §20.417 of this title if the period covered by the termination report is included in a subsequently filed report;

(14) Filing a campaign finance report without using the form prescribed by the commission if the report:

(A) discloses all the information required by chapter 254 of the Election Code and this title;

(B) is substantially similar in size and format to the form prescribed by the commission; and

(C) is not misleading and does not substantially affect disclosure;

(15) Making a political contribution prohibited by §253.1611, Election Code, if the contribution does not exceed the limits by more than \$1,000 and the amount in excess is returned to the contributor; or

(16) Failure to timely respond to a sworn complaint if the response is no more than 30 days late and the respondent shows good cause for the late response.

(b) A technical, clerical, or de minimis violation for purposes of §571.0631 of the Government Code may include allegations against a respondent for:

- (1) Typographical or incomplete information on a campaign finance report that is not misleading or does not substantially affect disclosure;
- (2) Filing an incomplete or corrected campaign finance report if:
 - (A) the total amount of incomplete or incorrectly reported political contributions does not exceed the lesser of 5% of the total amount of political contributions on the corrected report, or \$2,500; or
 - (B) the total amount of incomplete or incorrectly reported political expenditures does not exceed the lesser of 5% of the total amount of political expenditures on the corrected report, or \$2,500; or
- (3) Filing an incomplete or inaccurate campaign finance report by a general-purpose committee if, during the period covered by the report and during each of the two reporting periods preceding the period covered by the report, the committee did not:
 - (A) accept political contributions totaling \$3,000 or more;
 - (B) accept political contributions from a single person totaling \$1,000 or more; or
 - (C) make political expenditures totaling \$3,000 or more.
- (c) During the review of a sworn complaint under Chapter 571, Subchapter E of the Government Code, if the executive director determines that all the alleged violations are technical, clerical, or de minimis under subsection (a) of this section, the executive director may enter into an assurance of voluntary compliance with the respondent. Before entering into an assurance of voluntary compliance, the executive director may require a respondent to correct the violations.
- (d) During the review of a sworn complaint under Chapter 571, Subchapter E of the Government Code, if the executive director determines that all the alleged violations are technical, clerical, or de minimis under subsection (b) of this section, the executive director may enter into an agreed resolution with the respondent. Before entering into an agreed resolution, the executive director may require a respondent to correct the violations.
- (e) An assurance of voluntary compliance or an agreed resolution entered into under this section is confidential under §571.140 of the Government Code.
- (f) An assurance of voluntary compliance or an agreed resolution entered into under this section may include a penalty not to exceed \$500.

§12.83. Preliminary Review.

- (a) A complainant or respondent must respond to written questions not later than 15 business days after receiving the written questions. The executive director may grant an extension of the time period for good cause shown.
- (b) If the commission staff submits written questions to a respondent, the 120-day deadline for the commission to propose an agreement to the respondent or dismiss the complaint (provided in section 571.1242(g) of the Government Code) is tolled beginning on the date the commission

sends the written questions and resets on the date the commission receives the respondent's written response.

(c) If the commission staff applies to the commission for the issuance of a subpoena pursuant to section 571.137(a-1) of the Government Code, the 120-day deadline for the commission to propose an agreement to the respondent or dismiss the complaint (provided in section 571.1242(g) of the Government Code) is tolled beginning on the date the staff applies to the commission for the subpoena and resets on either:

- (1) the date the commission rejects the staff's application for a subpoena;
- (2) the date the person to whom the subpoena is directed complies with the subpoena; or
- (3) the date the commission receives a final ruling on a person's failure or refusal to comply with a subpoena that is reported to a district court pursuant to section 571.137(c) of the Government Code.

(d) If the commission staff proposes to a respondent an agreement to settle a complaint that would be effective upon approval by the commission and the respondent, the 120-day deadline for the commission to propose an agreement to the respondent or dismiss the complaint (provided in section 571.1242(g) of the Government Code) is met. If a respondent approves a proposed agreement, commission staff must submit the proposed agreement to the commission to seek final approval at the next scheduled commission meeting. If a respondent rejects a proposed agreement, the matter shall be set for a preliminary review hearing at the next commission meeting for which notice has not yet been posted. If a respondent rejects a proposed agreement within 45 days before the date of a commission meeting, the matter shall be set for a preliminary review hearing at the next commission meeting thereafter.

(e) During a preliminary review, commission staff may present documents or evidence, make recommendations, or otherwise communicate with commissioners outside the presence of the respondent for the purpose of investigating and resolving a sworn complaint.

(f) Commission staff may not communicate with a commissioner outside the presence of the respondent for the purpose of influencing a decision on a pending sworn complaint after the complaint has been scheduled for a preliminary review hearing and notice of the hearing has been sent to the respondent.

Subchapter D. PRELIMINARY REVIEW HEARING

§12.84. Notice of Preliminary Review Hearing.

(a) Commission staff shall provide notice of a preliminary review hearing to a respondent and complainant at least 45 days before the date of the hearing and must include:

- (1) the date, time, place, and nature of the hearing;
- (2) a statement of the legal authority and jurisdiction under which the hearing is to be held;

- (3) a reference to the particular sections of the statutes and rules involved; and
 - (4) a short and plain statement of the factual matters asserted.
- (b) Commission staff shall provide to a respondent at least 30 days before the date of the hearing:
- (1) a list of proposed witnesses to be called at the hearing and a brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing; and
 - (2) copies of all documents expected to be used or introduced as exhibits at the hearing.
- (c) The respondent shall provide to commission staff the contents described by subsections (b)(1) and (b)(2) of this section at least 30 days before the date of the hearing. If a respondent or commission staff fail to comply with this section, the commission may reschedule the hearing or proceed with the hearing and exclude at the hearing evidence, documents, and testimony provided by the respondent or commission staff, as applicable, but such failure may be excused upon a showing of good cause.

§12.85. Preliminary Review Hearing.

- (a) Commission staff and the respondent may present any relevant evidence at a preliminary review hearing, including examination and cross-examination of witnesses.
- (b) Commission staff and the respondent may present an opening and closing statement at a preliminary review hearing.

§12.86. Motions for Continuance.

- (a) Contents of a motion for continuance. A request to postpone a preliminary review hearing must be in writing and include the specific reasons and supporting evidence for the continuance and the dates of any previous motions for continuance.
- (b) Date of filing. Motions for continuance must be received by the Commission no later than 21 days before the date of the proceeding or must provide good cause with supporting evidence for presenting the motion after that time. If the presiding officer finds good cause has been demonstrated, the presiding officer may consider a motion that is not timely filed.
- (c) Responses to motions for continuance. Responses to motions for continuance must be in writing and include the date the complaint was filed and the number of previous requests to postpone filed in the case. Unless otherwise ordered or allowed by the presiding officer, responses to motions for continuance must be made no later than seven business days after receipt of the motion.
- (d) Rulings on motions for continuance. A motion for continuance is not granted until it has been ruled on by the presiding officer, even if the motion is uncontested or agreed. A case is subject to default under §12.23 of this chapter for a party's failure to appear at a scheduled hearing in which a motion for continuance has not been ruled on by the presiding officer.

§12.87. Resolution of Preliminary Review Hearing.

(a) At the conclusion of a preliminary review hearing in which the commission finds credible evidence of a violation:

(1) commission staff shall send to the respondent a proposed resolution within 14 days; and

(2) not later than 30 days after the respondent receives the proposed resolution, or by a later date determined by the commission, commission staff must receive from the respondent:

(A) the proposed resolution signed by the respondent;

(B) a written counter offer; or

(C) a written request that the matter be set for a formal hearing.

(b) If the respondent does not comply with subsection (a)(2) of this section, commission staff may request that the commission order a formal hearing.

(c) Commission staff shall report to the commission any written counter offer, staff's recommendation to accept or reject a counter offer, if any, or any written request that a matter be set for a formal hearing received from the respondent under subsection (a)(2) of this section.

(d) After a written counter offer or a written request that a matter be set for a formal hearing is reported to the commission, the commission by record vote of at least six commissioners shall:

(1) accept the respondent's counter offer, if any; or

(2) determine the complaint cannot be resolved and settled and order a formal hearing.

(e) The executive director shall dismiss a complaint if the commission does not order a formal hearing within 180 days after the conclusion of a preliminary review hearing.

(f) This section may not be construed as limiting the commission's authority to agree to the settlement of a complaint under section 571.121 of the Government Code, including sending a revised proposed resolution to a respondent.

Subchapter E. FORMAL HEARING

Division 1. General Procedures

§12.101. Application and Construction.

The proceedings of a formal hearing shall be conducted in accordance with this subchapter, Chapter 571 of the Government Code, and Subchapters C-H, Chapter 2001, of the Government

Code (the Administrative Procedure Act) only to the extent they are consistent with Chapter 571. In the event of a conflict, Chapter 571 controls.

§12.102. Order of Formal Hearing.

As soon as practicable after the commission orders a formal hearing, the executive director shall provide to the parties to the complaint, and to the complainant, a copy of the commission's decision to order the hearing. The decision shall include the date, time, and place of the hearing and be signed by the presiding officer.

§12.103. Notice of Formal Hearing.

(a) Commission staff shall provide notice of a formal hearing to a respondent and complainant at least 60 days before the date of the hearing and must include, in addition to the contents required by section 571.126(b) of the Government Code:

- (1) the date, time, place, and nature of the hearing;
- (2) a statement of the legal authority and jurisdiction under which the hearing is to be held;
- (3) a reference to the particular sections of the statutes and rules involved; and
- (4) a short and plain statement of the factual matters asserted.

(b) Commission staff shall provide to a respondent and complainant at least 30 days before the date of the hearing:

- (1) a list of proposed witnesses to be called at the hearing and a brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing; and
- (2) copies of all documents expected to be used or introduced as exhibits at the hearing.

(c) The respondent shall provide to commission staff the contents described by subsections (b)(1) and (b)(2) of this section. The contents must be received by commission staff at least 14 days before the date of the hearing. If a respondent or commission staff fail to comply with this section, the commission may reschedule the hearing or proceed with the hearing and exclude at the hearing evidence, documents, and testimony provided by the respondent or commission staff, as applicable, but such failure may be excused upon a showing of good cause.

§12.117. Formal Hearing: Venue.

When the commission orders a formal hearing the commission shall decide whether the formal hearing will be held before the commission or before the State Office of Administrative Hearings.

§12.119. Resolution after a Formal Hearing.

The executive director shall dismiss a complaint if the commission fails to adopt a motion under section 571.132 of the Government Code. The dismissal shall state the complaint was dismissed because there were insufficient commission votes to find that there was or was not a violation of law.

Division 2. Scheduling, Filing, and Service

§12.121. Prehearing Conferences.

The presiding officer may order that one or more prehearing conferences be held to address any matters prior to the formal hearing, including motions for discovery or subpoenas, motions for sanction, or other matters related to the hearing. The commission shall provide such an order to the parties and the complainant within 5 business days after the decision is made. The order shall include the date, time, and place of the conference and a list of the matters to be addressed at the conference.

§12.123. Scheduling Orders.

(a) The following deadlines apply to a prehearing conference or formal hearing, as applicable:

- (1) All motions must be filed with the commission no later than 30 days before the date of the conference or hearing;
- (2) All responses to motions must be filed with the commission no later than 14 days before the date of the conference or hearing; and
- (3) All replies to responses must be filed with the commission no later than 7 days before the date of the conference or hearing.

(b) A scheduling order containing the deadlines under this section shall be included with the notice required by section 571.126 of the Government Code. The presiding officer may amend a scheduling order upon the request of a party for good cause shown. A decision by the presiding officer to amend a scheduling order or to deny a motion, response, or evidence shall be issued to the parties to a hearing within 5 business days after the decision is made.

(c) The presiding officer may deny a party's motions, responses, or replies or deny a party's evidence from being admitted into the record of the hearing if the party violates a scheduling order.

§12.125. Filing of Documents.

(a) Motions, responses, and other documents in a formal hearing must be filed with the Commission:

- (1) by mail addressed to the commission at P.O. Box 12070, Austin, Texas 78711- 2070;
- (2) by hand-delivery to the commission at 201 East 14th Street, 10th Floor;

- (3) by fax to the commission at (512) 463-5777; or
 - (4) by email to a dedicated filing address.
- (b) All documents must clearly indicate the sworn complaint number and the name of the respondent for which it is filed.
- (c) Time of filing. With respect to documents filed by mail, fax, or hand-delivery, the time and date of filing shall be determined by the file stamp affixed by the commission. With respect to documents filed by email, the time and date of filing is the electronic time stamp affixed by the commissions email system. Documents received when the commission is closed shall be deemed filed the next business day.
- (d) Non-conforming documents. The commission may not refuse to file a document that fails to conform with this chapter. When a filed document fails to conform to this rule, the executive director or presiding officer may identify the errors to be corrected and state a deadline.

§12.127. Service of Documents.

(a) Service on all parties. On the same date a document is filed with the commission, a copy shall also be sent to each party or the party's authorized representative by hand-delivery; by regular, certified, or registered mail; by email, upon agreement of the parties; or by fax.

(b) Certificate of service. A person filing a document shall include a certificate of service that certifies compliance with this section.

(1) A certificate of service shall be sufficient if it substantially complies with the following example: "Certificate of Service: I certify that on {date}, a true and correct copy of this {name of document} has been sent to {name of opposing party or authorized representative for the opposing party} by {specify method of delivery, e.g., email, regular mail, fax, certified mail.} {Signature}"

(2) If a filing does not certify service, the commission may:

(A) return the filing;

(B) send a notice of noncompliance to all parties, stating the filing will not be considered until all parties have been served; or

(C) send a copy of the filing to all parties.

(c) Presumed time of receipt of served documents. The following rebuttable presumptions shall apply regarding a party's receipt of documents served by another party:

(1) If a document was hand-delivered to a party, the commission shall presume that the document was received on the date of filing at the commission.

(2) If a document was served by courier-receipted overnight delivery, the commission shall presume that the document was received no later than the next business day after filing at the commission.

(3) If a document was served by regular, certified, or registered mail, or non-overnight courier-receipted delivery, the commission shall presume that it was received no later than three days after mailing.

(4) If a document was served by fax or email before 5:00 p.m. on a business day, the commission shall presume that the document was received on that day; otherwise, the commission shall presume that the document was received on the next business day.

(d) Burden on sender. The sender has the burden of proving date and time of service.

Division 3. Powers and Duties of Commission and Presiding Officer

§12.131. Powers and Duties of the Presiding Officer.

(a) Presiding officer's authority and duties. The presiding officer shall have the authority and duty to:

- (1) conduct a full, fair, and efficient hearing;
- (2) take action to avoid unnecessary delay in the disposition of the proceeding;
- (3) maintain order; and
- (4) rule on prehearing matters.

(b) Presiding officer's powers. The presiding officer shall have the power to regulate the hearing, and the conduct of the parties and authorized representatives, including the power to:

- (1) administer oaths;
- (2) take testimony, including the power to question witnesses and to request the presence of a witness from a state agency;
- (3) rule on admissibility and other questions of evidence;
- (4) rule on discovery issues;
- (5) issue orders pursuant to this chapter;
- (6) exclude irrelevant, immaterial, or unduly repetitious testimony;
- (7) reasonably limit the time for presentations of evidence or argument;
- (8) order parties to submit legal memoranda and proposed findings of fact and conclusions of law; and
- (9) reopen the record when justice requires, if the commission has not issued a final order.

§12.133. Orders from the Commission.

(a) The presiding officer has authority to issue orders to control the conduct and scope of the proceeding, including orders to:

- (1) Rule on motions;
- (2) Impose sanctions;
- (3) Establish deadlines;
- (4) Schedule and conduct pre-hearing or post-hearing conferences;
- (5) Require the prefiling of exhibits and testimony;
- (6) Set out requirements for participation in the case; and
- (7) Take other steps conducive to a fair and efficient formal hearing.

(b) Record of rulings. Rulings not made orally at a recorded prehearing conference or hearing shall be in writing and issued to all parties of record.

(c) Consolidation or joinder for hearing. The presiding officer may order that cases be consolidated or joined for hearing if:

- (1) there are common issues of law or fact; and
- (2) consolidation or joint hearing will promote the fair and efficient handling of the matters.

(d) Severance of issues. The presiding officer may order severance of issues if separate hearings on the issues will promote the fair and efficient handling of the matters.

Division 5. Pleadings and Motions

§12.151. Required Form of Pleadings.

(a) Content generally. Written requests for action in a formal hearing shall be typewritten or printed legibly on 8-1/2 x 11-inch paper and timely filed with the commission. Photocopies are acceptable if copies are clear and legible. All filings shall contain or be accompanied by the following:

- (1) the name of the party seeking action;
- (2) the sworn complaint number;
- (3) the parties to the case and their status as commission staff or respondent;
- (4) a concise statement of the type of relief, action, or order desired and identification of the specific reasons for and facts to support the action requested;

- (5) a certificate of service, as required by §12.127(b)(1) of this chapter;
- (6) any other matter required by statute or rule; and
- (7) the signature of the submitting party or the party's authorized representative.

(b) Amendment or supplementation of pleadings. A party may amend or supplement its pleadings as follows:

- (1) If a notice of a hearing or other documents provided to the complainant or respondent under section 571.126(b)(2) of the Government Code contain a material defect, the commission may correct the notice or other document and deliver it to the complainant and respondent as soon as practicable and in the same manner as the original notice. If the respondent does not receive the correction at least 10 days before the date of the hearing, the presiding officer may by order reschedule the hearing. The executive director shall notify the parties and the complainant of the date, time, and place of the hearing as soon as practicable.
- (2) As to all other matters in a pleading, an amendment or supplementation that includes information material to the substance of the hearing, requests for relief, changes to the scope of the hearing, or other matters that unfairly surprise other parties may not be filed later than seven days before the date of the hearing, except by agreement of all parties or by permission of the presiding officer.

§12.153. Motions, Generally.

(a) Purpose and effect of motions. To make a request, including to obtain a ruling, order, or any other procedural relief, a party shall file a written motion. The motion shall describe specifically the action requested and the basis for the requested action. Unless otherwise specified in this chapter, a motion is not granted until it has been ruled on by the presiding officer or commission, as applicable, even if the motion is uncontested or agreed.

(b) General requirements for motions. Except as provided in this chapter, or unless otherwise ordered by the presiding officer, all motions shall:

- (1) be filed in writing no later than the applicable deadline; except, for good cause demonstrated in the motion, the presiding officer may consider a motion filed after that time or presented orally at a hearing;
- (2) include a certificate of conference that complies substantially with one of the following examples:

(A) Example one: "Certificate of Conference: I certify that I conferred with {name of other party or other party's authorized representative} on {date} about this motion. {Succinct statement of other party's position on the action sought and/or a statement that the parties negotiated in good faith but were unable to resolve their dispute before submitting it to the commission for resolution.} Signature."; or

(B) Example two: “Certificate of Conference: I certify that I made reasonable but unsuccessful attempts to confer with {name of other party or other party’s authorized representative} on {date or dates} about this motion. {Succinctly describe these attempts.} Signature.”

(3) include a reference in the motion’s title to a request for a hearing on the motion if the moving party seeks a hearing; and

(4) include a proposed order sought by the moving party.

(c) Responses to motions. Except as otherwise provided in this chapter or as ordered or allowed by the commission, responses to motions shall be in writing and filed by the applicable deadline. However, if the presiding officer finds good cause has been shown, responses to written motions may be presented orally at hearing.

(d) Other motions. In addition, other types of motions are addressed in other sections of this chapter. If there is a conflict between this section and a requirement found in another section relating to a specific type of motion, the more specific provision applies.

§12.155. Motions for Continuance and to Extend Time.

(a) Contents of a motion for continuance. A request to postpone or delay a hearing or prehearing conference shall include:

(1) a statement of the number of motions for continuance previously filed in the case by each party;

(2) the specific reason for the continuance;

(3) whether the movant is available if the hearing or prehearing conference is continued to the next tentatively scheduled commission meeting;

(4) a certificate of conference that complies substantially with one of the examples set out in §12.153(b)(2) of this subchapter.

(b) Contents of a motion to extend time. A request for more time to file a document or respond to discovery shall include:

(1) a statement of the number of extension requests previously sought in the case by the movant;

(2) the specific reason for the request;

(3) a proposed date for the deadline the movant seeks to extend; and

(4) a certificate of conference that complies substantially with one of the examples set out in §12.153(b)(2) of this subchapter.

(c) Date of filing. Motions for continuance or to extend time shall be filed no later than five days before the date of the proceeding or deadline at issue or shall state good cause for presenting the

motion after that time. If the presiding officer finds good cause has been demonstrated, the presiding officer may consider a motion filed after that time or presented orally at the proceeding.

(d) Date of service. Motions for continuance or extension shall be served in accordance with §12.127 of this chapter. However, a motion for continuance that is filed five days or less before the date of the proceeding shall be served:

(1) by hand-delivery, fax, or email on the same day it is filed with the commission, if feasible; or

(2) if same-day service is not feasible, by overnight delivery on the next business day.

(e) Responses to motions for continuance. Responses to motions for continuance shall be in writing, except a response to a motion for continuance made on the date of the proceeding may be presented orally at the proceeding. Unless otherwise ordered or allowed by the presiding officer, responses to motions for continuance shall be made by the earlier of:

(1) three days after receipt of the motion; or

(2) the date and time of the proceeding.

(f) Responses to motions to extend time. Unless otherwise ordered by the presiding officer, responses to motions for extension of a deadline are due three days after receipt of the motion.

(g) A motion for continuance or extension of time is not granted until it has been ruled on by the presiding officer, even if the motion is uncontested or agreed. A case is subject to default or dismissal for a party's failure to appear at a scheduled hearing in which a motion for continuance has not been ruled on by the presiding officer, even when the motion is agreed or unopposed.

Division 6. Hearings and Prehearing Conferences

§12.161. Time Allotted to Parties.

The presiding officer shall determine the amount of time allotted to each party for the presentation of its case to the commission. Upon request of a party, the presiding officer may adjust the time allotted for good cause shown or for a violation of a rule under this chapter. A determination shall be made by order or orally during the course of the proceeding.

§12.163. Presentation of Evidence.

(a) Presentation by parties. After the resolution of all prehearing matters, each party shall make its presentation during the formal hearing. Commission staff shall make the first opening statement. The respondent or respondent's authorized representative shall then make an opening statement, should the respondent wish to do so at that time. The respondent may reserve the opening statement until the presentation of the respondent's case.

(b) Following opening statements, commission staff may present evidence in its case. At the conclusion of the presentation of the evidence, commission staff may rest. The respondent or the respondent's authorized representative may then make an opening statement, or, if an opening

statement has already been made, present evidence in its defense of the allegations raised in the notice of formal hearing. At the conclusion of the presentation of evidence by the respondent, the respondent may rest.

(c) After both parties have rested their case, commission staff shall make a closing argument. The respondent may then make a closing argument. Commission staff may then make a reply.

(d) Unless otherwise ordered by the presiding officer, after closing arguments, evidence will be closed and the case will be turned over to the members of the commission for deliberation and decision.

§12.165. Rules of Evidence.

(a) The Texas Rules of Evidence as applied in a nonjury civil case in district court govern a formal hearing only to the extent consistent with Chapter 571 of the Government Code.

(b) Evidence may be admitted if it meets the standards set out in section 2001.081 of the Government Code.

§12.167. Numbering of Exhibits.

(a) Each exhibit to be offered shall first be numbered by the offering party.

(b) Copies of the original exhibit shall be furnished by the party offering the exhibit to the commission and to each party present at the hearing unless otherwise ordered by the presiding officer.

(c) Excluded exhibits. An exhibit excluded from evidence will be considered withdrawn by the offering party and will be returned to the party.

(d) Pre-numbered exhibits may be filed with the commission prior to the formal hearing. Pre-numbered exhibits that are not offered and admitted at the hearing will be deemed withdrawn.

Division 7. Disposition of Formal Hearing

§12.171. Standard of Proof.

At a formal hearing, the commission shall determine by preponderance of the evidence whether a violation within the jurisdiction of the commission has occurred.

§12.173. Default Proceedings.

(a) If a respondent to whom a notice of hearing with factual allegations is served or provided fails to appear for the hearing, the commission may proceed in the respondent's absence on a default basis.

(b) A default proceeding under this section requires adequate proof of the following:

- (1) the notice of hearing to the respondent stated that the allegations listed in the notice could be deemed admitted and that the relief sought in the notice of hearing might be granted by default against the party that fails to appear at the hearing;
- (2) the notice of hearing satisfies the requirements of sections 2001.051, 2001.052, and 571.126 of the Government Code; and
- (3) the notice of hearing was:
 - (A) received by the defaulting party; or
 - (B) as authorized by Chapter 571 of the Government Code and this chapter, sent by regular mail or by certified mail, restricted delivery, return receipt requested, to the party's last known address as shown by the commission's records.
- (c) In the absence of adequate proof to support a default, the presiding officer shall continue the hearing and direct commission staff to provide adequate notice of hearing. If adequate notice is unable to be provided, the commission may dismiss the complaint.
- (d) Upon receiving the required showing of proof to support a default, the commission may by vote deem admitted the allegations in the notice of hearing and issue a default decision.

§12.174. Summary Disposition.

- (a) Granting of summary disposition. Summary disposition shall be granted on all or part of a complaint's allegations if the allegations, the motion for summary disposition, and the summary disposition evidence show that there is no genuine issue as to any material fact and that the moving party is entitled to a decision in its favor as a matter of law on all or some of the issues expressly set out in the motion. Summary disposition is not permitted based on the ground that there is no evidence of one or more essential elements of a claim or defense on which the opposing party would have the burden of proof at the formal hearing.
- (b) Deadlines. Unless otherwise ordered by the presiding officer:
 - (1) A party may file a motion for summary disposition at any time after the commission orders a formal hearing, but the motion must be filed at least 45 days before a scheduled hearing on the merits.
 - (2) The response and opposing summary disposition evidence shall be filed no later than 15 days after the filing of the motion.
- (c) Contents of Motion. A motion for summary disposition shall include the contents listed below. A motion may be denied for failure to comply with these requirements.
 - (1) The motion shall state the specific issues upon which summary disposition is sought and the specific grounds justifying summary disposition.
 - (2) The motion shall also separately state all material facts upon which the motion is based. Each material fact stated shall be followed by a clear and specific reference to the supporting summary disposition evidence.

(3) The first page of the motion shall contain the following statement in at least 12-point, bold-face type: “Notice to parties: This motion requests the commission to decide some or all of the issues in this case without holding an evidentiary hearing on the merits. You have 15 days after the filing of the motion to file a response. If you do not file a response, this case may be decided against you without an evidentiary hearing on the merits.”

(d) Responses to motions.

(1) A party may file a response and summary disposition evidence to oppose a motion for summary disposition.

(2) The response shall include all arguments against the motion for summary disposition, any objections to the form of the motion, and any objections to the summary disposition evidence offered in support of the motion.

(e) Summary disposition evidence.

(1) Summary disposition evidence may include deposition transcripts; interrogatory answers and other discovery responses; pleadings; admissions; affidavits; materials obtained by discovery; matters officially noticed; stipulations; authenticated or certified public, business, or medical records; and other admissible evidence. No oral testimony shall be received at a hearing on a motion for summary disposition.

(2) Summary disposition may be based on uncontroverted written testimonial evidence of an interested witness, or of an expert witness as to subject matter concerning which the presiding officer must be guided solely by the opinion testimony of experts, if the evidence is clear, positive and direct, otherwise credible and free from contradictions and inconsistencies, and could have been readily controverted.

(3) All summary disposition evidence offered in support of or in opposition to a motion for summary disposition shall be filed with the motion or response. Copies of relevant portions of materials obtained by discovery that are relied upon to support or oppose a motion for summary disposition shall be included in the summary disposition evidence.

(f) Proceedings on motions.

(1) The presiding officer may order a hearing on a motion for summary disposition and the commission may rule on the motion without a hearing.

(2) The affirmative vote of six commissioners is necessary to grant summary disposition finding a violation by a preponderance of the evidence.

(3) If summary disposition is granted on all contested issues in a case, the record shall close on the date ordered by the presiding officer or on the later of the filing of the last summary disposition arguments or evidence, the date the summary disposition response was due, or the date a hearing was held on the motion. The commission shall issue a final decision and written report, including a statement of reasons, findings of fact, and conclusions of law in support of the summary disposition rendered.

(4) If summary disposition is granted on some but not all of the contested issues in a case, the commission shall not take evidence or hear further argument upon the issues for which summary disposition has been granted. The commission shall issue an order:

(A) specifying the facts about which there is no genuine issue;

(B) specifying the issues for which summary disposition has been granted; and

(C) directing further proceedings as necessary. If an evidentiary hearing is held on the remaining issues, the facts and issues resolved by summary disposition shall be deemed established, and the hearing shall be conducted accordingly. After the evidentiary hearing is concluded, the commission shall include in the final decision a statement of reasons, findings of fact, and conclusions of law in support of the partial summary disposition rendered.

§12.175. Resolution of Formal Hearing.

(a) As provided by section 571.139 of the Government Code, the commission may deliberate in private regarding the resolution of a sworn complaint or motion, including a dismissal of a complaint, a determination of whether a violation within the jurisdiction of the commission has occurred, and an appropriate penalty upon a finding of a violation. As provided by section 2001.061 of the Government Code, the presiding officer may permit the executive director, general counsel, or other employee of the commission who has not participated in a hearing in the complaint for the purpose of using the special skills or knowledge of the agency and its staff in evaluating the evidence.

(b) The presiding officer may announce the commission's decision on the resolution of a sworn complaint or motion after the conclusion of a formal hearing.

(c) The commission should issue a final order within 60 days after the conclusion of a formal hearing.

CHAPTER 13. REFERRALS TO PROSECUTORS.

§13.1. Referral to Prosecuting Attorney.

- (a) Under section 571.171 of the Government Code, the commission may vote to refer a matter related to a sworn complaint to the appropriate prosecuting attorney for criminal prosecution upon the commission accepting jurisdiction over the sworn complaint.
- (b) A referral under subsection (a) of this section shall be delayed in accordance with section 571.134 of the Government Code.

CHAPTER 16. FACIAL COMPLIANCE REVIEWS AND AUDITS.

§16.1. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Deficiency—An error, omission, inaccuracy, or violation of a law or rule administered and enforced by the commission that is apparent on the face of a statement or report filed with the commission.
- (2) Compliance review report—A report sent to a filer detailing deficiencies in a report that is the subject of a facial compliance review.
- (3) Facial compliance review—A review conducted under section 571.069 of the Government Code of the information disclosed on a report, randomly selected in accordance with §16.2 of this title, filed with the commission for facial completeness, accuracy, reliability, and compliance with the law.
- (4) Report—A personal financial statement, lobby registration, lobby activities report, or campaign finance report filed with the commission.

§16.2. Random Selection.

The report subject to a facial compliance review must be randomly selected from a list of all reports filed by a particular filer type for a specific filing deadline.

§16.3. Corrected or Amended Report Filed During a Facial Compliance Review; Late Fines.

(a) A correction filed for the report that is subject to the facial compliance review will not be subject to a late fine if:

- (1) The correction is filed not later than the 30th day after the date the filer receives the compliance review report;
- (2) The corrected information complies with the law; and
- (3) The original report was filed in good faith and without an intent to mislead or misrepresent the information contained in the report.

(b) A late fine will not be assessed for corrections filed to correct reporting errors made in any report filed prior to the report that is subject to the facial compliance review if:

- (1) The filer learned of the errors through the facial compliance review;
- (2) The correction is filed not later than the 30th day after the date the filer receives the compliance review report;
- (3) The corrections comply with the law; and

(4) The original report was filed in good faith and without an intent to mislead or misrepresent the information contained in the report.

(c) A correction filed in accordance with this section will not be considered a prior late offense for purposes of determining the waiver or reduction of a fine under chapter 18 of this title.

§16.4. Additional Documents and Information Submitted in Response to a Facial Compliance Review; Timeliness.

(a) The commission may request from a filer documentation and other information used by the filer to compile a report that is subject to a facial compliance review.

(b) Documentation and other information requested by the commission is timely submitted if received by the commission not later than the 30th day after the date the filer receives the request for additional documentation.

§16.5. Commission Initiated Preliminary Review or Audit Resulting from a Facial Compliance Review.

(a) The commission may initiate a preliminary review as authorized by §571.124 of the Government Code or perform a complete audit of a report that is subject to a facial compliance review under §571.069 of the Government Code if:

(1) a correction is not resubmitted to the commission in accordance with §16.3 of this title;

(2) documentation or other information requested by the commission during a facial compliance review is not submitted to the commission in accordance with §16.4 of this title; or

(3) the commission has determined by a vote of at least six commission members that the correction filed in response to a compliance review report, does not comply with the law.

§16.6. Notice of Audit of Report.

The commission shall notify a filer that the commission will perform a complete audit of a report that is the subject of a facial compliance review not later than the seventh day after the date the commission votes to initiate the audit.

§16.7. Supporting Documentation in Response to Audit; Timeliness.

(a) A filer must submit to the commission, upon request and where applicable, supporting documentation in the possession, custody, or control of the filer or filer's agents that contains information necessary for filing the report that is subject to the audit, such as:

(1) bank statements;

(2) cancelled checks;

(3) receipts;

- (4) credit card statements;
- (5) invoices;
- (6) loan documents;
- (7) books or ledgers;
- (8) employee timesheets and payroll records;
- (9) certificates of formation or other business documents; and
- (10) real property records.

(b) A filer must submit to the commission the supporting documentation in response to an audit not later than the 30th business day from the date the filer receives notice of the audit.

§16.8. Complete Audit Report.

(a) Commission staff must complete a draft audit report not later than the 30th day after the commission receives from the filer the documentation requested under §16.6 of this title.

(b) The filer must have an opportunity to confer and object in writing to any findings in the draft audit report before it is submitted to the commission for approval.

(c) Commission staff must consider the filer's objections before submitting the draft audit report to the commission for approval.

(d) Upon approval of an audit, the commission shall send to the filer a final audit report that includes:

- (1) a notification that the commission has determined the report that was subject to the audit complies with the law; or
- (2) required corrective actions that the filer must take to cure any deficiency found in the report that is subject to the audit.

(e) A filer must correct or amend a report to correct all deficiencies identified in a complete audit report not later than the 30th day from the date the filer receives the complete audit report.

§16.9. Representation by Attorney.

(a) A filer has the right to be represented by an attorney retained by the filer during a facial compliance review or an audit initiated by the commission as a result of a facial compliance review.

(b) A letter of representation must be submitted to the commission if the filer is represented by an attorney.

§16.10. Extension of Deadlines.

The executive director may extend all deadlines related to this chapter except as provided by §571.069(a) of the Government Code (relating to when a corrected or amended report is considered filed as of the date the report was originally filed).

§16.11. Waiver of Delivery by Certified Mail.

A filer may waive the right under §571.032 of the Government Code to receive written notices related to a facial compliance review or audit by registered or certified mail, restricted delivery, return receipt requested, and may agree to receive written notices by first class mail, electronic mail, or other means.

§16.12. Facial Review of Total Amount of Political Contributions Maintained.

(a) In this section "expected total political contributions maintained" for a report subject to review is the total amount of political contributions maintained disclosed on the previous report and all monetary political contributions, loans, and credits, less all expenditures from political contributions disclosed on the report that is subject to review, excluding the purchase of investments that can be readily converted to cash.

(b) When there is a difference greater than the threshold set by §20.50(c) of this title (relating to Total Political Contributions Maintained) between the total amount of political contributions maintained disclosed in a report and the expected total political contributions maintained, the commission may request from the filer the bank statement showing the balance as of the last day of the reporting period for each account in which political contributions are maintained.

(c) Producing the requested bank statements that show the total amount of political contributions was accurately reported in the report that is subject to review is sufficient to end the review of the total amount of political contributions maintained as disclosed in the report.

CHAPTER 18. GENERAL RULES CONCERNING REPORTS

§18.1. Forms.

- (a) The executive director shall prescribe forms for statements and reports required to be filed with the commission.
- (b) The executive director may issue a certificate approving a form submitted to the commission for approval if the form:
 - (1) provides for the reporting of all information required on the prescribed form;
 - (2) is substantially similar in paper size and format to the prescribed form; and
 - (3) will not be confusing to those who use the form.
- (c) A filer whose form has been approved by the executive director under subsection (b) must submit a new form for approval if information required to be reported has changed since the original form was approved.
- (d) A filer who files a report using computer software provided by the commission or using computer software that meets commission specifications for a standard file format must enter data for the report in accordance with the instructions provided for the software.
- (e) A filer who files a report using computer software provided by the commission must use the most current version of the software.

§18.3. Provision of Forms by Local Filing Authority.

A local filing authority shall make the appropriate form available for use by persons required to file a report with that filing authority.

§18.5. Specification of Office.

When a filer is required to identify the office sought by a candidate or held by an officeholder, the filer shall list the title of the public office, including the district and, if the office is an office of a political subdivision, the name of the political subdivision.

§18.7. Timely Reports and Complete Reports.

- (a) A report is timely if it is complete and is filed by the applicable deadline using the reporting method required by law.
- (b) The deadline for any report filed electronically with the commission is midnight Central Time Zone on the last day for filing the report under the law requiring the filing of the report.
- (c) A report is late if it is:
 - (1) incomplete;

- (2) not filed by the applicable deadline; or
 - (3) not filed by computer diskette, modem, or other means of electronic transfer and the filer is required by law to file using one of these methods.
- (d) A report filed electronically is not late if:
- (1) the commission's office is closed on the deadline and the report is filed by midnight, Central Time Zone, on the next regular business day, excluding a legal holiday, when the commission's office is open; or
 - (2) the commission cannot accept reports on the deadline because the agency filing system is not accessible or the agency network is inoperable, and the report is filed by midnight, Central Time Zone, on the next regular business day, excluding a legal holiday, that the commission is able to accept reports.

§18.9. Corrected/Amended Reports.

- (a) A filer may correct/amend a report filed with the commission or a local filing authority at any time.
- (b) A corrected/amended report must clearly identify how the corrected/amended report is different from the report being corrected/amended.
- (c) A filer who files a corrected/amended report must submit an affidavit identifying the information that was corrected/amended.
- (d) A corrected/amended report filed with the commission after the original report is due is subject to a late fine as provided by §18.13 of this title (relating to Fine for a Late Report).
- (e) Subsection (d) does not apply to:
- (1) a lobby registration or report, other than an activities report, that is corrected/amended not later than the 14th business day after the date the filer became aware of the errors or omissions in the original registration or report;
 - (2) a semiannual report that is corrected/amended before the eighth day after the original report was filed;
 - (3) a semiannual report that is corrected/amended on or after the eighth day after the original report was filed if:
 - (A) the correction/amendment is made before a sworn complaint is filed with regard to the subject of the correction/amendment; and
 - (B) the original report was made in good faith and without an intent to mislead or misrepresent the information contained in the report;

(4) an 8-day pre-election report that is corrected/amended in accordance with §18.10 of this title (relating to Guidelines for Substantial Compliance for a Corrected/Amended 8-day Pre-election Report);

(5) a report other than an 8-day pre-election report that is corrected/amended not later than the 14th business day after the date the filer learns the report as originally filed is inaccurate or incomplete if:

(A) the errors or omissions were made in good faith; and

(B) the filer files an affidavit stating that the errors or omissions in the original report were made in good faith.

(f) In this section, “8-day pre-election report” has the same meaning assigned by §18.10(c) of this title.

(g) Except as provided by subsections (b) and (c), this section does not apply to a civil penalty assessed through the sworn complaint or facial compliance review process.

§18.10. Guidelines for Substantial Compliance for a Corrected/Amended 8-day Pre-election Report.

(a) A corrected/amended 8-day pre-election report substantially complies with the applicable law and will not be assessed a late fine under §18.9 of this title (relating to Corrected/Amended Reports) if:

(1) The original report was filed in good faith and the corrected/amended report was filed not later than the 14th business day after the date the filer learned of the errors or omissions; and

(2) The only corrections/amendments needed were to correct the following types of errors or omissions:

(A) a technical, clerical, or de minimis error, including a typographical error, that is not misleading and does not substantially affect disclosure;

(B) an error in or omission of information that is solely required for the commission’s administrative purposes, including a report type or filer identification number;

(C) an error that is minor in context and that, upon correction/amendment, does not result in changed monetary amounts or activity disclosed, including a descriptive change or a change to the period covered by the report;

(D) one or more errors in disclosing contributions that, in total:

(i) do not exceed \$3,000; or

(ii) do not exceed the lesser of 10% of the total contributions on the corrected/amended report or \$10,000;

(E) one or more errors in disclosing expenditures that, in total:

(i) do not exceed \$3,000; or

(ii) do not exceed the lesser of 10% of the total expenditures on the corrected/amended report or \$10,000;

(F) one or more errors in disclosing loans that, in total:

(i) do not exceed \$3,000; or

(ii) do not exceed the lesser of 10% of the amount originally disclosed or \$10,000; or

(G) an error in the amount of total contributions maintained that:

(i) does not exceed \$3,000; or

(ii) does not exceed the lesser of 10% of the amount originally disclosed or \$10,000.

(H) The only correction/amendment by a candidate or officeholder was to add to or delete from the outstanding loans total an amount of loans made from personal funds;

(I) The only correction/amendment by a political committee was to add the name of each candidate supported or opposed by the committee, when each name was originally disclosed on the appropriate schedule for disclosing political expenditures;

(J) The only correction/amendment was to disclose the actual amount of a contribution or expenditure, when:

(i) the amount originally disclosed was an overestimation;

(ii) the difference between the originally disclosed amount and the actual amount did not vary by more than 10%; and

(iii) the original report clearly included an explanation of the estimated amount disclosed and the filer's intention to file a correction/amendment as soon as the actual amount was known; or

(K) The only correction/amendment was to delete a duplicate entry.

(b) The executive director shall determine whether an 8-day pre-election report as originally filed substantially complies with applicable law by applying the criteria provided in this section.

(c) In this section, "8-day pre-election report" means a report due eight days before an election filed in accordance with the requirements of §20.213(d), 20.325(e), or 20.425(d) of this title

(relating to a candidate, a specific-purpose committee, or a general-purpose committee, respectively) and §254.064(c), 254.124(c), or 254.154(c) of the Election Code (relating to a candidate, a specific-purpose committee, or a general-purpose committee, respectively).

§18.13. Fine for a Late Report.

(a) Except as provided by subsection (b) or (c) of this section, the fine is \$500 for:

(1) a late report required to be filed with the commission under Election Code chapter 254 or 257, Government Code chapter 305, or Government Code chapter 572; or

(2) a late report filed with the commission under Local Government Code chapter 159, subchapter C.

(b) The fine for a report due eight days before an election is \$500 for the first day the report is late and \$100 for each day thereafter that the report is late, up to a maximum fine of \$10,000.

(c) The fine for the first semiannual report under Section 254.063, 254.123, or 254.153, Election Code, that is required to be filed by a candidate or political committee following the primary or general election is \$500 for the first day the report is late and \$100 for each day thereafter that the report is late, up to a maximum fine of \$10,000.

(d) A fine assessed under this chapter is in addition to any other sanction assessed under other law.

§18.15. Additional Fine.

In addition to any other fine assessed under this chapter, the commission may vote to impose a fine of \$2,500 against a filer whose report is more than 30 days late and who has not paid the penalty related to that report within 10 days after receiving the commission notice of lateness.

§18.17. Report Must be Filed.

(a) The payment of a civil or criminal fine for failure to file a report, or for filing a report late, does not satisfy a filer's obligation to file the report. Late fines continue to accrue until the report is filed.

(b) A filer, other than the treasurer of a political committee, who dies or becomes incapacitated is considered to have filed the report on the date of the filer's death or the date the filer is determined to be incapacitated, as applicable, for purposes of this chapter. In this subsection, "incapacitated" means determined by a judgment of a court exercising probate jurisdiction to be either partially mentally incapacitated without the right to vote or totally mentally incapacitated.

§18.19. Affidavit of Timely Filing.

A filer who has been notified by the commission that a report is late but who filed the report on or before the deadline may submit an affidavit to the executive director swearing that the report was timely filed.

§18.21. Jurisdiction to Consider Waiver Request.

(a) A filer may ask the commission to waive or reduce a civil penalty determined by §§ 305.033(b) or 572.033(b) of the Government Code, or §254.042(b) of the Election Code by submitting a written request to the Commission.

(b) The commission will not consider a request under subsection (a) of this section unless the filer, not later than 60 days after the report or statement was due:

- (1) submits the request in the manner prescribed by subsection (a) of this section;
- (2) files all reports owed to the commission; and
- (3) pays all outstanding civil penalties owed to the commission that are not subject to a pending request for waiver or appeal.

(c) Upon a showing of good cause, the executive director may extend the deadline in subsection (b) of this section.

§18.24. General Guidelines for Administrative Waiver or Reduction of Statutory Civil Penalties.

(a) For purposes of determining whether a filer is eligible for a waiver or reduction of a civil penalty under §§18.25 or 18.26 of this title (relating to Administrative Waiver or Reduction of Certain Statutory Civil Penalties and Administrative Waiver or Reduction of Statutory Civil Penalties in Excess of \$500 respectively), a “prior late offense” is any report for which a civil penalty for late filing was assessed, regardless of whether the civil penalty was waived or reduced. The term does not include:

(1) reports for which no late notices were sent and the filer did not file a request that the civil penalty be waived or reduced for the prior late report; and

(2) reports determined by the executive director to be not required.

(b) A civil penalty that is reduced under §§18.25 or 18.26 of this title will revert to the full amount originally assessed if the reduced civil penalty is not paid within thirty (30) calendar days from the date of the letter informing the filer of the reduction.

(c) A filer may appeal a determination made under §§18.25 or 18.26 of this title by submitting a request for appeal in writing to the commission.

(1) The request for appeal should state the filer's reasons for requesting an appeal, provide any additional information needed to support the request, and state whether the filer would like the opportunity to appear before the commission and offer testimony regarding the appeal.

(2) The Executive Director may review the appeal and reconsider the determination made under §§18.25 or 18.26 of this title or set the appeal for a hearing before the commission.

(3) After hearing a request for appeal, the commission may affirm the determination made under §§18.25 or 18.26 of this title or make a new determination based on facts presented in the appeal.

§18.25. Administrative Waiver or Reduction of Certain Statutory Civil Penalties

(a) The executive director shall apply this section to a late report subject to a statutory civil penalty of not more than \$500.

(b) The executive director shall use the following chart to determine the level of waiver or reduction of a civil penalty under this section:

# OF PRIOR LATE OFFENSES IN PAST 5 YEARS	ADJUSTED FINE
0	Waiver
1	\$100
2	\$250
3 or more	No reduction or waiver

§18.26. Administrative Waiver or Reduction of Statutory Civil Penalties in Excess of \$500

(a) The executive director shall apply this section to a late report subject to a statutory civil penalty in excess of \$500.

(b) The executive director shall use the following chart to determine the level of waiver or reduction of a civil penalty under this section:

Prior Late Offenses	Total Political Expenditures or Contributions in Reporting Period									
	<\$5k	<\$10k	<\$20k	<\$30k	<\$40k	<\$50k	<\$60k	<\$70k	<\$80k	<\$90k
0	\$0	90%	80%	70%	60%	50%	40%	30%	20%	10%
1	\$100	70%	60%	50%	40%	30%	20%	10%	0%	0%
2	\$250	50%	40%	30%	20%	10%	0%	0%	0%	0%

(c) For purposes of using the chart in subsection (b) of this section:

(1) where the chart identifies a dollar amount, that is the amount of the reduced or waived penalty; and

(2) where the chart identifies a percentage, that is the percentage by which the penalty is reduced.

§18.31. Adjustments to Reporting Thresholds.

(a) Pursuant to section 571.064 of the Government Code, the reporting thresholds are adjusted as follows:

Campaign Finance Reports: Section of Election Code	Threshold Description	Original Threshold Amount	Adjusted Amount
253.031(b)	PAC: Amount of contributions or expenditures permitted before TA is required	\$500	\$1,050
253.031(d)(2)	CEC: Amount of contributions or expenditures permitted before TA is required	\$25,000	\$38,990
253.032(a)	Contribution by Out-of-state PAC: Threshold above which certain paperwork is required	\$500	\$1,080
253.032(a)(1)	Contribution to Out-of-state PAC: Threshold above which certain contribution information is required	\$100	\$220
253.032(e)	Contribution by Out-of-state PAC: Threshold at or below which certain information is required	\$500	\$1,080
254.031(a)(1)	Contributions: Threshold over which more information is required	\$50	\$110
254.031(a)(2)	Loans: Threshold over which more information is required	\$50	\$110
254.031(a)(3)	Expenditures: Threshold over which more information is required	\$100	\$220
254.031(a)(5)	Contributions: Threshold at or below which more information is not required	\$50	\$110
254.031(a)(5)	Expenditures: Threshold at or below which more information is not required	\$100	\$220
254.031(a)(9)	Interest, credits, refunds: Threshold over which more information is required	\$100	\$140
254.031(a)(10)	Sale of political assets: Threshold over which proceeds must be reported	\$100	\$140
254.031(a)(11)	Investment Gain: Threshold over which more information is required	\$100	\$140
254.031(a)(12)	Contribution Gain: Threshold over which more information is required	\$100	\$140

Campaign Finance Reports: Section of Election Code	Threshold Description	Original Threshold Amount	Adjusted Amount
254.0311(b)(1)	Caucus, contributions from non-caucus members: Threshold over which more information is required	\$50	\$110
254.0311(b)(2)	Caucus, loans: Threshold over which more information is required	\$50	\$110
254.0311(b)(3)	Caucus, expenditures: Threshold over which more information is required	\$50	\$110
254.0311(b)(4)	Caucus, contributions and expenditures: Threshold at or below which more information is not required	\$50	\$110
254.0312	Contributions, Best Efforts: Threshold under which filer is not required to request contributor information to be in compliance	\$500	\$820
254.036	Electronic Filing Exemption: Threshold at or below which a filer may qualify	\$20,000	\$32,810
254.038(a)	Daily Reports by certain candidates and PACs: Contribution threshold triggering report	\$1,000	\$2,150
254.039	Daily Reports by GPACs: Contribution threshold triggering report	\$5,000	\$7,350
254.039	Daily reports by GPACs: DCE expenditure thresholds (single candidate/group of candidates)	\$1,000/\$15,000	\$2,150/\$32,280
254.0611(a)(2)	Judicial candidates, contributions: Threshold over which more information is required	\$50	\$110
254.0611(a)(3)	Judicial candidates, asset purchase: Threshold over which more information is required	\$500	\$1,080
254.0612	Statewide executive and legislative candidates, contributions: Threshold over which more information is required	\$500	\$1,080
254.095	Local officeholders, contributions: Threshold under which reporting is not required	\$500	\$1,080
254.151(6)	GPAC, contributions: Threshold over which more information is required	\$50	\$110
254.1541(a)	GPAC, higher itemization threshold: Threshold under which it applies	\$20,000	\$31,190

Campaign Finance Reports: Section of Election Code	Threshold Description	Original Threshold Amount	Adjusted Amount
254.1541(b)	GPACs that meet higher itemization threshold: Threshold over which more contributor information is required	\$100	\$220
254.156(1)	MPAC: Threshold over which contribution, lender and expenditure information is required	\$10	\$20
254.156(2)	MPACs that meet higher itemization threshold: Threshold over which more contributor information is required	\$20	\$40
254.181, 254.182, 254.183	Candidate or SPACs, modified reporting: Contribution or expenditure threshold at or below which filers may avoid pre-election reports	\$500	\$1,080
254.261	DCE filers: Threshold over which a report must be filed	\$100	\$160

Lobby Registrations and Reports: Section of Government Code	Threshold Description	Original Threshold Amount	Adjusted Amount
305.003(1)	Lobbyist, expenditures: Threshold over which registration is required	\$500, by 1 Tex. Admin. Code §34.41	\$940
305.003(2)	Lobbyist, compensation: Threshold over which registration is required	\$1,000, by 1 Tex. Admin. Code §34.43	\$1,870
305.004(7)	Lobbying for political party: Threshold at or below which registration is not required	\$5,000	\$10,760
305.005(g)(2)	Lobbyist: Compensation threshold	\$10,000	Less than \$21,520
305.005(g)(3)	Lobbyist: Compensation threshold	\$25,000	\$21,520 to less than \$53,810
305.005(g)(4)	Lobbyist: Compensation threshold	\$50,000	\$53,810 to less than \$107,610
305.005(g)(5)	Lobbyist: Compensation threshold	\$100,000	\$107,610 to less than \$215,230
305.005(g)(6)	Lobbyist: Compensation threshold	\$150,000	\$215,230 to less than \$322,840

Lobby Registrations and Reports: Section of Government Code	Threshold Description	Original Threshold Amount	Adjusted Amount
305.005(g)(7)	Lobbyist: Compensation threshold	\$200,000	\$322,840 to less than \$430,450
305.005(g)(8)	Lobbyist: Compensation threshold	\$250,000	\$430,450 to less than \$538,070
305.005(g)(9)	Lobbyist: Compensation threshold	\$300,000	\$538,070 to less than \$645,680
305.005(g)(10)	Lobbyist: Compensation threshold	\$350,000	\$645,680 to less than \$753,290
305.005(g)(11)	Lobbyist: Compensation threshold	\$400,000	\$753,290 to less than \$860,910
305.005(g)(12)	Lobbyist: Compensation threshold	\$450,000	\$860,910 to less than \$968,520
305.005(g)(13)	Lobbyist: Compensation threshold	\$500,000	\$968,520 to less than \$1,076,130
305.005(g-1)	Lobbyist: Compensation threshold	\$500,000	\$1,076,130 or more
305.0061(c)	Lobbyist, legislative/executive branch member: Threshold over which gifts, awards and mementos must be disclosed	\$50	\$110
305.0061(e-1)	Lobbyist, food and beverage: threshold at or below which it is considered a gift and reported as such	\$50	\$110
305.0063	Lobbyist, annual filer: expenditure threshold at or below which filer may file annually	\$1,000	\$2,150

Personal Financial Statements: Section of Gov't Code	Threshold Description	Original Threshold Amount	Adjusted Amount
572.022(a)(1)	PFS threshold	less than \$5,000	less than \$10,760
572.022(a)(2)	PFS threshold	\$5,000 to less than \$10,000	\$10,760 to less than \$21,520
572.022(a)(3)	PFS threshold	\$10,000 to less than \$25,000	\$21,520 to less than \$53,810
572.022(a)(4)	PFS threshold	\$25,000 or more	\$53,810 or more

Personal Financial Statements: Section of Gov't Code	Threshold Description	Original Threshold Amount	Adjusted Amount
572.005, 572.023(b)(1)	PFS, retainer: Threshold over which filer with a substantial interest in a business entity must report more information	\$25,000	\$53,810
572.023(b)(4)	PFS, interest, dividends, royalties and rents: Threshold over which information must be reported	\$500	\$1,080
572.023(b)(5)	PFS, loans: Threshold over which information must be reported	\$1,000	\$2,150
572.023(b)(7)	PFS, gifts: Threshold over which information must be reported	\$250	\$540
572.023(b)(8)	PFS, income from trust: Threshold over which information must be reported	\$500	\$1,080
572.023(b)(15)	PFS, government contracts: Threshold of aggregate over which more information must be reported	Exceeds \$10,000	Exceeds \$11,810
572.023(b)(15)(A)	PFS, government contracts: Itemization threshold	\$2,500 or more	\$2,950 or more
572.023(b)(16)(D)(i)	PFS, bond counsel fees paid to legislator: Threshold	less than \$5,000	less than \$5,910
572.023(b)(16)(D)(ii)	PFS, bond counsel fees paid to legislator: Threshold	at least \$5,000 but less than \$10,000	at least \$5,910 but less than \$11,810
572.023(b)(16)(D)(iii)	PFS, bond counsel fees paid to legislator: Threshold	at least \$10,000 but less than \$25,000	at least \$11,810 but less than \$29,530
572.023(b)(16)(D)(iv)	PFS, bond counsel fees paid to legislator: Threshold	\$25,000 or more	\$29,530 or more
572.023(b)(16)(E)(i)	PFS, bond counsel fees paid to individual's firm: Threshold	less than \$5,000	less than \$5,910
572.023(b)(16)(E)(ii)	PFS, bond counsel fees paid to individual's firm: Threshold	at least \$5,000 but less than \$10,000	at least \$5,910 but less than \$11,810
572.023(b)(16)(E)(iii)	PFS, bond counsel fees paid to individual's firm: Threshold	at least \$10,000 but less than \$25,000	at least \$11,810 but less than \$29,530
572.023(b)(16)(E)(iv)	PFS, bond counsel fees paid to individual's firm: Threshold	\$25,000 or more	\$29,530 or more

Speaker Election and Certain Ceremonial Reports: Section of Government Code	Threshold Description	Original Threshold Amount	Adjusted Amount
302.014(4)	Speaker: Expenditures over which more information must be reported	\$10	\$20
303.005(a)(1) – (10)	Governor for a Day/Speaker’s Day: Threshold over which more information must be reported	\$50	\$110

Thresholds set by Title 1, Part 2, Tex. Admin. Code	Threshold Type	Original Threshold Amount	Adjusted Amount
20.62(a)	Staff Reimbursement	\$5,000	\$7,060
20.220	Comptroller: Additional disclosure	\$500	\$710

(b) The changes made by this rule apply only to conduct occurring on or after the effective date of this rule.

(c) The effective date of this rule is January 1, 2024.

(d) In this section:

- (1) “CEC” means county executive committee;
- (2) “DCE” means direct campaign expenditure-only filer;
- (3) “GPAC” means general-purpose political committee;
- (4) “MPAC” means monthly-filing general-purpose political committee;
- (5) “PAC” means political committee;
- (6) “PFS” means personal financial statement;
- (7) “SPAC” means specific-purpose political committee; and
- (8) “TA” means treasurer appointment.

CHAPTER 20. REPORTING POLITICAL CONTRIBUTIONS AND EXPENDITURES

Subchapter A. GENERAL RULES

§20.1. Definitions.

The following words and terms, when used in Title 15 of the Election Code, in this chapter, Chapter 22 of this title (relating to Restrictions on Contributions and Expenditures), and Chapter 24 of this title (relating to Restrictions on Contributions and Expenditures Applicable to Corporations and Labor Organizations), shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Campaign communication--The term does not include a communication made by e-mail.
- (2) Campaign treasurer--Either the individual appointed by a candidate to be the campaign treasurer, or the individual responsible for filing campaign finance reports of a political committee under Texas law or the law of any other state.
- (3) Contribution--The term does not include a transfer for consideration of any thing of value pursuant to a contract that reflects the usual and normal business practice of the vendor.
- (4) Corporation--The term does not include professional corporations or professional associations.
- (5) Election cycle--A single election and any related primary or runoff election.
- (6) Identified measure--A question or proposal submitted in an election for an expression of the voters' will and includes the circulation and submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters' will.
- (7) Non-political expenditure--An expenditure from political contributions that is not an officeholder expenditure or a campaign expenditure.
- (8) Opposed candidate--A candidate who has an opponent whose name is to appear on the ballot. The name of a write-in candidate does not appear on the ballot.
- (9) Out-of-state political committee--A political committee that makes political expenditures outside Texas and in the 12 months immediately preceding the making of a political expenditure by the committee inside Texas (other than an expenditure made in connection with a campaign for a federal office or made for a federal officeholder), makes 80% or more of the committee's total political expenditures in any combination of elections outside this state and federal offices not voted on in this state. Section 20.13 of this title (relating to Out-of-State Committees) explains the practical application of this definition.
- (10) Pledge--A contribution in the form of an unfulfilled promise or unfulfilled agreement, whether enforceable or not, to provide a specified amount of money or

specific goods or services. The term does not include a contribution actually made in the form of a check.

(11) Political advertising:

(A) A communication that supports or opposes a political party, a public officer, a measure, or a candidate for nomination or election to a public office or office of a political party, and:

(i) is published in a newspaper, magazine, or other periodical in return for consideration;

(ii) is broadcast by radio or television in return for consideration;

(iii) appears in a pamphlet, circular, flier, billboard, or other sign, bumper sticker, or similar form of written communication; or

(iv) appears on an Internet website.

(B) The term does not include an individual communication made by e-mail or text message but does include mass e-mails and text messages involving an expenditure of funds beyond the basic cost of hardware messaging software and bandwidth.

(12) Political subdivision--A county, city, or school district or any other governmental entity that:

(A) embraces a geographic area with a defined boundary;

(B) exists for the purpose of discharging functions of government; and

(C) possesses authority for subordinate self-government through officers selected by it.

(13) Report--Any document required to be filed by this title, including an appointment of campaign treasurer, any type of report of contributions and expenditures, and any notice.

(14) Special pre-election report--A shorthand term for a report filed in accordance with the requirements of §§20.221, 20.333, or 20.435 of this title (relating to Special Pre-Election Report by Certain Candidates; Special Pre-Election Report by Certain Specific-Purpose Committees; Special Pre-Election Reports by Certain General-Purpose Committees) and §§254.038 and §254.039 of the Election Code (relating to Special Report Near Election by Certain Candidates and Political Committees and Special Report Near Election By Certain General-Purpose Committees).

(15) Specific-purpose committee--A political committee that does not meet the definition of general-purpose committee and that has among its principal purposes:

(A) supporting or opposing one or more:

(i) candidates, all of whom are identified and are seeking offices that are known; or

(ii) measures, all of which are identified;

(B) assisting one or more officeholders, all of whom are identified; or

(C) supporting or opposing only one candidate who is unidentified or who is seeking an office that is unknown.

(16) Unidentified measure--A question or proposal that is intended to be submitted in an election for an expression of the voters' will and that is not yet legally required to be submitted in an election, except that the term does not include the circulation or submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters' will. The circulation or submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters' will is considered to be an identified measure.

(17) Principal purpose--A group has as a principal purpose of accepting political contributions or making political expenditures, including direct campaign expenditures, when that activity is an important or a main function of the group.

(A) A group may have more than one principal purpose.

(B) A group has as a principal purpose accepting political contributions if the proportion of the political contributions to the total contributions to the group is more than 25 percent within a calendar year. A contributor intends to make a political contribution if the solicitations that prompted the contribution or the statements made by the contributor about the contribution would lead to no other reasonable conclusion than that the contribution was intended to be a political contribution.

(C) The group may maintain specific evidence of contributions related only to political contributions or only to nonpolitical contributions. For example, the group may ask the contributor to make an indication when the contribution is made that the contribution is only a nonpolitical contribution.

(D) A group has as a principal purpose making political expenditures, including direct expenditures, if the group expends more than 25 percent of its annual expenses to make political expenditures within a calendar year. The following shall be included for purposes of calculating the threshold:

(i) the amount of money paid in compensation and benefits to the group's employees for work related to making political expenditures;

(ii) the amount of money spent on political expenditures; and

(iii) the amount of money attributable to the proportional share of administrative expenses related to political expenditures. The proportional share of administrative expenses is calculated by comparing the political expenditures in clause (ii) with nonpolitical expenditures. (For example, if the group sends three mailings a year and each costs \$10,000, if the first two are issue based newsletters and the third is a direct advocacy sample ballot, and there were no other outside expenditures, then the proportion of the administrative expenses attributable to political expenditures would be 33%.) Administrative expenses include:

(I) fees for services to non-employees;

(II) advertising and promotion;

(III) office expenses;

(IV) information technology;

(V) occupancy;

(VI) travel expenses;

(VII) interest; and

(VIII) insurance.

(E) The group may maintain specific evidence of administrative expenses related only to political expenditures or only to nonpolitical expenditures. Specifically identified administrative expenses shall not be included in the proportion established by subparagraph (D)(iii) but allocated by the actual amount of the expense.

(F) In this section, the term "political expenditures" includes direct campaign expenditures.

(18) In connection with a campaign:

(A) An expenditure is made in connection with a campaign for an elective office if it is:

(i) made for a communication that expressly advocates the election or defeat of a clearly identified candidate by:

(I) using such words as "vote for," "elect," "support," "vote against," "defeat," "reject," "cast your ballot for," or "Smith for city council;" or

(II) using such phrases as "elect the incumbent" or "reject the challenger," or such phrases as "vote pro-life" or "vote pro-choice"

accompanied by a listing of candidates described as “pro-life” or “pro-choice;”

(ii) made for a communication broadcast by radio, television, cable, or satellite or distributed by print or electronic media, including any print publication, mailing, Internet website, electronic mail, or automated phone bank, that:

(I) refers to a clearly identified candidate;

(II) is distributed within 30 days before a contested election for the office sought by the candidate;

(III) targets a mass audience or group in the geographical area the candidate seeks to represent; and

(IV) includes words, whether displayed, written, or spoken; images of the candidate or candidate’s opponent; or sounds of the voice of the candidate or candidate’s opponent that, without consideration of the intent of the person making the communication, are susceptible of no other reasonable interpretation than to urge the election or defeat of the candidate;

(iii) made by a candidate or political committee to support or oppose a candidate; or

(iv) a campaign contribution to:

(I) a candidate; or

(II) a group that, at the time of the contribution, already qualifies as a political committee.

(B) An expenditure is made in connection with a campaign on a measure if it is:

(i) made for a communication that expressly advocates the passage or defeat of a clearly identified measure by using such words as “vote for,” “support,” “vote against,” “defeat,” “reject,” or “cast your ballot for;”

(ii) made for a communication broadcast by radio, television, cable, or satellite or distributed by print or electronic media, including any print publication, mailing, Internet website, electronic mail, or automated phone bank, that:

(I) refers to a clearly identified measure;

(II) is distributed within 30 days before the election in which the measure is to appear on the ballot;

(III) targets a mass audience or group in the geographical area in

which the measure is to appear on the ballot; and

(IV) includes words, whether displayed, written, or spoken, that, without consideration of the intent of the person making the communication, are susceptible of no other reasonable interpretation than to urge the passage or defeat of the measure;

(iii) made by a political committee to support or oppose a measure; or

(iv) a campaign contribution to a group that, at the time of the contribution, already qualifies as a political committee.

(C) Any cost incurred for covering or carrying a news story, commentary, or editorial by a broadcasting station or cable television operator, Internet website, or newspaper, magazine, or other periodical publication, including an Internet or other electronic publication, is not a campaign expenditure if the cost for the news story, commentary, or editorial is not paid for by, and the medium is not owned or controlled by, a candidate or political committee.

(D) For purposes of this section:

(i) a candidate is clearly identified by a communication that includes the candidate's name, office sought, office held, likeness, photograph, or other apparent and unambiguous reference; and

(ii) a measure is clearly identified by a communication that includes the measure's name or ballot designation (such as "Proposition 1"), purposes, election date, or other apparent and unambiguous reference.

(19) Discount--The provision of any goods or services without charge or at a charge which is less than fair market value. A discount is an in-kind political contribution unless the terms of the transaction reflect the usual and normal practice of the industry and are typical of the terms that are offered to political and non-political persons alike, or unless the discount is given solely in order to comply with §253.041 of the Election Code. The value of an in-kind contribution in the form of a discount is the difference between the fair market value of the goods or services at the time of the contribution and the amount charged.

(20) School district--For purposes of §254.130 of the Election Code and §§20.3 (relating to Reports Filed with the Commission), 20.7 (relating to Reports Filed with Other Local Filing Authority), and 20.315 (relating to Termination of Campaign Treasurer Appointment) of this title, the term includes a junior college district or community college district.

(21) Vendor--Any person providing goods or services to a candidate, officeholder, political committee, or other filer under this chapter. The term does not include an employee of the candidate, officeholder, political committee, or other filer.

(22) Hybrid committee—A political committee that, as provided by section 252.003(a)(4) (relating to contents of a general-purpose committee's campaign treasurer appointment) or 252.0031(a)(2) (relating to a specific-purpose committee's campaign treasurer appointment) of the Election Code, as applicable, has filed a campaign treasurer appointment that includes an affidavit stating that:

(A) the committee is not established or controlled by a candidate or an officeholder; and

(B) the committee will not use any political contribution from a corporation or a labor organization to make a political contribution to:

(i) a candidate for elective office;

(ii) an officeholder; or

(iii) a political committee that has not filed an affidavit in accordance with this section.

(23) Direct campaign expenditure-only committee—A political committee, as authorized by section 253.105 of the Election Code (relating to political contributions to direct campaign expenditure-only committees) to accept political contributions from corporations or labor organizations, that:

(A) is not established or controlled by a candidate or an officeholder;

(B) makes or intends to make direct campaign expenditures;

(C) does not make or intend to make political contributions to:

(i) a candidate;

(ii) an officeholder;

(iii) a specific-purpose committee established or controlled by a candidate or an officeholder; or

(iv) a political committee that makes or intends to make political contributions to a candidate, an officeholder, or a specific-purpose committee established or controlled by a candidate or an officeholder; and

(D) has filed an affidavit with the commission stating the committee's intention to operate as described by subparagraphs (B) and (C).

§20.3. Reports Filed with the Commission.

The Ethics Commission is the appropriate filing authority for reports filed by:

(1) a candidate for one of the following offices:

- (A) a statewide office;
 - (B) a district office filled by voters in more than one county;
 - (C) a seat in the state legislature;
 - (D) a seat on the State Board of Education;
 - (E) an office of a political subdivision other than a county, if the governing body of the political subdivision has not been formed and if the political subdivision includes territory in more than one county; or
 - (F) a judicial district office filled by voters of only one county, subject to §20.5(b);
- (2) a person holding an office listed in paragraph (1) of this section;
 - (3) the secretary of state;
 - (4) a specific-purpose committee supporting or opposing a candidate or officeholder required to file with the commission; or
 - (5) a specific-purpose committee supporting or opposing:
 - (A) a measure to be submitted to the voters of the entire state; or
 - (B) a measure that concerns a political subdivision other than a county, if the governing body of the political subdivision has not been formed and if the political subdivision includes territory in more than one county;
 - (6) a specific-purpose committee created to support or oppose a measure on the issuance of bonds by a school district; or
 - (7) a general-purpose committee.

§20.5. Reports Filed with a County Filing Authority.

The county clerk (or the county elections administrator or tax assessor-collector who is required to perform the functions of the county clerk as provided by §§31.043 or 31.071 of the Election Code) is the appropriate filing authority for reports filed by:

- (1) a candidate for:
 - (A) a county office;
 - (B) a precinct office;
 - (C) a district office (except for an office in a multi-county district; or
 - (D) 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;

- (2) a person holding an office listed in paragraph (1) of this section;
- (3) a specific-purpose committee supporting or opposing a candidate listed in paragraph (1) of this section or an office holder listed in paragraph (2) of this section;
- (4) a specific-purpose committee supporting or opposing:
 - (A) a measure to be submitted to the voters of a single county; or
 - (B) a measure concerning a political subdivision other than a county when the governing body for the political subdivision has not been formed and no boundary of the political subdivision crosses a boundary of a county.

§20.7. Reports Filed with Other Local Filing Authority.

(a) Except as provided by §20.3(6) of this title (relating to Reports Filed with the Commission), the secretary of a political subdivision (or the presiding officer if the political subdivision has no secretary) is the appropriate filing authority for reports filed by:

- (1) a candidate for an office of a political subdivision other than a county;
- (2) a person holding an office of a political subdivision other than a county; or
- (3) a specific-purpose committee supporting or opposing a measure to be submitted at an election ordered by the authority of a political subdivision other than a county.

(b) The campaign treasurer of a specific-purpose committee created to support or oppose a measure on the issuance of bonds by a school district should file with the commission a file-stamped copy of any campaign treasurer appointment filed with the appropriate local filing authority.

§20.9. Filing Option for Certain Specific-Purpose Committees.

A specific-purpose committee required to file reports with more than one authority may choose to file reports only with the commission.

§20.11. Federal Candidates and Officeholders.

The laws administered and enforced by the commission do not apply to a candidate for election to an office of the federal government or to a federal officeholder.

§20.13. Out-of-State Committees.

(a) An out-of-state political committee is required to file reports for each reporting period under Subchapter F, Chapter 254, Election Code, in which the out-of-state political committee accepts political contributions or makes political expenditures in connection with a state or local election in Texas. Section 254.1581, Election Code, applies to a report required to be filed under this section. An out-of-state political committee that files reports electronically in another jurisdiction may comply with §254.1581, Election Code, by sending a letter to the commission within the time prescribed by that section specifying in detail where the electronic report may be found on

the website of the agency with which the out-of-state political committee is required to file its reports. An out-of-state political committee that does not file reports electronically in another jurisdiction may comply with §254.1581, Election Code, by sending a copy of the cover sheets of the report and a copy of each page on which the committee reports a contribution or expenditure accepted or made in connection with a state or local election in Texas.

(b) An out-of-state political committee that files an appointment of campaign treasurer with a Texas filing authority is required to file reports under this title.

(c) A political committee must determine if it is an "out-of-state political committee" each time the political committee plans to make a political expenditure in Texas (other than an expenditure in connection with a campaign for a federal office or an expenditure for a federal officeholder). The determination is made as follows.

(1) Before making the expenditure (other than an expenditure in connection with a campaign for a federal office or an expenditure for a federal officeholder), the committee must calculate its total political expenditures made during the 12 months immediately preceding the date of the planned expenditure. This total does not include the planned political expenditure triggering the calculation requirement.

(2) If 80% or more of the total political expenditures are in connection with elections not voted on in Texas, the committee is an out-of-state committee.

(3) If less than 80% of the total political expenditures are in connection with elections not voted on in Texas, the committee is no longer an out-of-state committee.

(d) Section 20.29 (relating to Information About Out-of-State Committees) and §22.7 (relating to Contribution from Out-of-State Committee) of this title contain other provisions regarding requirements applicable to recipients of contributions from out-of-state political committees.

(e) An out-of-state political committee planning an expenditure in connection with a campaign for federal office voted on in Texas is not required to make the determination required under subsection (c) of this section. However, an expenditure in connection with a campaign for federal office voted on in Texas must be included in the calculation set out in subsection (c) of this section for an out-of-state committee making an expenditure in connection with a non-federal campaign voted on in Texas.

§20.15. Change of Address.

The campaign treasurer of a political committee required to file reports with the commission shall provide written notice to the commission of any change in his or her mailing address no later than the 10th day after the date of the change.

§20.16. Notices by Electronic Mail.

(a) A person required to file reports electronically with the commission shall provide to the commission an electronic mail address to which notices regarding filing requirements under Title 15 of the Election Code may be sent.

(b) A person required to file reports with the commission and who qualifies for an exemption from electronic filing may provide to the commission an electronic mail address to which notices regarding filing requirements under Title 15 of the Election Code may be sent.

(c) If the commission is twice unable to notify a person of a deadline at an electronic mail address provided under subsection (a) or (b) of this section, the commission is not required to make any further attempts to notify the person of that deadline or any future deadlines until the person has notified the commission of the person's current electronic mail address.

§20.18. Recordkeeping Required.

(a) Records required to be maintained by §254.001 of the Election Code consist of records containing information needed to comply with reporting requirements, examples may include bank statements (front and back), deposit slips, cancelled checks (front and back), receipts, invoices, bills, and ledgers of contributions and expenditures.

(b) Candidates, officeholders, and campaign treasurers of a political committee comply with §254.001 of the Election Code when they maintain the following:

- (1) Bank statements for all campaign activity;
- (2) Invoices or bills for campaign expenditures;
- (3) Copies of checks paid for campaign activity;
- (4) Donation documentation for each person from whom a political contribution, loan, gain, or reimbursement is accepted;
- (5) Receipts for reimbursed campaign expenses, which document the purpose of the reimbursement;
- (6) Employee timesheets and payroll records;
- (7) Extra care must be taken if cash is received or disbursed including: a separate receipt indicating the source of the donation or the person who received the disbursement, and the amount of the donation or expenditure.

(c) A person required to maintain a record under this section shall preserve the record for at least two years beginning on the filing deadline for the report containing the information in the record.

§20.19. Reports Must Be Filed on Official Forms.

Except for special pre-election reports that are exempt from the electronic filing requirement, all reports required by Chapters 20 through 40 must be filed in a format prescribed by the commission or on forms approved by the executive director pursuant to §18.1 of this title (relating to Forms).

§20.20. Timeliness of Action by Electronic Filing.

The filing deadline for any report filed electronically with the commission is midnight Central Time Zone on the last day for filing the report under the law requiring the filing of the report.

§20.21. Due Dates on Holidays and Weekends.

(a) Except as provided in subsection (b) of this section, if the deadline for a report falls on a Saturday, Sunday, or a legal state or national holiday, the report is due on the next regular business day.

(b) Subsection (a) of this section does not apply to a special pre-election report required by this title or by Title 15 of the Election Code. Special pre-election reports are due on the date assigned by the sections requiring those reports to be filed.

§20.23. Timeliness of Action by Mail.

When this chapter requires a notice, report, or other document or paper to be delivered, submitted, or filed within a specified period or before a specified deadline, a delivery, submission, or filing by first-class United States mail is timely except as otherwise provided by this chapter, if:

- (1) it is properly addressed with postage prepaid; and
- (2) it bears a post office cancellation mark indicating a time within the period or before the deadline, or if the person required to take the action furnishes satisfactory proof that it was deposited within in the mail within the period or before the deadline.

§20.29. Information About Out-of-State Committees.

(a) A person who files a report with the commission by electronic transfer and who accepts political contributions from an out-of-state political committee required to file its statement of organization with the Federal Election Commission shall either:

- (1) enter the out-of-state committee's federal PAC identification number in the appropriate place on the report; or
- (2) timely file a certified copy of the out-of-state committee's statement of organization that is filed with the Federal Election Commission.

(b) A person who files a report with the commission by electronic transfer and who accepts political contributions from an out-of-state political committee that is not required to file its statement of organization with the Federal Elections Commission shall either:

- (1) enter the information required by §253.032(a)(1) or (e)(1), Election Code, as applicable, on the report filed by electronic transfer; or
- (2) timely file a paper copy of the information required by §253.032(a)(1) or (e)(1), Election Code, as applicable.

(c) Except as provided by subsection (d) of this section, §251.007, Election Code, applies to a document filed under subsection (a)(2) or (b)(2) of this section.

(d) A document filed under subsection (a)(2) or (b)(2) of this section for a pre-election report is timely filed if it is received by the commission no later than the report due date. A pre-election report includes reports due 30-days and 8-days before an election, reports due before a runoff election, and special reports due before an election.

§20.33. Termination of Campaign Treasurer Appointment By Commission.

(a) The commission may terminate the campaign treasurer appointment of an inactive candidate or an inactive political committee.

(b) For purposes of subsection (a) of this section and §252.0131, Election Code, a candidate becomes “inactive” if the candidate files a campaign treasurer appointment with the commission and more than one year has lapsed since the candidate has filed any required campaign finance reports with the commission.

(c) For purposes of subsection (a) of this section and §252.0131, Election Code, a political committee becomes “inactive” if the political committee files a campaign treasurer appointment with the commission and more than one year has lapsed since the campaign treasurer of the political committee has filed any required campaign finance reports with the commission.

(d) This section does not apply to a candidate who holds an office specified by §252.005(1) or (5), Election Code.

§20.35. Notice of Proposed Termination of Campaign Treasurer Appointment.

(a) Before the commission may consider termination of a campaign treasurer appointment under §20.33 of this title (relating to Termination of Campaign Treasurer Appointment by Commission) and §252.0131, Election Code, the commission shall send written notice to the affected candidate or political committee.

(b) The written notice must be given at least 30 days before the date of the meeting at which the commission will consider the termination of campaign treasurer appointment and must include:

- (1) The date, time, and place of the meeting;
- (2) A statement of the commission’s intention to consider termination of the campaign treasurer;
- (3) A reference to the particular sections of the statutes and rules that give the commission the authority to consider the termination of the campaign treasurer; and
- (4) The effect of termination of the campaign treasurer appointment.

Subchapter B. GENERAL REPORTING RULES

§20.50. Total Political Contributions Maintained.

(a) For purposes of Election Code §254.031(a)(8) and §254.0611(a)(1), the total amount of political contributions maintained in one or more accounts includes the following:

- (1) The balance on deposit in banks, savings and loan institutions and other depository institutions;
- (2) 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
- (3) 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.

(b) For purposes of Election Code §254.031(a)(8) and §254.0611(a)(1), the total amount of political contributions maintained includes personal funds that the filer intends to use for political expenditures only if the funds have been deposited in an account in which political contributions are held as permitted by Election Code §253.0351(c).

(c) For purposes of Election Code §254.031(a-1), the difference between the total amount of political contributions maintained that is disclosed in a report and the correct amount is a de minimis error if the difference does not exceed:

- (1) \$250; or
- (2) the lesser of 10% of the amount disclosed or \$2,500.

§20.51. Value of In-Kind Contribution.

(a) For reporting purposes, the value of an in-kind contribution is the fair market value.

(b) If an in-kind contribution is sold at a political fundraiser, the total amount received for the item at the fundraiser must be reported. This reporting requirement is in addition to the requirement that the fair market value of the in-kind contribution be reported.

(c) If political advertising supporting or opposing two or more candidates is an in-kind contribution, each person benefiting from the contribution shall report the amount determined by dividing the full value of the political advertising by the number of persons benefited by the political advertising.

§20.52. Description of In-Kind Contribution for Travel.

The description of an in-kind contribution for travel outside of the state of Texas must provide the following:

- (1) The name of the person or persons traveling on whose behalf the travel was accepted;

- (2) The means of transportation;
- (3) The name of the departure city or the name of each departure location;
- (4) The name of the destination city or the name of each destination location;
- (5) The dates on which the travel occurred;
- (6) The campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

§20.53. Disclosure of True Source of Contribution or Expenditure.

A person may not knowingly make or authorize a political contribution or political expenditure in the name of or on behalf of another unless the person discloses the name and address of the person who is the true source of the contribution or expenditure.

§20.54. Reporting a Pledge of a Contribution.

- (a) The date of a pledge of a contribution is the date the pledge was accepted, regardless of when the pledge is actually received.
- (b) Except as provided by subsection (c) of this section, a pledge of a contribution shall be reported on the appropriate pledge schedule for the reporting period in which the pledge was accepted and shall be reported on the appropriate receipts schedule for the reporting period in which the pledge is received.
- (c) A pledge of a contribution that is actually received in the reporting period in which the pledge was accepted, shall be reported on the contribution schedule or the loan schedule, as applicable, and in accordance with subsection (a) of this section.
- (d) The effective date of this rule is January 1, 2015.

§20.55. Time of Accepting Contribution.

- (a) A candidate, office holder, or political committee shall make a determination to accept or refuse a political contribution not later than the end of the reporting period during which the contribution is received, except as provided by subsection (e) of this section.
- (b) A determination to refuse a political contribution is a distinct act from returning a political contribution and may occur at a different time.
- (c) If a determination to accept or refuse a political contribution is not made before the end of the reporting period during which the contribution is received, the contribution is considered to have been accepted on the last day of that reporting period.
- (d) A political contribution that is received but not accepted shall 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 considered to be accepted.

(e) A determination to accept or refuse a political contribution received during a special legislative session shall be made not later than the third day after the date the contribution is received.

§20.56. Expenditures to Vendors.

(a) A political expenditure made by a vendor for a candidate, officeholder, political committee, or other filer, with the intent to seek reimbursement from the filer, shall be reported by the filer in accordance with this chapter as though the filer made the expenditure directly.

(b) A vendor of a candidate, officeholder, or specific-purpose committee may not, in providing goods or services for the candidate, officeholder, or committee, make an expenditure that, if made by the candidate, officeholder, or committee, would be prohibited by §§253.035, 253.038, or 253.041, Election Code.

(c) A candidate, officeholder, or specific-purpose committee may not use political contributions to pay or reimburse a vendor for an expenditure that, if made by the candidate, officeholder, or committee, would be prohibited by §§253.035, 253.038, or 253.041, Election Code.

§20.57. Time of Making Expenditure.

(a) The date of a political expenditure is the date the amount is readily determinable by the person making the expenditure, except as provided by subsection (b) of this section.

(b) If under normal business practices, the amount of an expenditure is not known or readily ascertainable until receipt of a periodic bill, the date of the expenditure is the date the bill is received. Examples of expenditures to which this subsection is applicable are expenditures for use of electricity or for long-distance telephone calls.

(c) A political expenditure by credit card made during the period covered by a report required to be filed under Section 254.064(b) or (c), 254.124(b) or (c), or 254.154(b) or (c) of the Election Code, must be included in the report for the period during which the charge was made, not in the report for the period during which the statement from the credit card company was received.

(d) A political expenditure by credit card made during a period not covered by a report listed under subsection (c) of this section, must be included in the report for the period during which:

(1) the charge was made; or

(2) the person receives the credit card statement that includes the expenditure.

§20.58. Disclosure of Political Expenditure.

(a) 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.

(b) 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.

(c) 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.

(d) The effective date of this rule is January 1, 2015.

§20.59. Reporting Expenditure by Credit Card.

(a) A report of an expenditure charged to a credit card must be disclosed on the Expenditures Made to Credit Card Schedule and identify the vendor who receives payment from the credit card company.

(b) A report of a payment to a credit card company must be disclosed on the appropriate disbursements schedule and identify the credit card company receiving the payment.

§20.60. Reporting Political Expenditures for Processing Fees.

(a) Multiple political expenditures made to a single payee during a reporting period for fees to process political contributions may be itemized as a single expenditure, in an amount equal to the combined total amount of the expenditures, if all the expenditures are made to a single payee for the same purpose.

(b) The purpose of an expenditure reported under subsection (a) of this section must include the dates of the first and last of the multiple expenditures made to a single payee during the reporting period.

(c) For reporting purposes, the date of an expenditure reported under subsection (a) of this section is the date of the first expenditure made to the payee during the reporting period, as provided by §20.57 (Time of Making Expenditure) of this title.

§20.61. Purpose of Expenditure.

(a) For reporting required under §254.031 of the Election Code, the purpose of an expenditure means:

(1) A description of the category of goods, services, or other thing of value for which an expenditure is made. Examples of acceptable categories include:

(A) advertising expense;

(B) accounting/banking;

(C) consulting expense;

(D) contributions/donations made by candidate/officeholder/political committee;

(E) event expense;

(F) fees;

- (G) food/beverage expense;
- (H) gifts/awards/memorials expense;
- (I) legal services;
- (J) loan repayment/reimbursement;
- (K) office overhead/rental expense;
- (L) polling expense;
- (M) printing expense;
- (N) salaries/wages/contract labor;
- (O) solicitation/fundraising expense;
- (P) transportation equipment and related expense;
- (Q) travel in district;
- (R) travel out of district;
- (S) other political expenditures; and

(2) A brief statement or description of the candidate, officeholder, or political committee activity that is conducted by making the expenditure and an additional indication if the expenditure is an officeholder expenditure for living in Austin, Texas. 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.

(3) For purposes of this section, “consulting” means advice and strategy. “Consulting” does not include providing other goods or services, including without limitation media production, voter contact, or political advertising.

(b) An expenditure other than a reimbursement to a person, including a vendor, for more than one type of good or service must be reported by the filer as separate expenditures for each type of good or service provided by the person in accordance with this rule.

(c) The description of a political expenditure for travel outside of the state of Texas must provide the following:

- (1) The name of the person or persons traveling on whose behalf the expenditure was made;
- (2) The means of transportation;

(3) The name of the departure city or the name of each departure location;

(4) The name of the destination city or the name of each destination location;

(5) The dates on which the travel occurred; and

(6) The campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

(d) Except as provided by subsection (e) of this section, this rule applies to expenditures made on or after July 1, 2010.

(e) The requirement to include an additional indication if an expenditure is an officeholder expenditure for living in Austin, Texas, applies to an expenditure made on or after July 1, 2014.

(f) Comments:

The purpose of an expenditure must include both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate, officeholder, or political committee activity that is conducted by making the expenditure. A description of an expenditure that merely states the item or service purchased is not adequate because doing so does not allow a person reading the report to know the allowable activity for which an expenditure was made. The following is a list of examples that describe how the purpose of an expenditure may be reported under section 20.61. 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 under this rule. 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 under this rule. The rule does not require the candidate or officeholder to identify by name or affiliation an individual or group with whom the candidate or officeholder meets.

(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.”

§20.62. Reporting Staff Reimbursement.

(a) Political expenditures made out of personal funds by a staff member of an officeholder, a candidate, or a political committee with the intent to seek reimbursement from the officeholder, candidate, or political committee that in the aggregate do not exceed the amount specified by Figure 5 in 1 TAC §18.31 during the reporting period may be reported as follows IF the reimbursement occurs during the same reporting period that the initial expenditure was made:

(1) the amount of political expenditures that in the aggregate exceed the amount specified in Tex. Elec. Code §254.031(a)(3), as amended by Figure 1 in 1 TAC §18.31 and that are made during the reporting period, the full names and addresses of the persons to whom the expenditures are made and the dates and purposes of the expenditures; and

(2) included with the total amount or a specific listing of the political expenditures of the amount specified in Tex. Elec. Code §254.031(a)(5), as amended by Figure 1 in 1 TAC §18.31 or less made during the reporting period.

(b) Except as provided by subsection (a) of this section, a political expenditure made out of personal funds by a staff member of an officeholder, a candidate, or a political committee with

the intent to seek reimbursement from the officeholder, candidate, or political committee must be reported as follows:

- (1) the aggregate amount of the expenditures made by the staff member as of the last day of the reporting period is reported as a loan to the officeholder, candidate, or political committee;
- (2) the expenditure made by the staff member is reported as a political expenditure by the officeholder, candidate, or political committee; and
- (3) the reimbursement to the staff member to repay the loan is reported as a political expenditure by the officeholder, candidate, or political committee.

§20.63. Reporting the Use and Reimbursement of Personal Funds.

- (a) A candidate is required to report a campaign expenditure from his or her personal funds.
- (b) An officeholder is not required to report an officeholder expenditure from his or her personal funds unless he or she intends to be reimbursed from political contributions.
- (c) A candidate or officeholder must report a political expenditure from his or her personal funds using one of the following methods:
 - (1) As a political expenditure made from personal funds reported on the political expenditure made from personal funds schedule;
 - (2) As a loan without depositing the personal funds in an account in which political contributions are held. The amount reported as a loan may not exceed the total amount actually spent in the reporting period. A political expenditure made from these funds must also be reported as a political expenditure made from political funds, not as made from personal funds; or
 - (3) If the candidate or officeholder deposits personal funds in an account in which political contributions are held, he or she must report that amount as a loan with an indication that personal funds were deposited in that account. A political expenditure made from an account in which political contributions are maintained must be reported as a political expenditure made from political funds, not as made from personal funds.
- (d) A candidate or officeholder who makes political expenditures from his or her personal funds may reimburse those personal funds from political contributions only if:
 - (1) the expenditures were fully reported using one of the methods in subsection (c) of this section on the report covering the period during which the expenditures were made; and
 - (2) if the method in subsection (c)(1) of this section was used, the report disclosing the expenditures indicates that the expenditures are subject to reimbursement.
- (e) A candidate's or officeholder's failure to comply with subsection (d) of this section may not be cured by filing a corrected report after the report deadline has passed.

(f) A candidate or officeholder who has complied with subsection (d) of this section and whose personal funds have been reimbursed from political contributions must report the amount of the reimbursement as a political expenditure in the report covering the period during which the reimbursement was made.

(g) Section 22.21 of this title (relating to Additional Restrictions on Reimbursement of Personal Funds and Payments on Certain Loans) set limits on the amount of political expenditures from personal funds that a statewide officeholder may reimburse from political contributions.

§20.64. Reporting the Forgiveness of a Loan or Settlement of a Debt.

(a) The forgiveness of a loan to a candidate, officeholder, or political committee is a reportable in-kind political contribution unless the loan does not constitute a contribution under §251.001(2) of the Election Code, and the forgiveness of the loan was made in the due course of business.

(b) The settlement of a debt owed by a candidate, officeholder, or political committee is a reportable in-kind political contribution unless the creditor is a commercial vendor that has treated the settlement in a commercially reasonable manner that reflects the usual and normal practice of the industry, and is typical of the terms the commercial vendor offers to political and non-political persons alike.

§20.65. Reporting No Activity.

(a) As a general rule, a candidate or officeholder must file a report required by Subchapter C of this chapter (relating to Reporting Requirements for a Candidate) or Subchapter D of this chapter (relating to Reporting Requirements for an Officeholder Who Does Not Have a Campaign Treasurer Appointment on File), even if there has been no reportable activity during the period covered by the report.

(b) This general rule does not apply to:

(1) special pre-election reports;

(2) special session reports; or

(3) a local officeholder who does not have a campaign treasurer appointment on file and who does not accept more than the aggregate amount of political contributions or make more than the aggregate amount of political expenditures specified in Tex. Elec. Code §254.095, as amended by Figure 1 in 1 TAC §18.31 during the reporting period.

(c) If a required report will disclose that there has been no reportable activity during the reporting period, the filer shall submit only those pages of the report necessary to identify the filer and to swear to the lack of reportable activity.

§20.66. Discounts.

(a) A discount to a candidate, officeholder, or political committee is an in-kind political contribution unless the terms of the transaction reflect the usual and normal practice of the industry and are typical of the terms that are offered to political and non-political persons alike, or unless the discount is given solely in order to comply with §253.041 of the Election Code.

(b) The value of an in-kind contribution in the form of a discount is the difference between the fair market value of the goods or services at the time of the contribution and the amount charged.

§20.67. Reporting after the Death or Incapacity of a Filer.

(a) The responsibility to file reports required by this title survives the death or incapacity of a candidate or officeholder.

(b) The legal representative or the estate of a candidate or officeholder who has died, or the legal representative of a candidate who is incapacitated, shall file any reports due under Subchapter C of this chapter (relating to Reporting Requirements for a Candidate) or Subchapter D of this chapter (relating to Reporting Requirements for an Officeholder Who Does Not Have a Campaign Treasurer Appointment on File).

Subchapter C. REPORTING REQUIREMENTS FOR A CANDIDATE

§20.201. Required Appointment of Campaign Treasurer.

A candidate must file a campaign treasurer appointment before accepting any campaign contributions or making or authorizing any campaign expenditures, including campaign expenditures from personal funds.

§20.203. Candidates for State Party Chair.

Because the state chair of a political party does not hold a public office, a candidate for state chair of a political party is not within the definition of “candidate” set out in §20.1(4) of this title (relating to Definitions). Nonetheless, a candidate for the state chair of a political party is subject to filing requirements as provided by Subchapter J of this chapter (relating to Reports by a Candidate for State Party Chair).

§20.205. Contents of Candidate’s Campaign Treasurer Appointment.

Each candidate’s campaign treasurer appointment shall include the following information:

- (1) the name of the candidate making the appointment;
- (2) the mailing address of the candidate making the appointment;
- (3) the office sought by the candidate making the appointment, if known;
- (4) the office held by the candidate, if any;
- (5) the name of the individual appointed campaign treasurer;
- (6) the campaign treasurer’s residence or business street address;
- (7) the campaign treasurer’s telephone number;

(8) a statement acknowledging awareness of the Government Code, Chapter 573, Subchapter C (concerning Nepotism Prohibitions); and

(9) the signature of the candidate making the appointment.

§20.206. Transfer of Campaign Treasurer Appointment.

(a) 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.

(b) The original appointment terminates on the filing of the copy with the appropriate authority or on the 10th day after the date the decision to seek a different office is made, whichever is earlier.

§20.207. Termination of Campaign Treasurer Appointment.

(a) A candidate may terminate a campaign treasurer appointment by:

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

(b) A person may terminate his or her own status as campaign treasurer by immediately notifying both the appointing authority and the filing authority in writing.

(c) If a person terminates his or her own status as campaign treasurer, the termination is effective on the date the candidate receives the notice or on the date the filing authority actually receives the notice, whichever is later.

(d) Section 20.23 of this title (relating to Timeliness of Action by Mail) does not apply to subsection (c) of this section.

§20.209. Reporting Obligations Imposed on Candidate, Not Campaign Treasurer.

A candidate, not the candidate's campaign treasurer, is responsible for complying with this title.

§20.211. Semiannual Reports.

(a) A candidate shall file semiannual reports as provided by this section.

(b) One semiannual report is due no earlier than July 1 and no later than July 15.

(1) The period covered by a report under this subsection begins on the later of the following dates, as applicable:

(A) January 1;

(B) the first day after the period covered by the last report required by this subchapter (other than a special pre-election report or a special session report) or

Subchapter D of this chapter (relating to Reporting Requirements for an Officeholder Who Does Not Have a Campaign Treasurer Appointment on File); or

(C) the day the candidate's campaign treasurer appointment was filed, if this is the candidate's first report filed under this subchapter (other than a special pre-election report or a special session report) or Subchapter D of this chapter.

(2) The period covered by a report under this subsection ends on June 30.

(c) One semiannual report is due no earlier than January 1 and no later than January 15.

(1) The period covered by a report under this subsection begins on the later of the following dates, as applicable:

(A) July 1;

(B) the first day after the period covered by the last report required by this subchapter (other than a special pre-election report or a special session report) or Subchapter D of this chapter; or

(C) the day the candidate's campaign treasurer appointment was filed, if this is the candidate's first report filed under this subchapter (other than a special pre-election report or a special session report) or Subchapter D of this chapter.

(2) The period covered by a report under this subsection continues through December 31.

§20.213. Pre-election Reports.

(a) A candidate who has an opponent on the ballot in an election must file two pre-election reports, except as provided by subsections (b), (e), and (f) of this section.

(b) A candidate who has declared the intention to file reports in accordance with §20.217 of this title (relating to Modified Reporting) and who remains eligible to file under the modified schedule is not required to file pre-election reports.

(c) The first pre-election report must be received by the authority with whom the report is required to be filed not later than 30 days before election day. If this is the candidate's first report filed, the report covers a period that begins on the day the candidate's campaign treasurer appointment was filed. Otherwise the period begins on the first day after the period covered by the last report required by this subchapter (other than a special pre-election report or a special session report) or Subchapter D of this chapter (relating to Reporting Requirements for an Officeholder Who Does Not Have a Campaign Treasurer Appointment on File). The period covered by the report continues through the 40th day before the election.

(d) The second pre-election report must be received by the authority with whom the report is required to be filed not later than eight days before election day. The report covers the period that begins on the 39th day before the election and ends on the 10th day before the election.

(e) If a person becomes an opposed candidate during the period that begins on the 39th day before the election and ends on the 10th day before the election, the person shall file one pre-

election report. The report shall cover a period that begins on the day the candidate's campaign treasurer appointment was filed, if this is the candidate's first report filed, or on the first day after the period covered by the last report required by this subchapter (other than a special pre-election report or a special session report) or Subchapter D of this chapter. The period covered by the report ends on the 10th day before the election.

(f) If a person becomes an opposed candidate after the 10th day before the election, the person is not required to file pre-election reports. The person is required to file any special pre-election reports required by §20.221 of this title (relating to Special Pre-Election Report by Certain Candidates).

§20.215. Runoff Report.

(a) A candidate in a runoff election shall file a runoff report, except as provided by subsection (b) of this section.

(b) A candidate who has declared an intention to file reports in accordance with §20.217 of this title (relating to Modified Reporting) and who remains eligible to file under the modified schedule is not required to file a runoff report.

(c) A runoff report must be received by the authority with whom the report is required to be filed no later than the eighth day before the runoff election.

(d) A runoff report covers the period that begins on the ninth day before the date of the main election and ends on the 10th day before the runoff.

§20.217. Modified Reporting.

(a) An opposed candidate who does not intend to accept more than the aggregate amount of political contributions or make more than the aggregate amount of political expenditures (excluding filing fees) specified in Tex. Elec. Code §254.181(a), as amended by Figure 1 in 1 TAC §18.31 in connection with any election in an election cycle may choose to file under the modified schedule.

(b) Under the modified schedule, an opposed candidate is not required to file pre-election reports or a runoff report.

(c) To select modified filing, a candidate must file a declaration of intent not to accept more than the amount of political contributions or political expenditures (excluding filing fees) specified in Tex. Elec. Code §254.182(a), as amended by Figure 1 in 1 TAC §18.31 in connection with the election. The declaration must include a statement that the candidate understands that if either one of those limits is exceeded, the candidate will be required to file pre-election reports and, if necessary, a runoff report.

(d) A declaration under subsection (c) of this section is filed with the candidate's campaign treasurer appointment.

(e) To file under the modified schedule, a candidate must file the declaration required under subsection (c) of this section no later than the 30th day before the first election to which the

declaration applies. A declaration filed under subsection (c) of this section is valid for one election cycle only.

(f) If an opposed candidate exceeds either of the limits specified in Tex. Elec. Code §254.182(a), as amended by Figure 1 in 1 TAC §18.31, the candidate must file reports under §20.213 of this title (relating to Pre-election Reports) and §20.215 of this title (relating to Runoff Report).

(g) If an opposed candidate exceeds either of the limits specified in Tex. Elec. Code §254.182(a), as amended by Figure 1 in 1 TAC §18.31 after the 30th day before the election, the candidate must file a report not later than 48 hours after exceeding the limit. If this is the candidate's first report filed, the report covers a period that begins on the day the candidate's campaign treasurer appointment was filed. Otherwise, the period begins on the first day after the period covered by the last report required by this subchapter (other than a special pre-election report or a special session report) or Subchapter D of this chapter (relating to Reporting Requirements for an Officeholder Who Does Not Have a Campaign Treasurer Appointment on File). The period covered by the report continues through the day the candidate exceeded one of the limits for modified reporting.

§20.219. Content of Candidate's Sworn Report of Contributions and Expenditures.

Semiannual reports, pre-election reports, and runoff reports must cover reportable activity during the reporting period and must include the following information:

- (1) the candidate's full name;
- (2) the candidate's address;
- (3) the office sought by the candidate, if known;
- (4) the identity and date of the election for which the report is filed, if known;
- (5) the campaign treasurer's name;
- (6) the campaign treasurer's telephone number;
- (7) the campaign treasurer's residence or business street address;
- (8) for each political committee from which the candidate received notice under §20.319 of this title (relating to Notice to Candidate or Officeholder) or §20.421 of this title (relating to Notice to Candidate or Officeholder):
 - (A) the committee's full name;
 - (B) the committee's address;
 - (C) identification of the political committee as a general-purpose or a specific-purpose committee;
 - (D) the full name of the committee's campaign treasurer; and

(E) the address of the committee's campaign treasurer;

(9) on a separate page, the following information for each expenditure from political contributions made to a business in which the candidate has a participating interest of more than 10%, holds a position on the governing body of the business, or serves as an officer of the business:

(A) the full name of the business to which the expenditure was made;

(B) the address of the person to whom the expenditure was made;

(C) the date of the expenditure;

(D) the purpose of the expenditure; and

(E) the amount of the expenditure;

(10) for each person from whom the candidate accepted a political contribution (other than a pledge, loan, or a guarantee of a loan) of more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value or political contributions (other than pledges, loans, or guarantees of loans) that total more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value:

(A) the full name of the person making the contribution;

(B) the address of the person making the contribution;

(C) the total amount of contributions;

(D) the date each contribution was accepted; and

(E) a description of any in-kind contribution;

(11) for each person from whom the candidate accepted a pledge or pledges to provide more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in money or goods or services:

(A) the full name of the person making the pledge;

(B) the address of the person making the pledge;

(C) the amount of each pledge;

(D) the date each pledge was accepted;

(E) a description of any goods or services pledged; and

(F) the total of all pledges accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 and

less from a person, except those reported under subparagraphs (A)-(E) of this paragraph;

(12) for each person making a loan or loans to the candidate for campaign purposes, if the total amount loaned by the person during the period is more than the amount specified in Tex. Elec. Code §254.031(a)(2), as amended by Figure 1 in 1 TAC §18.31:

(A) the full name of the person or financial institution making the loan;

(B) the address of the person or financial institution making the loan;

(C) the amount of the loan;

(D) the date of the loan;

(E) the interest rate;

(F) the maturity date;

(G) the collateral for the loan, if any; and

(H) if the loan has guarantors:

(i) the full name of each guarantor;

(ii) the address of each guarantor;

(iii) the principal occupation of each guarantor;

(iv) the name of the employer of each guarantor; and

(v) the amount guaranteed by each guarantor;

(13) the total amount of loans accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(2), as amended by Figure 1 in 1 TAC §18.31 and less from persons other than financial institutions engaged in the business of making loans for more than one year, except for a loan reported under paragraph (12) of this section;

(14) for political expenditures made during the reporting period that total more than the amount specified in Tex. Elec. Code §254.031(a)(3), as amended by Figure 1 in 1 TAC §18.31 to a single payee, other than expenditures reported under paragraph (9) of this section:

(A) the full name of the person to whom each expenditure was made;

(B) the address of the person to whom the expenditure was made;

(C) the date of the expenditure;

(D) the purpose of the expenditure; and

(E) the amount of the expenditure;

(15) for each political expenditure of any amount made out of personal funds for which reimbursement from political contributions is intended:

(A) the full name of the person to whom each expenditure was made;

(B) the address of the person to whom the expenditure was made;

(C) the date of the expenditure;

(D) the purpose of the expenditure;

(E) a declaration that the expenditure was made out of personal funds;

(F) a declaration that reimbursement from political contributions is intended; and

(G) the amount of the expenditure;

(16) for each non-political expenditure made from political contributions, other than expenditures reported under paragraph (9) of this section:

(A) the date of each expenditure;

(B) the full name of the person to whom the expenditure was made;

(C) the address of the person to whom the expenditure was made;

(D) the purpose of the expenditure; and

(E) the amount of the expenditure;

(17) for each other candidate or officeholder who benefits from a direct campaign expenditure made by the candidate during the reporting period:

(A) the name of the candidate or officeholder; and

(B) the office sought or held by the candidate or officeholder;

(18) for each political contribution from an out-of-state political committee, the information required by §22.7 of this title (relating to Contribution from Out-of-State Committee);

(19) 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 that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(9), as amended by Figure 1 in 1 TAC §18.31;

(20) any proceeds of the sale of an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(10), as amended by Figure 1 in 1 TAC §18.31;

(21) any other gain from a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(12), as amended by Figure 1 in 1 TAC §18.31;

(22) any investment purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(11), as amended by Figure 1 in 1 TAC §18.31;

(23) the full name and address of each person from whom an amount described by paragraph (19), (20), (21), or (22) of this section is received, the date the amount is received, and the purpose for which the amount is received;

(24) the following total amounts:

(A) the total principal amount of all outstanding loans as of the last day of the reporting period;

(B) the total amount or an itemized listing of political contributions (other than pledges, loans, or guarantees of loans) of the amount specified in Tex. Elec. Code §254.031(a)(1) and (1-a), as amended by Figure 1 in 1 TAC §18.31 and less;

(C) the total amount of all political contributions (other than pledges, loans, or guarantees of loans);

(D) the total amount or an itemized listing of the political expenditures of the amount specified in Tex. Elec. Code §254.031(a)(5), as amended by Figure 1 in 1 TAC §18.31 and less; and

(E) the total amount of all political expenditures; and

(25) an affidavit, executed by the candidate, stating: “I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.”

§20.220. Additional Disclosure for the Texas Comptroller of Public Accounts.

(a) For purposes of this section and §2155.003(e) of the Government Code, the term “vendor” means:

(1) a person, who during the comptroller’s term of office, bids on or receives a contract under the comptroller’s purchasing authority that was transferred to the comptroller by §2151.004 of the Government Code; and

(2) an employee or agent of a person described by subsection (a)(1) of this section who communicates directly with the chief clerk, or an employee of the Texas Comptroller of Public Accounts who exercises discretion in connection with the vendor's bid or contract, about a bid or contract.

(b) Each report filed by the comptroller, or a specific-purpose committee created to support the comptroller, shall include:

(1) for each vendor whose aggregate campaign contributions equal or exceed the amount specified by Figure 5 in 1 TAC §18.31 during the reporting period, a notation that:

(A) the contributor was a vendor during the reporting period or during the 12-month period preceding the last day covered by the report; and

(B) if the vendor is an individual, includes the name of the entity that employs or that is represented by the individual; and

(2) for each political committee directly established, administered, or controlled by a vendor whose aggregate campaign contributions equal or exceed the amount specified by Figure 5 in 1 TAC §18.31 during the reporting period, a notation that the contributor was a political committee directly established, administered, or controlled by a vendor during the reporting period or during the 12-month period preceding the last day covered by the report.

(c) The comptroller, or a specific-purpose committee created to support the comptroller, is considered to be in compliance with this section if:

(1) each written solicitation for a campaign contribution includes a request for the information required by subsection (b) of this section; and

(2) for each contribution that is accepted for which the information required by this section is not provided at least one oral or written request is made for the missing information. A request under this subsection:

(A) must be made not later than the 30th day after the date the contribution is received;

(B) must include a clear and conspicuous statement requesting the information required by subsection (b) of this section;

(C) if made orally, must be documented in writing; and

(D) may not be made in conjunction with a solicitation for an additional campaign contribution.

(d) The comptroller, or a specific-purpose committee created to support the comptroller, must report the information required by subsection (b) of this section that is not provided by the person making the political contribution and that is in the comptroller's or committee's records of political contributions or previous campaign finance reports required to be filed under Title 15 of the Election Code filed by the comptroller or committee.

(e) If the comptroller, or a specific-purpose committee created to support the comptroller, receives the information required by this section after the filing deadline for the report on which the contribution is reported the comptroller or committee must include the missing information on the next required campaign finance report.

(f) The disclosure required under subsection (b) of this section applies only to a contributor who was a vendor or a political committee directly established, administered, or controlled by a vendor on or after September 1, 2007.

§20.221. Special Pre-Election Report by Certain Candidates.

(a) As provided by subsection (b) of this section, certain candidates must file reports about certain contributions accepted during the period that begins on the ninth day before an election and ends at noon on the day before an election. Reports under this section are known as “special pre-election” reports.

(b) An opposed candidate for an office specified by §252.005(1), Election Code, who, during the period described in subsection (a) of this section, accepts one or more political contributions from a person that in the aggregate exceed the amount specified in Tex. Elec. Code §254.038(a)(1), as amended by Figure 1 in 1 TAC §18.31 must file special pre-election reports.

(c) Except as provided in subsection (e) of this section, a candidate must file a special pre-election report so that the report is received by the commission no later than the first business day after the candidate accepts a contribution from a person that triggers the requirement to file the special pre-election report.

(d) If, during the reporting period for special pre-election contributions, a candidate receives additional contributions from a person whose previous contribution or contributions have triggered the requirement to file a special pre-election report during that period, the candidate must file an additional special pre-election report for each such contribution. Except as provided in subsection (e) of this section, each such special pre-election report must be filed so that it is received by the commission no later than the first business day after the candidate accepts the contribution.

(e) A candidate must file a special pre-election report that is exempt from electronic filing under §254.036(c), Election Code, so that the report is received by the commission no later than 5 p.m. of the first business day after the candidate accepts a contribution from a person that triggers the requirement to file the special pre-election report.

(f) A candidate must file a special pre-election report for each person whose contribution or contributions made during the period for special pre-election reports exceed the threshold for special pre-election reports.

(g) A candidate must also report contributions reported on a special pre-election report on the next semiannual, pre-election, or runoff report filed, as applicable.

§20.223. Form and Contents of Special Pre-Election Report.

(a) A special pre-election report shall be filed electronically as required by §254.036, Election Code, unless the report is exempt from electronic filing. A special pre-election report that is exempt from electronic filing under §254.036(c), Election Code, is not required to be on a form prescribed by the commission.

(b) A special pre-election report shall include the following information:

- (1) the name of the candidate;
- (2) the office sought by the candidate;
- (3) the name of the person making a contribution or contributions that triggered the requirement to file a special pre-election report;
- (4) the address of the person making the contribution or contributions;
- (5) the amount of each contribution;
- (6) the date each contribution was accepted; and
- (7) a description of any in-kind contribution.

§20.225. Special Session Reports.

- (a) A candidate for a statewide office or for the legislature who accepts a political contribution during the period that begins on the date the governor signs a proclamation calling a special legislative session and ends on the date of final adjournment must file a special session report.
- (b) A special session report must be filed with the commission no later than the 30th day after the date of final adjournment of the special session.
- (c) A special session report is a report of contributions only, not expenditures. Expenditures made during the period covered by a special session report are required to be reported in the next applicable sworn report of contributions and expenditures.
- (d) Contributions reported in a special session report are required to be reported in the next applicable sworn report of contributions and expenditures.
- (e) A determination to accept or refuse a political contribution received during the period covered by a special session report shall be made no later than the third day after the date the contribution is received.
- (f) A contribution that is refused under subsection (e) of this section must be returned no later than the 30th day after the date of final adjournment. A contribution not returned by that date will be deemed accepted.
- (g) A candidate is not required to file a separate special session report if another report is due no later than the tenth day after the date a report required under this section would be due.

§20.227. Contents of Special Session Report.

A special session report shall include the following information:

- (1) the candidate's name;
- (2) the candidate's address;

- (3) the office sought by the candidate;
- (4) the date each contribution was accepted;
- (5) the full name of each person making a contribution;
- (6) the address of each person making a contribution;
- (7) the amount of each contribution accepted during the period;
- (8) a description of any in-kind contribution accepted during the period; and
- (9) an affidavit, executed by the candidate, stating: “I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.”

§20.229. Final Report.

- (a) A candidate who expects no further reportable activity in connection with his or her candidacy may file a final report at any time.
- (b) The term “reportable activity” includes an expenditure to pay a campaign debt.
- (c) Filing a final report terminates the candidate’s campaign treasurer appointment and relieves the candidate of the responsibility for filing reports, except as provided by subsection (e) of this section.
- (d) A former candidate may not accept campaign contributions or make campaign expenditures without a campaign treasurer appointment on file.
- (e) A candidate who is not an officeholder when he or she files a final report under this section, and who retains unexpended political contributions, unexpended interest or other income from political contributions, assets purchased with political contributions or interest, or other income from political contributions is subject to the requirements of §§20.233, 20.235, 20.237, 20.239, 20.241, and 20.243 of this title (relating to Reporting Requirements for a Candidate).
- (f) A candidate who is an officeholder when he or she files a final report under this section becomes subject to the reporting requirements set out in Subchapter D of this chapter (relating to Reporting Requirements for an Officeholder Who Does Not Have a Campaign Treasurer Appointment on File).

§20.231. Contents of Final Report.

A final report must contain the following:

- (1) the information listed in §20.219 of this title (relating to Content of Candidate’s Sworn Report of Contributions and Expenditures);
- (2) the following statement, signed by the candidate: “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.”;

(3) if the candidate is not an officeholder, a statement that the candidate does or does not have unexpended contributions or unexpended interest or other income earned from political contributions;

(4) if the candidate is not an officeholder and has unexpended contributions or unexpended interest or income earned from political contributions, the following statement signed by the candidate: “I understand that I may not convert unexpended political contributions or unexpended interest or other income earned from 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 other income earned from 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 other income earned from political contributions in accordance with the requirements of Election Code, §254.204 (relating to Disposition of Unexpended Contributions).”;

(5) if the candidate is not an officeholder, a statement that the candidate does or does not retain assets purchased with political contributions or interest or other income earned from political contributions;

(6) if the candidate is not an officeholder and retains assets purchased with political contributions or interest or other income from political contributions, the following statement signed by the candidate: “I understand that I may not convert assets purchased with political contributions or interest or other income earned from political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain assets purchased with political contributions or interest or other income earned from political contributions longer than six years after filing this final report. I also understand that I must dispose of assets purchased with political contributions or interest or other income earned from political contributions in accordance with the requirements of Election Code, §254.204 (relating to Disposition of Unexpended Contributions).”; and

(7) if the candidate is an officeholder, a statement that the officeholder is aware that he or she remains subject to filing requirements applicable to an officeholder who does not have a campaign treasurer appointment on file.

§20.233. Annual Report of Unexpended Contributions.

(a) A candidate who files a final report and is not an officeholder when he or she files a final report under §20.229 of this title (relating to Final Report) must file an annual report for each year that the former candidate retains unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions.

(b) The report is due not earlier than January 1 and not later than January 15 of the year after a year in which the former candidate retained unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions.

(c) The report is filed with the authority with whom the former candidate's campaign treasurer appointment was required to be filed.

(d) The requirement to file annual reports ends after:

- (1) all unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions have been disbursed and reported on an annual report; or
- (2) the former candidate has complied with §20.237 of this title (relating to Disposition of Unexpended Contributions) and §20.239 of this title (relating to Report of Final Disposition of Unexpended Contributions).

§20.235. Contents of Annual Report.

An annual report of unexpended contributions shall include the following information:

- (1) the candidate's full name;
- (2) the candidate's address;
- (3) for each payment made by the candidate from unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions during the previous year:
 - (A) the full name of each person to whom a payment was made;
 - (B) the address of each person to whom a payment was made;
 - (C) the date of each payment;
 - (D) the nature of the goods or services for which the payment was made; and
 - (E) the amount of each payment;
- (4) the total amount of unexpended political contributions as of December 31 of the previous year;
- (5) the total amount of interest and other income earned on unexpended political contributions during the previous year; and

(6) an affidavit, executed by the candidate, stating, “I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.”

§20.237. Final Disposition of Unexpended Contributions.

(a) A former candidate who was not an officeholder at the time he or she filed a final report may not retain unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions for more than six years after the date of the final report, except as provided by subsection (f) of this section.

(b) During the six-year period after the final report is filed, a former candidate may disburse unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions to one of the following:

(1) the political party with which the person was affiliated when the person’s name last appeared on a ballot;

(2) a candidate or political committee, subject to the reporting requirements of §20.243 of this title (relating to Contribution of Unexpended Political Contributions to Candidate or Political Committee);

(3) the Comptroller of Public Accounts, for deposit in the state treasury for use in financing primary elections;

(4) one or more persons from whom political contributions were received, with contributions to a person not to exceed the aggregate amount the former candidate accepted from that person during the last two years that the candidate accepted political contributions;

(5) a recognized, tax-exempt charitable organization; or

(6) a public or private post-secondary educational institution or an institution of higher education, as defined by the Education Code, §61.003(8) (concerning Definitions), solely for the purpose of assisting or creating a scholarship program.

(c) A former candidate may not convert unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions to personal use.

(d) At the end of the six-year period after the final report is filed, a former candidate must dispose of unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions in one of the ways listed in subsection (b) of this section.

(e) A former candidate must make the disposition required by subsection (d) of this section by the 10th day after the end of the six-year period.

(f) The six-year period prescribed by subsection (a) of this section ceases to run if the former candidate files a new campaign treasurer appointment during the period.

§20.239. Report of Final Disposition of Unexpended Contributions.

(a) A person required by §20.237 of this title (relating to Final Disposition of Unexpended Contributions) to dispose of unexpended contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions at the end of the period for retaining such funds is required to file a report of the disposition of such funds.

(b) The report must be filed no later than the 30th day after the end of the six-year period prescribed by §20.237(a) of this title (relating to Final Disposition of Unexpended Contributions).

(c) The report shall be filed with the authority with whom the person's campaign treasurer appointment was required to be filed.

(d) The report shall cover the period that begins on the first day after the period covered by the last annual report required through the day a report under this section is filed.

§20.241. Contents of Report of Final Disposition of Unexpended Contributions.

A report of final disposition of unexpended contributions shall include the following information:

- (1) the candidate's full name;
- (2) the candidate's address;
- (3) the full name of each person to whom a payment from unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions was made;
- (4) the address of each person to whom such a payment was made;
- (5) the date of each payment;
- (6) the nature of the goods or services for which the payment was made;
- (7) the amount of each payment; and
- (8) an affidavit, executed by the candidate, stating: "I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code."

§20.243. Contribution of Unexpended Political Contributions to Candidate or Political Committee.

(a) A former candidate who has filed a final report and who contributes unexpended political contributions, unexpended interest or other income earned from political contributions, or assets

purchased with political contributions or interest or other income earned from political contributions to a candidate or political committee must report the contribution on an annual report of unexpended contributions or on a report of final disposition of unexpended contributions, as applicable. The former candidate must also report the contribution under subsection (b) of this section.

(b) A former candidate who has filed a final report and who contributes unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions to a candidate or political committee must report each contribution to the filing authority with whom the candidate or political committee receiving the contribution files reports. The contribution must be reported on the form used for reports of contributions and expenditures by specific-purpose committees. The report should be filed by the due date for the report in which the candidate or political committee receiving the contribution must report the receipt of the contribution.

Subchapter D. REPORTING REQUIREMENTS FOR AN OFFICEHOLDER WHO DOES NOT HAVE A CAMPAIGN TREASURER APPOINTMENT ON FILE

§20.271. Officeholders Covered.

(a) The provisions in this subchapter that apply to an officeholder apply only to a person who holds an elective public office in the state and to the secretary of state.

(b) For purposes of this subchapter, a statewide officer-elect or a member-elect of the legislature is considered to be an officeholder beginning on the day after the date of the general or special election at which the officer-elect or member-elect was elected.

(c) An officeholder who has a campaign treasurer appointment on file is a candidate for filing purposes and shall file under Subchapter C of this chapter (relating to Reporting Requirements for a Candidate) rather than under this subchapter.

§20.273. Semiannual Reports of Contributions and Expenditures.

(a) Except as provided by §20.275 of this title (relating to Exception from Filing Requirement for Certain Local Officeholders), an officeholder shall file semiannual reports of contributions and expenditures as provided by this section.

(b) One semiannual report is due no earlier than July 1 and no later than July 15.

(1) The period covered by a report under this subsection begins on the later of the following dates, as applicable:

(A) January 1;

(B) the first day after the period covered by the last report required by this chapter, whether that report was filed by the officeholder in his or her status as an officeholder or as a candidate; or

(C) the day the officeholder took office, if the report is the first report filed by the officeholder under this chapter.

(2) The period covered by a report under this subsection ends on June 30.

(c) One semiannual report is due no earlier than January 1 and no later than January 15.

(1) The period covered by a report under this subsection begins on the later of the following dates, as applicable:

(A) July 1;

(B) the first day after the period covered by the last report required by this chapter, whether that report was filed by the officeholder in his or her status as an officeholder or as a candidate; or

(C) the day the officeholder took office, if the report is the first report filed by the officeholder under this chapter.

(2) The period covered by a report under this subsection ends on December 31.

§20.275. Exception from Filing Requirement for Certain Local Officeholders.

An officeholder is not required to file a semiannual report of contributions and expenditures if the officeholder:

(1) is required to file with an authority other than the commission;

(2) does not have a campaign treasurer appointment on file; and

(3) does not accept more than the aggregate amount of political contributions or make more than the aggregate amount of political expenditures specified in Tex. Elec. Code §254.095, as amended by Figure 1 in 1 TAC §18.31 during the reporting period.

§20.277. Appointment by Officeholder of Campaign Treasurer.

(a) An officeholder who appoints a campaign treasurer after a period in which the officeholder did not have a campaign treasurer appointment on file must file a sworn report of contributions and expenditures no later than 15 days after the date the campaign treasurer appointment was filed.

(b) A report required by this section covers a period that begins on the later of the following dates, as applicable:

(1) the first day after the period covered by the last report filed under this chapter, whether that report was filed by the officeholder in his or her status as an officeholder or as a candidate; or

(2) the day the officeholder took office, if the report is the first report filed by the officeholder under this chapter.

(c) The period covered by a report required by this section ends on the day the campaign treasurer appointment was filed.

(d) After an officeholder files a campaign treasurer appointment, the officeholder is a candidate for filing purposes and shall file under Subchapter C of this chapter (relating to Reporting Requirements for a Candidate) rather than under this subchapter.

§20.279. Contents of Officeholder’s Sworn Report of Contributions and Expenditures.

An officeholder’s semiannual report of contributions and expenditures required by this subchapter must cover reportable activity during the reporting period and must include the following information:

- (1) the officeholder’s full name;
- (2) the officeholder’s address;
- (3) the office held by the officeholder;
- (4) for each political committee from which the officeholder received notice under §20.319 of this title (relating to Notice to Candidate or Officeholder) or §20.421 of this title (relating to Notice to Candidate or Officeholder):
 - (A) the committee’s full name;
 - (B) the committee’s address;
 - (C) identification of the political committee as a general-purpose or a specific-purpose committee;
 - (D) the full name of the committee’s campaign treasurer; and
 - (E) the address of the committee’s campaign treasurer;
- (5) on a separate page, the following information for each expenditure from political contributions made to a business in which the officeholder has a participating interest of more than 10%, holds a position on the governing body of the business, or serves as an officer of the business:
 - (A) the full name of the business to which the expenditure was made;
 - (B) the address of the business to which the expenditure was made;
 - (C) the date of the expenditure;
 - (D) the purpose of the expenditure; and
 - (E) the amount of the expenditure;

(6) for each person from whom the officeholder accepted a political contribution (other than a pledge, loan, or a guarantee of a loan) of more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value or political contributions (other than pledges, loans, or guarantees of loans) that total more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value:

- (A) the full name of the person making the contribution;
- (B) the address of the person making the contribution;
- (C) the total amount of contributions;
- (D) the date each contribution was accepted; and
- (E) a description of any in-kind contribution;

(7) for each person from whom the officeholder accepted a pledge or pledges to provide more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in money or goods or services:

- (A) the full name of the person making the pledge;
- (B) the address of the person making the pledge;
- (C) the amount of each pledge;
- (D) the date each pledge was accepted; and
- (E) a description of any goods or services pledged;

(8) the total of all pledges accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 and less from a person, except those reported under paragraph (7) of this section;

(9) for each person making a loan or loans to the officeholder for officeholder purposes, if the total amount loaned by the person during the period is more than the amount specified in Tex. Elec. Code §254.031(a)(2), as amended by Figure 1 in 1 TAC §18.31:

- (A) the full name of the person or financial institution making the loan;
- (B) the address of the person or financial institution making the loan;
- (C) the amount of the loan;
- (D) the date of the loan;
- (E) the interest rate;
- (F) the maturity date;

(G) the collateral for the loan, if any; and

(H) if the loan has guarantors:

(i) the full name of each guarantor;

(ii) the address of each guarantor;

(iii) the principal occupation of each guarantor;

(iv) the name of the employer of each guarantor; and

(v) the amount guaranteed by each guarantor;

(10) the total amount of loans accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(2), as amended by Figure 1 in 1 TAC §18.31 and less from persons other than financial institutions engaged in the business of making loans for more than one year, except those reported under paragraph (9) of this section;

(11) for political expenditures made during the reporting period that total more than the amount specified in Tex. Elec. Code §254.031(a)(3), as amended by Figure 1 in 1 TAC §18.31 to a single payee, other than expenditures reported under paragraph (5) of this section:

(A) the full name of the person to whom each expenditure was made;

(B) the address of the person to whom the expenditure was made;

(C) the date of the expenditure;

(D) the purpose of the expenditure; and

(E) the amount of the expenditure;

(12) for each political expenditure of any amount made out of personal funds for which reimbursement from political contributions is intended:

(A) the full name of the person to whom each expenditure was made;

(B) the address of the person to whom the expenditure was made;

(C) the date of each expenditure;

(D) the purpose of the expenditure;

(E) a declaration that the expenditure was made from personal funds;

(F) a declaration that reimbursement from political contributions is intended; and

(G) the amount of the expenditure;

(13) for each non-political expenditure made from political contributions, other than expenditures reported under paragraph (5) of this section:

- (A) the date of each expenditure;
- (B) the full name of the person to whom the expenditure was made;
- (C) the address of the person to whom the expenditure was made;
- (D) the purpose of the expenditure; and
- (E) the amount of the expenditure;

(14) for each candidate or other officeholder who benefits from a direct campaign expenditure made by the officeholder during the reporting period:

- (A) the name of the candidate or officeholder; and
- (B) the office sought or held by the candidate or officeholder;

(15) for each political contribution from an out-of-state political committee, the information required by §22.7 of this title (relating to Contribution from Out-of-State Committee);

(16) 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 that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(9), as amended by Figure 1 in 1 TAC §18.31;

(17) any proceeds of the sale of an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(10), as amended by Figure 1 in 1 TAC §18.31;

(18) any other gain from a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(12), as amended by Figure 1 in 1 TAC §18.31;

(19) any investment purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(11), as amended by Figure 1 in 1 TAC §18.31;

(20) the full name and address of each person from whom an amount described by paragraph (16), (17), (18), or (19) of the section is received, the date the amount is received, and the purpose for which the amount is received;

(21) the following total amounts:

- (A) the total principal amount of all outstanding loans as of the last day of the reporting period;

(B) the total amount or an itemized listing of political contributions (other than pledges, loans, or guarantees of loans) of the amount specified in Tex. Elec. Code §254.031(a)(1) and (1-a), as amended by Figure 1 in 1 TAC §18.31 and less;

(C) the total amount of all political contributions (other than pledges, loans, or guarantees of loans);

(D) the total amount or an itemized listing of the political expenditures of the amount specified in Tex. Elec. Code §254.031(a)(5), as amended by Figure 1 in 1 TAC §18.31 and less; and

(E) the total amount of all political expenditures; and

(22) an affidavit, executed by the officeholder, stating: “I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.”

§20.281. Special Session Report by Certain Officeholders.

(a) A statewide officeholder or member of the legislature who accepts a political contribution during the period that begins on the date the governor signs a proclamation calling a special legislative session and ends on the date of final adjournment must file a special session report.

(b) A special session report is a report of contributions only, not expenditures. Expenditures made during the period covered by a special session report are required to be reported in the next applicable sworn report of contributions and expenditures.

(c) Contributions reported in a special session report are required to be reported in the next applicable sworn report of contributions and expenditures.

(d) A special session report must be filed with the commission no later than the 30th day after the date of final adjournment of the special session.

(e) A determination to accept or refuse a political contribution received during the period covered by a special session report shall be made no later than the third day after the date the contribution is received.

(f) A contribution that is refused under subsection (e) of this section must be returned no later than the 30th day after the date of final adjournment. A contribution not returned by that date will be deemed accepted.

(g) An officeholder is not required to file a separate special session report if another report is due not later than the 10th day after the date a report required under this section would be due.

§20.283. Contents of Special Session Report.

A report required by §20.281 of this title (relating to Special Session Report by Certain Officeholders) shall include the following information:

(1) the officeholder’s name;

- (2) the officeholder's address;
- (3) the office held;
- (4) the date each contribution was accepted;
- (5) the name of each person making a contribution;
- (6) the address of each person making a contribution;
- (7) the amount of each contribution accepted during the period;
- (8) a description of any in-kind contribution; and
- (9) an affidavit, executed by the officeholder, stating: "I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code."

§20.285. Annual Report of Unexpended Contributions by Former Officeholder.

- (a) A person who ceases to be an officeholder at a time when he or she does not have a campaign treasurer appointment on file must file an annual report if he or she has unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions after filing the last required report as an officeholder.
- (b) A report under this section shall be filed not earlier than January 1 and not later than January 15 of each year following the year in which the former officeholder filed the last required report as an officeholder, unless the requirement to file annual reports has ended as provided by subsection (d) of this section.
- (c) The report is filed with the authority with whom the former officeholder's campaign treasurer appointment was required to be filed.
- (d) The requirement to file annual reports ends after:
 - (1) all political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions have been disbursed and reported on an annual report; or
 - (2) the former officeholder has complied with §20.289 of this title (relating to Disposition of Unexpended Contributions) and §20.291 of this title (relating to Report of Final Disposition of Unexpended Contributions).

§20.287. Contents of Annual Report.

- (a) An annual report of unexpended contributions shall include the following information:
 - (1) the officeholder's full name;

- (2) the officeholder's address;
- (3) for each payment made by the officeholder from unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions during the previous year:
 - (A) the full name of each person to whom a payment was made;
 - (B) the address of each person to whom a payment was made;
 - (C) the date of each payment;
 - (D) the nature of the goods or services for which the payment was made; and
 - (E) the amount of the payment;
- (4) the total amount of unexpended political contributions as of December 31 of the previous year;
- (5) the total amount of interest and other income earned on unexpended political contributions during the previous year; and
- (6) an affidavit, executed by the former officeholder, stating: "I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code."

§20.289. Disposition of Unexpended Contributions.

- (a) A former officeholder who did not have a campaign treasurer appointment on file at the time he or she ceased to be an officeholder may not retain unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions for more than six years after the date he or she ceased to be an officeholder, except as provided by subsection (f) of this section.
- (b) During the six-year period after the date a former officeholder ceased to be an officeholder, the former officeholder covered by subsection (a) of this section may disburse unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions for a purpose listed in §20.237 of this title (relating to Final Disposition of Unexpended Contributions).
- (c) A former officeholder may not convert political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions to personal use.
- (d) At the end of the six-year period, a former officeholder covered by subsection (a) of this section must dispose of unexpended political contributions, unexpended interest or other income earned from political contributions, and assets purchased with political contributions or interest

or other income earned from political contributions in one of the ways listed in §20.237 of this title (relating to Final Disposition of Unexpended Contributions).

(e) A former officeholder must make the disposition required by subsection (c) of this section by the 10th day after the end of the six-year period.

(f) The six-year period prescribed by subsection (a) of this section ceases to run if the former officeholder files a campaign treasurer appointment during the period.

§20.291. Report of Final Disposition of Unexpended Contributions.

(a) A former officeholder who disposes of unexpended contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions under §20.289 of this title (relating to Disposition of Unexpended Contributions) is required to file a report of the final disposition.

(b) A report of final disposition of unexpended contributions must be filed no later than the 30th day after the end of the six-year period prescribed by §20.289(a) of this title.

(c) The report shall be filed with the authority with whom the former officeholder's last required report as an officeholder was required to be filed.

(d) The report shall cover the period that begins on the first day after the period covered by the last report required through the day a report under this section is filed.

§20.293. Contents of Report of Final Disposition of Unexpended Contributions.

(a) A report of final disposition of unexpended contributions shall include the following information:

(1) the officeholder's full name;

(2) the officeholder's address;

(3) the full name of each person to whom a payment from unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions was made;

(4) the address of each person to whom such a payment was made;

(5) the date of each payment;

(6) the nature of the goods and services received for each payment;

(7) the amount of each payment; and

(8) an affidavit, executed by the former officeholder, stating: "I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code."

§20.295. Contribution of Unexpended Political Contributions to Candidate or Political Committee.

(a) A former officeholder who contributes unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions to a candidate or political committee must report the contribution on an annual report of unexpended contributions or on a report of final disposition of unexpended contributions, as applicable. The former officeholder must also report the contribution under subsection (b) of this section.

(b) A former officeholder who contributes unexpended political contributions, unexpended interest or other income earned from political contributions, or assets purchased with political contributions or interest or other income earned from political contributions to a candidate or political committee must report each contribution to the filing authority with whom the candidate or political committee receiving the contribution files reports.

(1) The former officeholder must report such contributions on the form used for reports of contributions and expenditures a specific-purpose committee.

(2) The former officeholder must file the report by the due date for the report in which the candidate or political committee receiving the contribution must report the receipt of the contribution.

Subchapter E. REPORTS BY A SPECIFIC-PURPOSE COMMITTEE

§20.301. Thresholds for Campaign Treasurer Appointment.

(a) A specific-purpose committee may not accept political contributions exceeding \$980 and may not make or authorize political expenditures exceeding the aggregate amount of political contributions or political expenditures specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 without filing a campaign treasurer appointment with the appropriate filing authority.

(b) A specific-purpose committee may not knowingly make or authorize campaign contributions or campaign expenditures exceeding the aggregate amount of political contributions or political expenditures specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 to support or oppose a candidate in a primary or general election for an office listed below unless the committee's campaign treasurer appointment as filed not later than the 30th day before the appropriate election day:

- (1) a statewide office;
- (2) a seat in the state legislature;
- (3) a seat on the State Board of Education;
- (4) a multi-county district office; or
- (5) a judicial district office filled by voters of only one county.

§20.303. Appointment of Campaign Treasurer.

(a) A specific-purpose committee may appoint a campaign treasurer at any time before exceeding the thresholds described in §20.301(a) of this title (relating to Thresholds for Campaign Treasurer Appointment).

(b) After a specific-purpose committee appoints a campaign treasurer, the campaign treasurer must comply with all the requirements of this subchapter, even if the committee has not yet exceeded the aggregate amount of political contributions or political expenditures specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 in political contributions or expenditures.

(c) With the exception of the campaign treasurer appointment, the individual named as a committee's campaign treasurer is legally responsible for filing all reports of the specific-purpose committee, including a report following the termination of his or her appointment as campaign treasurer.

§20.305. Appointing an Assistant Campaign Treasurer.

(a) A specific-purpose committee for supporting or opposing a candidate for an office specified by §252.005(1), Election Code or a statewide or district measure may appoint an assistant campaign treasurer by written appointment filed with the commission.

(b) A statewide measure is a measure to be voted on by all eligible voters in the state.

(c) A district measure is a measure to be voted on by the voters of a district.

(d) The assistant campaign treasurer has the same authority as the campaign treasurer. However, if the campaign treasurer appointment is terminated the assistant campaign treasurer no longer has authority to act as the campaign treasurer.

(e) The campaign treasurer, not the assistant campaign treasurer, is liable for any penalties assessed by the commission for late reports or incomplete reports or for failure to file a report.

(f) Section 20.315 of this title (relating to Termination of Campaign Treasurer Appointment) and §20.317 of this title (relating to Termination Report) apply to the appointment and removal of an assistant campaign treasurer.

§20.307. Name of Specific-Purpose Committee.

The name of a specific-purpose committee that supports a candidate for or an officeholder of an office specified by §252.005(1), Election Code must include the full name of that candidate or officeholder.

§20.309. Contents of Specific-Purpose Committee Campaign Treasurer Appointment.

A campaign treasurer appointment for a specific-purpose committee shall include the following information:

- (1) the full name of the specific-purpose committee;

- (2) the address of the specific-purpose committee;
- (3) the full name of the person appointing the campaign treasurer;
- (4) the following information for the individual appointed campaign treasurer and, if an assistant campaign treasurer is appointed, for that individual also:
 - (A) the individual's full name;
 - (B) the individual's residence or business street address;
 - (C) if the individual's mailing address is different from the street address provided, the mailing address for the individual; and
 - (D) the individual's telephone number;
- (5) for each candidate supported or opposed by the specific-purpose committee:
 - (A) the full name of the candidate;
 - (B) the office sought by the candidate; and
 - (C) an indication whether the specific-purpose committee supports or opposes the candidate;
- (6) for each officeholder assisted by the specific-purpose committee:
 - (A) the full name of the officeholder;
 - (B) the office held by the officeholder; and
 - (C) an indication that the specific-purpose committee assists the officeholder;
- (7) for each measure supported or opposed by the specific-purpose committee:
 - (A) a description of the measure; and
 - (B) an indication whether the specific-purpose committee supports or opposes the measure; and
- (8) the signature of the individual appointed campaign treasurer.

§20.311. Updating Certain Information on the Campaign Treasurer Appointment.

(a) Except as provided by subsection (b) of this section, if there is a change in any information that is required to be reported in a specific-purpose committee's campaign treasurer appointment, the campaign treasurer must notify the filing authority of the change no later than the 10th day after the date on which the change occurs.

(b) The campaign treasurer must report a change in the name of or office sought by a candidate whom the specific-purpose committee supports or opposes within 24 hours of the change.

§20.313. Converting to a General-Purpose Committee.

(a) A specific-purpose committee that changes its operation and becomes a general-purpose committee is subject to the requirements applicable to a general-purpose committee as of the date it files its campaign treasurer appointment as a general-purpose committee with the commission.

(b) The campaign treasurer of a specific-purpose committee that becomes a general-purpose committee must deliver written notice of its change in status to the authority with whom the committee was required to file as a specific-purpose committee.

(c) The notice required under subsection (b) of this section is due no later than the next deadline for filing a report under this subchapter that:

(1) occurs after the committee's change in status; and

(2) would be applicable to the political committee if it were still a specific-purpose committee.

(d) The notice must state that future reports will be filed with the commission.

(e) The notice required under subsection (b) of this section is in addition to the requirement that the new general-purpose committee file a campaign treasurer appointment with the commission before it exceeds the aggregate amount of political contributions or political expenditures specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 as a general-purpose committee.

§20.315. Termination of Campaign Treasurer Appointment.

(a) A specific-purpose committee may terminate a campaign treasurer appointment at any time by:

(1) notifying the filing authority in writing of the termination;

(2) filing a campaign treasurer appointment for a successor campaign treasurer; or

(3) filing a dissolution report.

(b) A committee's campaign treasurer may resign by immediately notifying both the appointing authority and the filing authority in writing.

(c) Except as provided by subsection (e) of this section, if the campaign treasurer resigns or otherwise leaves the position, the termination is effective on the date the committee actually receives the notice or on the date the filing authority actually receives the notice, whichever is later.

(d) Section 20.23 of this title (relating to Timeliness of Action by Mail) does not apply to subsection (c) of this section.

(e) For purposes of the termination report required by §20.317 of this title (relating to Termination Report), a campaign treasurer's resignation is effective on the date the treasurer resigns as provided by subsection (b) of this section.

(f) Section 20.23 of this title (relating to Timeliness of Action by Mail) applies to subsection (e) of this section.

(g) A termination of a specific-purpose committee's campaign treasurer appointment and the filing of the termination report by themselves do not dissolve the specific-purpose committee. A specific-purpose committee can be dissolved only by filing a dissolution report.

(h) For purposes of this section, the appropriate filing authority for a campaign treasurer appointment of a specific-purpose committee created to support or oppose a measure on the issuance of bonds by a school district is the secretary of the school board (or the presiding officer if the school board has no secretary), except that the commission is the appropriate filing authority for a dissolution report.

§20.317. Termination Report.

(a) If the campaign treasurer appointment of a specific-purpose committee is terminated, the campaign treasurer whose appointment was terminated shall file a termination report that contains the information listed in §20.331 of this title (relating to Contents of Specific-Purpose Committee Sworn Report of Contributions and Expenditures).

(b) A termination report is not required if the termination occurs on the last day of a reporting period under this subchapter and the campaign treasurer files a report for that period as provided by this subchapter.

(c) A termination report covers a period that begins on the day after the period covered by the last report of contributions and expenditures required to be filed under this subchapter (other than a special pre-election report or a special session report) or the day the campaign treasurer appointment was filed (if the committee has not yet filed a report of contributions and expenditures). The period covered by the report ends on the day the termination of the campaign treasurer appointment is effective.

(d) The report shall be filed not later than the 10th day after the date the termination of the campaign treasurer appointment is effective.

(e) Activity reported in a termination report is not required to be included in any subsequent report of the specific-purpose committee that is filed under this subchapter.

§20.319. Notice to Candidate or Officeholder.

(a) The campaign treasurer of a specific-purpose committee that accepts political contributions or makes political expenditures for a candidate or officeholder shall notify the affected candidate or officeholder of that fact in accordance with this section.

(b) This section does not apply to a specific-purpose committee that has not appointed a campaign treasurer in accordance with §20.303(b) of this title (relating to Appointment of Campaign Treasurer).

(c) The notice required by this section shall be in writing and shall include:

- (1) the full name of the specific-purpose committee;
- (2) the address of the specific-purpose committee;
- (3) the full name of the specific-purpose committee's campaign treasurer;
- (4) the address of the specific-purpose committee's campaign treasurer;
- (5) a statement that the committee is a specific-purpose committee; and
- (6) a statement that the specific-purpose committee has accepted political contributions or has made political expenditures on behalf of the candidate or officeholder.

(d) The notice required by this section shall be delivered no later than the end of the reporting period in which the reportable activity occurs.

§20.321. Involvement in More Than One Election by Certain Specific-Purpose Committees.

A specific-purpose committee that supports or opposes more than one candidate or measure may be required to file reports covering overlapping periods. If so, the committee is only required to report activity occurring during the period of overlap on the first report on which the activity is required to be reported.

§20.323. Semiannual Reports.

(a) The campaign treasurer of a specific-purpose committee shall file semiannual reports as provided by this section.

(b) One semiannual report is due no earlier than July 1 and no later than July 15.

(1) The period covered by a report under this subsection begins on the later of the following dates, as applicable:

(A) January 1;

(B) the day the committee's campaign treasurer appointment was filed, if this is the committee's first report filed under this subchapter (other than a special pre-election report or a special session report); or

(C) the first day after the period covered by the last report required by this subchapter (other than a special pre-election report or a special session report).

(2) The period covered by a report under this subsection ends on June 30.

(c) One semiannual report is due no earlier than January 1 and no later than January 15.

(1) The period covered by a report under this subsection begins on the later of the following dates, as applicable:

(A) July 1;

(B) the day the committee's campaign treasurer appointment was filed, if this is the committee's first report filed under this subchapter (other than a special pre-election report or a special session report); or

(C) the first day after the period covered by the last report required by this subchapter (other than a special pre-election report or a special session report).

(2) The period covered by a report under this subsection ends on December 31.

§20.325. Pre-election Reports.

(a) The campaign treasurer of a specific-purpose committee that supports or opposes a candidate or a measure in an election shall file pre-election reports as provided by subsections (d) and (e) of this section.

(b) For purposes of this section, supporting or opposing a candidate or a measure in an election means accepting political contributions or making political expenditures to support or oppose the candidate or measure.

(c) The campaign treasurer of a specific-purpose committee that has declared an intention to file under the modified schedule in accordance with §20.329 of this title (relating to Modified Reporting) and that remains eligible to file under the modified schedule is not required to file pre-election reports.

(d) A specific-purpose committee that supports or opposes a candidate or measure in an election during the reporting period set out in the next sentence of this subsection must file a report under this subsection. The report required by this subsection covers a period that begins on either the day the committee's campaign treasurer appointment was filed or the first day after the period covered by the last report (other than a special pre-election report or special session report) filed under this subchapter, as applicable, and ends on the 40th day before the election. The report due under this subsection must be received by the authority with whom the report is required to be filed no later than the 30th day before the election.

(e) A specific-purpose committee that was required to file a pre-election report under subsection (d) of this section must file a report under this subsection by the eighth day before the election. The report shall cover a period that begins on the 39th day before the election and ends on the 10th day before the election. The report must be received by the authority with whom the report is required to be filed no later than the eighth day before the election.

(f) A committee that was not required to file a report under subsection (d) of this section is required to file a report by the eighth day before the election if the committee supports or opposes a candidate or measure during the period that begins on the 39th day before the election and ends on the 10th day before the election. A report required under this subsection shall cover a period that begins on either the day the committee's campaign treasurer appointment was filed or the first day after the period covered by the last report (other than a special pre-election report or special session report) filed under this subchapter, as applicable, and ends on the 10th day before the election.

§20.327. Runoff Report.

- (a) A specific-purpose committee that supports or opposes a candidate or measure in a runoff election shall file a runoff report, except as provided by subsection (b) of this section.
- (b) A specific-purpose committee that has declared an intention to file under the modified schedule in accordance with §20.329 of this title (relating to Modified Reporting) and that remains eligible to file under the modified schedule is not required to file a runoff report.
- (c) A runoff report must be received by the authority with whom the report is required to be filed no later than the eighth day before the runoff election.
- (d) A runoff report covers the period that begins on the ninth day before the date of the main election and ends on the 10th day before the runoff.
- (e) For purposes of this section, supporting or opposing a candidate or a measure in an election means accepting political contributions or making political expenditures to support or oppose the candidate or measure.

§20.329. Modified Reporting.

- (a) A specific-purpose committee that would otherwise be required to file pre-election reports and a runoff report, if necessary, may choose to file under the modified schedule if the committee does not intend to accept more than the aggregate amount of political contributions or make more than the aggregate amount of political expenditures (excluding filing fees) specified in Tex. Elec. Code §254.182(a), as amended by Figure 1 in 1 TAC §18.31 in connection with any election in an election cycle.
- (b) Under the modified schedule, the campaign treasurer of a specific-purpose committee is not required to file pre-election reports or a runoff report.
- (c) To select modified filing, a specific-purpose committee must file a declaration of the committee's intent not to accept more than the aggregate amount of political contributions or make more than the aggregate amount of political expenditures (excluding filing fees) specified in Tex. Elec. Code §254.182(b), as amended by Figure 1 in 1 TAC §18.31 in connection with the election. The declaration must include a statement that the committee understands that if either one of those limits is exceeded, the committee's campaign treasurer will be required to file pre-election reports and, if necessary, a runoff report.
- (d) A declaration under subsection (c) of this section is filed with the committee's campaign treasurer appointment.
- (e) To file under the modified schedule, a specific-purpose committee must file the declaration required under subsection (c) of this section no later than the 30th day before the first election to which the declaration applies. A declaration filed under subsection (c) of this section is valid for one election cycle only.
- (f) Except as provided by subsection (g) of this section, a specific-purpose committee's campaign treasurer must file pre-election reports and, if necessary, a runoff report under the schedule set out in §20.325 of this title (relating to Pre-election Reports) and §20.327 of this title (relating to

Runoff Report) if the committee exceeds either of the aggregate limits in political contributions or political expenditures (excluding filing fees) specified in Tex. Elec. Code §254.183(a), as amended by Figure 1 in 1 TAC §18.31 for modified reporting.

(g) If a specific-purpose committee exceeds either of the aggregate limits in political contributions or political expenditures (excluding filing fees) specified in Tex. Elec. Code §254.183(b), as amended by Figure 1 in 1 TAC §18.31 for modified reporting after the 30th day before the election, the committee's campaign treasurer must file a report not later than 48 hours after exceeding the limit.

(1) The period covered by a 48-hour report shall begin either on the day the committee's campaign treasurer appointment was filed (if it is the committee's first report of contributions and expenditures) or on the first day after the period covered by the last report (other than a special pre-election report or special session report) filed under this subchapter, as applicable.

(2) The period covered by a 48-hour report shall continue through the day the committee exceeded one of the limits for modified reporting.

(h) A specific-purpose committee that exceeds either of the aggregate limits in political contributions or political expenditures (excluding filing fees) specified in Tex. Elec. Code §254.183(a), as amended by Figure 1 in 1 TAC §18.31 for modified reporting after the 30th day before the election and on or before the 10th day before the election must file a report under §20.325(f) of this title, in addition to any required special pre-election reports.

§20.331. Contents of Specific-Purpose Committee Sworn Report of Contributions and Expenditures.

Semiannual reports, pre-election reports, and runoff reports must cover reportable activity during the reporting period and must include the following information:

- (1) the full name of the specific-purpose committee;
- (2) the address of the specific-purpose committee;
- (3) the full name of the specific-purpose committee's campaign treasurer;
- (4) the residence or business street address of the specific-purpose committee's campaign treasurer;
- (5) the committee campaign treasurer's telephone number;
- (6) the identity and date of the election for which the report is filed, if applicable;
- (7) for each candidate supported or opposed by the specific-purpose committee:
 - (A) the full name of the candidate;
 - (B) the office sought by the candidate; and

- (C) an indication of whether the committee supports or opposes the candidate;
- (8) for each officeholder assisted by the specific-purpose committee:
 - (A) the full name of the officeholder;
 - (B) the office held by the officeholder; and
 - (C) an indication of whether the committee supports or opposes the officeholder;
- (9) for each measure supported or opposed by the specific-purpose committee:
 - (A) a description of the measure; and
 - (B) an indication of whether the committee supports or opposes the measure;
- (10) for each political expenditure by the committee that was made as a political contribution to a candidate, officeholder, or another political committee and that was returned to the specific-purpose committee during the reporting period:
 - (A) the amount returned;
 - (B) the full name of the person to whom the expenditure was originally made;
 - (C) the address of the person to whom the expenditure was originally made; and
 - (D) the date the expenditure was returned to the specific-purpose committee;
- (11) on a separate page, the following information for each expenditure from political contributions made to a business in which the candidate has a participating interest of more than 10%, holds a position on the governing body of the business, or serves as an officer of the business:
 - (A) the full name of the business to which the expenditure was made;
 - (B) the address of the business to which the expenditure was made;
 - (C) the date of the expenditure;
 - (D) the purpose of the expenditure; and
 - (E) the amount of the expenditure;
- (12) if the specific-purpose committee supports or opposes measures exclusively, for each contribution accepted from a labor organization or corporation, as defined by §20.1 of this title (relating to Definitions):
 - (A) the date each contribution was accepted;
 - (B) the full name of the corporation or labor organization making the contribution;

- (C) the address of the corporation or labor organization making the contribution;
- (D) the amount of the contribution; and
- (E) a description of any in-kind contribution;

(13) for each person from whom the specific-purpose committee accepted a political contribution (other than a pledge, loan, or a guarantee of a loan) of more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value or political contributions (other than pledges, loans, or guarantees of loans) that total more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value:

- (A) the full name of the person;
- (B) the address of the person;
- (C) the total amount of contributions;
- (D) the date each contribution was accepted; and
- (E) a description of any in-kind contribution;

(14) for each person from whom the specific-purpose committee accepted a pledge or pledges to provide more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in money or to provide goods or services:

- (A) the full name of the person making a pledge;
- (B) the address of the person making a pledge;
- (C) the amount of the pledge;
- (D) the date each pledge was accepted; and
- (E) a description of any goods or services pledged;

(15) the total of all pledges accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 and less from a person, except those reported under paragraph (14) of this section;

(16) for each person making a loan or loans to the specific-purpose committee for campaign or officeholder purposes, if the total amount loaned by the person during the period is more than the amount specified in Tex. Elec. Code §254.031(a)(2), as amended by Figure 1 in 1 TAC §18.31:

- (A) the full name of the person or financial institution making the loan;
- (B) the address of the person or financial institution making the loan;

- (C) the amount of the loan;
- (D) the date of the loan;
- (E) the interest rate;
- (F) the maturity date;
- (G) the collateral for the loan, if any; and
- (H) if the loan has guarantors:
 - (i) the full name of each guarantor;
 - (ii) the address of each guarantor;
 - (iii) the principal occupation of each guarantor;
 - (iv) the name of the employer of each guarantor; and
 - (v) the amount guaranteed by each guarantor;

(17) the total amount of loans accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(2), as amended by Figure 1 in 1 TAC §18.31 and less from persons other than financial institutions engaged in the business of making loans for more than one year, except those reported under paragraph (16) of this section;

(18) for political expenditures made during the reporting period that total more than the amount specified in Tex. Elec. Code §254.031(a)(3), as amended by Figure 1 in 1 TAC §18.31 to a single payee:

- (A) the full name of the person to whom each expenditure was made;
- (B) the address of the person to whom the expenditure was made;
- (C) the date of the expenditure;
- (D) the purpose of the expenditure; and
- (E) the amount of the expenditure;

(19) for each direct campaign expenditure benefiting a candidate or officeholder, except for a direct campaign expenditure made by a committee supporting only one candidate or officeholder:

- (A) the name of the candidate or officeholder; and
- (B) the office sought or held by the candidate or officeholder;

(20) for each non-political expenditure made from political contributions, other than expenditures reported under paragraph (11) of this section:

- (A) the date of each expenditure;
- (B) the full name of the person to whom the expenditure was made;
- (C) the address of the person to whom the expenditure was made;
- (D) the purpose of the expenditure; and
- (E) the amount of the expenditure;

(21) for each political contribution accepted from an out-of-state political committee, the information required by §22.7 of this title (relating to Contribution from Out-of-State Committee);

(22) 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 that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(9), as amended by Figure 1 in 1 TAC §18.31;

(23) any proceeds of the sale of an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(10), as amended by Figure 1 in 1 TAC §18.31;

(24) any other gain from a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(12), as amended by Figure 1 in 1 TAC §18.31;

(25) any investment purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(11), as amended by Figure 1 in 1 TAC §18.31;

(26) the full name and address of each person from whom an amount described by paragraph (22), (23), (24), or (25) of this section is received, the date the amount is received, and the purpose for which the amount is received;

(27) the following total amounts:

- (A) the total principal amount of all outstanding loans as of the last day of the reporting period;
- (B) the total amount or an itemized listing of political contributions (other than pledges, loans, or guarantees of loans) of the amount specified in Tex. Elec. Code §254.031(a)(1) and (1-a), as amended by Figure 1 in 1 TAC §18.31 and less;
- (C) the total amount of all political contributions (other than pledges, loans, or guarantees of loans);
- (D) the total amount or an itemized listing of the political expenditures of the amount specified in Tex. Elec. Code §254.031(a)(5), as amended by Figure 1 in 1 TAC §18.31 and less; and

(E) the total amount of all political expenditures; and

(28) an affidavit, executed by the campaign treasurer, stating: “I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.”

§20.333. Special Pre-Election Report by Certain Specific-Purpose Committees.

(a) As provided by subsection (b) of this section, certain specific-purpose committees must file reports about certain contributions accepted during the period that begins on the ninth day before an election and ends at noon on the day before an election. Reports under this section are known as “special pre-election” reports.

(b) A campaign treasurer for a specific-purpose committee for supporting or opposing a candidate for an office specified by §252.005(1), Election Code, that, during the period described in subsection (a) of this section, accepts one or more political contributions from a person that in the aggregate exceed the amount specified in Tex. Elec. Code §254.038(a)(2), as amended by Figure 1 in 1 TAC §18.31 must file special pre-election reports.

(c) Except as provided in subsection (e) of this section, the campaign treasurer of a specific-purpose committee must file a report so that the report is received by the commission no later than the first business day after the committee accepts a contribution from a person that triggers the requirement to file the special pre-election report.

(d) If, during the reporting period for special pre-election contributions, a committee receives additional contributions from a person whose previous contribution or contributions have triggered the requirement to file a special pre-election report during the period, the campaign treasurer for the committee must file an additional special pre-election report for each such contribution. Except as provided in subsection (e) of this section, each such special pre-election report must be filed so that it is received by the commission no later than the first business day after the committee accepts the contribution.

(e) The campaign treasurer of a specific-purpose committee must file a special pre-election report for each person whose contribution or contributions made during the period for special pre-election reports exceed the threshold for special pre-election reports.

(f) A campaign treasurer of a specific-purpose committee must also report contributions reported on a special pre-election report on the next semiannual, pre-election, or runoff report filed, as applicable.

§20.335. Form and Contents of Special Pre-Election Report by a Specific-Purpose Committee Supporting or Opposing Certain Candidates.

(a) A special pre-election report shall be filed electronically as required by §254.036, Election Code, unless a report is exempt from electronic filing. A special pre-election report that is exempt from electronic filing under §254.036(c), Election Code, is not required to be on a form prescribed by the commission.

(b) A special pre-election report shall include the following information:

- (1) the full name of the specific-purpose committee;
- (2) the full name of the campaign treasurer;
- (3) the name of the person making a contribution or contributions that triggered the requirement to file a special pre-election report;
- (4) the address of the person making the contribution or contributions;
- (5) the amount of each contribution;
- (6) the date each contribution was accepted; and
- (7) a description of any in-kind contribution.

§20.337. Special Session Reports by Specific-Purpose Committees.

- (a) A campaign treasurer of a specific-purpose committee for supporting, opposing, or assisting a candidate for or holder of a statewide office or the legislature that accepts a political contribution during the period that begins on the date the governor signs a proclamation calling a special legislative session and ends on the date of final adjournment must file a special session report.
- (b) A special session report must be filed with the commission not later than the 30th day after the date of final adjournment of the special session.
- (c) A special session report is a report of contributions only, not expenditures. Expenditures made during the period covered by a special session report are required to be reported in the next applicable sworn report of contributions and expenditures.
- (d) Contributions reported in a special session report are required to be reported in the next applicable sworn report of contributions and expenditures.
- (e) A determination to accept or refuse a political contribution received during the period covered by a special session report shall be made no later than the third day after the date the contribution is received.
- (f) A contribution that is refused under subsection (e) of this section must be returned no later than the 30th day after the date of final adjournment. A contribution not returned by that date will be deemed accepted.
- (g) A specific-purpose committee's campaign treasurer is not required to file a separate special session report if another report is due no later than the 10th day after the date a report required under this section would be due.

§20.339. Contents of the Special Session Report.

A report required by §20.337 of this title (relating to Special Session Reports by Specific-Purpose Committees) shall include the following information:

- (1) the specific-purpose committee's full name;

- (2) the specific-purpose committee's address;
- (3) the committee campaign treasurer's full name;
- (4) the campaign treasurer's residence or business street address;
- (5) for each candidate supported or opposed by the specific-purpose committee:
 - (A) the full name of the candidate;
 - (B) the office sought by the candidate; and
 - (C) an indication of whether the committee supports or opposes the candidate;
- (6) for each officeholder supported or opposed by the committee:
 - (A) the full name of the officeholder;
 - (B) the office held by the officeholder; and
 - (C) an indication of whether the committee supports or opposes the officeholder;
- (7) the date each contribution was accepted;
- (8) the full name of each person making a contribution;
- (9) the address of each person making a contribution;
- (10) the amount of each contribution accepted during the period;
- (11) a description of any in-kind contribution; and
- (12) an affidavit, executed by the campaign treasurer, stating: "I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code."

§20.341. Dissolution Report.

- (a) The campaign treasurer of a specific-purpose committee may file a dissolution report at any time that the committee expects no further reportable activity to occur.
- (b) A dissolution report does not have to be filed by a designated deadline.
- (c) Filing a dissolution report:
 - (1) relieves the campaign treasurer of the duty to file additional reports under this subchapter; and
 - (2) terminates the specific-purpose committee's campaign treasurer appointment.

§20.343. Contents of Dissolution Report.

A dissolution report must contain:

- (1) the information described in §20.331 of this title (relating to Contents of Specific-Purpose Committee Sworn Report of Contributions and Expenditures); and
- (2) the following sworn statement, signed by the specific-purpose committee's campaign treasurer, and properly notarized: "I, the undersigned campaign treasurer, do not expect the occurrence of any further reportable activity by this specific-purpose committee for this or any other campaign or election for which reporting under the Election Code is required. I declare that all of the information required to be reported by me has been reported. I understand that designating a report as a dissolution report terminates the appointment of campaign treasurer. I further understand the circumstances in which the specific-purpose committee may not make or authorize political expenditures or accept political contributions without having an appointment of campaign treasurer on file."

Subchapter F. REPORTING REQUIREMENT FOR A GENERAL PURPOSE COMMITTEE

§20.401. Thresholds for Appointment of Campaign Treasurer by a General-Purpose Committee.

(a) A general-purpose committee may not accept political contributions exceeding the aggregate amount of political contributions or political expenditures specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 without filing a campaign treasurer appointment with the commission.

(b) Unless the committee's campaign treasurer appointment was filed not later than the 30th day before the appropriate election day, a general-purpose committee may not knowingly make or authorize campaign contributions or campaign expenditures exceeding the aggregate amount of political contributions or political expenditures specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 to support or oppose a candidate in a primary or general election for the following:

- (1) a statewide office;
- (2) a seat in the state legislature;
- (3) a seat on the State Board of Education;
- (4) a multi-county district office; or
- (5) a judicial district office filled by voters of only one county.

§20.403. Reporting Requirements for Certain General-Purpose Committees.

(a) A general-purpose committee that is established by a political party's county executive committee is subject to Subchapter I of this chapter (relating to Rules Applicable to a Political

Party's County Executive Committee). Subchapter I of this chapter prevails over this subchapter in the case of conflict.

(b) A general-purpose committee that is the principal political committee of a political party is subject to Subchapter G of this chapter (relating to Rules Applicable to a Principal Political Committee of a Political Party). Subchapter G of this chapter prevails over this subchapter in the case of conflict.

(c) A general-purpose committee that supports or opposes a candidate for state chair of a political party is subject to Subchapter K of this chapter (relating to Reports by Political Committees Supporting or Opposing a Candidate for State Chair of a Political Party). Subchapter K of this chapter prevails over this subchapter in the case of conflict.

§20.405. Campaign Treasurer Appointment for a General-Purpose Political Committee.

(a) A general-purpose committee may appoint a campaign treasurer at any time before exceeding the thresholds described in §20.401(a) of this title (relating to Thresholds for Appointment of Campaign Treasurer by a General-Purpose Committee).

(b) After a general-purpose committee appoints a campaign treasurer, the campaign treasurer must comply with all the requirements of this subchapter, even if the committee has not yet exceeded the aggregate amount of political contributions or political expenditures specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 in political contributions or expenditures.

(c) With the exception of the campaign treasurer appointment, the individual named as a committee's campaign treasurer is legally responsible for filing all reports of the general-purpose committee, including a report following the termination of his or her appointment as campaign treasurer.

§20.407. Appointing an Assistant Campaign Treasurer.

(a) A general-purpose committee may appoint an assistant campaign treasurer by written appointment filed with the commission.

(b) The assistant campaign treasurer has the same authority as the campaign treasurer. However, if the campaign treasurer appointment is terminated, the assistant campaign treasurer no longer has authority to act as the campaign treasurer.

(c) The campaign treasurer, not the assistant campaign treasurer, is liable for any penalties assessed by the commission for late reports or incomplete reports or for failure to file a report.

(d) Section 20.415 of this title (relating to Termination of Campaign Treasurer Appointment) and §20.417 of this title (relating to Termination Report) apply to the appointment and removal of an assistant campaign treasurer.

§20.409. Name of General-Purpose Committee.

(a) The name of a general-purpose committee must include the full name of each corporation, labor organization, or other association or legal entity other than an individual that directly establishes, administers, or controls the general-purpose committee.

(b) A corporation, labor organization, or other association or legal entity that “directly establishes, administers, or controls” a general-purpose committee is one that has:

(1) the authority to actively participate in determining to whom the general-purpose committee makes political contributions or for what purposes the general-purpose committee makes political expenditures; or

(2) the authority to designate a person to a position of authority with the general-purpose committee, including that of an officer or director of the general-purpose committee.

(c) The name of an entity used in the name of a general-purpose committee may be a commonly recognized acronym by which the entity is known.

(d) The name of a general-purpose committee may not be the same as or deceptively similar to the name of any other general-purpose committee that has an active campaign treasurer appointment on file with the commission. The commission shall determine whether the name of a general-purpose political committee is in violation of this prohibition and shall immediately notify the campaign treasurer of the offending political committee of that determination. In determining whether the name of a general-purpose committee is the same as or deceptively similar to the name of any other general-purpose committee, the commission may be guided by Texas Administrative Code, Title 1, Part 4, Chapter 79. The campaign treasurer of the political committee must file a name change with the commission not later than the 14th day after the date of notification.

(e) For purposes of subsection (d) of this section, a general-purpose committee does not have an active campaign treasurer appointment on file with the commission if the committee files a dissolution report under §254.159, Election Code, or the campaign treasurer appointment for the committee is terminated and more than one year has lapsed since the committee has filed another campaign treasurer appointment with the commission.

§20.411. Contents of General-Purpose Committee Campaign Treasurer Appointment.

A campaign treasurer appointment for a general-purpose committee shall include the following information:

(1) the full name of the general-purpose committee, and, if the name is an acronym, the words the acronym represents;

(2) the address of the general-purpose committee;

(3) the full name of the person appointing the campaign treasurer;

(4) the following information for the individual appointed campaign treasurer and, if an assistant campaign treasurer is appointed, for that individual as well:

- (A) the individual's full name;
 - (B) the individual's residence or business street address;
 - (C) if the individual's mailing address is different from the street address provided, the mailing address for the individual; and
 - (D) the individual's telephone number;
- (5) one of the following:
- (A) the full name and any acronym of the name that is used in the name of the general-purpose committee pursuant to §20.409 of this title (relating to Name of General-Purpose Committee), if applicable; or
 - (B) the full name of each person who determines to whom the general-purpose committee makes contributions; or
 - (C) the full name of each person who determines for what purposes the general-purpose committee makes expenditures;
- (6) the name of each other general-purpose committee to which the general-purpose committee intends to make political contributions;
- (7) an indication whether the general-purpose committee will file under the regular reporting schedule pursuant to §§20.423, 20.425, and 20.427 of this title (relating to Semiannual Reports; Pre-election Reports; Runoff Report) or under the monthly schedule pursuant to §20.429 of this title (relating to the Option To File Monthly); and
- (8) the signature of the individual appointed campaign treasurer.

§20.413. Updating Information on the Campaign Treasurer Appointment.

- (a) The campaign treasurer must notify the commission in writing of any change in the campaign treasurer's address no later than the 10th day after the date on which the change occurs.
- (b) If any of the information required to be included in the general-purpose committee's appointment changes, excluding changes in the campaign treasurer's address, the campaign treasurer shall file a corrected appointment with the commission no later than the 30th day after the date the change occurs.

§20.415. Termination of Campaign Treasurer Appointment.

- (a) A general-purpose committee may terminate a campaign treasurer appointment at any time by:
 - (1) notifying the commission in writing of the termination;
 - (2) filing a campaign treasurer appointment for a successor campaign treasurer; or

(3) filing a dissolution report.

(b) A committee's campaign treasurer may resign by immediately notifying both the appointing authority and the filing authority in writing.

(c) If the campaign treasurer resigns or otherwise leaves the position, the termination is effective on the date the committee actually receives the notice or on the date the filing authority actually receives the notice, whichever is later. Section 20.23 of this title (relating to Timeliness of Action by Mail) does not apply to this subsection.

(d) For purposes of the termination report required by §20.417 of this title (relating to Termination Report), a campaign treasurer's resignation is effective on the date the treasurer resigns, as provided by subsection (b) of this section. Section 20.23 of this title (relating to Timeliness of Action by Mail) applies to this subsection.

(e) A termination of a general-purpose committee's campaign treasurer appointment and the filing of the termination report by themselves do not dissolve the general-purpose committee. A general-purpose committee can be dissolved only by filing a dissolution report with the commission.

§20.417. Termination Report.

(a) If the campaign treasurer appointment of a general-purpose committee is terminated, the campaign treasurer whose appointment was terminated shall file a termination report that contains the information listed in §20.433 of this title (relating to Contents of General-Purpose Committee Sworn Report of Contributions and Expenditures), except as provided by §20.434 of this title (relating to Alternate Reporting Requirements for Certain General-Purpose Committees).

(b) A termination report is not required if the termination occurs on the last day of a reporting period under this subchapter and the campaign treasurer files a report for that period as provided by this subchapter.

(c) A termination report covers a period that begins on either the day after the period covered by the last report of contributions and expenditures required to be filed under this subchapter (other than a special pre-election report) or the day the campaign treasurer appointment was filed (if the committee has not yet filed a report of contributions and expenditures). The period covered by the report continues through the day the termination of the campaign treasurer appointment is effective.

(d) The report shall be filed not later than the 10th day after the date the termination of the campaign treasurer appointment is effective.

(e) Activity reported in a termination report is not required to be included in any subsequent report of the general-purpose committee that is filed under this subchapter.

§20.419. Converting to a Specific-Purpose Committee.

(a) A general-purpose committee that changes its operation and becomes a specific-purpose committee is subject to the requirements applicable to a specific-purpose committee as of the date it files its campaign treasurer appointment as a specific-purpose committee.

(b) The campaign treasurer of a general-purpose committee that changes its operation and becomes a specific-purpose committee shall deliver written notice of the change in status to the commission.

(c) The notice shall identify the filing authority with whom future filings by the committee are expected to be made.

(d) The notice required by this section is due not later than the next deadline for filing a report under this subchapter that:

(1) occurs after the change in status; and

(2) would be applicable to the committee if it were still a general-purpose committee.

(e) As provided by §20.301 of this title (relating to Thresholds for Campaign Treasurer Appointment), a new specific-purpose committee involved in an election supporting or opposing a candidate for a statewide office, the state legislature, the State Board of Education, or a multi-county district office in a primary or general election may not accept political contributions exceeding \$500 and may not make or authorize political expenditure exceeding \$500 unless the committee's campaign treasurer appointment as a specific-purpose committee has been on file at least 30 days before the applicable election day.

§20.421. Notice to Candidate or Officeholder.

(a) The campaign treasurer of a general-purpose committee that accepts political contributions or makes political expenditures for a candidate or officeholder shall notify the affected candidate or officeholder in accordance with this section.

(b) This section does not apply to a general-purpose committee that has not appointed a campaign treasurer in accordance with §20.405 of this title (relating to Campaign Treasurer Appointment for a General-Purpose Political Committee).

(c) The notice required by this section shall be in writing and shall include:

(1) the full name of the general-purpose committee;

(2) the address of the general-purpose committee;

(3) the full name of the general-purpose committee's campaign treasurer;

(4) the address of the general-purpose committee's campaign treasurer;

(5) a statement that the committee is a general-purpose committee; and

(6) a statement that the general-purpose committee has accepted political contributions or has made political expenditures on behalf of the candidate or officeholder.

(d) The notice required by this section shall be delivered no later than the end of reporting period in which the reportable activity occurs.

§20.423. Semiannual Reports.

(a) Except as provided by subsection (d) of this section, the campaign treasurer of a general-purpose committee shall file semiannual reports as provided by this section.

(b) One semiannual report is due no earlier than July 1 and no later than July 15.

(1) The report due by July 15 shall cover a period that begins on either January 1, the day the committee's campaign treasurer appointment was filed, or the first day after the period covered by the last report required to be filed under this subchapter (other than a special pre-election report), as applicable.

(2) The period covered by the report due on July 15 ends on June 30.

(c) One semiannual report is due no earlier than January 1 and no later than January 15.

(1) The report due on January 15 shall cover a period that begins on either July 1, the day the committee's campaign treasurer appointment was filed, or the first day after the period covered by the last report required to be filed under this subchapter (other than a special pre-election report), as applicable.

(2) The period covered by the report due on January 15 ends on December 31.

(d) A general-purpose committee that files monthly reports under §20.429 of this title (relating to Option To File Monthly) does not file under this section.

§20.425. Pre-election Reports.

(a) A general-purpose committee that accepts political contributions or makes political expenditures in support of or in opposition to a candidate or measure to be voted on in an election shall file pre-election reports as provided by subsections (c) and (d) of this section.

(b) A general-purpose committee that files under §20.429 of this title (relating to Option To File Monthly) does not file under this section.

(c) The first pre-election report must be received by the authority with whom the report is required to be filed no later than the 30th day before the election.

(1) A general-purpose committee that accepts a political contribution or makes a political expenditure to support or oppose a candidate or measure in the election during the period set out in paragraph (2) of this subsection must file a report under this subsection.

(2) The report covers a period that begins on either the day the committee's campaign treasurer appointment was filed or the first day after the period covered by the last report (other than a special pre-election report) filed under this subchapter, as applicable, and ends on the 40th day before the election.

(d) The second pre-election report must be received by the authority with whom the report is required to be filed no later than the eighth day before the election. The period covered by this

report depends on whether the committee was required to file a report under subsection (c) of this section.

(1) A general-purpose committee that was required to file a pre-election report under subsection (c) of this section must file a report under this subsection by the eighth day before the election. The report shall cover a period that begins on the 39th day before the election and ends the 10th day before the election.

(2) A committee that was not required to file a report by the 30th day before the election is required to file a report by the eighth day before the election if the committee accepts a political contribution or makes a political expenditure to support or oppose a candidate or measure during the period that begins on the 39th day before the election and ends on the 10th day before the election.

(A) A report that is required to be filed under paragraph (2) of this subsection shall cover a period that begins on either the day the committee's campaign treasurer appointment was filed or the first day after the period covered by the last report (other than a special pre-election report) filed under this subchapter, as applicable.

(B) The period covered by a report under paragraph (2) of this subsection ends on the 10th day before the election.

§20.427. Runoff Report.

(a) A general-purpose committee that accepts political contributions or makes political expenditures to support or oppose a candidate or measure in a runoff election shall file a runoff report, except as provided by §20.429 of this title (relating to Option To File Monthly).

(b) A runoff report must be received by the authority with whom the report is required to be filed no later than the eighth day before the runoff election.

(c) A runoff report covers the period that begins on the ninth day before the date of the main election and ends on the 10th day before the runoff.

§20.429. Option To File Monthly.

(a) As an alternative to filing semiannual, pre-election, and runoff reports, a general-purpose committee may file monthly reports.

(b) A general-purpose committee that files on the monthly filing schedule must file special pre-election reports required by §20.435 of this title (relating to Special Pre-Election Reports by Certain General-Purpose Committees).

(c) To be entitled to file monthly reports, the general-purpose committee must deliver written notice of its intent to file monthly to the commission.

(1) A general-purpose committee may file notice of its intent to file monthly at the time the committee files its campaign treasurer appointment.

- (2) A general-purpose committee that does not file notice of its intent to file monthly at the time it files its campaign treasurer appointment may file the notice only during the period that begins on January 1 and ends on January 15.
- (d) A general-purpose committee that files monthly reports may revert to the regular filing schedule prescribed by §20.423 of this title (relating to Semiannual Reports), §20.425 of this title (relating to Pre-Election Reports), and §20.427 of this title (relating to Runoff Report) by delivering notice to the commission of the general-purpose committee's intent to revert.
- (1) The notice must be delivered in writing not earlier than January 1 or later than January 15 of the year for which the general-purpose committee intends to revert to the regular reporting schedule.
- (2) The notice must include a report of all political contributions accepted and all political expenditures made that were not previously reported.

§20.431. Monthly Reporting.

- (a) A monthly report filed by a general-purpose committee shall include the information required by §20.433 of this title (relating to Contents of General-Purpose Committee Sworn Report of Contributions and Expenditures), except that the threshold reporting amounts specified in Tex. Elec. Code §254.031(a)(1), (1-a), (2) and (5), as amended by Figure 1 in 1 TAC §18.31 do not apply to a general-purpose committee reporting monthly. For a general-purpose committee reporting monthly, the threshold reporting amount is the amount specified in Tex. Elec. Code §254.156, as amended by Figure 1 in 1 TAC §18.31, except as provided by §20.434 of this title (relating to Alternate Reporting Requirements for Certain General-Purpose Committees).
- (b) A monthly report is due not later than the fifth day of the month following the end of the period covered by the report. A monthly report covering the month preceding an election in which the committee is involved must be received by the authority with whom the report is required to be filed no later than the fifth day of the month following the end of the period covered by the report.
- (c) Except for the first monthly report filed, a monthly report covers a period that begins on the 26th day of one month and ends on the 25th day of the next month.
- (d) The beginning day for the first monthly report filed by a general-purpose committee shall be as follows.
- (1) For a general-purpose committee that has been filing on the regular schedule and chooses monthly filing between January 1 and January 15 of a particular year, the first report will cover a period that begins on January 1 of that year.
- (2) For a general-purpose committee that elected to file monthly at the time it filed its campaign treasurer appointment, the period covered by the first monthly report depends on the day of the month that the campaign treasurer was appointed.

(A) If the general-purpose committee filed its campaign treasurer appointment before the 25th of the month, the first report will cover a period that begins on the day the appointment was filed and ends on the 25th day of the same month.

(B) If the general-purpose committee filed its campaign treasurer appointment on or after the 25th of the month, the first report will cover the period that begins on the day the appointment is filed and ends on the 25th day of the next month.

§20.433. Contents of General-Purpose Committee Sworn Report of Contributions and Expenditures.

Semiannual reports, pre-election reports, and runoff reports must cover reportable activity during the reporting period and must include the following information:

- (1) the full name of the general-purpose committee;
- (2) the address of the general-purpose committee;
- (3) the full name of the general-purpose committee's campaign treasurer;
- (4) the residence or business street address of the general-purpose committee's campaign treasurer;
- (5) the committee campaign treasurer's telephone number;
- (6) the identity and date of the election for which the report is filed, if applicable;
- (7) the full name of each identified candidate or measure or classification by party of candidates supported or opposed by the general-purpose committee and an indication of whether the general-purpose committee supports or opposes each listed candidate, measure, or classification by party of candidates;
- (8) the full name of each identified officeholder or classification by party of officeholders assisted by the general-purpose committee;
- (9) if the general-purpose committee supports or opposes measures exclusively, for each contribution accepted from a corporation as defined by §20.1 of this title (relating to Definitions):
 - (A) the date each contribution was accepted;
 - (B) the full name of the corporation or labor organization making the contribution;
 - (C) the address of the corporation or labor organization making the contribution;
 - (D) the amount of the contribution; and
 - (E) a description of any in-kind contribution;

(10) for each political expenditure by the general-purpose committee that was made as a political contribution to a candidate, officeholder, or another political committee and that was returned to the general-purpose committee during the reporting period:

- (A) the amount returned;
- (B) the full name of the person to whom the expenditure was originally made;
- (C) the address of the person to whom the expenditure was originally made; and
- (D) the date the expenditure was returned to the general-purpose committee;

(11) for each person from whom the general-purpose committee accepted a political contribution other than a pledge or a loan of more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value, or political contributions other than pledges or loans that total more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in value (for a general-purpose committee reporting monthly, use the amount specified in Tex. Elec. Code §254.156, as amended by Figure 1 in 1 TAC §18.31):

- (A) the date each contribution was accepted;
- (B) the full name of the person making the contribution;
- (C) the address of the person making the contribution;
- (D) the principal occupation of the person making the contribution;
- (E) the amount of the contribution; and
- (F) a description of any in-kind contribution;

(12) for each person from whom the general-purpose committee accepted a pledge or pledges to provide more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 in money or to provide goods or services (for a general-purpose committee reporting monthly, use the amount specified in Tex. Elec. Code §254.156, as amended by Figure 1 in 1 TAC §18.31):

- (A) the full name of the person making the pledge;
- (B) the address of the person making the pledge;
- (C) the principal occupation of the person making the pledge;
- (D) the amount of each pledge;
- (E) the date each pledge was accepted; and
- (F) a description of any goods or services pledged;

(13) the total of all pledges accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 and less from a person, except for those reported under paragraph (12) of this subsection;

(14) for each person making a loan or loans to the general-purpose committee for campaign purposes, if the total amount loaned by the person during the period is more than the amount specified in Tex. Elec. Code §254.031(a)(1), as amended by Figure 1 in 1 TAC §18.31 (for a general-purpose committee reporting monthly, use the amount specified in Tex. Elec. Code §254.156, as amended by Figure 1 in 1 TAC §18.31):

(A) the full name of the person or financial institution making the loan;

(B) the address of the person or financial institution making the loan;

(C) the amount of the loan;

(D) the date of the loan;

(E) the interest rate;

(F) the maturity date;

(G) the collateral for the loan, if any; and

(H) if the loan has guarantors:

(i) the full name of each guarantor;

(ii) the address of each guarantor;

(iii) the principal occupation of each guarantor;

(iv) the name of the employer of each guarantor; and

(v) the amount guaranteed by each guarantor;

(15) the total amount of loans accepted during the period for the amount specified in Tex. Elec. Code §254.031(a)(2), as amended by Figure 1 in 1 TAC §18.31 and less from persons other than financial institutions engaged in the business of making loans for more than one year, except for those reported under paragraph (14) of this section;

(16) for political expenditures made during the reporting period that total more than the amount specified in Tex. Elec. Code §254.031(a)(3), as amended by Figure 1 in 1 TAC §18.31 (for a general-purpose committee reporting monthly, use the amount specified in Tex. Elec. Code §254.156, as amended by Figure 1 in 1 TAC §18.31) to a single payee:

(A) the full name of the person to whom each expenditure was made;

(B) the address of the person to whom the expenditure was made;

- (C) the date of the expenditure;
- (D) the purpose of the expenditure;
- (E) the amount of the expenditure; and
- (F) indication for an expenditure paid in full or in part from corporations or labor organizations that it was paid from such sources.

(17) for each non-political expenditure made from political contributions:

- (A) the date of each expenditure;
- (B) the full name of the person to whom the expenditure was made;
- (C) the address of the person to whom the expenditure was made;
- (D) the purpose of the expenditure;
- (E) the amount of the expenditure; and
- (F) indication for an expenditure paid in full or in part from corporations or labor organizations that it was paid from such sources.

(18) for each candidate or officeholder who benefits from a direct campaign expenditure made by the committee:

- (A) the name of the candidate or officeholder; and
- (B) the office sought or held by the candidate or officeholder;

(19) for each political contribution from an out-of-state political committee, the information required by §22.7 of this title (relating to Contribution from Out-of-State Committee);

(20) 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 that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(9), as amended by Figure 1 in 1 TAC §18.31;

(21) any proceeds of the sale of an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(10), as amended by Figure 1 in 1 TAC §18.31;

(22) any other gain from a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(12), as amended by Figure 1 in 1 TAC §18.31;

(23) any investment purchased with a political contribution that is received during the reporting period and the amount of which exceeds the amount specified in Tex. Elec. Code §254.031(a)(11), as amended by Figure 1 in 1 TAC §18.31;

(24) the full name and address of each person from whom an amount described by paragraph (20), (21), (22), or (23) of this section is received, the date the amount is received, and the purpose for which the amount is received;

(25) the following total amounts:

(A) the total principal amount of all outstanding loans as of the last day of the reporting period;

(B) the total amount or an itemized listing of political contributions (other than pledges, loans, or guarantees of loans) of the amount specified in Tex. Elec. Code §254.031(a)(1) and (1-a), as amended by Figure 1 in 1 TAC §18.31 and less (for a general-purpose committee reporting monthly, use the amount specified in Tex. Elec. Code §254.156, as amended by Figure 1 in 1 TAC §18.31);

(C) the total amount of all political contributions (other than pledges, loans, or guarantees of loans);

(D) the total amount or an itemized listing of the political expenditures of the amount specified in Tex. Elec. Code §254.031(a)(5), as amended by Figure 1 in 1 TAC §18.31 and less (for a general-purpose committee reporting monthly, use the amount specified in Tex. Elec. Code §254.156, as amended by Figure 1 in 1 TAC §18.31); and

(E) the total amount of all political expenditures; and

(26) an affidavit, executed by the campaign treasurer, stating: “I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.”

§20.434. Alternate Reporting Requirements for General-Purpose Committees.

(a) This section and Election Code §254.1541 apply only to a general-purpose committee with less than the amount specified in Tex. Elec. Code §254.1541(a), as amended by Figure 1 in 1 TAC §18.31 in one or more accounts maintained by the committee in which political contributions are deposited, as of the last day of the preceding reporting period for which the committee was required to file a report.

(b) The alternative reporting requirement in Election Code §254.1541 applies only to contributions.

(c) A report by a campaign treasurer of a general-purpose committee to which this section and Election Code §254.1541 apply shall include the information required by §20.433 of this title (relating to Contents of General-Purpose Committee Sworn Report of Contributions and Expenditures) except that the campaign treasurer may choose a threshold reporting amount for political contributions specified in Tex. Elec. Code §254.1541(b)(1), as amended by Figure 1 in 1

TAC §18.31 instead of the threshold reporting amount specified in Tex. Elec. Code §254.031(a)(1) and (1-a), as amended by Figure 1 in 1 TAC §18.31 set out in §20.433(11) and 25(B) of this title.

(d) A monthly report by a campaign treasurer of a general-purpose committee to which this section and Election Code §254.1541 apply shall include the information required by §20.433 of this title, except that the campaign treasurer may choose a threshold reporting amount for political contributions of the amount specified in Tex. Elec. Code §254.156(2), as amended by Figure 1 in 1 TAC §18.31, instead of the threshold reporting amount set out in §20.433(11) and 25(B) of this title.

§20.435. Special Pre-Election Reports by Certain General-Purpose Committees.

(a) In addition to other reports required by this chapter, a general-purpose committee must file a special pre-election report if the committee is involved in an election and if it:

(1) makes direct campaign expenditures supporting or opposing a single candidate or a group of candidates that in the aggregate exceed the amounts specified in Tex. Elec. Code §254.039(a)(2), as amended by Figure 1 in 1 TAC §18.31 during the reporting period for special pre-election reports; or

(2) accepts political contributions from a person that in the aggregate exceed the amounts specified in Tex. Elec. Code §254.039(a)(2), as amended by Figure 1 in 1 TAC §18.31 during the reporting period for special pre-election reports.

(b) The period for special pre-election reports begins on the ninth day before election day and ends at noon on the day before election day.

(c) Except as provided by subsection (d) of this section, a report under this section must be received by the commission no later than the first business day after the contribution is accepted or the expenditure is made.

(d) A special pre-election report that is exempt from electronic filing under §254.036(c), Election Code, must be received by the commission no later than 5 p.m. of the first business day after the contribution is accepted or the expenditure is made.

(e) Expenditures and contributions reported under this section must be reported again in the next applicable sworn report of contributions and expenditures.

§20.437. Form and Contents of Special Pre-Election Report.

(a) A special pre-election report shall be filed electronically as required by §254.036, Election Code, unless a report is exempt from electronic filing. A special pre-election report that is exempt from electronic filing under §254.036(c), Election Code, is not required to be on a form prescribed by the commission.

(b) A report required by §20.435 of this title (relating to Special Pre-Election Reports by Certain General-Purpose Committees) shall include the following information:

(1) the full name of the general-purpose committee;

- (2) the full name of the campaign treasurer;
- (3) the amount of each direct campaign expenditure;
- (4) the full name and address of the person or persons to whom each direct campaign expenditure is made;
- (5) the date of each direct campaign expenditure;
- (6) a description of the goods or services for which each direct campaign expenditure was made;
- (7) the identification of the candidates or group of candidates benefiting from the direct campaign expenditure;
- (8) the name of the person making a contribution or contributions that triggered the requirement to file a special pre-election report;
- (9) the address of the person making the contribution or contributions;
- (10) the amount of each contribution;
- (11) the date each contribution was accepted; and
- (12) a description of any in-kind contribution.

§20.439. Dissolution Report.

- (a) The campaign treasurer of a general-purpose committee may file a dissolution report at any time that the committee expects no further reportable activity to occur.
- (b) A dissolution report does not have to be filed by a designated deadline.
- (c) Filing a dissolution report:
 - (1) relieves the campaign treasurer of the duty to file additional reports under this subchapter; and
 - (2) terminates the general-purpose committee's campaign treasurer appointment.

§20.441. Contents of Dissolution Report.

A dissolution report must contain:

- (1) the information listed in §20.433 of this title (relating to Contents of General-Purpose Committee Sworn Report of Contributions and Expenditures), except as provided by §20.434 of this title (relating to Alternate Reporting Requirements for Certain General-Purpose Committees); and
- (2) the following sworn statement, signed by the general-purpose committee's campaign treasurer, and properly notarized: "I, the undersigned campaign treasurer, do not expect

the occurrence of any further reportable activity by this general-purpose committee for this or any other campaign or election for which reporting under the Election Code is required. I declare that all of the information required to be reported by me has been reported. I understand that designating a report as a dissolution report terminates the appointment of campaign treasurer. I further understand the circumstances in which the general-purpose committee may not make or authorize political expenditures or accept political contributions without having an appointment of campaign treasurer on file.”

Subchapter G. RULES APPLICABLE TO A PRINCIPAL POLITICAL COMMITTEE OF A POLITICAL PARTY

§20.501. Designation of Principal Political Committee.

The state or county executive committee of a political party may designate a general-purpose committee as the principal political committee for that state or county, as applicable.

§20.503. Exceptions from Certain Notice Requirements.

(a) The principal political committee for a political party in the state or in a county is exempted from complying with §20.421 of this title (relating to Notice to Candidate or Officeholder).

(b) The principal political committee for a political party in the state or in a county is not required to report under §20.433(16) of this title (relating to Contents of General-Purpose Committee Sworn Report of Contributions and Expenditures) a direct campaign expenditure that it makes on behalf of a slate of two or more nominees of the party.

Subchapter H. RULES APPLICABLE TO A POLITICAL PARTY ACCEPTING CONTRIBUTIONS FROM CORPORATIONS OR LABOR ORGANIZATIONS

§20.521. Restrictions on Use of Contributions from Corporations or Labor Organizations.

A political party that accepts a contribution authorized by §24.19 of this title (relating to Contribution to a Political Party) may use the contribution only for the following purposes:

- (1) to defray normal overhead and administrative or operating costs incurred by the party;
or
- (2) to administer a primary election or convention held by the party.

§20.523. Separate Account Required.

(a) Contributions authorized by §24.19 of this title (relating to Contribution to a Political Party) must be maintained in an account separate from other contributions accepted by a political party.

(b) Interest and other income earned from contributions authorized by §24.19 of this title (relating to Contribution to a Political Party) must be maintained in the account required by subsection (a) of this section.

(c) Proceeds from the sale or rent of assets purchased either with contributions authorized by §24.19 of this title (relating to Contribution to a Political Party) or with interest or other income earned from such contributions must be maintained in the account required by subsection (a) of this section.

§20.525. Record of Contributions and Expenditures and Contents of Report.

(a) The party chair of a political party is required to maintain a record of all contributions from corporations and labor organizations and all expenditures from such contributions.

(b) The party chair of a political party shall preserve the record required by subsection (a) of this section for at least two years after the filing deadline for the report containing the information on the record.

(c) The party chair of a political party that accepts contributions authorized by §24.19 of this title (relating to Contribution to a Political Party) shall report all contributions and expenditures made to and from the account required by §20.523 of this title (relating to Separate Account Required), in accordance with the reporting schedule in §20.529 of this title (relating to Reporting Schedule for Political Party Accepting Corporate or Labor Organization Contributions).

(d) The reports required by subsection (c) of this section shall contain the following information for the period covered by the report:

- (1) the full name of the political party;
- (2) the complete mailing address of the political party;
- (3) the full name of the political party's chair;
- (4) the residence or business street address of the political party's chair;
- (5) if the mailing address of the political party's chair is different from the street address provided, the mailing address for the political party's chair;
- (6) the political party chair's telephone number;
- (7) the identity and date of the election for which the report is filed, if applicable;
- (8) for each corporation or labor organization from whom the political party accepted a contribution (other than a pledge, loan, or guarantee of a loan):
 - (A) the full name of the corporation or labor organization making the contribution;
 - (B) the address of the corporation or labor organization making the contribution;
 - (C) the amount of the contribution; and
 - (D) the date the contribution was accepted;
 - (E) a description of any in-kind contribution;

(9) for each corporation or labor organization from whom the political party accepted a pledge:

- (A) the full name of the corporation or labor organization making the pledge;
- (B) the address of the corporation or labor organization making the pledge;
- (C) the amount of the pledge;
- (D) the date the pledge was accepted; and
- (E) a description of any goods or services pledged;

(10) for each corporation or labor organization making a loan or loans to the political party:

- (A) the full name of the person or financial institution making the loan;
- (B) the address of the person or financial institution making the loan;
- (C) the amount of the loan;
- (D) the date of the loan;
- (E) the interest rate;
- (F) the maturity date;
- (G) the collateral for the loan, if any;
- (H) if the loan has guarantors:
 - (i) the full name of each guarantor;
 - (ii) the address of each guarantor;
 - (iii) the principal occupation of each guarantor;
 - (iv) the name of the employer of each guarantor; and
 - (v) the amount guaranteed by each guarantor;

(11) for each expenditure made by the political party from the account required by §20.523 of this title (relating to Separate Account Required):

- (A) the date of the expenditure;
- (B) the full name of the person to whom each expenditure was made;
- (C) the address of the person to whom each expenditure was made;

(D) the purpose of the expenditure, for example, the nature of the goods or services for which the expenditure was made; and

(E) the amount of the expenditure;

(12) for each expenditure by the political party that was made as a political contribution to a candidate, officeholder, or another political committee and that was returned to the political party during the reporting period:

(A) the amount returned;

(B) the full name of the person to whom the expenditure was originally made;

(C) the address of the person to whom the expenditure was originally made; and

(D) the date the expenditure was returned to the general-purpose committee;

(13) the following total amounts:

(A) total amount of all contributions (other than pledges, loans, or guarantees of loans) accepted during the period from corporations or labor organizations;

(B) the total amount of all expenditures made during the period from the account required by §20.523 of this title (relating to Separate Account Required);

(14) if applicable, a statement that no reportable activity occurred during the reporting period; and

(15) an affidavit, executed by the political party's chair, stating: "I swear, or affirm, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code."

§20.527. Form of Report.

(a) The report required by this subchapter is separate from any other report a political party is required to file under this title.

(b) The report is filed by the chair of the state party or county executive committee, as applicable, and not by the treasurer of a general-purpose committee. Contributions and expenditures required to be reported under this subchapter should not be included on a report filed in accordance with Subchapter F of this chapter (relating to Reporting Requirements for a General-Purpose Committee).

(c) Except as provided by Section 254.036(c), Election Code, each report filed with the commission under this subchapter and chapter 257 of the Election Code must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

§20.529. Reporting Schedule for Political Party Accepting Corporate or Labor Organization Contributions.

A political party that has accepted a contribution from a corporation or labor organization shall file the following reports until the political party is no longer accepting corporate or labor organization contributions and the acceptance and expenditure of all such funds has been reported.

- (1) A report shall be filed not earlier than July 1 and not later than July 15, covering the period that begins on either January 1 or the day after the last day included in a primary election report filed under paragraph (3) of this section, as applicable, and ends on June 30.
- (2) A report shall be filed not earlier than January 1 and not later than January 15, covering the period that begins on either July 1 or the day after the last day included in a general-election report filed under paragraph (4) of this section, as applicable, and ends on December 31.
- (3) A report shall be filed for each primary election held by the political party. The report shall be filed not later than the eighth day before the primary election, covering the period that begins on January 1 and ends on the 10th day before the primary election.
- (4) A report shall be filed for the general election for state and county officers. The report shall be filed not later than the 50th day before the general election, covering the period that begins on July 1 and ends on the 61st day before the general election for state and county officers.

§20.531. Restrictions on Contributions before General Election.

A political party may not knowingly accept a contribution authorized by §20.521 of this title (relating to Restrictions on Use of Contributions from Corporations or Labor Organizations) or make an expenditure from a separate account established pursuant to §20.523 of this title (relating to Separate Account Required) during the period that begins on the 60th day before the date of the general election for state and county officers and ends on the day of the election.

Subchapter I. RULES APPLICABLE TO A POLITICAL PARTY'S COUNTY EXECUTIVE COMMITTEE

§20.551. Obligation To Maintain Records.

A county executive committee that accepts political contributions or makes political expenditures shall maintain the records required by §20.17 of this title (relating to Retention of Records and Reports).

§20.553. Campaign Treasurer Appointment Not Required for County Executive Committee Accepting Contributions or Making Expenditures Under Certain Amount.

(a) A county executive committee accepting political contributions or making political expenditures totaling the amount specified in Tex. Elec. Code §253.031(d), as amended by Figure 1 in 1 TAC §18.31 or less in a calendar year is not required to:

- (1) appoint a campaign treasurer before accepting political contributions or making political expenditures; or
- (2) file the reports required by Subchapter F of this chapter (relating to Reporting Requirements for a General-Purpose Committee).

(b) A county executive committee described in subsection (a) of this section is required to comply with §20.551 of this title (relating to Obligation To Maintain Records).

§20.555. County Executive Committee Accepting Contributions or Making Expenditures That Exceed Certain Amount.

(a) A county executive committee described by subsection (b) of this section is subject to the requirements of Subchapter F of this chapter (relating to Reporting Requirements for a General-Purpose Committee), except where those rules conflict with this subchapter. In the case of conflict, this subchapter prevails over Subchapter F of this chapter.

(b) A county executive committee that accepts political contributions or that makes political expenditures that, in the aggregate, exceed the amount specified in Tex. Elec. Code §253.031(d)(1), as amended by Figure 1 in 1 TAC §18.31 in a calendar year shall file:

- (1) a campaign treasurer appointment with the commission no later than the 15th day after the date that amount is exceeded; and
- (2) the reports required by Subchapter F of this chapter. The first report filed must include all political contributions accepted and all political expenditures made before the county executive committee filed its campaign treasurer appointment.

(c) Contributions accepted from corporations and labor organizations under section 253.104 of the Election Code and reported under Subchapter H of this chapter (relating to Accepting and Reporting Contributions from Corporations and Labor Organizations) do not count against the amount specified in Tex. Elec. Code §253.031(d)(1), as amended by Figure 1 in 1 TAC §18.31 thresholds described in subsection (b) of this section.

(d) A county executive committee that filed a campaign treasurer appointment may file a final report, which will notify the commission that the county executive committee does not intend to file future reports unless it exceeds one of the amount specified in Tex. Elec. Code §253.031(d)(1), as amended by Figure 1 in 1 TAC §18.31 thresholds. The final report may be filed:

- (1) beginning on January 1 and by the January 15 filing deadline if the committee has exceeded one of the amounts specified in Tex. Elec. Code §253.031(d)(1), as amended by Figure 1 in 1 TAC §18.31 in the previous calendar year; or

(2) at any time if the committee has not exceeded one of the amounts specified in Tex. Elec. Code §253.031(d)(1), as amended by Figure 1 in 1 TAC §18.31 in the calendar year.

§20.557. Exceptions from Certain Restrictions.

A county executive committee is excepted from complying with §20.401(a)-(c) of this title (relating to Thresholds for Appointment of Campaign Treasurer by a General-Purpose Committee).

§20.559. Exception from Notice Requirement.

A county executive committee that accepts political contributions for or makes political expenditures on behalf of a candidate or officeholder is exempted from complying with §20.421 of this title (relating to Notice to Candidate or Officeholder).

§20.561. County Executive Committee Accepting Contributions from Corporations and/or Labor Organizations.

(a) A county executive committee that accepts contributions from corporations or labor organizations authorized by §24.19 of this title (relating to Contribution to a Political Party) is subject to the provisions set out in Subchapter H of this chapter (relating to Rules Applicable to a Political Party Accepting Contributions from Corporations or Labor Organizations).

(b) The chair of a county executive committee that accepts contributions from a corporation or labor organization must file the report required by §20.525 of this title (relating to Record of Contributions and Expenditures).

Subchapter J. REPORTS BY A CANDIDATE FOR STATE OR COUNTY PARTY CHAIR

§20.571. Definitions.

The following term, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise: Candidate for state chair of a political party--A person who seeks election to serve as the chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial general election. Candidacy may be evidenced by any one or more of the following actions:

- (1) declaring candidacy;
- (2) soliciting or accepting a campaign contribution or making or authorizing a campaign expenditure; or
- (3) appointing a campaign treasurer as a candidate for state chair.

§20.573. Rules Applicable to Candidate for State Chair of a Political Party.

Except as provided by this subchapter, a candidate for state chair of a political party is subject to the rules applicable to a candidate for a statewide public office.

§20.575. Contributions to and Expenditures by Candidate for State Chair of a Political Party.

Except as provided by this subchapter, each contribution to and expenditure by a candidate for state chair of a political party is subject to the same rules as contributions to and expenditures by a candidate for statewide public office.

§20.577. Reporting Schedule for a Candidate for State Chair.

(a) A candidate for state chair of a political party is required to file only the reports listed in this section and is not required to file any other reports required by candidates for public office under Subchapter C of this chapter (relating to Reporting Requirements for a Candidate).

(b) A candidate for state chair of a political party is required to file semiannual reports as provided by this subsection.

(1) One semiannual report is due no earlier than July 1 and no later than July 15.

(A) The period covered by a report under this paragraph begins on the later of the following dates, as applicable:

(i) January 1;

(ii) the first day after the period covered by the last report required by this subchapter; or

(iii) the day the state chair's campaign treasurer appointment was filed, if this is the first report filed under this subchapter.

(B) The period covered by the report under this paragraph ends on June 30.

(2) One semiannual report is due no earlier than January 1 and no later than January 15. The period covered by a report under this paragraph begins on the later of the following dates, as applicable:

(A) July 1;

(B) the first day after the period covered by the last report required by this subchapter; or

(C) the day the state chair's campaign treasurer appointment was filed, if this is the first report filed under this subchapter.

(c) A candidate for state chair of a political party shall also file the following reports.

(1) A candidate for state chair of a political party shall file a report not earlier than the 39th day before the convening of the state convention and not later than the 30th day before the convening of the state convention. The report shall cover the period that begins on either the day the candidate filed a campaign treasurer appointment with the

commission or the first day after the period covered by the last report required to be filed, as applicable, and ends on the 40th day before the convening.

(2) A candidate for state chair of a political party shall file a report not earlier than the ninth day before the convening of the state convention and not later than the eighth day before the convening of the state convention. The report must cover the period that begins on either the day after the candidate filed a campaign treasurer appointment with the commission or the first day after the period covered by the last report required to be filed, as applicable, and ends on the 10th day before the convening.

(d) A candidate for state chair of a political party who expects no further reportable activity in connection with his or her candidacy may file a final report at any time in accordance with §20.229 of this title (relating to Final Report) and §20.231 of this title (relating to Contents of Final Report).

(e) A former candidate for state chair of a political party who retains unexpended political contributions, unexpended interest or other income from political contributions, or assets purchased with political contributions at the time of filing a final report is subject to the requirements of §§20.233, 20.235, 20.237, 20.239, 20.241, and 20.243 of this title (relating to Reporting Requirements for a Candidate).

(f) Except as provided by §254.036(c), Election Code, each report filed with the commission under this section must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

§20.579. Candidates for County Chair in Certain Counties.

(a) This section applies to a candidate for election to the office of county chair of a political party with a nominee on the ballot in the most recent gubernatorial general election if the county has a population of 350,000 or more.

(b) The provisions of this subchapter that apply to a candidate for state party chair apply to a candidate for county chair covered by this section, except that a candidate for county chair is not required to file the pre-convention reports that a state party chair is required to file under section 20.577(c) of this title (relating to Reporting Schedule for a Candidate for State Chair).

(c) In addition to the semiannual reports due to be filed with the commission by January 15 and July 15 under section 20.577(b) of this title, a candidate for county chair covered by this section who has an opponent on the ballot in an election shall file the following two reports with the commission for each primary election except as provided by subsection (d).

(1) The first report shall be filed not later than the 30th day before primary election day. The report covers the period beginning the day the candidate's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through the 40th day before primary election day.

(2) The second report shall be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before primary election day and continuing through the 10th day before primary election day.

(d) A candidate who has declared the intention to file reports in accordance with section 20.217 of this title (relating to Modified Reporting) and who remains eligible to file under the modified schedule is not required to file pre-election reports.

(e) In addition to other required reports, a candidate for county chair covered by this section who is in a runoff election shall file one report with the commission for the runoff election. The runoff election report shall be filed not later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the primary election day and continuing through the tenth day before runoff election day.

(f) Except as provided by Section 254.036(c), Election Code, each report filed with the commission under this section must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

Subchapter K. REPORTS BY POLITICAL COMMITTEES SUPPORTING OR OPPOSING A CANDIDATE FOR STATE OR COUNTY CHAIR OF A POLITICAL PARTY

§20.591. Appointment of Campaign Treasurer by Political Committee Supporting or Opposing Candidate for State Chair of a Political Party.

Except as provided by this subchapter, a political committee supporting or opposing a candidate for state chair of a political party is subject to the rules applicable to a specific-purpose committee supporting or opposing a candidate for a statewide public office.

§20.593. Contributions and Expenditures by Political Committee Supporting or Opposing Candidate for State Chair of a Political Party.

Except as provided by this subchapter, each contribution to and expenditure by a political committee supporting or opposing a candidate for state chair of a political party is subject to the same rules as a specific-purpose committee supporting or opposing a candidate for statewide public office.

§20.595. Reporting Schedule for a Political Committee Supporting or Opposing Candidate for State Chair of a Political Party.

(a) A political committee supporting or opposing a candidate for state chair of a political party is required to file semiannual reports in accordance with this section.

(1) One semiannual report is due no earlier than July 1 and no later than July 15.

(A) The period covered by a report under this paragraph begins on the later of the following dates, as applicable:

- (i) January 1;
- (ii) the first day after the period covered by the last report required by this subchapter; or
- (iii) the day the political committee's campaign treasurer appointment was filed, if this is the first report filed under this subchapter.

(B) The period covered by the report under this subparagraph ends on June 30.

(2) One semiannual report is due no earlier than January 1 and no later than January 15.

(A) The period covered by a report under this paragraph begins on the later of the following dates, as applicable:

- (i) July 1;
- (ii) the first day after the period covered by the last report required by this subchapter; or
- (iii) the day the political committee's campaign treasurer appointment was filed, if this is the first report filed under this subchapter.

(B) The period covered by the report under this subparagraph ends on December 31.

(b) A political committee supporting or opposing a candidate for state chair of a political party shall also file the following reports.

(1) A political committee supporting or opposing a candidate for state chair of a political party shall file a report not earlier than the 39th day before the convening of the state convention and not later than the 30th day before the convening of the state convention. The report shall cover the period that begins on either the day the political committee filed a campaign treasurer appointment with the commission or the first day after the period covered by the last report required to be filed, as applicable, and ends on the 40th day before the convening.

(2) A political committee supporting or opposing a candidate for state chair of a political party shall file a report not earlier than the ninth day before the convening of the state convention and not later than the eighth day before the convening of the state convention. The report covers the period that begins on either the date the political committee filed a campaign treasurer appointment with the commission or the first day after the period covered by the last report required to be filed, as applicable, and ends on the 10th day before the convening.

(c) A political committee supporting or opposing a candidate for state chair of a political party may file a dissolution report in accordance with §20.341 of this title (relating to Dissolution Report) and §20.343 of this title (relating to Contents of Dissolution Report) at any time that the committee expects no further reportable activity to occur).

§20.597. Political Committees Supporting or Opposing Candidates for County Chair in Certain Counties.

(a) This section applies to a political committee supporting or opposing a candidate for election to the office of county chair of a political party with a nominee on the ballot in the most recent gubernatorial general election if the county has a population of 350,000 or more.

(b) The provisions of this subchapter that apply to a political committee supporting or opposing a candidate for state party chair apply to a political committee covered by this section, except that a political committee covered by this section is not required to file the pre-convention reports under §20.595(b) of this title (relating to Reporting Schedule for a Political Committee Supporting or Opposing Candidate for State Chair of a Political Party).

(c) In addition to the semiannual reports due to be filed with the commission by January 15 and July 15, a political committee covered by this section shall file the following two reports with the commission for each primary election.

(1) The first report shall be filed not later than the 30th day before primary election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through the 40th day before primary election day.

(2) The second report shall be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before primary election day and continuing through the 10th day before primary election day.

(d) In addition to other required reports, a political committee covered by this section shall file one report with the commission for a runoff election in which the candidate supported or opposed by the committee is involved. The runoff election report shall be filed not later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the primary election day and continuing through the tenth day before runoff election day.

(e) Except as provided by Section 254.036(c), Election Code, each report filed with the commission under this section must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

CHAPTER 22. RESTRICTIONS ON CONTRIBUTIONS AND EXPENDITURES

§22.1. Certain Campaign Treasurer Appointments Required before Political Activity Begins.

(a) An individual must file a campaign treasurer appointment with the proper authority before accepting a campaign contribution or making or authorizing a campaign expenditure.

(1) An officeholder may accept an officeholder contribution and make or authorize an officeholder expenditure without a campaign treasurer appointment on file.

(2) An officeholder who does not have a campaign treasurer appointment on file may not accept a campaign contribution or make or authorize a campaign expenditure.

(b) A political committee may not accept political contributions exceeding the amount specified for making political contributions or making or authorizing political expenditures in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 without filing a campaign treasurer appointment with the appropriate filing authority.

(c) Unless the committee's campaign treasurer appointment was filed not later than the 30th day before the appropriate election day, a political committee may not knowingly make or authorize campaign contributions or campaign expenditures exceeding the amount specified in Tex. Elec. Code §253.031(b), as amended by Figure 1 in 1 TAC §18.31 to support or oppose a candidate in a primary or general election for the following:

(1) a statewide office;

(2) a seat in the state legislature;

(3) a seat on the State Board of Education;

(4) a multi-county district office; or

(5) a judicial district office filled by voters of only one county.

(d) This section does not apply to the county executive committee of a political party except as provided in Chapter 20, Subchapter I of this title (relating to Rules Applicable to a Political Party's County Executive Committee).

§22.3. Disclosure of True Source of Contribution or Expenditure.

A person may not knowingly make or authorize a political contribution or political expenditure in the name of or on behalf of another unless the person discloses the name and address of the person who is the true source of the contribution.

§22.6. Reporting Direct Campaign Expenditures.

(a) Section 254.261 of the Election Code applies to a person who, not acting in concert with another person, makes one or more direct campaign expenditures that exceed the amount

specified in Tex. Elec. Code §254.261(a), as amended by Figure 1 in 1 TAC §18.31 in an election from the person's own property.

§22.7. Contribution from Out-of-State Committee.

(a) For each reporting period during which a candidate, officeholder, or political committee accepts a contribution or contributions from an out-of-state political committee totaling more than the amount specified in Tex. Elec. Code §253.032(a), as amended by Figure 1 in 1 TAC §18.31, the candidate, officeholder, or political committee must comply with subsections (b) and (c) of this section.

(b) The candidate, officeholder, or political committee covered by subsection (a) of this section must first obtain from the out-of-state committee one of the following documents before accepting the contribution that causes the total received from the out-of-state committee to exceed the amount specified in Tex. Elec. Code §253.032(a), as amended by Figure 1 in 1 TAC §18.31 during the reporting period:

(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 the amount specified in Tex. Elec. Code §253.032(a)(1), as amended by Figure 1 in 1 TAC §18.31 to the out-of-state political committee during the 12 months immediately preceding the date of 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.

(c) The document obtained pursuant to subsection (b) of this section shall be included as part of the report that covers the reporting period in which the candidate, officeholder, or political committee accepted the contribution that caused the total accepted from the out-of-state committee to exceed the amount specified in Tex. Elec. Code §253.032(e), as amended by Figure 1 in 1 TAC §18.31.

(d) A candidate, officeholder, or political committee that:

(1) receives contributions covered by subsection (a) of this section from the same out-of-state committee in successive reporting periods; and

(2) complies with subsection (b)(2) of this section before accepting the first contribution triggering subsection (a) of this section, may comply with subsection (c) of this section in successive reporting periods by submitting a copy of the certified document obtained before accepting the first contribution triggering subsection (a) of this section, rather than by obtaining and submitting an original certified document for each reporting period, provided the document has not been amended since the last submission.

(e) A candidate, officeholder, or political committee that accepts a contribution or contributions totaling the amount specified in Tex. Elec. Code §253.032(e), as amended by Figure 1 in 1 TAC §18.31 or less from an out-of-state political committee shall include as part of the report covering the reporting period in which the contribution or contributions are accepted either:

(1) a copy of the out-of-state 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 following information:

(A) the full name of the committee, and, if the name is an acronym, the words the acronym represents;

(B) the address of the committee;

(C) the telephone number of the committee;

(D) the name of the person appointing the campaign treasurer; and

(E) the following information for the individual appointed campaign treasurer and assistant campaign treasurer:

(i) the individual's full name;

(ii) the individual's residence or business street address; and

(iii) the individual's telephone number.

(f) This section does not apply to a contribution from an out-of-state political committee if the committee filed a campaign treasurer appointment with the commission before making the contribution.

§22.9. Cash Contributions Exceeding \$100 Prohibited.

(a) A candidate, officeholder, or specific-purpose committee may not knowingly accept political contributions in cash that in the aggregate exceed \$100 from a contributor in a reporting period.

(b) Checks are not considered cash for purposes of this section.

§22.11. Prohibition on Contributions during Regular Session.

(a) During the period that begins on the 30th day before the date a regular legislative session convenes and continuing through the 20th day after the date of final adjournment, a person may not knowingly make a political contribution to:

(1) a statewide officeholder or officer-elect;

(2) a member of the legislature or member-elect; or

(3) a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or officer-elect or member or member-elect of the legislature.

(b) An individual or committee described in subsection (a) of this section may not knowingly accept a political contribution, and shall refuse a political contribution that is received, during the period prescribed by subsection (a) of this section.

(c) A political contribution that is received and refused pursuant to this section shall be returned to the contributor not later than the 30th day after the date of receipt.

(d) A contribution made by United States mail or by common or contract carrier is not considered received during the period prescribed by subsection (a) of this section if it was deposited into an official repository of the United States Postal Service or delivered to a common or contract carrier with postage prepaid and properly addressed before the beginning of the period. The date of the postmark or common or contract carrier documents is considered to be the date the contribution was placed in the mail or delivered to the common or contract carrier unless proven otherwise.

(e) This section does not apply to a political contribution that was made and accepted with the intent that it be used:

(1) in an election held or ordered during the period prescribed by subsection (a) of this section in which the person accepting the contribution is a candidate if the contribution was made after the person appointed a campaign treasurer with the appropriate authority and before the person was sworn in for that office;

(2) to defray expenses incurred in connection with an election contest; or

(3) by a person who holds a statewide office or a member of the legislature, if the person or member was defeated at the general election held immediately before the session is convened, or by a specific-purpose political committee that supports or assists only that person or member.

§22.13. Contributions in the Capitol Prohibited.

In §253.039 of the Election Code, the term “Capitol” includes the Capitol Building and the Capitol Extension, and any office that is being used as the official capitol office for a member of the legislature, the governor, the lieutenant governor, or the secretary of state.

§22.17. Prohibition on Personal Use of Political Contributions.

(a) A person who accepts a political contribution as a candidate or officeholder may not convert the contribution to personal use. This subsection applies only to political contributions accepted on or after September 1, 1983.

(b) A specific-purpose committee that accepts a political contribution may not convert the contribution to the personal use of a candidate, officeholder, or former candidate or officeholder. This prohibition applies only to political contributions accepted on or after September 1, 1987.

(c) The prohibitions set out in subsections (a) and (b) of this section apply to the use of an asset purchased with political contributions and to the use of any interest or other income earned on political contributions.

(d) “Personal use” means a use that primarily furthers individual or family purposes not connected with the performance of duties or activities as a candidate for or holder of a public office. It does not include:

(1) payments made to defray ordinary and necessary expenses incurred in connection with activities as a candidate or in connection with the performance of duties or activities as a public officeholder, including payment of rent, utility, and other reasonable housing or household expenses incurred in maintaining a residence in Travis County by members of the legislature who do not normally reside in Travis County, but excluding payments prohibited pursuant to §22.15 of this title (relating to Prohibition on Payments Made to Purchase Real Property);

(2) payments of federal income taxes due on interest and other income earned on political contributions;

(3) use of contributions for defending a criminal action or prosecuting or defending a civil action brought by or against the individual in his or her status as a candidate or officeholder;

(4) use of contributions for participating in an election contest or participating in a civil action to determine an individual’s eligibility to be a candidate for, or elected or appointed to, a public office in this state;

(5) an expenditure for a purpose listed in §20.289 of this title (relating to Disposition of Unexpended Contributions);

(6) payment of travel expenses of a candidate’s spouse or any other person if the spouse or other person is campaigning for candidate; or

(7) payment of travel expenses of an officeholder’s spouse or any other person if the other person’s travel is in connection with the performance of duties or activities as a public officeholder.

(e) An asset purchased with political contributions is not converted to personal use if the political contributions are fully reimbursed during the reporting period in which the use occurred in an amount that reasonably reflects the value of the use.

§22.19. General Restrictions on Reimbursement of Personal Funds.

(a) If a candidate makes political expenditures from the candidate's personal funds, he or she may reimburse those personal funds from political contributions only if the expenditure is reported and the candidate states his or her intent to reimburse personal funds pursuant to §20.219(16) of this title (relating to Content of Candidate's Sworn Report of Contributions and Expenditures).

(b) If an officeholder who does not have a campaign treasurer appointment on file makes political expenditures from the officeholder's personal funds, he or she may reimburse those personal funds from political contributions only if the expenditure is reported and the officeholder states his or her intent to reimburse personal funds pursuant to §20.279(12) of this title (relating to Contents of Officeholder's Sworn Report of Contributions and Expenditures).

(c) A candidate or officeholder may reimburse personal funds from political contributions for the use of personal assets for political purposes provided that the reimbursement is reported as a political expenditure.

(d) A candidate or officeholder who makes political expenditures from his or her personal funds may reimburse those personal funds from political contributions only if:

(1) the expenditures were fully reported as political expenditures on the report covering the period during which the expenditures were made; and

(2) the report disclosing the expenditures indicates that the expenditures were made from the candidate's or officeholder's personal funds and are subject to reimbursement.

(e) A candidate's or officeholder's failure to comply with subsection (d) of this section may not be cured by filing a corrected report after the report deadline has passed.

(f) A candidate or officeholder who has complied with subsection (d) of this section and whose personal funds have been reimbursed from political contributions must report the amount of the reimbursement as a political expenditure in the report covering the period during which the reimbursement was made.

(g) Section 22.21 of this title (relating to Additional Restrictions on Reimbursement of Personal Funds and Payments on Certain Loans) sets limits on the amount of political expenditures from personal funds that a statewide officeholder may reimburse from political contributions.

§22.21. Additional Restrictions on Reimbursement of Personal Funds and Payments on Certain Loans.

(a) A candidate or officeholder who makes political expenditures from personal funds may not reimburse his or her personal funds from political contributions in amounts that in the aggregate exceed the following amounts for each election in which the person's name appears on the ballot:

(1) for a statewide office other than governor, \$250,000; or

(2) for governor, \$500,000.

(b) A candidate or officeholder who accepts one or more political contributions in the form of loans, including an extension of credit or a guarantee of a loan or extension of credit, from one or more persons related to the candidate or officeholder within the second degree by affinity or consanguinity, as defined by the Government Code, Chapter 573, Subchapter B (concerning Relationships by Consanguinity or by Affinity), may not use political contributions to repay the loans in amounts that in the aggregate exceed the amount prescribed by subsection (a) of this section. Interest on loans from the personal funds of any person related to the candidate or officeholder within the second degree by affinity or consanguinity is included in the amount prescribed by subsection (a) of this section.

(c) The total amount of both reimbursements and repayments made by a candidate or officeholder under this section may not exceed the amount prescribed by subsection (a) of this section.

(d) An individual who is both a candidate and an officeholder covered by subsection (a) of this section may reimburse his or her personal funds or repay loans from political contributions only in one capacity.

§22.23. Restrictions on Certain Payments.

(a) A candidate or officeholder, or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder, may not knowingly make or authorize a payment from a political contribution if the payment is made for personal services rendered by the candidate or officeholder or by the spouse or dependent child of the candidate or officeholder to:

(1) a business in which the candidate or officeholder has a participating interest of more than 10%, holds a position on the governing body of the business, or serves as an officer of the business; or

(2) the candidate or officeholder or the spouse or dependent child of the candidate or officeholder.

(b) A payment made from a political contribution to a business described by subsection (a) of this section that is not prohibited by that subsection may not exceed the amount necessary to reimburse the business for actual expenditures made by the business.

(c) A discount given by a corporation to conform with subsection (b) of this section does not constitute a political contribution from the corporation.

§22.27. Time Limit on Retaining Unexpended Contributions.

A former candidate may retain unexpended political contributions after he or she ceases to be a candidate or officeholder only in accordance with §20.237 of this title (relating to Final Disposition of Unexpended Contributions) or §20.289 of this title (relating to Disposition of Unexpended Contributions), as applicable.

§22.29. Activity after Death or Incapacity of Candidate or Officeholder.

(a) The legal representative of a candidate or officeholder who has died or become incapacitated may accept political contributions and make or authorize expenditures only for the following purposes:

(1) payment of debts or expenses in connection with a campaign or in connection with officeholder duties and activities;

(2) payments to the political party with which the person was affiliated when the person's name last appeared on a ballot;

(3) political contributions to a candidate or political committee;

(4) donations to the Comptroller of Public Accounts for deposit in the state treasury;

(5) refunds of contributions to one or more persons from whom political contributions were received, not to exceed the total amount contributed by each person within the last two years;

(6) donations to a charity recognized by the Internal Revenue Service as tax-exempt;

(7) donations to a public or private post-secondary educational institution or an institution of higher education as defined by the Education Code, §61.003(8) (concerning Definitions), solely for the purpose of assisting or creating a scholarship program; or

(8) payment of federal income taxes due on interest and other income earned on political contributions.

(b) See §20.67 of this title (relating to Reporting after the Death or Incapacity of a Filer) in regard to reporting requirements after the death or incapacity of a candidate or officeholder.

§22.31. Restrictions on Foreign Nationals.

Federal law prohibits contributions from foreign nationals who have not been granted permanent residence in the United States. See United States Code, Title 2, §441(e).

§22.35. Corporate Contributions to Certain Political Committees.

(a) A political committee that accepts a monetary political contribution from a corporation or labor organization shall maintain the contribution in a separate account for political contributions from corporations and labor organizations.

(b) A political committee that accepts a political contribution from a corporation or labor organization shall not use the contribution to make a political contribution to:

(1) a candidate for elective office;

(2) an officeholder; or

(3) a political committee other than a hybrid committee, a direct campaign expenditure-only committee, or a political committee that supports or opposes measures exclusively.

§22.37. Virtual Currency Contributions.

(a) Virtual currency contributions are considered “in-kind” contributions.

(b) A candidate, officeholder, or political committee must report a gain from the sale of virtual currency contributions on the appropriate schedule if the gain exceeds the reporting threshold set by Section 254.031(9) of the Election Code and amended by section 18.31 of this title (relating to Adjustments to Reporting Thresholds).

(c) The value of a virtual currency contribution shall be reported as the fair market value of the virtual currency upon receipt.

**CHAPTER 24. RESTRICTIONS ON CONTRIBUTIONS AND EXPENDITURES
APPLICABLE TO CORPORATIONS AND LABOR ORGANIZATIONS**

§24.1. Corporations and Certain Associations Covered.

(a) This chapter applies to:

- (1) labor organizations;
- (2) corporations that are organized under the Texas Business Corporation Act, the Texas For-Profit Corporation Law, the Texas Non-Profit Corporation Act, the Texas Non-Profit Corporation Law, federal law, or the laws of another state or nation; and
- (3) the following associations, whether incorporated or not, for purposes of this chapter are considered to be corporations covered by this chapter:
 - (A) banks;
 - (B) trust companies;
 - (C) savings and loan associations or companies;
 - (D) insurance companies;
 - (E) reciprocal or interinsurance exchanges;
 - (F) railroad companies;
 - (G) cemetery companies;
 - (H) government-regulated cooperatives;
 - (I) stock companies; and
 - (J) abstract and title insurance companies.

(b) For purposes of this chapter, members of a corporation that does not have stockholders and members of an association listed in subsection (a)(3) of this section are considered to be stockholders.

(c) This chapter does not apply to a political committee that incorporates for liability purposes only in accordance with subsection (d) of this section, provided that the sole principal purpose of the committee is accepting political contributions and making political expenditures.

(d) A political committee may incorporate to limit its liability by providing in its official incorporation documents that it is a political committee that is incorporating for liability purposes only, and that its only principal purpose is to accept political contributions and make political expenditures.

§24.5. Corporate Loans.

(a) A corporation may not make a loan to a candidate, officeholder, or political committee for campaign or officeholder purposes unless:

- (1) the corporation has been legally and continuously engaged in the business of lending money for at least one year before the loan is made; and
- (2) the loan is made in the due course of business.

(b) This section does not apply to a loan to a political committee that supports or opposes measures exclusively.

§24.15. Payments to a Corporation of the Candidate or Officeholder.

(a) If a corporation charges a candidate, officeholder, or specific-purpose committee for supporting or assisting a candidate or officeholder less than fair market value for goods or services in order to comply with §253.041(b) of the Election Code, the discount is not a prohibited corporate contribution.

(b) If the discount is greater than is necessary to comply with §253.041(b) of the Election Code, the discount is a prohibited corporate contribution if the discount is not otherwise authorized by this chapter.

§24.17. Corporate Expenditures for Get-Out-the-Vote Campaigns Permitted.

(a) An expenditure to finance a voter registration or get-out-the-vote drive is not a political expenditure if the drive encourages voting in general but does not encourage voting for or against a measure, candidate, officeholder, or political party.

(b) A corporation or labor organization is permitted to make an expenditure described in subsection (a) of this section.

(c) A corporate or labor organization expenditure described by subsection (a) of this section is not reportable.

§24.18. Designation of Contribution for Administrative Purposes.

(a) Any of the following will serve to designate a political expenditure in the form of a political contribution made by a corporation or labor organization as restricted to the establishment, administration, maintenance, or operation of a general-purpose committee:

- (1) A contemporaneous written instruction that the contribution is restricted to the administration, maintenance, or operation of the committee accepting the contribution;
- (2) The negotiable instrument conveying the contribution contains language indicating that the entity is a corporation, including but not limited to "Inc.," "Incorporated," "Corp.," or "Corporation;"

(3) The general-purpose committee accepting the contribution reports the contribution as monetary contribution or monetary support from a corporation or labor organization on the committee's campaign finance report; or

(4) The general-purpose committee accepting the contribution deposits the contribution into a separate segregated account for political contributions from corporations and labor organizations.

(b) Subsection (a) of this section shall not be read to restrict a hybrid committee, a direct campaign expenditure-only committee, or a political committee that supports or opposes measures exclusively from using a contribution from a corporation or labor organization to make a direct campaign expenditure.

§24.19. Affidavit Required by a Political Committee Making a Direct Campaign Expenditure from a Political Contribution Accepted from a Corporation or Labor Organization.

A political committee, including a direct campaign expenditure-only committee, must include in its campaign treasurer appointment the affidavit described by section 252.003(a)(4) (relating to contents of a general-purpose committee's campaign treasurer appointment) or 252.0031(a)(2) (relating to contents of a specific-purpose committee's campaign treasurer appointment) of the Election Code, as applicable, before using a political contribution from a corporation or labor organization to make a direct campaign expenditure in connection with a campaign for an elective office.

CHAPTER 26. POLITICAL AND LEGISLATIVE ADVERTISING

§26.1. Disclosure Statement.

(a) A disclosure statement that is required by §255.001, Election Code, must contain the words "political advertising" or any recognizable abbreviation, and must:

- (1) appear on one line of text or on successive lines of text on the face of the political advertising; or
- (2) be clearly spoken in the political advertising if the political advertising does not include written text.

(b) A disclosure statement is not required on political advertising printed on letterhead stationery if the letterhead contains the full name of one of the following:

- (1) the person who paid for the political advertising;
- (2) the political committee authorizing the political advertising; or
- (3) the candidate authorizing the political advertising.

(c) A disclosure statement is not required on:

- (1) campaign buttons, pins, or hats, or on objects whose size makes printing the disclosure impractical;
- (2) political advertising posted or re-posted on an Internet website, as long as the person posting or re-posting the political advertising:
 - (A) is not an officeholder, candidate, or political committee;
 - (B) did not make an expenditure exceeding \$100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth; and
 - (C) did not post or re-post the political advertising in return for consideration.
- (3) the Internet social media profile webpage of a candidate or officeholder, provided the webpage clearly and conspicuously displays the full name of the candidate or officeholder; or
- (4) political advertising posted or re-posted by a person on an Internet website, provided the advertising is posted with a link to a publicly viewable Internet webpage that:
 - (A) contains the disclosure statement; or
 - (B) is exempt from containing the disclosure statement under Subsection (c)(3).

(d) For the purposes of Subsection (c), an “Internet social media profile webpage” is an Internet webpage on a website where members of the public may, for no charge, connect electronically with other members of the public and share text, images, videos, and similar forms of communications.

§26.2. Newsletter of Public Officer of a Political Subdivision.

For purposes of §255.003 of the Election Code, a newsletter of a public officer of a political subdivision is not political advertising if:

- (1) It includes no more than two pictures of a public officer per page and if the total amount of area covered by the pictures is no more than 20 percent of the page on which the pictures appear;
- (2) It includes no more than eight personally phrased references (such as the public officer’s name, “I”, “me”, “the city council member”) on a page that is 8 ½” x 11” or larger, with a reasonable reduction in the number of such personally phrased references in pages smaller than 8 ½” x 11”; and
- (3) When viewed as a whole and in the proper context:
 - (A) is informational rather than self-promotional;
 - (B) does not advocate passage or defeat of a measure; and
 - (C) does not support or oppose a candidate for nomination or election to a public office or office of political party, a political party, or a public officer.

§26.3. Legislative Advertising.

Political advertising as defined by the Election Code, Section 251.001(16) (concerning Definitions), does not constitute legislative advertising under the Government Code, Section 305.027 (concerning Required Disclosure on Legislative Advertising).

§26.5. Code of Fair Campaign Practices.

A candidate or political committee that has filed a copy of the Code of Fair Campaign Practices as provided by the Election Code, Chapter 258, 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.

§26.7. Use of the Term “Reelect” in Political Advertising.

A person or candidate may, in the event of redistricting, use the term “reelect” in a campaign for elective office only if the candidate is the elected incumbent of an office that represented any part of the new or renumbered district prior to the redistricting.

CHAPTER 28. REPORTS BY A CANDIDATE FOR SPEAKER OF THE HOUSE OF REPRESENTATIVES

§28.1. Definitions.

The following words and terms, when used in this Chapter 28, shall have the following meanings, unless the context clearly indicates otherwise:

Campaign funds--For purposes of the Government Code, Chapter 302 (concerning Speaker of the House of Representatives), “campaign funds” as defined in §302.011 (concerning Definitions) shall include “interest earned” and shall include “interest paid.”

§28.5. Information To Report.

Each report required to be filed with the commission pursuant to the Government Code, §302.013 (concerning Filing of Statement of Contributions, Loans, and Expenditures), shall set forth the total amount of interest earned during the reporting period.

§28.7. Permitted Expenditures.

As required by the Government Code, §302.020 (concerning Permitted Expenditures), a speaker candidate shall not expend campaign funds for any purpose other than those permitted by §302.020 (concerning Permitted Expenditures), and then only if those expenditures are directly related to the speaker candidacy; provided, that this section is not intended to prohibit the payment from campaign funds of federal income taxes due on campaign funds.

§28.9. Segregation of Campaign Funds.

All contributed campaign funds shall be maintained in accounts separate and apart from any other accounts.

CHAPTER 34. REGULATION OF LOBBYISTS

Subchapter A. GENERAL PROVISIONS

§34.1. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Communicates directly with, or any variation of that phrase--In Government Code, Chapter 305, and in this chapter includes communication by facsimile transmission.
- (2) Expenditure--In Government Code, Chapter 305, and in this chapter does not include a payment of less than \$200 that is fully reimbursed by the member of the legislative or executive branch who benefits from the expenditure if the member of the legislative or executive branch fully reimburses the person making the payment before the date the person would otherwise be required to report the payment.
- (3) Lobby activity--Direct communication with and preparation for direct communication with a member of the legislative or executive branch to influence legislation or administrative action.
- (4) Registrant--In Government Code, Chapter 305, and in this chapter means a person who is required to register as well as a person who has registered regardless of whether that person's registration was required.

§34.3. Compensation for Preparation Time.

Compensation a person receives for preparing to communicate directly with a member of the legislative or executive branch to influence legislation or administrative action is included in calculating compensation for purposes of the registration and reporting requirements in Government Code, Chapter 305, and this chapter. Examples of preparation for lobby communications include participation in strategy sessions, review and analysis of legislation or administrative matters, research and communication with the employer/client. A person who does not directly communicate with a member of the legislative or executive branch to influence legislation or administrative action is not required to register because of compensation received for preparing to do so.

§34.5. Certain Compensation Excluded.

(a) Compensation received for the following activities is not included for purposes of calculating the registration threshold under Government Code §305.003(a)(2) and this chapter:

- (1) requesting a written opinion that interprets a law, regulation, rule, policy, practice, or procedure administered by a state office or agency;
- (2) preparation or submission of an application or other written document that merely provides information required by law, statute, rule, regulation, order, or subpoena, or that responds to a document prepared by a state agency;

- (3) communicating merely for the purpose of demonstrating compliance with an audit, inspection, examination of a financial institution, or government investigation to interpret and determine compliance with existing laws, rules, policies, and procedures;
- (4) communicating for the purpose of achieving compliance with existing laws, rules, policies, and procedures, including communications to show qualification for an exception of general applicability that is available under existing laws, rules, policies, and procedures;
- (5) providing to a member of the legislative or executive branch information consisting of facts or data that the member requested in writing regarding legislation or administrative action, when the request was not solicited by or on behalf of the person providing the information;
- (6) communicating to an agency's legal counsel, an administrative law judge, or a hearings examiner concerning litigation or adjudicative proceedings to which the agency is a party, or concerning adjudicative proceedings of that agency;
- (7) providing testimony, making an appearance, or any other type of communication documented as part of a public record in a proceeding of an adjudicative nature of the type authorized by or subject to the Administrative Procedure Act, Government Code, Chapter 2001, whether or not that proceeding is subject to the Open Meetings Law;
- (8) providing oral or written comments, making an appearance, or any other type of communication, if documented as part of a public record in an agency's rule-making proceeding under the Administrative Procedure Act, Government Code, Chapter 2001, or in public records kept in connection with a legislative hearing; or
- (9) providing only clerical assistance to another in connection with the other person's lobbying (for example, a person who merely types or delivers another person's letter to a member).

(b) Subsection (a) of this section does not apply to a registrant. A registrant's activity described by subsection (a) is subject to disclosure under Chapter 305 of the Government Code and this title.

§34.7. Reimbursement for Office Expenses.

Reimbursement received for the following office expenses is not included in calculating reimbursement for purposes of the registration and reporting requirements in Government Code, Chapter 305, and this chapter.

- (1) long distance telephone charges;
- (2) delivery charges;
- (3) photocopy expenses;
- (4) facsimile expenses;

- (5) office supplies;
- (6) postage; and
- (7) dues and subscriptions.

§34.9. Taxes and Tips.

Taxes and tips are not included in determining the amount of an expenditure for purposes of Government Code, Chapter 305, and this chapter.

§34.11. Attribution of Expenditure to More Than One Person; Reimbursement of Lobby Expenditure.

- (a) Except as provided by Government Code, §305.0021, a lobby expenditure made on a person's behalf and with the person's consent or ratification is an expenditure by that person for purposes of registration and reporting under Government Code, Chapter 305, and this chapter.
- (b) Payment of reimbursement to a registrant is not included for purposes of calculation of the registration threshold under Government Code, §305.003(a)(1), and is not required to be reported if the registrant receiving the reimbursement reports the expenditure on a lobby activity report.
- (c) A registrant is not required to report a lobby expenditure attributable to more than one person if another registrant has reported the expenditure.

§34.13. Incidental Expenditures for Transportation.

Government Code, §305.024(a)(3), does not prohibit an expenditure for transportation of incidental value such as transportation in the form of a ride of short duration in a personal car or taxi.

§34.14. Expenditures for Fact-Finding Trips.

- (a) For purposes of §305.025(3), Government Code, an expenditure for transportation or lodging provided to a member of the legislative or executive branch is for a fact-finding trip only if:
 - (1) the expenditure is necessary for the member to obtain information that directly relates to the member's official duties;
 - (2) the member cannot reasonably obtain the information without the expenditure; and
 - (3) the expenditure is not for the member's attendance at a merely ceremonial event or pleasure trip.
- (b) If an expenditure made for transportation or lodging for a fact-finding trip is required to be disclosed on a lobby activities report by §305.0061(a), Government Code, the purpose of the transportation or lodging must include a description of the information that the expenditure was necessary to obtain under subsection (a) of this section.

§34.15. Reporting Subject Matter.

(a) A registrant reporting subject matter under Government Code, §305.005(f)(4), (f)(5)(B), or §305.006(d), of this chapter, shall report subject matter by marking the appropriate subject matter categories.

(b) A registrant reporting the subject matter of communications to influence administrative action shall also report, if known or reasonably available to the registrant, the docket number or other administrative designation of any administrative action that is the subject of the registrant's direct communication with a member of the executive branch, and the name of the agency or department at which the administrative action is pending.

§34.17. Satisfaction of Presence Requirement by Entity.

An entity may satisfy the presence requirement in Government Code §305.006(f), and §305.024(a)(7), by the presence of:

- (1) an individual registrant who represents the entity; or
- (2) a person whose position, authority, or conduct on behalf of the entity could support an award of exemplary damages against the entity.

§34.19. Courtesy Notices by Electronic Mail.

(a) A person required to register as a lobbyist may provide to the commission an electronic mail address to which courtesy notices regarding filing requirements under Chapter 305 of the Government Code may be sent.

(b) The commission is not obligated to send notices regarding filing requirements to a person required to register as a lobbyist who does not provide to the commission an electronic mail address.

(c) Failure to receive a notice regarding filing requirements does not constitute an excuse for failing to comply with any filing deadline.

Subchapter B. REGISTRATION REQUIRED

§34.41. Expenditure Threshold.

(a) A person must register as a lobbyist under chapter 305 of the Texas Government Code, if the person makes total expenditures of more than the amount specified in Tex. Gov't Code §305.003(a)(1), as amended by Figure 2 in 1 TAC §18.31 in a calendar quarter, not including expenditures for the person's own travel, food, lodging, or membership dues, on activities described in Government Code §305.006(b) to communicate directly with one or more members of the legislative or executive branch to influence legislation or administrative action.

(b) An expenditure made by a member of the judicial, legislative, or executive branch of state government or an officer or employee of a political subdivision of the state acting in his or her

official capacity is not included for purposes of determining whether a person is required to register under Government Code, §305.003(a)(1).

(c) An expenditure made in connection with an event to promote the interests of a designated geographic area or political subdivision is not included for purposes of determining whether a person has crossed the registration threshold in Government Code, §305.003(a)(1), if the expenditure is made by a group that exists for the limited purpose of sponsoring the event or by a person acting on behalf of such a group.

§34.43. Compensation and Reimbursement Threshold.

(a) A person must register as a lobbyist under chapter 305 of the Texas Government Code if the person receives, or is entitled to receive under an agreement under which the person is retained or employed, more than the amount specified in Tex. Gov't Code §305.003(a)(2), as amended by Figure 2 in 1 TAC §18.31 in a calendar quarter in compensation and reimbursement, not including reimbursement for the person's own travel, food, lodging, or membership dues, from one or more other persons to communicate directly with a member of the legislative or executive branch to influence legislation or administrative action.

(b) For purposes of Government Code, §305.003(a)(2), and this chapter, a person is not required to register if the person spends not more than 40 hours for which the person is compensated or reimbursed during a calendar quarter engaging in lobby activity, including preparatory activity as described by §34.3 of this title.

(c) For purposes of Government Code, §305.003(a)(2), and this chapter, a person shall make a reasonable allocation of compensation between compensation for lobby activity and compensation for other activities.

§34.45. Entity Registration.

(a) An entity that is required to register under Government Code, §305.003, and this chapter may nonetheless avoid registration if all activity otherwise reportable by the entity is reported by one or more individual registrants in accordance with §34.65 and §34.85 of this title (relating to Compensation Reported by Lobby Firm Employee and Individual Reporting Expenditure by Entity).

(b) An entity that avoids registration under subsection (a) of this section becomes subject to Government Code, §305.024 on the earlier of the date the entity makes the expenditure that would have required the entity to register as a lobbyist or the date the entity receives, or is entitled to receive compensation or reimbursement that would have required the entity to register as a lobbyist.

(c) Registration by an entity does not relieve any individual of the requirement to register if that individual meets one of the registration thresholds in Government Code, §305.003.

Subchapter C. COMPLETING THE REGISTRATION FORM

§34.63. Assistants.

- (a) For purposes of Government Code, §305.005(f)(5), a person “employed or retained by the registrant for the purpose of assisting in direct communication” includes any person who provides administrative or research assistance to the registrant but does not include a person who provides only clerical or secretarial help.
- (b) An individual employed by the same employer as the registrant and who assists the registrant at the direction of the registrant is “employed or retained” by the registrant for purposes of Government Code, §305.005(f)(5).
- (c) A person listed by a registrant as an assistant under Government Code, §305.005(f)(5), is required to register if the assistant meets one of the registration thresholds under Government Code, §305.003, and this chapter.

§34.65. Compensation Reported by Lobby Firm Employee.

- (a) An individual registrant employed, reimbursed, or retained by a business entity that receives compensation and/or reimbursement for lobby activity is required to report all compensation and/or reimbursement paid to the entity for lobby activity by that individual.
- (b) An individual registrant employed, reimbursed, or retained by a business entity that receives compensation and/or reimbursement for lobby activity may also report compensation and/or reimbursement paid to the entity for lobby activity by one or more other persons if the entity requests that the individual do so in order for the entity to avoid registration.
- (c) The individual registrant shall report the compensation by the date on which the entity, if registered, would have been required to report it. The individual registrant shall indicate on a registration or amended registration, as applicable, that he has reported compensation and/or reimbursement paid to an entity for lobby activity by one or more persons other than the registrant.

§34.67. Paid, Earned, and Prospective Compensation.

- (a) For purposes of Government Code, §305.005, and this chapter, compensation may be reported in any one of the following three ways:
 - (1) compensation actually paid for lobby activity during the year of registration as of the date the registration form or amended registration form is filed;
 - (2) compensation earned for lobby activity during the year of registration as of the date the registration form or amended registration form is filed, regardless of whether paid; or
 - (3) promised compensation for lobby activity during the year of registration, regardless of whether earned or paid on the date the registration form or amended registration form is filed.

(b) A registrant shall indicate on a registration form or amended registration form whether compensation is reported under subsection (a)(1), (2), or (3) of this section.

§34.69. Subject Matter.

A registrant shall report the subject matter of lobby activity, in accordance with Government Code, §305.005(f)(4), with respect to each person who reimburses, retains, or employs the registrant to engage in lobby activity.

§34.71. Amending a Registration Form.

(a) A change with respect to a docket number or other administrative designation is not required to be reported on an amended registration unless the docket number or other administrative designation is related to a subject matter category not previously reported by the registrant.

(b) Except as necessary to report changed information, a registrant shall not report information about subject matter on an amended registration form that the registrant reported on the registration form or on a previous amended registration form.

(c) A registrant is not required to report on an amended registration form reimbursement received for a lobby expenditure that the registrant will report on a lobby activity report.

§34.75. Reporting of Commission or Fee Paid by State Agency.

(a) In addition to the contents required by §305.005 of the Government Code and this chapter, a registration filed by a person who is paid a sales commission or such fee by a state agency must;

- (1) disclose the state agency as a client;
- (2) indicate that the client is a state agency;
- (3) provide a description of the subject matter for which the person is paid a sales commission or such fee; and
- (4) disclose the amount of the sales commission or such fee.

(b) If the amount of the sales commission or such fee is not known at the time of the reporting, the registration must disclose a reasonable estimate of the maximum amount of the sales commission or such fee and the method under which that amount will be computed.

§34.77. Disclosure of Registration under Foreign Agents Registration Act.

The registration of any person who has also filed an active registration statement under the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. §611 et seq.), must include the registration number assigned to the registration statement by the United States Attorney General until the registration statement is terminated.

Subchapter D. LOBBY ACTIVITY REPORTS

§34.81. Election to File Annually.

A registrant who is eligible to file an annual lobby activity report under Government Code, §305.0063, may elect to do so at any time during the registration year.

§34.82. Modified Reporting Threshold.

For purposes of section 305.0063(d) of the Texas Government Code, expenditures shall include all expenditures reportable under section 305.006, including all expenditures that are required to be reported under subsections 305.006(b) and 305.006(c).

§34.83. Time of Expenditure.

For reporting purposes, an expenditure is not made until the amount of the expenditure is readily determinable by the person making the expenditure. If the normal business practice of a vendor or service provider is to make the amount charged known by sending a bill after expenses are incurred, the date of the expenditure, for reporting purposes, is the date the person billed receives the bill.

§34.85. Individual Reporting Expenditure by Entity.

(a) An individual registrant may report an expenditure made by a lobby entity if the entity requests that the individual do so in order for the entity to avoid registration; and

(1) the entity makes the expenditure in order for the individual to act on the entity's behalf to communicate directly with a member of the legislative or executive branch to influence legislation or administrative action; or

(2) the entity compensates or reimburses the individual to act on behalf of the entity or on behalf of the entity's clients to communicate directly with a member of the legislative or executive branch to influence legislation or administrative action.

(b) The individual registrant shall report the expenditure by the date on which the entity, if registered, would have been required to report it. The individual registrant shall indicate on a lobby activity report that he or she has reported expenditures made by an entity and indicate the specific amount reported on behalf of the entity.

(c) For purposes of Government Code, §305.0021(b), an expenditure made by an entity under subsection (a) of this section, is not a joint expenditure for purposes of Government Code, §305.0021(b) if the entity makes the entirety of the expenditure at issue.

(d) In this provision "lobby entity" means a corporation, association, firm, partnership, committee, club, organization, or other group of persons voluntarily acting in concert that meets one of the registration thresholds in Government Code, §305.003.

Subchapter E. ELECTRONIC FILING

§34.91. Exemptions from Electronic Filing.

(a) A registrant is required to file each report electronically by using the Internet to transmit the report, by using the web-based filing application provided by the commission, unless the registrant files with the commission an affidavit stating that:

- (1) the registrant does not use a computer or mobile device, including a tablet or smartphone with access to the Internet;
- (2) no person acting as an agent or consultant of the registrant and no person with whom the registrant contracts uses a computer or mobile device, including a tablet or smartphone with access to the Internet;
- (3) the registrant does not intend to be compensated or reimbursed for lobby activity in the calendar year covered by the registration;
- (4) the registrant was not compensated for lobby activity in either of the previous two calendar years;
- (5) the registrant does not intend to make lobby expenditures during the calendar year covered by the registration; and
- (6) the registrant did not make lobby expenditures in either of the previous two calendar years.

(b) The commission has the discretion to exempt from the electronic filing requirement a registrant who is not eligible to file under subsection (a) of this section if a registrant submits an affidavit to the commission stating the basis for the inability to filing electronically.

(c) A registrant who is eligible to file under subsection (a) of this section must file an affidavit under subsection (a) of this section with each report filed under Chapter 305 of the Government Code and this chapter.

(d) A registrant who during a calendar year becomes ineligible to file on paper based on the criteria listed in subsection (a) of this section must file electronically beginning on the date on which the next report is due under §305.007 of the Government Code.

(e) For purposes of this section, “lobby expenditure” means expenditures required to be reported under Chapter 305 of the Government Code and this chapter.

(f) For purposes of this section, a “report” includes any document required to be filed by a registrant under Chapter 305 of the Government Code and this chapter except that it does not include notices and statements required to be filed under §305.028 of the Government Code.

(g) For purposes of this section, a “report” includes the confidential social security information required to be filed by a lobbyist in compliance with §231.302(c)(1) of the Family Code.

CHAPTER 40. FINANCIAL DISCLOSURE FOR PUBLIC OFFICERS

§40.1. Financial Statement.

(a) The Texas Ethics Commission adopts by reference the financial statement form prescribed by the commission on January 13, 1992. This form is available from the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070.

(b) The form adopted under subsection (a) of this section may be revised by the executive director under §18.1 of this title (relating to Adoption and Revision of Forms), and if so revised shall be deemed to have been adopted by the commission under this section.

§40.2. Disclosure of Financial Activity.

For purposes of §572.023 of the Government Code, a filer's personal financial statement must include:

- (1) the filer's financial activity in which the filer held an ownership interest, including but not limited to community property; and
- (2) the financial activity of the filer's spouse and dependent children if the filer exercised or held the right to exercise any degree of legal or factual control over the activity, notwithstanding a partition agreement.

§40.11. Publicly Traded Corporation as Source of Income over \$500.

For purposes of §572.023(b)(4), Government Code, a publicly traded corporation is identified as a source of income by disclosing its full name in addition to the category of the amount of income.

CHAPTER 45. CONFLICTS OF INTEREST

§45.1. Application.

This chapter applies to §2152.064 and §2155.003 of the Government Code.

§45.3. Definitions.

(a) Section 2155.003 of the Government Code applies to:

- (1) the chief clerk; and
- (2) an employee who exercises discretion in connection with a contract, payment, claim, or other pecuniary transaction under the comptroller's purchasing authority.

(b) Under §2155.003 of the Government Code the following words and terms shall have the following meanings:

- (1) “Chief clerk” and “employee” includes the spouse or dependent child of the chief clerk or employee.
- (2) “Have an interest in” or “in any manner be connected with,” is limited to the purchasing authority that was transferred to the comptroller by §2151.004 of the Government Code, and means a right, share, equitable or legal claim to, or pecuniary interest in, a contract or bid.
- (3) “Value,” “reward,” and “compensation” includes anything with a monetary value of \$5 or more.

(c) Section 2155.003 of the Government Code does not apply to the ownership of stock the value of which does not exceed the lesser of \$25,000 or 5% in any one company, or ownership of shares in a publicly traded mutual fund or similar investment vehicle in which the person does not exercise any discretion regarding the investment of the assets of the fund or other investment vehicle.

§45.5. Definitions.

(a) Section 2152.064 of the Government Code applies to:

- (1) a commission member and appointee; and
- (2) to an employee who exercises discretion in connection with a contract, payment, claim, or other pecuniary transaction under §2152.064 of the Government Code, or in connection with state surplus or salvage property.

(b) Under §2152.064 of the Government Code the following words and terms shall have the following meanings:

- (1) “Commission member,” “appointee,” and “employee” includes the spouse or dependent child of a commission member, appointee, or employee.

(2) “Have an interest in” or “in any manner be connected with,” means a right, share, equitable or legal claim to, or pecuniary interest in, a contract or bid, or a recipient of state surplus or salvage property under control of the commission.

(3) “Value,” “reward,” and “compensation” includes anything with a monetary value of \$5 or more.

(c) Section 2152.064 of the Government Code does not apply to the ownership of stock the value of which does not exceed the lesser of \$25,000 or 5% in any one company, or ownership of shares in a publicly traded mutual fund or similar investment vehicle in which the person does not exercise any discretion regarding the investment of the assets of the fund or other investment vehicle.

§45.7. Rebates.

(a) The term “rebate” includes a discount, return, or refund of money.

(b) The chief clerk or an employee of the comptroller is not prohibited from accepting a rebate that is offered or given on the same terms to all state employees or to the general public.

§45.9. Rebates.

(a) The term “rebate” includes a discount, return, or refund of money.

(b) An employee, appointee, or commission member of the Texas Facilities Commission is not prohibited from accepting a rebate that is offered or given on the same terms to all state employees or to the general public.

CHAPTER 46. DISCLOSURE OF INTERESTED PARTIES

§46.1. Application.

- (a) This chapter applies to §2252.908 of the Government Code.
- (b) Section 2252.908 of the Government Code applies only to a contract of a governmental entity or state agency entered into after December 31, 2015, that meets either of the following conditions:
 - (1) the contract requires an action or vote by the governing body of the entity or agency;
or
 - (2) The value of the contract is at least \$1 million.
- (c) A contract does not require an action or vote by the governing body of a governmental entity or state agency if:
 - (1) The governing body has legal authority to delegate to its staff the authority to execute the contract;
 - (2) The governing body has delegated to its staff the authority to execute the contract; and
 - (3) The governing body does not participate in the selection of the business entity with which the contract is entered into.

§46.3. Definitions.

- (a) “Contract” means a contract between a governmental entity or state agency and a business entity at the time it is voted on by the governing body or at the time it binds the governmental entity or state agency, whichever is earlier, and includes an amended, extended, or renewed contract.
- (b) “Business entity” includes an entity through which business is conducted with a governmental entity or state agency, regardless of whether the entity is a for-profit or nonprofit entity. The term does not include a governmental entity or state agency.
- (c) “Controlling interest” means:
 - (1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
 - (2) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
 - (3) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. This paragraph does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries.

(d) “Interested party” means:

(1) a person who has a controlling interest in a business entity with whom a governmental entity or state agency contracts; or

(2) an intermediary.

(e) “Intermediary,” for purposes of this rule, means, a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:

(1) receives compensation from the business entity for the person’s participation;

(2) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and

(3) is not an employee of the business entity or of an entity with a controlling interest in the business entity.

(f) “Signed” includes any symbol executed or adopted by a person with present intention to authenticate a writing, including an electronic signature.

(g) “Value” of a contract is based on the amount of consideration received or to be received by the business entity from the governmental entity or state agency under the contract.

§46.4. Changes to Contracts.

(a) Section 2252.908 of the Government Code does not apply to a change made to an existing contract, including an amendment, change order, or extension of a contract, except as provided by subsections (b) or (c) of this section.

(b) Section 2252.908 of the Government Code applies to a change made to an existing contract, including an amendment, change order, or extension of a contract, if a disclosure of interested parties form was not filed for the existing contract; and either:

(1) the changed contract requires an action or vote by the governing body of the entity or agency; or

(2) the value of the changed contract is at least \$1 million.

(c) Section 2252.908 of the Government Code applies to a change made to an existing contract, including an amendment, change order, or extension of a contract, if the business entity submitted a disclosure of interested parties form to the governmental entity or state agency that is a party to the existing contract; and either:

(1) there is a change to the disclosure of interested parties; or

(2) the changed contract requires an action or vote by the governing body of the entity or agency; or

(3) the value of the changed contract is at least \$1 million greater than the value of the existing contract.

§46.5. Disclosure of Interested Parties Form.

(a) A disclosure of interested parties form required by §2252.908 of the Government Code must be filed on an electronic form prescribed by the commission that contains the following:

- (1) The name of the business entity filing the form and the city, state, and country of the business entity's place of business;
- (2) The name of the governmental entity or state agency that is a party to the contract for which the form is being filed;
- (3) The name of each interested party and the city, state, and country of the place of business of each interested party;
- (4) The identification number used by the governmental entity or state agency to track or identify the contract for which the form is being filed and a short description of the services, goods, or other property used by the governmental entity or state agency provided under the contract; and
- (5) An indication of whether each interested party has a controlling interest in the business entity, is an intermediary in the contract for which the disclosure is being filed, or both.

(b) The certification of filing and the completed disclosure of interested parties form generated by the commission's electronic filing application must be printed, signed by an authorized agency of the contracting business entity, and submitted to the governmental entity or state agency that is the party to the contract for which the form is being filed.

(c) A governmental entity or state agency that receives a completed disclosure of interested parties form and certification of filing shall notify the commission, in an electronic format prescribed by the commission, of the receipt of those documents not later than the 30th day after the date the governmental entity or state agency receives the disclosure.

(d) The commission shall make each disclosure of interested parties form filed with the commission under §2252.908(f) of the Government Code available to the public on the commission's Internet website not later than the seventh business day after the date the commission receives the notice required under subsection (c) of this section.

CHAPTER 50. LEGISLATIVE SALARIES AND PER DIEM

§50.1. Legislative Per Diem.

(a) The legislative per diem is \$221. The per diem is intended to be paid to each member of the legislature and the lieutenant governor for each day during the regular session and for each day during any special session.

(b) If necessary, this rule shall be applied retroactively to ensure payment of the \$221 per diem for 2019.

TEXAS ETHICS COMMISSION

GUIDE TO A LOCAL FILING AUTHORITY'S DUTIES UNDER THE CAMPAIGN FINANCE LAW



This guide is intended for campaign finance filing authorities in cities, school districts, and other political subdivisions other than counties.

Revised January 1, 2024

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

**GUIDE TO A LOCAL FILING AUTHORITY'S DUTIES
UNDER THE CAMPAIGN FINANCE LAW**

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GUIDE TO A LOCAL FILING AUTHORITY'S DUTIES UNDER THE CAMPAIGN FINANCE LAW

This guide explains the responsibilities of local filing authorities (other than county filing authorities) under the Texas campaign finance law, which is set out in Title 15 of the Election Code. The Texas Ethics Commission is responsible for interpreting Title 15. Under Title 15, the campaign finance filing authority for a political subdivision other than a county is the clerk or secretary of the political subdivision's governing body. If the political subdivision does not have a clerk or secretary, the filing authority is the presiding officer of the political subdivision's governing body. You may direct questions about Title 15 to the Ethics Commission at (512) 463-5800. You should direct other questions about election law to the Secretary of State at (512) 463-5650 or (800) 252-8683.

Local filing authorities are not expected to be Title 15 experts. The Ethics Commission has prepared two filing guides for local filing authorities to distribute to filers: a CAMPAIGN FINANCE GUIDE FOR LOCAL CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES and a CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES. For questions not answered in those guides or in the instructions to forms, filers should call the Ethics Commission. (If you are an elected officeholder, you need to understand your obligations as a *filer* in addition to your obligations as a filing authority.)

IMPORTANT UPDATES

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

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

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

PART I. THE ROLE OF THE FILING AUTHORITY

WHAT IS TITLE 15 ABOUT?

The campaign finance law, Title 15 of the Election Code, regulates the acceptance of, expenditure of, and reports regarding money in political campaigns by candidates, officeholders, and political committees. There are civil and criminal penalties for violations of Title 15. **Title 15 has nothing to do with ballot access.** A violation of Title 15 will not keep a person off the ballot nor will it invalidate an election.

WHAT ARE MY RESPONSIBILITIES UNDER THE CAMPAIGN FINANCE LAW?

Forms: You may print the various forms listed in this guide and the accompanying instructions from the Ethics Commission's website at <http://www.ethics.state.tx.us> on the Internet.

You are responsible for copying forms and making them available to filers. You may not charge filers for forms.

Filings: You are responsible for accepting documents that candidates, officeholders, and political committees file under Title 15. Always remember to date-stamp a filing and to save postmarks and receipt marks on envelopes.

Code of Fair Campaign Practices: Under chapter 258 of the Election Code, known as the Fair Campaign Practices Act, you must provide the following documents to each candidate or political committee that files a campaign treasurer appointment with you: (1) a copy of the Fair Campaign Practices Act and (2) a form on which the candidate or treasurer of the committee may subscribe to the Code of Fair Campaign Practices (FORM CFCP). The Ethics Commission makes these documents available. See "Forms" above. A candidate or committee treasurer may complete FORM CFCP and file it with you.

No Filing Fees: Tex. Elec. Code § 251.003 states that you may not charge a filing fee for filings required by Title 15.

Notices: You are not required to send filers notices to file.

Penalties: You have no responsibility for making sure that candidates, officeholders, or political committees file the required documents; nor do you have authority to penalize a filer for failure to submit a required filing. Filers should be aware, however, that there are penalties for violating Title 15. See "Part V. Penalties" in this guide.

Public Access: Forms filed under Title 15 are public records and must be made available for public inspection during regular business hours.

School Districts with a Student Enrollment of More Than 15,000 and Located Wholly or Partly in a Municipality with a Population of More Than 500,000. A school district that meets this enrollment and population criteria is required to post on the school district's Internet website the reports filed by school board trustees, candidates for school board trustee, and specific-purpose committees that support, oppose, or assist a candidate for or member of the board of

trustees in a school district. A report must be posted on the school district's website not later than the fifth business day after the date the report is filed. Tex. Elec. Code § 254.04011.

Retention: You must keep a campaign treasurer appointment for two years *after the campaign treasurer appointment is terminated*. Also, if a candidate or committee treasurer files a form subscribing to the Code of Fair Campaign Practices, you must keep the form for the same period for which you keep the candidate's or committee treasurer's campaign treasurer appointment. You must keep other Title 15 records for at least two years after filing. If a criminal investigation or proceeding is pending in regard to the election to which Title 15 records pertain, you must keep the records until the investigation or proceeding is over. The Texas State Library and Archives Commission can provide general information about records retention and destruction. You may write the Library and Archives Commission at P.O. Box 12927, Austin, Texas 78711-2927. You may call the commission at (512) 463-5460.

Questions from Filers: You are not expected to be a Title 15 expert. Filers will find answers to most of their questions either in the instructions to the forms or in the applicable Ethics Commission campaign finance guide. For further information filers may call the Ethics Commission.

WHO FILES WITH ME?

The following individuals and committees file with the filing authority for a political subdivision:

1. Candidates for and officeholders of elective offices of the political subdivision;
2. Specific-purpose committees supporting or opposing candidates for and officeholders of elective offices of the political subdivision; and
3. Specific-purpose committees supporting or opposing a measure to be submitted at an election ordered by an authority of the political subdivision. See "Part IV. Specific-Purpose Political Committees" in this guide.

NOTE: A specific-purpose committee that would be required to file with more than one local filing authority may instead file with the Ethics Commission.

WHAT FORMS DO I NEED TO MAKE AVAILABLE?

When a candidate first comes in and says they want to run for office with your local filing authority, make only the following forms available (make sure to include the Instruction Guide!):

1. FORM CTA *and* FORM CTA Instruction Guide (Appointment of a Campaign Treasurer by a Candidate)

A person who takes action to gain nomination or election to a public office must file FORM CTA even if the person does not intend to accept campaign contributions or make campaign expenditures. Additionally, before a candidate may raise or spend money for his or her candidacy, the candidate must appoint a campaign treasurer by filing FORM CTA with the

appropriate filing authority. For example, a candidate must file a campaign treasurer appointment before paying a filing fee.

2. Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities.

This guide gives general information on what is expected of a candidate or officeholder who files locally.

You can also direct new candidates to the video training presentation on Starting Your Campaign – Candidates found under the Training page of the Ethics Commission's website.

A candidate who brings back a completed CTA form is now considered a candidate for purposes of campaign finance laws. At that time, you should make the following forms available. For most forms, there is a separate instruction guide. ***Remember: always make the appropriate instruction guide available with a form!***

1. FORM ACTA and FORM ACTA Instruction Guide (Amendment: Appointment of a Campaign Treasurer by a Candidate)

A candidate uses FORM ACTA to show changes in information on a campaign treasurer appointment.

2. FORM C/OH and FORM C/OH Instruction Guide (Candidate/Officeholder Campaign Finance Report)

Candidates and officeholders use FORM C/OH to file periodic reports of contributions and expenditures. A person who is both a candidate and an officeholder reports all activity on the same FORM C/OH.

3. FORM C/OH-FR and FORM C/OH Instruction Guide (C/OH Report: Designation of Final Report)

A candidate uses FORM C/OH-FR to file a final report when he or she does not intend to accept further campaign contributions or make further campaign expenditures. The Ethics Commission makes FORM C/OH-FR available as the last page of FORM C/OH; thus the instructions for FORM C/OH-FR are included in the FORM C/OH Instruction Guide.

4. FORM C/OH-UC and FORM C/OH-UC Instruction Guide (Candidate/Officeholder Report of Unexpended Contributions)

Former candidates and officeholders use this form to report the disposition of unexpended contributions.

5. FORM STA *and* FORM STA Instruction Guide (Appointment of a Campaign Treasurer by a Specific-Purpose Committee)

A specific-purpose political committee uses FORM STA to appoint a campaign treasurer. Before a political committee may accept more than \$1,050 in political contributions or spend more than \$1,050 in political expenditures, the committee must appoint a campaign treasurer.

6. FORM ASTA *and* FORM ASTA Instruction Guide (Amendment: Appointment of a Campaign Treasurer by a Specific-Purpose Committee)

A specific-purpose political committee uses this form to show changes in information provided on a campaign treasurer appointment.

7. FORM SPAC *and* FORM SPAC Instruction Guide (Specific-Purpose Committee Campaign Finance Report)

The treasurer of a specific-purpose political committee uses this form to file periodic reports of contributions and expenditures.

8. FORM PAC-DR *and* FORM SPAC Instruction Guide (Political Committee Affidavit of Dissolution)

The treasurer of a political committee files FORM PAC-DR, along with a FORM SPAC designated as a dissolution report, to dissolve the committee. The Ethics Commission makes FORM PAC-DR available as the last page of FORM SPAC; thus the instructions for FORM PAC-DR are included in the FORM SPAC Instruction Guide.

9. FORM CFCP and copy of the Fair Campaign Practices Act

You must provide a copy of FORM CFCP and a copy of the Fair Campaign Practices Act (Election Code chapter 258) to each candidate or political committee that files a campaign treasurer appointment with you.

10. FORM PFS (Personal Financial Disclosure Statement)

Certain local officials are required to file personal financial disclosure statements with local filing authorities. See Tex. Local Gov't. Code chs. 145, 159, 335; Tex. Educ. Code § 11.064; Tex. Water Code ch. 60, subch. O.

WHY IS IT SO IMPORTANT TO PROVIDE THE INSTRUCTIONS WITH THE FORMS?

The forms consist mainly of blank spaces. The instructions explain the reporting requirements in detail.

IS THERE OTHER INFORMATION I CAN MAKE AVAILABLE TO FILERS?

The Ethics Commission makes the following guides available for filing authorities to provide to filers.

1. Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities.
2. Campaign Finance Guide for Political Committees.
3. Campaign Finance Guide for Judicial Candidates and Officeholders.
4. Schedules of Filing Dates.
5. A Guide to Political Advertising: What You Need To Know.
6. A Guide To The Prohibition Against Using Political Subdivision Resources for Political Advertising.

HOW DO I KNOW THE FILING DEADLINES?

Title 15 of the Election Code prescribes the filing deadlines for candidates, officeholders, and treasurers of political committees. Filing schedules are also posted on the Ethics Commission's website at <http://www.ethics.state.tx.us> on the Internet. The filing schedules set out the filing deadlines for semiannual reports and pre-election reports for elections held on uniform election dates. Some elections ordered by a political subdivision may be held on dates other than uniform election dates. The Ethics Commission cannot know in advance the dates of all possible elections called by political subdivisions. If an election arises that is not covered on the schedule, please call the Ethics Commission for assistance in calculating the due dates for pre-election 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 filed on time 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 by 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.

WHY SHOULD I DATE-STAMP FILINGS AND SAVE POSTMARKS?

Reports are due by certain deadlines, and members of the public or a prosecutor may be interested in knowing whether a particular report was filed on time. A file stamp will show

whether a hand-delivery was on time. For other filings, a postmark or receipt mark will show whether the filings were timely.

MAY FILERS USE COMPUTER PROGRAMS TO CREATE REPORTS?

The Ethics Commission makes available computer software for local candidates and committee treasurers to use in drafting reports required under Title 15. Local filers may use the software to draft a report, but they must print it, sign the unsworn declaration or get their signature signed in front of a notary, and then file the report with their local filing authority. Local filers who have questions about the software should call the Ethics Commission directly.

PART II. CANDIDATES

WHAT MAKES SOMEONE A CANDIDATE?

Any action a person takes to seek nomination or election to public office makes the person a candidate for Title 15 filing purposes. A candidate must file a campaign treasurer appointment even if the candidate does not intend to accept campaign contributions or make campaign expenditures. Once a person has filed a campaign treasurer appointment, he or she must file periodic reports of contributions and expenditures as a candidate. The obligation to file reports as a candidate lasts until the person files a final report.

Additionally, a person may not accept a campaign contribution or make a campaign expenditure (even from personal funds) without a campaign treasurer appointment on file.

HOW DOES A CANDIDATE APPOINT A CAMPAIGN TREASURER?

To appoint a campaign treasurer, a candidate files FORM CTA with the appropriate filing authority.

Qualifications of Campaign Treasurer. A candidate may appoint himself, a relative, a friend, or anyone else as 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.

Duties of a Candidate's Campaign Treasurer. A candidate's campaign treasurer has no official duties. The candidate, not the campaign treasurer, is required to sign reports. (The treasurer of a political committee is required to file reports for the committee.)

Effective Date of Appointment. If delivered by hand, a campaign treasurer appointment takes effect on the date of delivery. If delivered by mail or common carrier, a campaign treasurer appointment takes effect on the date of the postmark or receipt mark.

Transferring a Campaign Treasurer Appointment. A person who has a campaign treasurer appointment on file with you may wish to begin raising or spending money in connection with a campaign for an office that requires filing with a different filing authority. In that case, the candidate transfers his or her campaign treasurer appointment by filing a FORM CTA-T with you,

then filing a file-stamped copy of the CTA-T, a certified copy of their old CTA and a new CTA with the new filing authority. This procedure can affect you in two ways: (1) You may receive a FORM CTA-T with a certified copy of an old campaign treasurer appointment attached, or (2) you may be asked to provide a certified copy of a campaign treasurer appointment on file with you.

Candidate Who Files a Campaign Treasurer Appointment with a New Filing Authority.

When a candidate files a CTA-T with you to transfer their filing responsibilities to a different filing authority, this ends the person's obligation to file with you *even if he or she continues to hold an office of your political subdivision.*

Example: Jane Doe, a city council member with a campaign treasurer appointment on file with the city secretary, decides to run for the state legislature. She files a CTA-T with her city secretary, then files a file-stamped copy of the CTA-T, a certified copy of their old CTA and a new CTA with the Ethics Commission. She is no longer required to file Title 15 reports with the city secretary. Nonetheless, she may wish to file duplicate copies of reports with the city secretary as long as she holds a city office.

Termination of a Campaign Treasurer Appointment. It is important for you to know the termination date of a campaign treasurer appointment because you must keep a campaign treasurer appointment for two years *after it is terminated.* A campaign treasurer appointment may be terminated by the candidate or treasurer in three different ways: (1) the candidate files a final report; (2) the candidate appoints a new campaign treasurer; or (3) the campaign treasurer or the candidate notifies you that the appointment is terminated.

An "inactive" campaign treasurer appointment may be terminated by you if the governing body of your political subdivision adopts a process by ordinance or order allowing such termination. A candidate is inactive if the candidate: (1) has never filed or has ceased to file any required campaign finance reports, (2) has not been elected to an office which requires filing a campaign treasurer appointment with you, and (3) has not filed a final report. Before a campaign treasurer appointment may be terminated, the governing body of the political subdivision must consider the proposed termination in a regularly scheduled open meeting.

WHEN DOES A CANDIDATE HAVE TO FILE REPORTS?

Officeholder Who Files a Campaign Treasurer Appointment. An officeholder who files a campaign treasurer appointment *and who did not already have a campaign treasurer appointment on file* must file a report no later than 15 days after filing the campaign treasurer appointment. This requirement does not apply when an officeholder simply *changes* campaign treasurers. After filing a campaign treasurer appointment and the "15-day" report, the candidate/officeholder files according to the filing schedule for candidates.

Exception. The "15-day" reporting requirement does not apply if the candidate/officeholder had no more than \$1,080 in contributions or expenditures during the period covered by the report.

Semiannual Reports. A candidate is required to file semiannual reports on January 15 and July 15 of each year on FORM C/OH. A person who is both a candidate and an officeholder (that is,

an officeholder who has a campaign treasurer appointment on file) is not required to file two separate reports. Nor is a person required to distinguish between candidate activity and officeholder activity on the report.

No Exception. A person who has a campaign treasurer appointment on file must file semiannual reports, even for reporting periods during which there is no reportable activity and even if the person chose modified reporting.¹

Pre-Election Reports. An opposed candidate in an upcoming election must file pre-election reports. Pre-election reports are due 30 days and 8 days before an election.² A pre-election report must be *received* by the appropriate filing authority no later than the report due date.

An “opposed candidate” is a candidate who has an opponent whose name is printed on the ballot. Pre-election reports are not required if a candidate’s only opposition is a write-in candidate.³

Modified Reporting. An opposed candidate who selects “modified reporting” is not required to file pre-election reports (or runoff reports). **(The selection of modified reporting does not affect a candidate’s obligation to file semiannual reports.)** A candidate is eligible to select modified reporting if he or she does not intend to exceed \$1,080 in contributions or expenditures in connection with an election. (A candidate has separate \$1,080 thresholds for a primary, a runoff, and a general election.) A candidate selects modified reporting by signing the appropriate blank on FORM CTA or FORM ACTA.

A “modified filer” who exceeds one of the \$1,080 thresholds in connection with an election is subject to the regular filing requirements for opposed candidates. If a modified filer exceeds one of the thresholds before the due date for the “30-day” pre-election report, the filer is not required to give special notice; the filer is simply required to file the pre-election reports by the scheduled due dates. A modified filer who exceeds one of the thresholds after the due date for the “30-day” pre-election report must file a report within 48 hours of exceeding the threshold. If the candidate files the “48-hour” report before the due date for the “8-day” pre-election report, he or she must also file an “8-day” pre-election report by the regular due date for that report.

Many filers at the local level select modified reporting. To understand the rules that apply to modified filing, candidates should consult the Ethics Commission’s CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES.

Runoff Reports. A candidate in a runoff must file a runoff report. A runoff report is due no later than the 8th day before the runoff election and must be *received* by the appropriate filing authority no later than the report due date.

Modified Reporting. A candidate who has selected modified reporting and who remains eligible for modified reporting is not required to file a runoff report. (The selection of modified reporting does not affect a candidate’s obligation to file semiannual reports.)

A candidate who has selected modified reporting has \$1,080 thresholds in connection with the main election and new \$1,080 thresholds in connection with a runoff.

Annual Reports of Unexpended Contributions. A person who files a final report is no longer a candidate for Title 15 purposes. If the person has surplus funds or assets (and is not an officeholder), he or she must file annual reports of unexpended contributions.

Annual reports are due not earlier than January 1 and not later than January 15 of each year on FORM C/OH-UC. The obligation to file annual reports ends when the former candidate files a report of final disposition of unexpended contributions. Final disposition must be made within six years of filing a final report or leaving office, whichever is later.

Report of Final Disposition of Unexpended Contributions. After a former candidate disposes of all surplus funds and assets, he or she must file a report of final disposition of unexpended contributions, also on FORM C/OH-UC. The former candidate may file this report at any time during the year.

WHEN MAY A CANDIDATE STOP FILING TITLE 15 REPORTS?

Filing a final report⁴ ends a person's obligation to file Title 15 reports unless (1) the filer has not yet filed past-due reports, (2) the person is an officeholder, or (3) the person has surplus funds at the time of filing a final report. An officeholder may be required to file Title 15 reports as an officeholder. See "Part III. Officeholders. When Does An Officeholder Have To File Reports?" in this guide. A former candidate who is not an officeholder but who has surplus campaign funds must file annual reports of contributions and expenditures. See "Part II. Candidates. Annual Reports of Unexpended Contributions" above.

PART III. OFFICEHOLDERS

This section only applies to an officeholder who does not have a campaign treasurer appointment on file. Once an officeholder files a campaign treasurer appointment, he or she becomes a candidate for purposes of the Title 15 filing requirements and must comply with the Title 15 requirements applicable to candidates rather than the requirements applicable to officeholders. Note that only a person who has a campaign treasurer appointment on file may accept a campaign contribution or make a campaign expenditure (even from personal funds).⁵

WHAT DOES TITLE 15 HAVE TO DO WITH OFFICEHOLDERS?

Although Title 15 is commonly referred to as the *campaign* finance law, it also requires officeholders who are not candidates (in other words, who do not have a campaign treasurer appointment on file) to file reports of officeholder contributions and expenditures.

WHEN DOES AN OFFICEHOLDER HAVE TO FILE REPORTS?

Semiannual Reports. An officeholder is required to file semiannual reports of officeholder contributions and expenditures on January 15 and July 15 of each year. For this report officeholders use FORM C/OH.

Exception for Certain Local Officeholders. There is an exception to the requirement to file semiannual reports for a local officeholder (who does not have a campaign treasurer appointment on file) who did not exceed \$1,080 in either contributions or expenditures during the reporting period. An officeholder who has a campaign treasurer appointment on file must file semiannual reports even if there is no reportable activity during the reporting period.

Report Required after Appointment of Campaign Treasurer. An officeholder who files an appointment of campaign treasurer (and who did not already have a campaign treasurer appointment on file) must file a report of contributions and expenditures no later than 15 days after filing the appointment, using FORM C/OH. After filing the campaign treasurer appointment and the “15-day” report, the officeholder is subject to the filing requirements applicable to candidates.

Exception. The “15-day” reporting requirement does not apply if the candidate/officeholder had no more than \$1,080 in contributions or expenditures during the period covered by the report.

Annual Report of Unexpended Contributions. A former officeholder who did not have a campaign treasurer appointment on file at the time of leaving office may be required to file annual reports of unexpended contributions. This requirement applies if the former officeholder retained surplus political funds or assets at the time of filing his or her last required report of contributions and expenditures. The former officeholder may not retain surplus political funds or assets for more than 6 years after leaving office.

Annual reports of unexpended contributions are due not earlier than January 1 and not later than January 15 of each year. The reports, on FORM C/OH-UC, cover the preceding calendar year. A report is due regardless of whether there is any reportable activity. The obligation to file annual reports ends when the former officeholder files a report of final disposition of unexpended contributions.

Report of Final Disposition of Unexpended Contributions. Once a former officeholder disposes of surplus funds and assets, he or she must file a report of final disposition of unexpended contributions. A former officeholder may file this report at any time during the year. For this report former officeholders use FORM C/OH-UC.

Officeholder Who Files a Campaign Treasurer Appointment with a Different Filing Authority. An officeholder (who does not have a campaign treasurer appointment on file) may file a campaign treasurer appointment with a different filing authority. This ends the officeholder’s obligation to file with you *even if he or she continues to hold an office of the political subdivision.*

PART IV. SPECIFIC-PURPOSE POLITICAL COMMITTEES

WHAT IS A POLITICAL COMMITTEE?

A political committee, commonly referred to as a “PAC,” is any group that accepts political contributions or makes political expenditures. Although the term “PAC” may suggest a powerful “special interest” group, a political committee may also be a small group such as two people who get together to raise funds for an old friend who is a candidate for school board.

WHAT IS A SPECIFIC-PURPOSE POLITICAL COMMITTEE?

There are two main types of political committees: general-purpose political committees and specific-purpose political committees. In essence, a general-purpose political committee exists to support or promote a particular political point-of-view or the interests of a certain group, whereas a specific-purpose committee exists to support or oppose specific candidates, officeholders, or ballot measures. It is the filer’s responsibility, not your responsibility, to determine whether a committee is a general-purpose committee or a specific-purpose committee. The Ethics Commission’s Campaign Finance Guide for Political Committees explains the differences in detail.

WHAT POLITICAL COMMITTEES FILE WITH POLITICAL SUBDIVISIONS?

A specific-purpose committee files with the clerk, secretary, or presiding officer of a political subdivision other than a county if the committee supports or opposes either individual candidates or officeholders who file with the political subdivision or ballot measures on elections called by the political subdivision.⁶ All general-purpose political committees file with the Ethics Commission. It is the filer’s responsibility to determine where a political committee files campaign finance reports. The Ethics Commission’s Campaign Finance Guide for Political Committees will help filers make this determination.

Note for School Districts: A specific-purpose committee created to support or oppose a measure on the issuance of bonds by a school district must file all of its *campaign finance reports* with the Ethics Commission. This does not affect the filing requirements for the committee’s campaign treasurer appointment.

WHEN MUST A POLITICAL COMMITTEE FILE A CAMPAIGN TREASURER APPOINTMENT?

\$1,050 Thresholds. A specific-purpose committee must file a campaign treasurer appointment, on FORM STA, before it exceeds \$1,050 in either political contributions or political expenditures. Once the committee has filed a campaign treasurer appointment, the treasurer must file periodic reports of contributions and expenditures.

Effective Date. If delivered by hand, a committee’s campaign treasurer appointment takes effect on the day of delivery. If delivered by mail or common carrier, the appointment takes effect on the date of the postmark or receipt mark.

Termination of a Committee's Campaign Treasurer Appointment. It is important for you to know the termination date of a committee's campaign treasurer appointment because you must keep a campaign treasurer appointment for two years *after it is terminated*. A committee's campaign treasurer appointment may be terminated by the committee in three different ways: (1) the committee files a dissolution report; (2) the committee appoints a new campaign treasurer; or (3) you receive notification from the committee or the campaign treasurer that the appointment is terminated.

An "inactive" campaign treasurer appointment may be terminated by you if the governing body of your political subdivision adopts a process by ordinance or order allowing such termination. A political committee is inactive if the committee: (1) has never filed or has ceased to file any required campaign finance reports, and (2) has not filed a dissolution report. Before a campaign treasurer appointment may be terminated, the governing body of the political subdivision must consider the proposed termination in a regularly scheduled open meeting.

WHAT ARE THE RESPONSIBILITIES OF A COMMITTEE'S CAMPAIGN TREASURER?

The treasurer of a political committee is responsible for filing the committee's reports of contributions and expenditures. (In contrast, a candidate or officeholder, not his or her campaign treasurer, is responsible for filing candidate and officeholder reports of contributions and expenditures.)

HOW DOES A COMMITTEE CHANGE A CAMPAIGN TREASURER?

A specific-purpose committee changes treasurers by filing an amended appointment of campaign treasurer on FORM ASTA. The new appointment terminates the old appointment. The outgoing treasurer is required to file a termination report on FORM SPAC not later than 10 days after the termination. (A separate termination report is not required if the termination occurs on the last day of a reporting period and the proper report for that period is filed.)

WHAT IF A SPECIFIC-PURPOSE COMMITTEE BECOMES A GENERAL-PURPOSE COMMITTEE?

A change in political activity may mean that a political committee that has been filing with a local filing authority has become a general-purpose committee. This change will require the committee to file a new campaign treasurer appointment with the Ethics Commission. In addition to filing a new campaign treasurer appointment with the Ethics Commission, the committee is required to give notice to the local filing authority of the change in status. The committee should review the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES to become familiar with the contribution and expenditure limits that arise in connection with the transition.

WHEN DOES THE TREASURER OF A SPECIFIC-PURPOSE COMMITTEE HAVE TO FILE REPORTS?

Semiannual Reports. The treasurer of a specific-purpose committee is required to file semiannual reports by January 15 and July 15 of each year. The treasurer must file semiannual reports even if there is no reportable activity.

Pre-Election Reports. A specific-purpose committee supporting or opposing an opposed candidate in an upcoming election must file pre-election reports. A specific-purpose committee supporting or opposing a ballot measure must also file pre-election reports. Filers use FORM SPAC for pre-election reports, which are due 30 days and 8 days before an election.⁷ (If you are the filing authority for a school district, see the [Note under “What Political Committees File with Political Subdivisions?”](#) in this guide.) A pre-election report must be *received* by the appropriate filing authority no later than the report due date.

For purposes of filing pre-election reports, supporting or opposing a candidate or measure means accepting political contributions or making political expenditures to support or oppose the candidate or measure.

Modified Reporting. The treasurer of a specific-purpose committee that selects “modified reporting” is not required to file pre-election reports (or runoff reports). **(The selection of modified reporting does not affect the treasurer’s obligation to file semiannual reports.)** A committee may select modified reporting if the committee does not intend to exceed \$1,080 in contributions or expenditures in connection with an election. (A committee has separate \$1,080 thresholds for a primary, a runoff, and a general election.) A committee selects modified reporting by signing the appropriate blank on FORM STA or FORM ASTA.

A committee that has selected modified reporting must file pre-election reports if the committee exceeds one of the \$1,080 thresholds. If the committee exceeds one of the thresholds before the due date for a “30-day” pre-election report, the committee is not required to give special notice of that fact; the treasurer is simply required to file the pre-election reports by the scheduled due dates. If the committee exceeds one of the thresholds after the due date for the “30-day” pre-election report, the treasurer must file a report within 48 hours of exceeding the threshold (on FORM SPAC) and then file any pre-election or runoff reports that come due.

Runoff Reports. A specific-purpose committee that supports or opposes a candidate in a runoff election must file a runoff report on FORM SPAC. A runoff report is due no later than the 8th day before the runoff and must be *received* by the appropriate filing authority no later than the report due date.

Modified Reporting. A specific-purpose committee that has selected modified reporting and remains eligible for modified reporting is not required to file a runoff report.

A committee that has selected modified reporting has \$1,080 thresholds in connection with the main election and additional \$1,080 thresholds in connection with a runoff.

Termination Report. After the treasurer of a political committee resigns or is replaced, the outgoing treasurer is required to file a termination report on FORM SPAC not later than 10 days after the termination. (A separate termination report is not required if the termination occurs on the last day of a reporting period and the proper report for that period is filed.)

Dissolution Report. A political committee that expects to receive no further political contributions or make no further political expenditures may file a dissolution report on FORM SPAC with FORM PAC-DR attached.

The dissolution report terminates the committee's campaign treasurer appointment and relieves the campaign treasurer of the duty to file additional reports. (In this case, the dissolution report serves as the treasurer's termination report.)

PART V. PENALTIES

As a local filing authority, you have no authority to penalize filers in any way for violations of Title 15. Any individual may file a criminal complaint regarding a violation of Title 15 with the appropriate county or district attorney. Also, anyone who lives in Texas or owns property in Texas may file a sworn complaint with the Ethics Commission alleging a violation of Title 15.

PART VI. FREQUENTLY ASKED QUESTIONS

If you have questions about your responsibilities as a filing authority, call the Ethics Commission. The following list contains questions that local filing authorities frequently ask.

Q. What Title 15 documents should I give to a person who says he is interested in running for an office of my political subdivision?

A. In addition to information you provide about getting on the ballot, you should give the person a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES, FORM CTA and the FORM CTA Instruction Guide.

Q. What should I give to a person who files a campaign treasurer appointment?

A. The person, who is now a candidate for purposes of Title 15, will need FORM C/OH and the FORM C/OH Instruction Guide and a Filing Schedule. You are required to give the person a copy of the 1997 Fair Campaign Practices Act, Chapter 258 of the Election Code, and a copy of FORM CFCP. You should also make sure that the person has a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES.

Q. What should I give someone who is interested in forming a political committee?

A. A group that intends to accept political contributions or make political expenditures should get a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL

COMMITTEES, FORM STA and the FORM STA Instruction Guide. The group should read the filing guide to determine whether it is a specific-purpose or general-purpose committee.

Q. What should I give to someone who files a campaign treasurer appointment for a political committee?

- A. The treasurer of the political committee will need FORM SPAC and the FORM SPAC Instruction Guide. You are required to give the committee a copy of the 1997 Fair Campaign Practices Act, Chapter 258 of the Election Code, and a copy of FORM CFCP. The treasurer should also have a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES.

Q. What should I tell a write-in candidate who asks about Title 15?

- A. A person who declares himself or herself to be a write-in candidate must file a campaign treasurer appointment and reports of contributions and expenditures.

Q. What do I tell a candidate who says he isn't going to file a campaign treasurer appointment because he is not going to accept campaign contributions?

- A. All candidates must file a campaign treasurer appointment even if a candidate does not intend to accept campaign contributions or make campaign expenditures. Also, the fact that a candidate doesn't accept campaign contributions does not mean that the candidate will have nothing to report. The candidate must report campaign expenditures from personal funds.

A candidate who does not plan to *spend* over \$1,080 or *accept* more than \$1,080 in *total contributions* in connection with an election should take the following steps:

1. The candidate should complete FORM CTA and sign the back for modified filing.
2. If a July 15 or January 15 deadline occurs before the election, the candidate must file a report of contributions and expenditures on FORM C/OH.
3. Whenever the candidate reaches a point where they do not intend to accept any further campaign contributions or make any further campaign expenditures (including payment of campaign debts), the candidate can file a report of contributions and expenditures on FORM C/OH and mark it as a Final Report in Box 9, page 1. The candidate should also complete FORM C/OH-FR and submit it along with FORM C/OH. The final report terminates the candidate's appointment of campaign treasurer and ends the person's obligation to file as a candidate. (If the person won the election, he or she will be subject to the filing requirements applicable to officeholders.)

Q. May a candidate refuse to list the office or seat sought on a campaign treasurer appointment?

- A. Yes. A person may decide to start raising money to run for office before the person decides which office to run for.

Q. What do I do if someone files a report after the filing deadline?

A. You should accept the filing.

Q. What do I do if someone files a corrected or amended filing?

A. You should accept the filing. A filer may also wish to file a Correction/Amendment Affidavit for Candidate/Officeholder with the amendment or correction. Filers should call the Ethics Commission if they have questions about corrected reports.

Q. What should I tell a candidate who asks about disclosures on political advertising?

A. Give the filer a copy of the Ethics Commission's GUIDE TO POLITICAL ADVERTISING: WHAT YOU NEED TO KNOW, and A GUIDE TO THE PROHIBITION AGAINST USING POLITICAL SUBDIVISION RESOURCES FOR POLITICAL ADVERTISING. You can also direct them to the video training presentation on political advertising found under the Training page of the Ethics Commission's website.

Q. May I enter into a contract to perform the Title 15 functions of another entity?

A. No. An elections services contract may not change the authority with whom Title 15 documents are filed.

Q. If a candidate forms a specific-purpose committee, must the candidate continue to file reports on FORM C/OH?

A. Yes. The candidate and the committee are subject to separate reporting requirements.

ENDNOTES

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1. See also Part III: Officeholders (Certain officeholders who do not have campaign treasurer appointment on file are excepted from filing semiannual reports).
 2. An opposed candidate in a runoff election is only required to file a pre-election report 8 days before a *runoff* election; there is no "30-day" pre-election report due before a runoff.
 3. A write-in candidate must file a campaign treasurer appointment before accepting campaign contributions or making campaign expenditures. Furthermore, a person who declares himself or herself to be a write-in candidate is required to file pre-election reports as long as the write-in candidate has an opponent whose name appears on the ballot.
 4. A person terminates a campaign treasurer appointment by filing a final report on FORM C/OH with FORM C/OH-FR attached.
 5. Once an officeholder files a campaign treasurer appointment, he or she may use contributions

received as an officeholder to make campaign expenditures.

6. A specific-purpose political committee that supports candidates, officeholders, or measures at the political subdivision level may file with the Ethics Commission if it also supports candidates, officeholders, or measures in a jurisdiction other than the political subdivision. For example, a specific-purpose committee that supports a particular candidate for county commissioner and a particular candidate for the city council of a city within the county has two choices of where to file campaign finance reports: (1) The committee may file both with the county election official and with the appropriate city filing authority, or (2) the committee may file with the Ethics Commission only.
7. A political committee is only required to file a report 8 days before a *runoff* election; there is no “30-day” pre-election report required before a runoff.

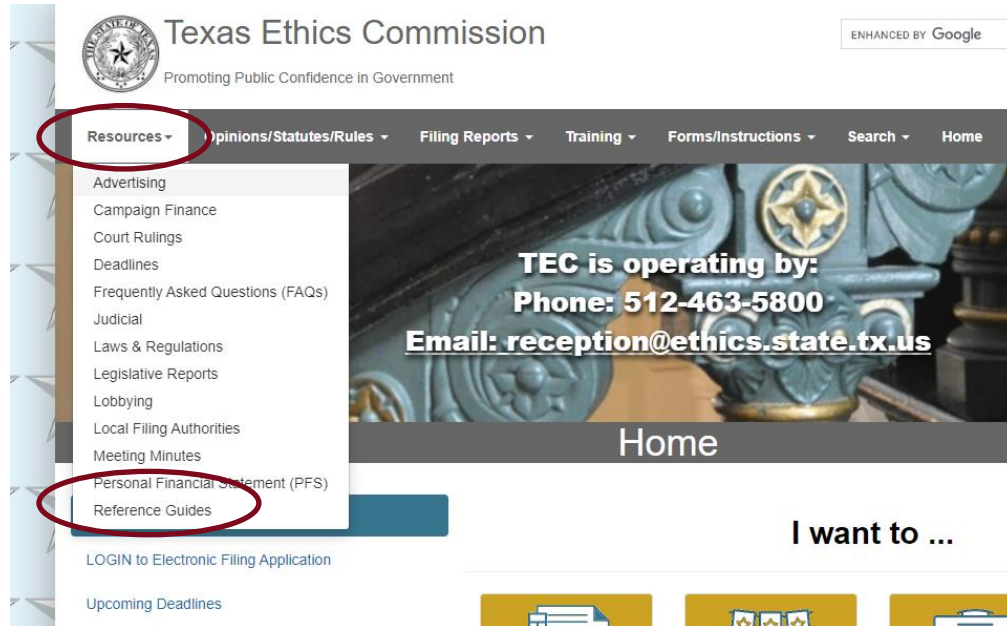
Responsibilities of Local Filing Authorities

Texas Ethics Commission – February 2024

Any questions? Call 512-463-5800 or send an email to
reception@ethics.state.tx.us

Guides on Website

Website: www.ethics.state.tx.us



The screenshot displays the Texas Ethics Commission website. At the top left is the state seal of Texas, followed by the text "Texas Ethics Commission" and the tagline "Promoting Public Confidence in Government". On the top right, it says "ENHANCED BY Google". A dark navigation bar contains several menu items: "Resources", "Opinions/Statutes/Rules", "Filing Reports", "Training", "Forms/Instructions", "Search", and "Home". The "Resources" menu is open, showing a list of links: "Advertising", "Campaign Finance", "Court Rulings", "Deadlines", "Frequently Asked Questions (FAQs)", "Judicial", "Laws & Regulations", "Legislative Reports", "Lobbying", "Local Filing Authorities", "Meeting Minutes", "Personal Financial Statement (PFS)", and "Reference Guides". The "Reference Guides" link is circled in red. Below the navigation bar is a large banner image of a classical building facade with the text "TEC is operating by: Phone: 512-463-5800 Email: reception@ethics.state.tx.us". Below the banner is a "Home" button. At the bottom right, there is a section titled "I want to ..." with three icons representing different services.

Texas Ethics Commission

Promoting Public Confidence in Government

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Legislative Reports

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Meeting Minutes

Personal Financial Statement (PFS)

Reference Guides

TEC is operating by:
Phone: 512-463-5800
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Home

I want to ...

LOGIN to Electronic Filing Application

Upcoming Deadlines

Contents of Presentation

- What is your primary job?
- Who files with you?
- What should you include in your candidate packets?
- How long do you have to keep treasurer appointments and reports?
- Can the public see these reports?
- What is NOT your job?

What's My Job???

Your primary responsibility
under Title 15 of the Election Code



is to **accept documents** filed by candidates, officeholders,
and political committees. Always **date-stamp** all filings and
save postmarks and receipt marks on envelopes.

Who Files with Me?

- ⦿ Candidates for and officeholders of elective offices of the political subdivision, including statutory county court and probate county court judges;
- ⦿ Specific-purpose political action committees (SPACs) supporting or opposing candidates for and officeholders of elective offices of the political subdivision; and
- ⦿ SPACs supporting or opposing a measure to be submitted at an election ordered by an authority of the political subdivision.

Who Does NOT File with Me?

- ⦿ District judges
- ⦿ Multi-county district attorneys;
- ⦿ SPACs that would be required to file with more than one local filing authority *may* instead file with the Ethics Commission.
- ⦿ SPACs supporting or opposing a School Bond file their initial STA with their local ISD, then file a copy with the TEC and file all future reports with the TEC

Tex. Elec. Code § 254.130

Candidate's Deadline to File Treasurer Appointments

- ◎ A candidate's treasurer appointment (typically Form CTA) must be filed **on or before** any of the following activity occurs:
 - Filing their application for a place on the ballot
 - Raising or spending any money
 - Announcing in public a definite intent to run in a particular election
- ◎ Treasurer appointments can be filed long before any of this happens

Tex. Elec. Code § 251.001(1)

Deadline to File Campaign Finance Reports

- ◎ Local candidates and officeholders must file most campaign finance reports by 5:00 p.m. on the due date; see Filing Schedules here:
https://www.ethics.state.tx.us/filinginfo/schedules/filing_schedules.php
- ◎ Pre-election reports (due 30 days and 8 days before an election) must be received by 5:00 p.m. on the due date; no mailing option
- ◎ Local filing authorities must accept campaign finance reports via email; email must be received by 5:00 on the filing deadline to be timely

Tex. Elec. Code §§ 1.007, 251.007, 254.037

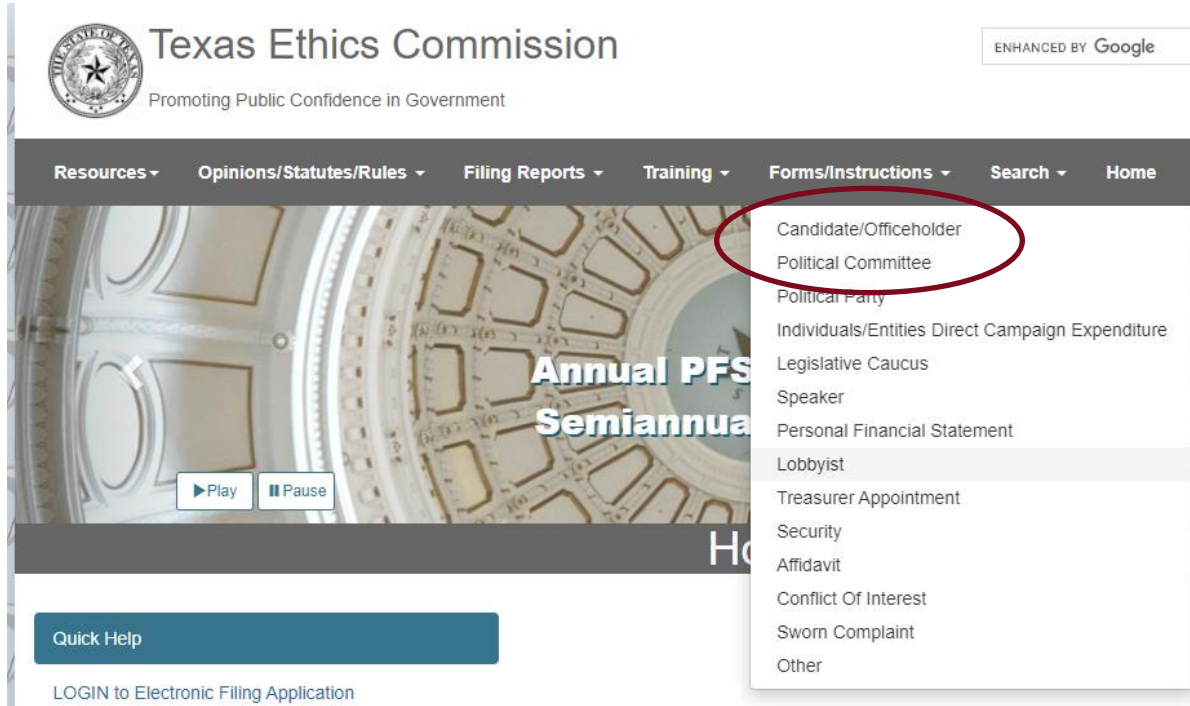
What's My Job?

- ⦿ You must copy and make available all forms that your filers may be required to file. You should also make available the appropriate instruction guide for each required form.
- ⦿ You may not charge a filing fee.

Tex. Elec. Code § 251.003; 1 Tex. Admin. Code § 18.3

Forms on Website

Website: www.ethics.state.tx.us



The screenshot displays the Texas Ethics Commission website. At the top left is the state seal of Texas, followed by the text "Texas Ethics Commission" and the tagline "Promoting Public Confidence in Government". On the right, it says "ENHANCED BY Google". A dark navigation bar contains the following links: "Resources", "Opinions/Statutes/Rules", "Filing Reports", "Training", "Forms/Instructions", "Search", and "Home". The "Forms/Instructions" link is highlighted with a red oval, and its dropdown menu is open, listing the following options: "Candidate/Officeholder", "Political Committee", "Political Party", "Individuals/Entities Direct Campaign Expenditure", "Legislative Caucus", "Speaker", "Personal Financial Statement", "Lobbyist", "Treasurer Appointment", "Security", "Affidavit", "Conflict Of Interest", "Sworn Complaint", and "Other". Below the navigation bar is a large banner image of the Texas State Capitol dome with the text "Annual PFS" and "Semiannual". A video player interface with "Play" and "Pause" buttons is visible. At the bottom left, there is a "Quick Help" button and a link to "LOGIN to Electronic Filing Application".

Texas Ethics Commission
Promoting Public Confidence in Government

ENHANCED BY Google

Resources ▾ Opinions/Statutes/Rules ▾ Filing Reports ▾ Training ▾ **Forms/Instructions ▾** Search ▾ Home

- Candidate/Officeholder
- Political Committee
- Political Party
- Individuals/Entities Direct Campaign Expenditure
- Legislative Caucus
- Speaker
- Personal Financial Statement
- Lobbyist
- Treasurer Appointment
- Security
- Affidavit
- Conflict Of Interest
- Sworn Complaint
- Other

Annual PFS
Semiannual

Play Pause

Quick Help

LOGIN to Electronic Filing Application

What Forms/Guides Should I Make Available: Candidate

Initially:

- ◎ Campaign Finance Guide for Candidates Who File with a Local Filing Authority (Home Page → Resources → Reference Guides)
- ◎ Form CTA and Instructions
- ◎ Application for place on the ballot (TEC does not have jurisdiction over this form; call SOS)

What Forms/Guides Should I Make Available: Candidate

AFTER they file their CTA:

- ◎ Form C/OH and Instructions
- ◎ Form CFCP (optional)
- ◎ If they plan to have an SPAC:
 - Form STA and Instructions
 - Form SPAC and Instructions
- ◎ Form PFS and Instructions, if applicable (see later slides)

Code of Fair Campaign Practices (CFCP)

- Upon receipt of a campaign treasurer appointment, provide the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of Chapter 258 of the Election Code.
- Inform each candidate or political committee that they may subscribe to the code, but subscription is voluntary.

Tex. Elec. Code § 258.003

Other Resources to Make Available

- **Filing Schedules:** Home Page → Filing Schedules (under picture, on the left) → Uniform (Local) Filing Schedule
- **Political Advertising: What You Need to Know** (Home Page → Resources → Advertising)
- **Political Fundraising: What You Need to Know** (Home Page → Resources → Reference Guides)
- **Guide To The Prohibition Against Using Political Subdivision Resources for Political Advertising:** (Home Page → Resources → Reference Guides)

Basic Campaign Finance Info

- All candidates for public office must file a campaign treasurer appointment, even if they do not plan to raise or spend any money
- Anyone with an active treasurer appointment on file must file at least two semiannual reports a year, in January and July; there are NO exceptions to this requirement; these reports must be filed even if they have not raised or spent any money
- If a candidate does not plan to raise or spend over a certain amount (\$1,080 as of 1-1-24), they can sign up for modified reporting on the back of their CTA form and be exempted from certain pre-election reports (but not semiannual)
- Generally, write-in candidates follow the same rules on campaign finance reports as any other type of candidate

Basic Campaign Finance Info

- The only way to terminate a treasurer appointment, which is the only way to stop a filer's continuing filing obligations, is to file a final report
- Final reports are filed on the same forms as other campaign finance reports (Form C/OH for candidates and officeholders, and Form SPAC for specific-purpose political action committees); the filer just checks the box for "Final Report" under Report Type (Cover Sheet, Page 1, section 9)
- Final reports can be filed at any time

Posting Campaign Finance Reports on Website (NEW!)

- All political subdivisions must post all campaign finance reports filed with them on or after 9-1-23 on their website within 10 business days of receipt
- Reports must remain on your website for five years after the report is first made available
- You may redact the address of a contributor (not city, state or zip code) from a campaign finance report before posting, but you must keep the full report available for inspection and copying in your office
- Does not include treasurer appointments

Records Retention

- ◎ Campaign Treasurer Appointment: two years after the date it is terminated
- ◎ Code of Fair Campaign Practices: same as respective campaign treasurer appointment
- ◎ Campaign Finance Reports: *at least* two years after the report is filed

Tex. Elec. Code §§ 252.014, 254.001; 1 Tex. Admin. Code § 20.18

Records Retention, cont'd

NOTE: If a criminal investigation or proceeding is pending in regard to the election to which Title 15 records pertain, you must keep those records until the investigation or proceeding is over.

Tex. Penal Code § 37.09(a)

Public Access

- ◎ Full, unredacted campaign finance reports and campaign treasurer appointments are **public records** and **must be made available** for public inspection during regular business hours.
- ◎ Filing authorities may not require a person examining campaign finance reports to provide *any information or identification*.
- ◎ Questions about what can and cannot be redacted before the public sees any document should be directed to the Attorney General's Open Government Hotline, at 512-478-6736 or 877-673-6839. TEC cannot answer those questions.

Texas Att'y Gen. Op. KP-0151 (2017); Tex. Elec. Code §§ 254.0313, 254.0401, 254.04011, 254.0402

Personal Financial Statements (PFS)

- ⦿ Counties with a population of 100,000+: Candidates and officeholders for county judge, county commissioner, and county attorney
- ⦿ Counties with a population of 125,000+: Candidates and officeholders for justice of the peace
- ⦿ Commissioner's court may require others to file PFSs, such as tax assessor-collector, county clerk, district clerk, etc.
- ⦿ Municipalities with a population of 100,000+: Candidates and officeholders for mayor, members of governing body, city attorney and city manager
- ⦿ School Districts may require trustees to file PFSs

Tex. Elec. Code § 11.064; Tex. Local Gov't Code Chapters 145 and 159; Tex. Gov't Code § 311.005(3)

PFS, cont'd

- ⦿ Maintain PFSs in separate alphabetical files and in a manner that is accessible to the public during regular office hours.
- ⦿ During the year after it is filed, each time a person requests to see the financial statement, place in the file:
 - a statement of the person's name and address,
 - whom the person represents, and
 - the date of the request.
- ⦿ Retain that statement in the file until the first anniversary of the date the requested financial statement is filed.
- ⦿ Two years after the filer ceases to be an officeholder or candidate, you *may* destroy the financial statement, and on request of the filer, *shall* destroy the financial statement.

Tex. Local Gov't Code §§ 145.007, 159.007

Redaction of Judge's Address

- Municipal court judicial candidates and officeholders and family members: On written request from the filer, you shall redact these residence addresses before a PFS is made available to the public
- County attorney and state judicial candidates, officeholders and family members: On receipt of notice from OCA of their qualifications for office or on written request from the filer, you shall redact these residence addresses before a PFS is made available to the public

Tex. Local Gov't Code §§ 145.007, 159.071

Personal Financial Statements

- ⦿ Maintain a list of persons required to file a financial statement with you
- ⦿ Within 10 days of each filing deadline, provide to the municipal/county/district attorney (as applicable) a copy of the list showing:
 - whether the officer or candidate timely filed a financial statement;
 - whether the officer or candidate timely requested and was granted an extension of time to file and their new due date; or
 - whether the officer or candidate did not timely file a financial statement or receive an extension of time.

Tex. Local Gov't Code §§ 145.008, 159.0071

What is NOT my Job?

- ⦿ Do not fill out forms for filers; filers cannot use public resources, including your time, for campaign purposes
- ⦿ Do not edit, amend or revise forms; that could be tampering with a governmental record
- ⦿ Do not misrepresent the date of filing of a document

Tex. Penal Code 37.10, 39.02(a)(2)

What is NOT My Job?

- ◎ You are not required to send notices of upcoming filing deadlines; you can, but it is not required
- ◎ You have no responsibility to ensure that the required documents are filed, nor can you penalize a filer for missing a report or filing it late

What is NOT My Job?

- You cannot be held responsible for giving incorrect information to a filer. Obviously, you should always strive to give the best and correct information, but if you make a mistake, don't worry. It is the filer's responsibility to know the law and to follow it.
- You are not expected to be an expert on all of this – call us (512-463-5800)! If you receive a question and do not know the answer, direct the requestor to the Ethics Commission's website (www.ethics.state.tx.us), or have them call us directly.

Thanks for watching!

QUESTIONS?



Call 512-463-5800 or send an email to
reception@ethics.state.tx.us

Sec. 74-21. - Sign types and permitting.

(a) *Pre-existing signs.*

- (1) Conforming use. If such pre-existing sign meets the requirements of this article, the sign shall retain status as an existing conforming sign, provided, however, that any addition and/or alteration to said sign not already addressed in this chapter shall be required to obtain a permit from the city.
- (2) Nonconforming use. If such pre-existing sign does not meet the requirements of this article, said sign shall have a status as an existing nonconforming sign and shall be allowed to remain in its existing state. Existing nonconforming signs shall not be allowed to be altered in any fashion, save and except for routine maintenance and/or changeable/replaceable copy.
- (3) When any existing nonconforming sign, or more than 60 percent of said nonconforming sign is blown down or otherwise destroyed or taken down or removed for any purpose other than routine maintenance operations, it may not be replaced, re-erected, reconstructed or re-built unless it is in full compliance and conformity with the provisions and requirement of this article.

(b) *New signs.* No new sign permits shall be issued by the city unless approved by the community services department. The city shall consider whether said sign application meets the requirements of this article.

(c) *Permits.* It shall be unlawful for any person to erect, structurally alter, or relocate within the city any sign without first satisfying the requirements of this paragraph.

- (1) *Sign permit.* It shall be unlawful for any person, firm or corporation to erect, structurally alter, replace or repair any sign without a sign permit. Sign permit fees shall be established from time to time by the city.

a. *Application.* All applications for sign permits shall be accompanied by a plan or plans drawn to scale which shall include the following:

1. The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached.
2. The dimensions of the sign's supporting members.
3. The maximum and minimum height of the sign.
4. The proposed location of the sign in relation to the face of the building. Signs may be located in front of or on top of buildings.
5. The proposed location of the sign in relation to the boundaries of the lot upon which a detached freestanding or ground monument sign is to be located.

b.

Issuance. Upon the filing of an application for a sign permit, the plans, specifications, and other data shall be examined by the community services department. The city may require the production of whatever reasonable additional data deemed necessary to evaluate the application. If it appears that the proposed sign shall be in compliance with the requirements of this article and other applicable laws and ordinances of the city, the city shall approve the sign for construction in a timely manner and issue a sign permit which shall authorize the construction and/or erection of a sign. The construction of the sign shall be completed within six months of approval of the plans and specifications or the permit shall expire and a new application and permit shall be required. Upon completion of construction and/or erection of the sign, the city shall inspect the completed sign for compliance.

(2) *Exceptions.* A permit shall not be required for the following:

- a. The changing of the advertising copy or message of an existing permitted sign.
- b. The changing of the advertising message or copy of an electric sign, if such electric sign is specifically designed for the use of replaceable copy.
- c. Garage sale or open house signs.
- d. Real estate signs not exceeding 36 square feet in area per face and eight feet in height, pertaining to the sale or rental of the property on which they are displayed, but not more than one such sign for each street frontage.
- e. A sign erected solely for and relating to a public election, but only if:
 1. The sign is on private property;
 2. The sign is erected no sooner than the 60th day before the election and is removed no later than the 7th day after the election;
 3. The area of the sign does not exceed 36 square feet per sign face;
 4. The sign does not exceed eight feet in height;
 5. The sign is self-supporting.

(3) *Stop orders.* The issuance of a sign permit shall not constitute a waiver of this article or other ordinance of the city. The sign administrator is authorized to issue stop orders for any sign which is being constructed or used in violation of this or any other ordinance of the city.

(d) *Sign types.*

(1) *Applicability.* This section shall apply to all commercial and nonresidential tracts. In calculating the area of irregular signs or separately mounted signs on one supporting structure, the area shall be that of the smallest regular geometric form that will wholly contain all of the elements, including the frame. In calculating the area of multi-faced signs, all faces of a multi-faced sign shall be included.

(2) *Wall signs.*

- a.

Wall signs are allowed on each business establishment with an allowable total sign area of three square feet for each linear foot of business structure frontage.

- b. Where two or more business establishments utilize a common building the total allowable wall sign area shall be equal to three square feet for each linear foot of business frontage. It shall be the responsibility of the property owner to allocate such sign area to each business establishment. A master sign plan drawn to a standard architectural or engineering scale shall be submitted to the city for this type project showing the exact size and location of each sign for this project.
- c. Each business establishment's wall sign must be attached to that part of the building in which the business establishment is located.

(3) *Monument signs.*

- a. One on-premises monument sign is allowed for each business establishment with an allowable total sign area of 200 square feet (or 100 square feet per sign face on double-sided signs). The highest part of any such sign or structure shall not be greater than eight feet above the highest finished grade at the front property line. Monument signs must be permitted separately.

Where a business establishment can be accessed via vehicular entrance along more than one street, one on-premises monument sign as described above is allowed per street (provided that said street has a vehicular entrance to the business establishment.)

- b. Where two or more business establishments utilize a common building they shall collectively only be entitled to one on-premises monument sign that would be authorized for one business establishment. The total sign area of such sign shall not exceed 200 square feet (or 100 square feet per sign face on double-sided signs) plus ten square feet for each business establishment in the complex up to a maximum of 400 square feet (or 200 square feet per sign face on double-sided signs). The highest part of any such sign or structure shall not be greater than eight feet above the highest finished grade at the front property line. It shall be the responsibility of the property owner to allocate such sign area to each business establishment. A master sign plan drawn to a standard architectural or engineering scale shall be submitted to the city for this type project showing the exact size and location of each sign for this project.
- c. Up to 25 square feet of the allowable monument sign area may be used for changeable copy signage.
- d. A second on-premises monument sign is allowed for buildings consisting of development of 40,000 square feet or more. Consideration and approval of a second monument sign shall be based on the square footage of buildings shown on an approved site plan for the entire development. The second monument sign may be constructed as part of the initial

site development but shall not be advertised on until the square footage of the structures constructed on-site exceeds 40,000 square feet. The second monument sign must be permitted separately.

(4) *Freestanding signs.*

- a. One on-premises freestanding sign is allowed for each business establishment with an allowable total sign area of 200 square feet per face for single-faced sign or 400 square feet for multi-faced sign total gross area. The highest part of any such sign or structure shall not be greater than 50 feet above the highest finished grade at the front property line. Where a business establishment can be accessed via vehicular entrance along more than one street, one on-premises freestanding sign as described above is allowed per street (provided that said street has a vehicular entrance to the business establishment).
- b. Up to 50 square feet of the allowable freestanding sign area may be used for changeable copy signage.
- c. A second on-premises freestanding sign is allowed for buildings consisting of development of 40,000 square feet or more. Consideration and approval of a second freestanding sign shall be based on the square footage of buildings shown on an approved site plan for the entire development. The second freestanding sign may be constructed as part of the initial site development but shall not be advertised on until the square footage of the structures constructed on-site exceeds 40,000 square feet. The second freestanding sign must be permitted separately.

(5) *Billboards.* Billboards shall be allowed by special permit only, on a case-by-case basis, to be considered by the city council. Submittal requirements for billboards shall be in accordance with section 74-21 herein.

(6) *Option for directory sign in office park and business park districts.*

- a. One monument sign for the sole purpose of uniformly listing the names of the tenants is allowed on-premises for each building in which there are multiple tenants in the office complex.
- b. Sign area of such sign shall not exceed 240 square inches per tenant.
- c. Such signs shall have an allowable sign area of no more than 50 square feet and not exceed eight feet in height.

(7) *Fast-food/drive-through menu boards.* Menu reader boards for fast-food/drive-through restaurants shall not be considered as a monument sign if such menu board is screened from adjacent buildings or structures. Landscaping around menu boards shall be required so as to screen to the degree reasonably possible such menu board from abutting properties.

(8)

Off-premises signs and directional signs. Off-premises signs and directional signs of up to a maximum of 240 square feet (or 120 square feet per sign face on double-sided signs), are allowed if the property on which the sign is located and the property which is described in the sign are within 2,000 feet of each other, measured in a straight line from the property line to property line. The permit application shall be signed by both property owners. Supporting structural members not bearing advertising matter, identifying color, symbols, wording, or pictures shall not be included in computation of surface area.

(9) *Temporary signs.* Temporary signs shall be allowed by permit for no longer than 30 consecutive days. Size and location of temporary signs shall comply with regulations contained in section 74-21 herein.

(10) *Portable signs.*

- a. One on-premises portable sign shall be allowed by permit for each lawfully operating business upon payment of the permit fee. The permit shall be for a period of 30 days and shall not be reissued. Sign size shall be no larger than 240 square feet (or 120 square feet per sign face on double-sided signs).
- b. One off-premises portable sign shall be allowed by temporary permit only. The permit shall be for a period of 30 days and shall not be reissued for said portable sign if said sign remains at the same location or within 2,000 feet of said location, measured in a straight line from property line to property line. Sign size shall be no larger than 240 square feet (or 120 square feet per sign face on double-sided signs).

(e) *Maintenance.* All signs and sign structures shall be kept in good repair and neat in appearance. Signs shall be maintained at reasonable intervals, including replacement of defective parts, painting, repainting, and cleaning. The city shall inspect all signs and sign structures regularly and shall require corrections of any sign deemed in violation of this section.

(Ord. No. 1139, 10-19-2016)

Texas Administrative Code

TITLE 43	TRANSPORTATION
PART 1	TEXAS DEPARTMENT OF TRANSPORTATION
CHAPTER 21	RIGHT OF WAY
SUBCHAPTER I	REGULATION OF SIGNS ALONG INTERSTATE AND PRIMARY HIGHWAYS
DIVISION 1	SIGNS
RULE §21.177	Prohibited Sign Locations

(a) A sign may not be erected or maintained on the real property of another without the property owner's permission.

(b) A sign may not be erected or maintained within the right of way of a public roadway, as prohibited by Transportation Code, §393.002, or an area that would be within the right of way if the right of way boundary lines were projected across railroad right of way or utility right of way.

(c) A sign may not be erected or maintained on a highway or part of a highway designated under Transportation Code, §391.252.

(d) A sign may not be located in a place that creates a safety hazard, including a location that:

- (1) causes a driver to be unduly distracted;
- (2) obscures or interferes with the effectiveness of an official traffic sign, signal, or device; or
- (3) obscures or interferes with the driver's view of approaching, merging, or intersecting traffic.

(e) A sign may not be erected or maintained in a location that violates Health and Safety Code, Chapter 752.

Source Note: The provisions of this §21.177 adopted to be effective September 1, 2024, 49 TexReg 6256

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ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 259. POLITICAL SIGNS

Sec. 259.001. NOTICE REQUIREMENT ON POLITICAL ADVERTISING SIGNS. (a) The following notice must be written on each political advertising sign:

"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."

(b) A person commits an offense if the person:

(1) knowingly enters into a contract to print or make a political advertising sign that does not contain the notice required by Subsection (a); or

(2) instructs another person to place a political advertising sign that does not contain the notice required by Subsection (a).

(c) An offense under this section is a Class C misdemeanor.

(d) It is an exception to the application of Subsection (b) that the political advertising sign was printed or made before September 1, 1997, and complied with Subsection (a) as it existed immediately before that date.

(e) In this section, "political advertising sign" means a written form of political advertising designed to be seen from a road but does not include a bumper sticker.

Added by Acts 1991, 72nd Leg., ch. 288, Sec. 5, eff. Sept. 1, 1991.

Amended by Acts 1997, 75th Leg., ch. 1134, Sec. 10, eff. Sept. 1, 1997;

Acts 1997, 75th Leg., ch. 1349, Sec. 71, eff. Sept. 1, 1997.

Transferred and redesignated from Election Code, Section 255.007 by Acts 2019, 86th Leg., R.S., Ch. 824 (H.B. [2554](#)), Sec. 2, eff. September 1, 2019.

Sec. 259.002. REGULATION OF DISPLAY OF POLITICAL SIGNS BY PROPERTY OWNERS' ASSOCIATION. (a) In this section, "property owners' association" has the meaning assigned by Section [202.001](#), Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

(1) on or after the 90th day before the date of the election to which the sign relates; or

(2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

(1) requires a sign to be ground-mounted; or

(2) limits a property owner to displaying only one sign for each candidate or measure.

(d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

(1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

(2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;

(3) includes the painting of architectural surfaces;

(4) threatens the public health or safety;

(5) is larger than four feet by six feet;

(6) violates a law;

(7) contains language, graphics, or any display that would be offensive to the ordinary person; or

(8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

(e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

Added by Acts 2005, 79th Leg., Ch. 1010 (H.B. [873](#)), Sec. 1, eff. June 18, 2005.

Transferred, redesignated and amended from Property Code, Section 202.009 by Acts 2019, 86th Leg., R.S., Ch. 824 (H.B. [2554](#)), Sec. 3, eff. September 1, 2019.

Sec. 259.003. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY. (a) In this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(b) A municipal charter provision or ordinance that regulates signs may not, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner:

(1) prohibit the sign from being placed;

(2) require a permit or approval of the municipality or impose a fee for the sign to be placed;

(3) restrict the size of the sign; or

(4) provide for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance.

(c) Subsection (b) does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.

(d) Subsection (b) does not apply to a sign that:

(1) has an effective area greater than 36 feet;

(2) is more than eight feet high;

(3) is illuminated; or

(4) has any moving elements.

Added by Acts 2003, 78th Leg., ch. 1004, Sec. 1, eff. Sept. 1, 2003.

Transferred and redesignated from Local Government Code, Section 216.903 by Acts 2019, 86th Leg., R.S., Ch. 824 (H.B. [2554](#)), Sec. 4, eff. September 1, 2019.

Name of Form:

Application for a Place on the Ballot for a General Election for a City, School District or Other Political Subdivision.

Section Reference:

Sections 141.031, Chapters 143 and 144, Texas Election Code.

Purpose:

To collect the legally required information from a candidate who seeks a place on the general election ballot for cities, schools and other political subdivisions.

Number of Copies Required:

One

Completed by:

The candidate who is filing for office, the person authorized to administer oaths and the City Secretary or Secretary of the Board of the political subdivision.

Filing Date:

Not later than 5:00 p.m. on the 78th day prior to election day for any uniform election date.

Filed with:

City Secretary or Secretary of the Board of the political subdivision.

Comments:

A candidate for office must indicate whether he or she was ever finally convicted of a felony. A candidate who was finally convicted, must show proof that he or she released from the resulting disabilities of a felony conviction. Please see the instructions attached to the application.

Version:

Current form is date 9/2023*.

**Previous version of the form dated 9/2021 may still be used.*

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

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

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

INSTRUCTIONS

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

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

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

NEPOTISM LAW

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

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

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

FOOTNOTES

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

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

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

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

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

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

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

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

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL¹ El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE _____					
Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo _____ (nombre de la elección)					
Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación.					
CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			INDIQUE TÉRMINO ☐ TÉRMINO COMPLETO ☐ TÉRMINO INCOMPLETO		
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA*		
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		OCUPACIÓN (No deje este espacio en blanco)	FECHA DE NACIMIENTO ____/____/____	VOID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional)	
INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional)					
Hogar: _____		Trabajo: _____		Celular: _____	
ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)			DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA		
☐ No he sido finalmente condenado por un delito grave. ☐ He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³			EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es)		EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es)
*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.					
Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: "Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."					
X _____ FIRMA DEL CANDIDATO					
Jurado y suscrito ante mí este día ____ de ____ del ____ por _____. (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento ⁴ _____ Título del oficial autorizado para administrar el juramento			Nombre del oficial autorizado para administrar juramentos en letra de molde _____ Notarial o sello oficial		
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: ☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. ☐ Voter Registration Status Verified					
____/____/____ Date Received		____/____/____ Date Accepted		(See Section 1.007) _____ Signature of Filing Officer or Designee	

Imprimir

Limpiar

INSTRUCCIONES

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

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

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

LEY DE NEPOTISMO

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

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

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

NOTAS

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

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

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

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

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

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

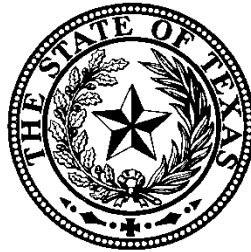
Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

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

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER
BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised January 1, 2024

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

FORM CTA—INSTRUCTION GUIDE

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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 (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; use Form CTA-T for this purpose.

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 Commission are required to file those reports electronically unless the person is entitled to claim an exemption. Please check the 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 Commission’s campaign finance guide. Guides are available on the 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.
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 and candidates for county 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 \$1,080 in political contributions or make more than \$1,080 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 \$1,080 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 \$1,080 maximums apply to each election within the cycle. In other words, you are limited to \$1,080 in contributions and expenditures in connection with the primary, an additional \$1,080 in contributions and expenditures in connection with the general election, and an additional \$1,080 in contributions and expenditures in connection with a runoff.

EXCEEDING \$1,080 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$1,080 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 \$1,080 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 Commission's campaign finance guide that applies to you.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

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

CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

11 CANDIDATE
NAME

12 MODIFIED
REPORTING
DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

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

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

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

I do not intend to accept more than \$1,080 in political contributions or make more than \$1,080 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 mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

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

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

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE

(PAPER FILERS ONLY)

To Report Activity Occurring on or after January 1, 2024



Revised January 1, 2024

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

FORM C/OH – INSTRUCTION GUIDE

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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 three-page cover sheet, but only the schedules on which there is information to report need to be included.

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GENERAL INSTRUCTIONS

These general instructions apply to all C/OH forms required to be filed under title 15, Texas Election Code, for activity that occurs on or after January 1, 2024. For a report that includes activity occurring before January 1, 2024, you must use the instructions applicable before that time, which are available on the Texas Ethics Commission's website at <https://www.ethics.state.tx.us/forms/coh/cohfrm.php>.

IMPORTANT UPDATES

Increased Disclosure Thresholds

On January 1, 2020, the Texas Ethics Commission began adjusting certain reporting thresholds to account for inflation. As directed by section 571.064 of the Texas Government Code, the Commission is required to annually adjust these thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor. Accordingly, one or more thresholds will generally be adjusted each year, depending upon the figures in the index.

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

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

Contributions Made Electronically Must Be Itemized

Beginning on September 1, 2019, all political contributions that are made electronically and accepted by a filer during the reporting period must be itemized in the filer's campaign finance report. This change is made by House Bill 2586, adopted by the 86th Texas Legislature.

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. 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, print everything other than your signature.

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.

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, 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, 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 Modified Reporting 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 \$1,080 in contributions or expenditures during the reporting period.

You are required to file a report of unexpended contributions (using Form C/OH-UC) if **all** of the following apply to you: you are not a current officeholder, you have filed a final report, and you retain political contributions. Officeholders who leave office, no longer have a treasurer appointment on file, file a final report, and still retain political contributions will also owe this report. See Instructions for Form C/OH-UC for further information. 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 (Semiannual) 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 \$1,080 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 (Semiannual) 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 \$1,080 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 Modified Reporting Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded \$1,080 in contributions or \$1,080 in expenditures in connection with the election must file this Exceeded Modified Reporting Limit report within 48 hours after exceeding the \$1,080 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 \$1,080 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 is disclosed on Form Daily-C C/OH. For more information, see the instructions for Form Daily-C C/OH.

Legislative Special Session Report: All statewide candidates and officeholders and members of and candidates for the legislature who accept 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 are 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, 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 reporting 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, 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, 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, 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, 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 Modified Reporting 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 \$1,080 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, 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, enter the office you seek. If you were a candidate in a recently held election, but were unsuccessful or are not currently an officeholder, 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.

14. 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.

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15. C/OH (CANDIDATE/OFFICEHOLDER) NAME: Enter your full name.

16. FILER ID: See instructions for Cover Sheet, page 1, section 1.

17. TOTALS: Complete this section only after you have completed all applicable schedules.

Line 1- Total Unitemized Political Contributions: Enter the total of all unitemized contributions (other than pledges, loans, guarantees of loans, or contributions made electronically) of \$110 or less. Do not include any contributions itemized on Schedules A1 or A2 or any contributions made electronically. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you are required to itemize political contributions that totaled more than \$110 from one person during the reporting period and any political contribution that is made electronically. (Remember: If the committee received contributions *totaling* more than \$110 from one person during the reporting period, you are required to itemize all of those contributions, even if individual contributions were \$110 or less.) You may also itemize contributions of \$110 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 Unitemized Political Expenditures: Enter the total of all unitemized political expenditures of \$220 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 are required to itemize political expenditures that totaled more than \$220 to one payee. (Remember: If the committee made expenditures *totaling* more than \$220 to one person during the reporting period, you are required to itemize all of those expenditures, even if individual expenditures were \$220 or less.) You may also itemize expenditures totaling \$220 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 are required to itemize incurred but not yet paid political expenditures that totaled more than \$220 to one payee. You may also itemize incurred but not yet paid political expenditures totaling \$220 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 are required to itemize political expenditures made by a credit card that totaled more than \$220 to one payee. You may also itemize political expenditures made by a credit card totaling \$220 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 are 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 are 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. SIGNATURE: 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 report.***

If you are using the paper form, fill this section out by hand after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says “Signature of Candidate/Officeholder (Declarant)” (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say “Signature of Candidate/Officeholder (Declarant)” (an electronic signature is not acceptable), and fill out the unsworn declaration section.

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19. C/OH (CANDIDATE/OFFICEHOLDER) NAME: Enter your full name.

20. FILER ID: See instructions for Cover Sheet, page 1, 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. 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. 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: Add the total amount of investments purchased from political contributions itemized on Schedule F3. Enter that total on line 7. 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. 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: Add the total amount of payments from political contributions to a business of the candidate or officeholder itemized on Schedule H. Enter that total on line 10. 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: Add the total amount of non-political expenditures from political contributions itemized on Schedule I. Enter that total on line 11. Enter a “0” if you did

not make any non-political expenditures from political contributions during the period covered.

Line 12- Schedule K: Add the total amount of interests, credits, gains, refunds, and contributions returned to the filer itemized on Schedule K. Enter that total on line 12. 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 \$110 from one person, and any monetary contribution made electronically, during the reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds \$110, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$110 in the period on this schedule. If you do not itemize contributions of \$110 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.

Failure to make a determination about acceptance or refusal: If you fail to make a determination to accept or refuse a contribution by the end of the reporting period, the contribution is considered to have been accepted.

Returning refused contributions: If you receive a political contribution but do not accept it, you must return the contribution not later than the 30th day after the end of the reporting period in which the contribution was received. If you fail to do so, the contribution is considered to have been accepted.

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 \$1,080 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 \$220 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 \$1,080 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 exact 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 \$1,080 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 \$1,080 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 \$110 from one person, and any non-monetary contribution made electronically, during the reporting period on this schedule. If you accepted two or more non-monetary contributions from the same person, the total of which exceeds \$110, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$110 in the period on this schedule. If you do not itemize contributions of \$110 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 \$110 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 \$110 or less on this schedule, do not include it in this total. All contributions made electronically must be itemized.
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.

“Check if Travel Outside of Texas” box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. 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, 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 \$110 in the aggregate from one person during the reporting period. If you accepted two or more pledges from the same person during the reporting period, the total of which exceeds \$110, enter each pledge separately. Although you are not required to do so, you may also itemize pledges for \$110 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 no longer a pledge disclosed here; it becomes a contribution disclosed on the applicable contributions schedule

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 \$110 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of \$110 or less on this schedule. If you itemize some pledges of \$110 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of \$110 or less, enter a "0" 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 payment of a pledged contribution in the same reporting period in which the pledge was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (such as monetary or non-monetary contributions, or loans). For a pledged contribution paid in the same reporting period, the date of the contribution will be the date your committee **accepted** the pledge, regardless of what date within the reporting period that 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 exact 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.

“Check if Travel Outside of Texas” box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. 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 \$110 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 \$110, itemize each loan separately. You must also itemize loans that are made electronically by a person other than a financial institution, regardless of amount. Although you are not required to do so, you may also itemize any other loans that do not exceed \$110.

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 \$110 in the aggregate per person and were not from financial institutions, unless the loans were made electronically.

Although you are not required to do so, you may itemize loans of \$110 or less from persons other than financial institutions on this schedule. If you itemize some loans of \$110 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$110 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, choose “Y” for yes. If you accepted the loan from any other source, choose “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, etc.) 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 \$1,080 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 \$1,080 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 skip sections 17 through 21. If you have no further loans to report, go to the next applicable schedule.
- Note: 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 applicable 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 exact 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: 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 issuer 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 non-political 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 the reporting period that in the aggregate exceed \$220 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$220, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$220 in the period on this schedule. If you choose not to itemize expenditures of \$220 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 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 was 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 (Enter your own category, if none of the listed categories apply)

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that was 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.

“Check if travel outside of Texas” box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. Report this information on Schedule T.

“Check if Austin, TX, officeholder living expense” box: Check this box if the expenditure is an officeholder expense for living in Austin, Texas.

For examples of acceptable ways to disclose the purpose of an expenditure, see "Examples: Purpose of Expenditures."

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. If under normal business practices, the amount of an expenditure is not known or readily ascertainable until receipt of a periodic bill, do not report it on this schedule. 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 the reporting period that in the aggregate exceed \$220 on this schedule. If you incurred more than one obligation to the same payee during the reporting period, the total of which exceeded \$220, 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 \$220 in the period on this schedule. If you choose not to itemize incurred political obligations of \$220 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 \$220 or less 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 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 \$220 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of \$220 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. Remember: expenditure obligations you incurred **and** paid during the reporting period are entered on Schedule F1, G, H or I, as applicable. Expenditures made by credit card are disclosed on Schedule F4.

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 expenditure 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 the reporting period that in the aggregate exceed \$140 on this schedule. If you made two or more payments to the same payee to purchase an investment, the total of which exceeded \$140, enter each payment separately. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed \$140 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 exact 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. **Note: significant changes were made to Schedule F4 in 2024.***

Use this schedule to disclose information about expenditures made by a credit card. 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 issuer. When you pay the credit card bill, you must disclose the payment to the credit card issuer 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 non-political payments from political contributions), as applicable.

Do not enter on this schedule: political expenditures from political contributions that were paid for with cash, check, or debit card; unpaid incurred obligations; political expenditures made from personal funds; or payments from political contributions made to a business that a candidate or officeholder owns or controls on this schedule. (Report political expenditures from political contributions that were paid for with cash, check or debit card 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 a candidate or officeholder owns or controls on Schedule H.)

For examples regarding the disclosure of expenditures made by credit card, see “Examples: Reporting Expenditures Made by Credit Card.”

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 \$220 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee during the reporting period, the total of which exceeded \$220, 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 \$220 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of \$220 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 \$220 or less 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 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 ALL CREDIT CARDS:

Enter the total amount of political expenditures charged to all credit cards you used during the reporting period that do not exceed \$220 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of \$220 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. CREDIT CARD ISSUER: Enter the full name of the financial institution that issued the credit card. Use a separate page of Schedule F4 for each credit card used.

Sections 6 through 9 are used to report information about each itemized expenditure made using the credit card listed in item #5 above. Each expenditure must have its own entry. If you made more than three expenditures using that same credit card during the period covered by the report, include additional pages of Schedule F4 and include the name of the credit card issuer in Item 5 on every page. Leave Item 4 blank except for the first page for that credit card issuer.

6. PAYMENT

(a) Amount Charged: Report the exact amount of the credit card expenditure.

(b) Date Expenditure Charged: Enter the date you charged the 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.*

(c) Date(s) Credit Card Issuer Paid: List the date(s) that you made payments to the credit card issuer during the period covered by the report for this expenditure. If you made multiple payments to the credit card issuer during the period covered by the report, list the first and last dates that you made payments.

7. PAYEE

(a) 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 issuer.

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 8, “Purpose of Expenditure.”

(b) Payee Address: Enter the complete address of the payee of the credit card expenditure.

8. PURPOSE 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.

(a) 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 issuer. Instead, choose the category that corresponds to the goods, services, or other thing of value purchased from the individual, entity, or vendor.

(b) Description: See instructions for Schedule F1, section 8.

9. 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.

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: 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 issuer 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 non-political 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 the reporting period that in the aggregate exceed \$220 on this schedule. If you made more than one expenditure to the same payee during the reporting period, the total of which exceeded \$220, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$220 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 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.) If you do not check this box at the time you file your report, you cannot correct/amend your report later to check this box without subjecting yourself to a possible penalty.

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 exact 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: 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 issuer 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 non-political 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 defined in section 251.001 of the Election Code. 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 was made.
- 5. PAYEE NAME:** See instructions for Schedule F1, section 5.
- 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:** 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 from the sale of an asset purchased with a political contribution, the amount of which exceeds \$140, 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 the reporting period that in the aggregate exceed \$140 on this schedule. Although you are not required to do so, you may also report any interest/credit/gain/refund that does not exceed \$140 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/returned contribution 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 interest/credit/gain/refund or returned contribution was received. If the person is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the person or business is an entity, enter the full name of the entity.
- 6. ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the interest/credit/gain/refund or returned contribution 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 amount of the interest/credit/gain/refund or returned contribution.

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 that were used for travel outside of Texas. 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 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 filer identification number. If you do not file with the Commission, you are not required to enter a filer identification 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 date(s) 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 active 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 active 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 active 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 \$1,080 in contributions or \$1,080 in expenditures during the reporting period.

If you cease to be an officeholder at a time when you do not have an active 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 (Form C/OH-UC) 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. If your unexpended contribution report shows that your contributions maintained is now “\$0.00,” then you may file that unexpended contribution report at any time. 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 for Candidates and Officeholders.

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 (Form C/OH-UC) not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. If your unexpended contribution report shows that your contributions maintained is now “\$0.00,” then you may file that unexpended contribution report

at any time. 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 for Candidates and Officeholders.

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.

ADDITIONAL INFORMATION REGARDING EXPENDITURES

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 issuers.

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 by credit card.

Example #1: Candidate Using Credit Card to Make Political Expenditures and Using Political Contributions to Pay the Entire Credit Card Bill in the Same Reporting Period

A candidate for elected 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 issuer:

1. The candidate fills out one page of the “Expenditures Made by Credit Card” Schedule (F4). The credit card issuer’s name is included in section 5. The candidate fills out sections 6 through 9 twice, once for the \$1,000 expenditure and again for the \$500 expenditure.
2. For the \$1,000 expenditure, the candidate reports an amount charged of \$1,000 in section 6(a), the date the expenditure was made in section 6(b), and the date the credit card issuer was paid \$1,500 in section 6(c). She identifies the office store in section 7 as the payee of the expenditure and includes their address. Section 8’s category for the expenditure is “Office Overhead/Rental Expense,” and the description is “Campaign Office Supplies.” In Section 8 of the schedule, the box for “Political” is also checked.
3. For the \$500 expenditure, the candidate reports an amount charged of \$500 in section 6(a), the date the expenditure was made in section 6(b), and the date the credit card issuer was paid \$1,500 in section 6(c). She identifies the sign company in section 7 as the payee of the expenditure and includes their address. Section 8’s category for the expenditure is “Advertising Expense,” and the description is “Political Advertising Signs.” In Section 8 of the schedule, the box for “Political” is also checked.
4. For the payment to the credit card issuer: a \$1,500 expenditure is reported on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card issuer 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.”

- Both \$1,500 amounts reported on Schedules F4 and F1 are also 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 Entire 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 one payment from his personal funds account to pay the entire \$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 issuer:

- The candidate fills out one page of the “Expenditures Made by Credit Card” Schedule (F4). The credit card issuer’s name is included in section 5. The candidate fills out sections 6 through 9 once, for the \$3,000 expenditure.
- The candidate reports an amount charged of \$3,000 in section 6(a), the date the expenditure was made in section 6(b), and the date the credit card issuer was paid \$3,000 in section 6(c). He identifies the print shop in section 7 as the payee of the expenditure and includes their address. Section 8’s category for the expenditure is “Advertising Expense,” and the description is “Political Advertising Materials.” In Section 8 of the schedule, the box for “Political” is also checked.
- For the payment to the credit card issuer: a \$3,000 expenditure is reported on the “Political Expenditures Made from Personal Funds” Schedule (G). The schedule identifies the credit card issuer 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.
- Both \$3,000 amounts reported on Schedules F4 and G are also 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 (GPAC) uses its credit card to buy \$500 in political advertising in a newspaper. The committee receives the statement from the credit card issuer but does not send a payment until after the reporting period ends. When the committee sends a payment to the credit card issuer, 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. The GPAC fills out one page of the “Expenditures Made by Credit Card” Schedule (F4). The credit card issuer’s name is included in section 5. The GPAC fills out sections 6 through 9 once, for the \$500 expenditure.
2. The GPAC reports an amount charged of \$500 in section 6(a), the date the expenditure was made in section 6(b), and leaves section 6(c) blank. They identify the newspaper in section 7 as the payee of the expenditure and include their address. Section 8’s category for the expenditure is “Advertising Expense,” and the description is “Political Advertising.” In Section 8 of the schedule, the box for “Political” is also checked.
3. 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 issuer, 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 issuer:

1. The GPAC reports a \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card issuer 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 issuer but does not send a payment until after the reporting period ends. When the candidate sends a payment to the credit card issuer, 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. The judicial candidate fills out one page of the “Expenditures Made by Credit Card” Schedule (F4). The credit card issuer’s name is included in section 5. The candidate fills out sections 6 through 9 once, for the \$500 expenditure.
2. The judicial candidate reports an amount charged of \$500 in section 6(a), the date the expenditure was made in section 6(b), and leaves section 6(c) blank. She identifies the newspaper in section 7 as the payee of the expenditure and includes their address. Section 8’s category for the expenditure is “Advertising Expense,” and the description is “Political Advertising.” In Section 8 of the schedule, the box for “Political” is also checked.

3. 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 issuer, the judicial 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 issuer was made:

1. The judicial candidate reports a \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card issuer 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 #5: Political Committee Using Credit Card to Make a Political Expenditure and Using Political Contributions to Make Partial Payments of the Credit Card Bill in Different Reporting Periods

A general-purpose committee (GPAC) uses its credit card to buy \$5,000 in political advertising for a mailer from a printing company. The committee receives the statement from the credit card issuer and makes one or more partial payments from political contributions of \$2,000 in that same reporting period. The committee pays the remaining \$3,000 from political contributions to the credit card issuer in a different reporting period.

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. The GPAC fills out one page of the “Expenditures Made by Credit Card” Schedule (F4). The credit card issuer’s name is included in section 5. The GPAC fills out sections 6 through 9 once, for the \$5,000 expenditure.
2. The GPAC reports an amount charged of \$5,000 in section 6(a), the date the expenditure was made in section 6(b), and reports the date (or dates) during that reporting period on which the \$2,000 was paid in section 6(c). They identify the printing company in section 7 as the payee of the expenditure and include their address. Section 8’s category for the expenditure is “Advertising Expense,” and the description is “Political Advertising.” In Section 8 of the schedule, the box for “Political” is also checked.
3. The \$5,000 amount reported on “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 payments to the credit card issuer, the committee’s campaign treasurer would also report all of the following on a campaign finance report (Form GPAC):

1. For the \$2,000 payment(s) made during the same period that the expenditure was made, the GPAC reports a \$2,000 expenditure on the “Political Expenditures from Political

Contributions” Schedule (F1). The schedule identifies the credit card issuer 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. For the \$3,000 payment made during a different reporting period, the GPAC reports a \$3,000 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card issuer 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.”
3. The \$2,000 and \$3,000 amounts 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 for each reporting period.

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.” An acceptable brief description 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.” An acceptable brief description 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 category is “travel out of district” and an acceptable brief description is “airline ticket to attend [name of seminar] in [city,] [state]. You must also complete “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.” An acceptable brief description 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 description 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 description 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 description 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 description 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 Made From Political Contributions” schedule (Schedule F1).

Example: On December 1, 2020, Candidate A spends \$500 of her own personal funds to purchase political advertising signs. She does not use a credit card for this purchase; the purchase is made using cash, check or a debit card. 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, 2020.

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. Candidate B is the payee, 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. Candidate C is the payee, 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 – Itemize the payment (if over the \$220 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 – 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 – 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.

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

**FORM C/OH
COVER SHEET PG 1**

The C/OH Instruction Guide explains how to complete this form.		1 Filer ID (Ethics Commission Filers)		2 Total pages filed:	

3 CANDIDATE / OFFICEHOLDER NAME	MS / MRS / MR	FIRST	MI	OFFICE USE ONLY	
	NICKNAME	LAST	SUFFIX		
4 CANDIDATE / OFFICEHOLDER MAILING ADDRESS ☐ Change of Address	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE			Date Received	
5 CANDIDATE/ OFFICEHOLDER PHONE	AREA CODE	PHONE NUMBER	EXTENSION	Date Hand-delivered or Date Postmarked	
	()				
6 CAMPAIGN TREASURER NAME	MS / MRS / MR	FIRST	MI	Receipt # Amount \$ Date Processed	
	NICKNAME	LAST	SUFFIX		
7 CAMPAIGN TREASURER ADDRESS (Residence or Business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE				
8 CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER	EXTENSION		
	()				
9 REPORT TYPE	☐ January 15 ☐ 30th day before election ☐ Runoff ☐ 15th day after campaign treasurer appointment (Officeholder Only) ☐ July 15 ☐ 8th day before election ☐ Exceeded Modified Reporting Limit ☐ Final Report (Attach C/OH - FR)				
10 PERIOD COVERED	Month Day Year / / THROUGH Month Day Year / /				
11 ELECTION	ELECTION DATE		ELECTION TYPE		
	Month Day Year / /	☐ Primary ☐ General	☐ Runoff ☐ Special	☐ Other Description _____	
12 OFFICE	OFFICE HELD (if any)		13 OFFICE SOUGHT (if known)		
14 NOTICE FROM POLITICAL COMMITTEE(S) ☐ Additional Pages	THIS BOX IS FOR NOTICE OF POLITICAL CONTRIBUTIONS ACCEPTED OR POLITICAL EXPENDITURES MADE BY POLITICAL COMMITTEES TO SUPPORT THE CANDIDATE / OFFICEHOLDER. THESE EXPENDITURES MAY HAVE BEEN MADE WITHOUT THE CANDIDATE'S OR OFFICEHOLDER'S KNOWLEDGE OR CONSENT. CANDIDATES AND OFFICEHOLDERS ARE REQUIRED TO REPORT THIS INFORMATION ONLY IF THEY RECEIVE NOTICE OF SUCH EXPENDITURES.				
	COMMITTEE TYPE	COMMITTEE NAME			
	☐ GENERAL	COMMITTEE ADDRESS			
	☐ SPECIFIC	COMMITTEE CAMPAIGN TREASURER NAME			
	COMMITTEE CAMPAIGN TREASURER ADDRESS				

GO TO PAGE 2

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH
COVER SHEET PG 2

15 C/OH NAME		16 Filer ID (Ethics Commission Filers)
17 CONTRIBUTION TOTALS	1. TOTAL UNITEMIZED POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS, OR CONTRIBUTIONS MADE ELECTRONICALLY)	\$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	\$
EXPENDITURE TOTALS	3. TOTAL UNITEMIZED POLITICAL EXPENDITURE.	\$
	4. TOTAL POLITICAL EXPENDITURES	\$
CONTRIBUTION BALANCE	5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	\$
OUTSTANDING LOAN TOTALS	6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	\$

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

Signature of Candidate or Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

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

Signature of Candidate/Officeholder (Declarant)

SUBTOTALS - C/OH

FORM C/OH COVER SHEET PG 3

19 FILER NAME

20 Filer ID (Ethics Commission Filers)

21 SCHEDULE SUBTOTALS
NAME OF SCHEDULE

SUBTOTAL
AMOUNT

1.	☐	SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS	\$
2.	☐	SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS	\$
3.	☐	SCHEDULE B: PLEDGED CONTRIBUTIONS	\$
4.	☐	SCHEDULE E: LOANS	\$
5.	☐	SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
6.	☐	SCHEDULE F2: UNPAID INCURRED OBLIGATIONS	\$
7.	☐	SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS	\$
8.	☐	SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD	\$
9.	☐	SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS	\$
10.	☐	SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH	\$
11.	☐	SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
12.	☐	SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER	\$

Reset Form

Reset Page

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A1

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

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A1:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Full name of contributor ☐ 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 ☐ 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 ☐ 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 ☐ 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.		

SCHEDULE A2

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

[illegible]

PLEDGED CONTRIBUTIONS

SCHEDULE B

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

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

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

The Instruction Guide explains how to complete this form.		1 Total pages Schedule 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 ☐ not applicable	17 Name of guarantor	19 Amount Guaranteed (\$)
	18 Guarantor address; City; State; Zip Code	
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 ☐ not applicable	Name of guarantor	Amount Guaranteed (\$)
	Guarantor address; City; State; Zip Code	
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.

POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F1

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

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

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

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F1:	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 Categories listed at the top of this schedule)	(b) Description
	(c) ☐ Check if travel outside of Texas. Complete Schedule T. ☐ Check if Austin, TX, officeholder living expense	
9 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	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	☐ Check if travel outside of Texas. Complete Schedule T. ☐ 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	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	☐ Check if travel outside of Texas. Complete Schedule T. ☐ Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense	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 ☐ Political ☐ Non-Political

10 PURPOSE OF EXPENDITURE (a) Category (See Categories listed at the top of this schedule) (b) Description (c) ☐ Check if travel outside of Texas. Complete Schedule T. ☐ Check if Austin, TX, officeholder living expense

11 Complete ONLY 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 ☐ Political ☐ Non-Political

PURPOSE OF EXPENDITURE Category (See Categories listed at the top of this schedule) Description ☐ Check if travel outside of Texas. Complete Schedule T. ☐ Check if Austin, TX, officeholder living expense

Complete ONLY if direct expenditure to benefit C/OH Candidate / Officeholder name Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PURCHASE OF INVESTMENTS MADE
FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

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

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

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

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

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

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

The Instruction Guide explains how to complete this form.

USE A NEW PAGE FOR EACH CREDIT CARD ISSUER

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 CREDIT CARD
ISSUER

Name of financial institution

6 PAYMENT

(a) Amount Charged

(b) Date Expenditure Charged

(c) Date(s) Credit Card Issuer Paid

\$

7 PAYEE

(a) Payee name

(b) Payee address;

City,

State,

Zip Code

8 PURPOSE OF
EXPENDITURE

(a) Category (See Categories listed at the top of this schedule)

(b) Description

☐ Political

☐ Non-Political

(c) ☐ Check if travel outside of Texas. Complete Schedule T.

☐ Check if Austin, TX, officeholder living expense

9 Complete **ONLY** if direct
expenditure to benefit C/OH

Candidate / Officeholder name

Office Sought

Office Held

PAYMENT

(a) Amount Charged

(b) Date Expenditure Charged

(c) Date(s) Credit Card Issuer Paid

\$

PAYEE

(a) Payee name

(b) Payee address;

City,

State,

Zip Code

PURPOSE OF
EXPENDITURE

(a) Category (See Categories listed at the top of this schedule)

(b) Description

☐ Political

☐ Non-Political

(c) ☐ Check if travel outside of Texas. Complete Schedule T.

☐ Check if Austin, TX, officeholder living expense

Complete **ONLY** if direct
expenditure to benefit C/OH

Candidate / Officeholder name

Office Sought

Office Held

PAYMENT

(a) Amount Charged

(b) Date Expenditure Charged

(c) Date(s) Credit Card Issuer Paid

\$

PAYEE

(a) Payee name

(b) Payee address;

City,

State,

Zip Code

PURPOSE OF
EXPENDITURE

(a) Category (See Categories listed at the top of this schedule)

(b) Description

☐ Political

☐ Non-Political

(c) ☐ Check if travel outside of Texas. Complete Schedule T.

☐ Check if Austin, TX, officeholder living expense

Complete **ONLY** if direct
expenditure to benefit C/OH

Candidate / Officeholder name

Office Sought

Office Held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

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

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

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

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE H

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	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
	(c) ☐ Check if travel outside of Texas. Complete Schedule T. ☐ Check if Austin, TX, officeholder living expense	
9 Complete ONLY 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
	☐ Check if travel outside of Texas. Complete Schedule T. ☐ Check if Austin, TX, officeholder living expense	
Complete ONLY 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
	☐ Check if travel outside of Texas. Complete Schedule T. ☐ Check if Austin, TX, officeholder living expense	
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

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

The Instruction Guide explains how to complete this form.

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

Reset Form

Reset Page

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

SCHEDULE K

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule K:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 Date

5 Name of person from whom amount is received

8 Amount (\$)

6 Address of person from whom amount is received; City; State; Zip Code

7 Purpose for which amount is received

☐

Check if political contribution returned to filer

Date

Name of person from whom amount is received

Amount (\$)

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

☐

Check if political contribution returned to filer

Date

Name of person from whom amount is received

Amount (\$)

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

☐

Check if political contribution returned to filer

Date

Name of person from whom amount is received

Amount (\$)

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

☐

Check if political contribution returned to filer

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

Reset Form

Reset Page

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

SCHEDULE T

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

The Instruction Guide explains how to complete this form.		1 Total pages Schedule T:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
5 Contribution / Expenditure reported on: ☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1 ☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ 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: ☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1 ☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ 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: ☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1 ☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ 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		

Reset Form

Reset Page

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

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE ☐

POLITICAL COMMITTEE ☐

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

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

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

FIRST

MI

NICKNAME

LAST

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

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

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

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

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

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

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

FIRST

MI

NICKNAME

LAST

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

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

Signature

Date

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

OFFICE USE ONLY

Date Received

1 Name of Local Government Officer

2 Office Held

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

(attach additional forms as necessary)

6 SIGNATURE

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

Signature of Local Government Officer

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.

(street)

(city)

(state)

(zip code)

(country)

Executed in _____ County, State of _____, on the _____ day of _____, 20____.

(month)

(year)

Signature of Local Government Officer (Declarant)

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an employment or other business relationship with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Signature.** Signature of local government officer. Complete this section after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says "Signature of Local Government Officer" (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say "Signature of Local Government Officer (Declarant)" (an electronic signature is not acceptable), and fill out the unsworn declaration section.

Local Government Code § 176.001(2-a): "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

Local Government Code § 176.003(a)(2)(A):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

REQUEST FOR CONFIDENTIALITY FOR CANDIDATES UNDER TEXAS GOVERNMENT CODE

Pursuant to Section 552.1175 of the Texas Government Code, if you are one of the qualifying individuals listed in Step 2 below, you may request that information from your candidate application which identifies your home address, home telephone number, emergency contact information, date of birth, social security number, or whether you have family members be restricted from public access. By completing and submitting this form to the filing authority with whom you filed your candidate application, you are requesting the confidentiality of the information as stated above. You must attach a photocopy of documentation showing that you are eligible for confidentiality. If you want to rescind this confidentiality request, you must do so in writing to the filing authority with whom you filed your candidate application.

Step 1: Identify Candidate Requesting Confidentiality	Name	Date of Birth
	Residence Address (number and street)	
	City, State, Zip Code	
	VOID Number (Optional)	County of Residence
Step 2: Qualification (check one)	☐ Current or honorably retired peace officers, as defined by Article 2.12, Code of Criminal Procedure, or special investigators as described by Article 2.122, Code of Criminal Procedure; ☐ Current or honorably retired county jailers as defined by §1701.001, Occupations Code; ☐ Current or former employees of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department; ☐ Commissioned security officers as defined by §1702.002, Occupations Code; ☐ A current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters; ☐ A current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters; ☐ Officers and employees of a community supervision and corrections department established under Chapter 76 who perform a duty described by §76.004(b), Government Code; ☐ Criminal investigators of the U.S. as described by Article 2.122(a), Code of Criminal Procedure; ☐ Current or honorably retired police officers and inspectors of the United States Federal Protective Service; ☐ Current and former employees of the office of the attorney general who are or were assigned to a division of that office the duties of which involve law enforcement or are performed under Chapter 231, Family Code; ☐ Current or former juvenile probation and detention officers certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code; ☐ Current or former employees of a juvenile justice program or facility, as defined by §261.405, Family Code;	

Step 2: Qualification (Continued)	☐ Current or former employees of the Texas Juvenile Justice Department or the predecessors in function of the department; ☐ Current or former employees of the Texas Civil Commitment Office or of the predecessor in function of the office or a division of the office; ☐ Current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services or a current or former employee of a department contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of the department; ☐ A firefighter, volunteer firefighter, or emergency medical services personnel as defined by Section 773.003, Health and Safety Code; ☐ Current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces as defined by Section 437.001, Government Code; ☐ Current or former United States attorney, assistant United States attorney, federal public defender, deputy federal public defender, or assistant federal public defender and the spouse or child of the current or former attorney or public defender; ☐ Federal judges and state judges as defined by §1.005, Election Code (and the family member as defined under Section 31.006 of the Finance Code) of a federal or state judge; ☐ An elected public officer
Step 3: Candidate's Evidence of Status	I have attached a photocopy of documentation showing evidence of my qualification (proof of the qualification claimed above on Step 2).
Step 4: Sign and Date	I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief. Sign Here ► _____ Date ► _____ Making a false statement on this form is a Class A misdemeanor or a state jail felony. Texas Penal Code §37.10
Step 5: Return this form	Return this form to: Candidate Filing Authority _____ _____ Or fax/email to _____
For Office Use Only	VOID # _____ Documentation received? Yes ☐ No ☐ Confidentiality Approved? Yes ☐ No ☐ Signature of Filing Authority _____ Date: ____/____/_____ Comments: _____

Print

Reset

SOLICITUD DE CONFIDENCIALIDAD PARA CANDIDATOS SEGÚN EL CÓDIGO GUBERNAMENTAL DE TEXAS

De acuerdo con la Sección 552.1175 del Código Gubernamental de Texas, si usted es uno de los individuos calificados que se enumeran en el Paso 2 a continuación, puede solicitar que se restrinja el acceso público a la información de su solicitud de candidato que identifique su domicilio, el número de teléfono de su casa, la información de contacto de emergencia, la fecha de nacimiento, el número del seguro social o si tiene familiares. Al completar y enviar este formulario a la autoridad de presentación ante la que presentó su candidatura, solicita la confidencialidad de la información arriba indicada. Debe adjuntar una fotocopia de la documentación que demuestre que es elegible para la confidencialidad. Si desea rescindir esta solicitud de confidencialidad, debe hacerlo por escrito a la autoridad de presentación ante la que presentó su candidatura.

Paso 1: Identifique al candidato que solicita confidencialidad	Nombre		Fecha de nacimiento
	Dirección de residencia (número y calle)		
	Ciudad, Estado, y Código Postal		
	Número VUID		Condado de residencia
Paso 2: Calificación (marque uno)	☐ Agente de la paz en activo u honorablemente retirado, según se definen en el Artículo 2.12 del Código de Procedimiento Penal, o investigador especial según se describe en el Artículo 2.122 del Código de Procedimiento Penal; ☐ Carcelero del condado en activo u honorablemente jubilado, tal y como se define en §1701.001, Código de Ocupaciones; ☐ Empleado actual o anterior del Departamento de Justicia Criminal de Texas o del .predecesor en función del departamento o cualquier división del departamento; ☐ Oficial de Seguridad Comisionado, tal como se define en §1702.002, Código de Ocupaciones; ☐ Un fiscal de distrito actual o anterior, un fiscal de distrito criminal, un fiscal del condado o fiscal municipal cuya jurisdicción incluya cualquier asunto de derecho penal o de servicios de protección infantil; ☐ Un empleado actual o anterior de un fiscal de distrito, fiscal de distrito criminal, fiscal del condado o fiscal municipal cuya jurisdicción incluya cualquier asunto de derecho penal o de servicios de protección infantil; ☐ Funcionario y empleado de un departamento de supervisión y correcciones comunitaria establecido bajo el Capítulo 76 que desempeña un deber descrito por §76.004(b), Código Gubernamental; ☐ Investigadores criminales de los Estados Unidos como se describe en el Artículo 2.122(a), Código de Procedimiento Penal; ☐ Oficial de policía actual u honorablemente jubilado e inspectores del Servicio de Protección Federal de los Estados Unidos; ☐ Empleados actuales y anteriores de la oficina del fiscal general que estén o hayan estado asignados a una división de dicha oficina cuyas funciones involucren la aplicación de la ley o se realicen bajo el Capítulo 231, Código de Familia; ☐ Funcionarios actuales o anteriores de libertad condicional y detención de menores certificados por el Departamento de Justicia Juvenil de Texas, o los predecesores en función del departamento, según el Título 12, Código de Recursos Humanos;		

Paso 2: Calificación (continuación)	☐ Empleados actuales o anteriores de un programa o centro de justicia juvenil, tal como se define en §261.405, Código de Familia; ☐ Empleados actuales o anteriores del Departamento de Justicia Juvenil de Texas o los predecesores en función del departamento; ☐ Empleados actuales o anteriores de la Oficina de Compromiso Civil de Texas o del predecesor en función de la oficina o una división de la oficina; ☐ Trabajadores de casos de los servicios de protección de menores actuales o anteriores, trabajadores de casos de servicios de protección para adultos o investigadores del Departamento de Servicios para la Familia y de Protección o un empleado actual o anterior de un contratista del departamento que realiza servicios de protección infantil, servicios de protección para adultos, o funciones de investigación para el contratista en nombre del departamento; ☐ Un bombero, bombero voluntario o personal de servicios médicos de emergencia, según se define en la Sección 773.003 del Código de Salud y Seguridad; ☐ Miembro actual o anterior del Ejército de los Estados Unidos, la Armada de los Estados Unidos, la Fuerza Aérea de los Estados Unidos, la Guardia Costera de los Estados Unidos o la Infantería de Marina de los Estados Unidos, un servicio auxiliar de una de esas ramas o las fuerzas militares de Texas se según se define en la Sección 437.001, Código Gubernamental; ☐ Fiscal de los Estados Unidos actual o anterior, fiscal adjunto de los Estados Unidos, defensor público federal, defensor público federal adjunto o defensor público federal auxiliar y el cónyuge o hijo del fiscal o defensor público actual o anterior; ☐ Jueces federales, jueces estatales tal como se define en §1.005, Código Electoral (y el miembro de la familia según se define en la Sección 31.006 del Código Financiero) de un juez federal o estatal; ☐ Funcionario público electo
Paso 3: Evidencia del estatuto del candidato	☐ He adjuntado una fotocopia de la documentación que demuestra evidencia de mi calificación (prueba de la calificación reclamada anteriormente en el Paso 2).
Paso 4: Firma y fecha	Certifico que la información contenida en este documento y cualquier información adjunta son verdaderas y correctas a mi mejor saber y entender. Firme Aquí ► _____ Fecha ► _____ Hacer una declaración falsa en este formulario es un delito menor de Clase A o un delito grave de cárcel estatal. Código Penal de Texas §37.10.
Paso 5: Devuelva este formulario	Devuelva este formulario a: Autoridad de Presentación de Candidaturas _____ _____ O envíe un fax a: _____
For Office Use Only	VOID # _____ Documentation received? Yes ☐ No ☐ Confidentiality Approved? Yes ☐ No ☐ Voter Reg. Dept. Signature _____ Date: ____/____/____ Comments: _____

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TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA—INSTRUCTION GUIDE



Revised January 1, 2024

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

FORM ACTA–AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form ACTA). Use this form for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. The information you enter on this form will replace the information from your previous APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form CTA).

If any of the information required to be reported on your CAMPAIGN TREASURER APPOINTMENT changes, you should file an amendment. Use the AMENDMENT form (Form ACTA) to report the changes. Do not use the APPOINTMENT form (Form CTA).

You must also use the AMENDMENT form to renew your option to file under the modified schedule.

Except for your name at the top of the form (and your filer account number, if you file with the Texas Ethics Commission (Commission)), enter only the information that is different from what is on your current campaign treasurer appointment. Do not repeat information that has not changed. The “NEW” boxes emphasize that the information entered on this form should only be information that is different from what was previously reported. Any information entered in a space with a “NEW” box will replace the existing information.

SPECIFIC INSTRUCTIONS

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

PAGE 1

- 1. CANDIDATE NAME:** Enter your name as it is on your current campaign treasurer appointment. Enter your name in the same way on Page 2, Section 13, of this form. If you are reporting a name change, enter your new name under Section 4.
- 2. FILER ID #:** If you are filing with the Commission, you were assigned a filer account 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 account number. Enter this number wherever you see “FILER ID #.” If you do not file with the Ethics Commission, you are not required to enter an account number.
- 3. 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.

4. **CANDIDATE NAME:** Complete this section only if your name has *changed*. If your name has changed, enter your complete new name, including nicknames and suffixes (e.g., Sr., Jr., III) if applicable.
5. **CANDIDATE MAILING ADDRESS:** Complete this section only if your mailing address has *changed*. If your mailing address has changed, enter your complete new address, including zip code. This information will allow your filing authority to correspond with you.
6. **CANDIDATE PHONE:** Complete this section only if your phone number has *changed*. If your phone number has changed, enter your new phone number, including the area code and extension, if applicable.
7. **OFFICE HELD:** If you are an officeholder, complete this section only if your office has *changed*. If your office has changed, please enter the new office held. Include the district, precinct, or other designation for the office, if applicable.
8. **OFFICE SOUGHT:** If you are a candidate, complete this section only if the office you seek has *changed*. If the office has changed, please enter the office you now seek, if known. Include the district, precinct, or other designation for the office, if applicable.

Note: Changing the office you are seeking may require you to file your reports with a different filing authority. See the Campaign Finance Guide for further information on filing with a different authority.

9. **CAMPAIGN TREASURER NAME:** Complete this section only if your campaign treasurer has *changed*. If your campaign treasurer has changed, enter the full name of your new campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.

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.

10. **CAMPAIGN TREASURER STREET ADDRESS:** Complete this section only if your campaign treasurer's street address has *changed*. If your campaign treasurer's street address has changed, enter the complete new address of your campaign treasurer, including the zip code. You may enter either the treasurer's new business or residential street address. If you are your own treasurer, you may enter either your business or residential street address.
11. **CAMPAIGN TREASURER PHONE:** Complete this section only if your campaign treasurer's phone number has *changed*. If your campaign treasurer's phone number has

changed, enter the new phone number of your campaign treasurer, including the area code and extension, if applicable.

12. 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.

Note: The changes you have made on this form will replace the information on your previous APPOINTMENT form (Form CTA).

PAGE 2

13. CANDIDATE NAME: Enter your name as you did on Page 1, Section 1.

14. 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 \$1,080 in political contributions or make more than \$1,080 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 \$1,080 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 semi-annual reports, special pre-election reports, or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$1,080 maximums apply to each election within the cycle. In other words, you are limited to \$1,080 in contributions and expenditures in connection with the primary, an additional \$1,080 in contributions and expenditures in connection with the general election, and an additional \$1,080 in contributions and expenditures in connection with a runoff.

Exceeding \$1,080 in contributions or expenditures. If you exceed \$1,080 in contributions or expenditures in connection with an election, you must file according to the regular 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 \$1,080 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 another amendment form (ACTA) to renew your option to file under the modified schedule.

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

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA
PG 1

1 CANDIDATE
NAME

2 FILER ID #

3 Total pages filed:

See ACTA Instruction Guide for detailed instructions.

Use this form for changes to existing information only. Do not provide information previously disclosed.

4 CANDIDATE
NAME

NEW

MS / MRS / MR

FIRST

MI

NICKNAME

LAST

SUFFIX

OFFICE USE ONLY

Date Received

5 CANDIDATE
MAILING
ADDRESS

NEW

ADDRESS / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

Date Hand-delivered or Postmarked

Receipt #

Amount \$

6 CANDIDATE
PHONE

NEW

AREA CODE

PHONE NUMBER

EXTENSION

()

Date Processed

Date Imaged

7 OFFICE HELD
(if any)

NEW

8 OFFICE
SOUGHT
(if known)

NEW

9 CAMPAIGN
TREASURER
NAME

NEW

MS / MRS / MR

FIRST

MI

NICKNAME

LAST

SUFFIX

10 CAMPAIGN
TREASURER
STREET
ADDRESS
(residence or business)

NEW

STREET ADDRESS;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

11 CAMPAIGN
TREASURER
PHONE

NEW

AREA CODE

PHONE NUMBER

EXTENSION

()

12 CANDIDATE
SIGNATURE

I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.

I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.

I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.

Signature of Candidate

Date Signed

GO TO PAGE 2

AMENDMENT:
CANDIDATE MODIFIED REPORTING DECLARATION

FORM ACTA

PG 2

13 CANDIDATE
NAME

14 MODIFIED
REPORTING
DECLARATION

NEW

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

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

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

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

I do not intend to accept more than \$1,080 in political contributions
or make more than \$1,080 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 mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

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

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

TEXAS ETHICS COMMISSION

**CANDIDATE/OFFICEHOLDER REPORT
OF UNEXPENDED CONTRIBUTIONS**

FORM C/OH-UC – INSTRUCTION GUIDE

(PAPER FILERS ONLY)



Revised January 1, 2023

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

FORM C/OH-UC: CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

These instructions are for candidates and officeholders using FORM C/OH-UC: CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS. Use Form C/OH-UC for filing either an annual report of unexpended contributions or a report of the final disposition of unexpended contributions.

GENERAL INSTRUCTIONS

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS. You must file this report if one of the following descriptions applies to you:

- (1) You filed a final report as a candidate at a time when you were not an officeholder and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you filed the final report; or
- (2) You ceased to be an officeholder at a time when you did not have a campaign treasurer on file, and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you ceased to be an officeholder.

You must file an Unexpended Contributions - Annual report not earlier than January 1 and not later than January 15 of the year after each year in which you maintained unexpended contributions or assets. You must complete Form C/OH-UC and designate the report as an annual report by checking the “Annual” box.

You must continue to file Unexpended Contributions - Annual reports until you have disposed of all your unexpended contributions or assets. Once you have disposed of all your contributions or assets, you must file an Unexpended Contributions - Final report.

You may not retain unexpended contributions or assets longer than six years after the date you filed your final report or ceased being an officeholder, as applicable. If you still maintain unexpended assets at the end of the six-year period, you must dispose of the assets in one of the following ways:

- (1) You may give them to the political party with which you were affiliated when your name was last on the ballot.
- (2) You may give them to a candidate or a political committee. If you do so, however, you must file a report on Form AS IF-SPAC as described below under “Extra Reporting for a Contribution to a Candidate or Political Committee.”
- (3) You may give them to the comptroller for deposit in the state treasury to be used to finance primary elections.
- (4) You may give them to one or more persons from whom you received political contributions, but the total returned to any person may not exceed the aggregate

amount accepted from that person during the last two years during which you were accepting political contributions.

- (5) You may give them to a recognized charitable organization formed for educational, religious, or scientific purposes that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986, and its subsequent amendments.
- (6) You 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.

You may dispose of unexpended contributions or assets in this manner at any time during the six-year period.

EXTRA REPORTING FOR CONTRIBUTION TO CANDIDATE OR POLITICAL COMMITTEE. If you contribute unexpended contributions or assets to another candidate or political committee, you must report the contribution twice. You must include the contribution on your Annual Report and you must also report the contribution on a AS IF-SPECIFIC-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form AS IF-SPAC). You must file the AS IF-SPAC report with the filing authority with whom the candidate or political committee files reports by the date by which the candidate or political committee receiving the contribution must report the receipt of the contribution.

NOTE: If the candidate or political committee files with the Texas Ethics Commission (Commission), you will need a separate “AS IF-SPAC” filer ID to file the AS IF-SPAC report. Please contact the Commission for help in establishing an AS IF-SPAC filer ID.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT. You must file a report of the final disposition of your unexpended contributions or assets. Complete Form C/OH-UC and designate the report as an “Unexpended Contributions – Final” report by checking the “Final Disposition” box. The report is due no later than the 30th day after the end of the six-year period.

SPECIFIC INSTRUCTIONS

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 (ID) 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 number. 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 number.
- 2. CANDIDATE/OFFICEHOLDER NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Your entry here should be the same as in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). Enter your name in the same way wherever you see “C/OH NAME”.

- 3. CANDIDATE/OFFICEHOLDER ADDRESS:** Enter your complete mailing address. Your entry here should be the same as the address in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). If your mailing address has changed since you last gave notice of your address, check the “Change of Address” box.

- 4. REPORT TYPE:** Check the appropriate box.

“Annual” Box: Check this box if you are filing an Unexpended Contributions - Annual report.

“Final Disposition” Box: Check this box if you are filing an Unexpended Contributions - Final report.

- 5. PERIOD COVERED:**

Annual Reports. For your first Unexpended Contributions - Annual report, the start date is the day after the day you filed your Final Report. The start date for all other Unexpended Contributions - Annual reports is January 1 of the previous year. The end date for all Unexpended Contributions - Annual reports is December 31 of the previous year.

Final Disposition Report. For an Unexpended Contributions – Final report, the start date is the day after the period covered by your most recent Unexpended Contributions - Annual report. The end date is the date you file the report.

- 6. TOTALS:** Complete this section only if you are filing an Annual Report. If you are not filing an Annual Report, go to section 7.

Line 1. Enter the total amount of unexpended political contributions and assets that you maintained as of December 31 of the previous year. (Note: Unlike other reports, you are not required to also disclose the total amount of expenditures entered in this Unexpended Contributions report. You are only required to disclose your unexpended balance as of December 31.)

Line 2. Enter the total amount of interest and other income earned on unexpended political contributions and assets during the previous year ending December 31.

- 7. SIGNATURE:** Complete this section only after you have completed all other appropriate 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.**

If you are using the paper form, fill this section out by hand after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says “Signature of Candidate/Officeholder” (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say “Signature of Candidate/Officeholder (Declarant)” (an electronic signature is not acceptable), and fill out the unsworn declaration section.

PAGE 2

8. **C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name as you did on Form C/OH-UC, Page 1.
9. **FILER ID:** If you are filing with the Commission, enter your filer ID number. If you do not file with the Commission, you are not required to enter a filer ID number.
10. **DATE:** Enter the date the expenditure was made.

Credit Card Expenditures: There is a special reporting rule for expenditures made by credit card. The date of a 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.*

11. **PAYEE NAME:** Enter the full name of the payee. If the payee is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the payee is an entity, enter the full name of the entity.
12. **PAYEE ADDRESS:** Enter the complete address of the payee.
13. **AMOUNT:** Enter the exact amount of the expenditure payment.
14. **PURPOSE OF EXPENDITURE:** Enter a brief statement or description of the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific to make the reason for the expenditure clear.

“Check if Travel Outside of Texas” box: The law requires detailed information regarding in-kind contributions and political expenditures for travel outside of Texas. This information should be reported on Schedule T and attached to this form. Schedule T can be found on the Commission's website at https://www.ethics.state.tx.us/forms/Schedule_T.pdf.

15. **IS THE EXPENDITURE A CONTRIBUTION TO A CANDIDATE, OFFICEHOLDER, OR POLITICAL COMMITTEE?** If the expenditure was a contribution to a candidate, officeholder, or political committee, check the “Yes” box. If you check “Yes,” you must file an additional report for this expenditure on Form AS IF-SPAC. See the **“Extra Reporting For Contribution To Candidate Or Political Committee”** section in the General Instructions for this form.

If the expenditure was not a contribution to a candidate, officeholder, or political committee, check the “No” box.

CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

FORM C/OH-UC
COVER SHEET PG 1

The C/OH-UC Instruction Guide explains how to complete this form.		1 Filer ID (Ethics Commission Filers)				
2 CANDIDATE / OFFICEHOLDER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX		OFFICE USE ONLY Date Received Date Hand-delivered or Date Postmarked <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Receipt #</td> <td style="width: 50%; padding: 2px;">Amount \$</td> </tr> </table> Date Processed Date Imaged	Receipt #	Amount \$	
	Receipt #	Amount \$				
3 CANDIDATE / OFFICEHOLDER ADDRESS ☐ change of address		ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE				
4 REPORT TYPE	☐ Annual ☐ Final Disposition		Date Processed			
5 PERIOD COVERED	Month Day Year Month Day Year / / THROUGH / /		Date Imaged			
6 TOTALS	1. TOTAL AMOUNT OF UNEXPENDED POLITICAL CONTRIBUTIONS AS OF DECEMBER 31 OF THE PREVIOUS YEAR.		\$			
	2. TOTAL AMOUNT OF INTEREST AND OTHER INCOME EARNED ON UNEXPENDED POLITICAL CONTRIBUTIONS DURING THE PREVIOUS YEAR.		\$			
7 SIGNATURE I swear, or affirm, under penalty of perjury, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.						
_____ Signature of Candidate/Officeholder						
Please complete either option below:						
(1) Affidavit						
NOTARY STAMP / SEAL						
Sworn to and subscribed before me by _____ this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.						
<table style="width: 100%;"> <tr> <td style="width: 33%;">Signature of officer administering oath</td> <td style="width: 33%;">Printed name of officer administering oath</td> <td style="width: 33%;">Title of officer administering oath</td> </tr> </table>				Signature of officer administering oath	Printed name of officer administering oath	Title of officer administering oath
Signature of officer administering oath	Printed name of officer administering oath	Title of officer administering oath				
OR						
(2) Unsworn Declaration						
My name is _____, and my date of birth is _____.						
My address is _____, _____, _____, _____, _____. (street) (city) (state) (zip code) (country)						
Executed in _____ County, State of _____, on the _____ day of _____, 20_____. (month) (year)						
_____ Signature of Candidate/Officeholder (Declarant)						

**C/OH REPORT OF UNEXPENDED CONTRIBUTIONS:
EXPENDITURES****FORM C/OH-UC****PG 2**

8 C/OH NAME		9 Filer ID (Ethics Commission Filers)
10 Date	11 Payee name	13 Amount (\$)
	12 Payee address; City; State; Zip Code	
14 Purpose of expenditure (See instructions regarding type of information required.) ☐ Check if travel outside of Texas. Complete Schedule T.		15 Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No
Date	Payee name	Amount (\$)
	Payee address; City; State; Zip Code	
Purpose of expenditure (See instructions regarding type of information required.) ☐ Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No
Date	Payee name	Amount (\$)
	Payee address; City; State; Zip Code	
Purpose of expenditure (See instructions regarding type of information required.) ☐ Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No
Date	Payee name	Amount (\$)
	Payee address; City; State; Zip Code	
Purpose of expenditure (See instructions regarding type of information required.) ☐ Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No
Date	Payee name	Amount (\$)
	Payee address; City; State; Zip Code	
Purpose of expenditure (See instructions regarding type of information required.) ☐ Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No

ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

Name of Form:

Certificate of Withdrawal.

Section Reference:

Section 145.001, Texas Election Code.

Purpose:

Have name removed from ballot.

Number of Copies Required:

One.

Completed by:

Candidate, person administering oath.

Filing Deadline:

- 74th day before the general election for state and county officers (Section 145.032).
- 62nd day before the primary election (Section 172.057).
- 5:00 p.m. of June 11, 2012 after general primary election for a primary runoff election (per paragraph r of the federal court order of March 19, 2012; Section 172.059).
- 53rd day before election day if filing deadline for application for place on the ballot is not later than the 62nd day before election day. (Section 145.092(b)).
- 5:00 p.m. of second day before beginning of early voting by personal appearance for other elections (Section 145.092(a)).
- For withdrawal deadlines for runoff elections other than primary runoff elections, see Section 145.092(c) & (d).

Filed with:

Secretary of State for state and district offices and County Clerk/Elections Administrator for county and precinct offices (Section 145.033).

To withdraw from the general or runoff primary election, the withdrawal must be filed with the state chair, for state and district offices, and with the county chair, for county and precinct offices (Sections 172.052 & 172.059).

The same authority with whom an application for place on ballot is filed for all other elections (Section 145.093).

Comments:

Candidate's name is removed from ballot.

Version:

Current form is date 9/2023*.

**Previous version of the form dated 3/2007 may still be used.*

CERTIFICATE OF WITHDRAWAL

I, _____, a candidate for the office of _____, hereby withdraw my candidacy from the _____ election. The election is being conducted by _____ and is to be held on _____.
(political subdivision/county/party) (date)

Signature of Candidate

"The State of _____,

"County of _____,

"This instrument was acknowledged before me on _____ by _____
(date)

_____.
(withdrawing candidate)

(Seal)

(Signature of officer)

(Title of officer)

My commission expires: _____

*Forma prescrita por la Secretaría de Estado
Fracción 145.001 del Código Electoral de Tejas*

CONSTANCIA DE RETIRO DE CANDIDATURA

*Yo, _____, candidato/a al cargo de _____, por este medio retiro mi candidatura de la elección _____. Dicha elección estará a cargo de _____ y se celebrará el _____.
(subdivisión política/condado/partido) (fecha)*

Firma del/de la Candidato/a

"El estado de _____,

"Condado de _____,

*"El presente instrumento fue reconocido ante mí el _____ por _____
(fecha)*

_____.
(persona que retira su candidatura)

(Seal)

Firma del/de la Oficial

(Título del/de la Oficial)

(Mi cargo se vence el): _____

Print

Rest

CORRECTION/AMENDMENT AFFIDAVIT FOR CANDIDATE/OFFICEHOLDER

FORM COR-C/OH

1 Filer ID (Ethics Commission Filers)		2 Total pages filed:		OFFICE USE ONLY		
3 CANDIDATE / OFFICEHOLDER NAME	MS / MRS / MR		FIRST	MI	Date Received	
	NICKNAME		LAST	SUFFIX		
4 ORIGINAL REPORT TYPE	☐ January 15		☐ Runoff	☐ Final report	Date Hand-delivered or Date Postmarked	
	☐ July 15		☐ Exceeded modified reporting limit	☐ Other (specify) _____	Receipt #	
5 ORIGINAL PERIOD COVERED	☐ 30th day before election		☐ 15th day after treasurer appointment (officeholder only)		Amount \$	
	☐ 8th day before election				Date Processed	
	Month	Day	Year	Month	Day	Year
	THROUGH				Date Imaged	

6 EXPLANATION OF CORRECTION

7 SIGNATURE I swear, or affirm, under penalty of perjury, that this corrected report is true and correct.

Check ONLY if applicable:

- ☐ Semiannual reports: I swear, or affirm, that the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.
- ☐ Other reports: I swear, or affirm, that I am filing this corrected report not later than the 14th business day after the date I learned that the report as originally filed is inaccurate or incomplete. I swear, or affirm, that any error or omission in the report as originally filed was made in good faith.

Signature of Candidate/Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

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

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

Signature of Candidate/Officeholder (Declarant)

Remember To Attach Any Part Of The Campaign Finance Report Form Needed To Report And Explain Corrections

CORRECTION/AMENDMENT AFFIDAVIT FOR CANDIDATE/OFFICEHOLDER

All Reports: A filer who files a corrected report must submit a correction affidavit. The affidavit must identify the information that has changed.

Reports filed with Texas Ethics Commission: A corrected report (other than a report due 8 days before an election) filed with the Ethics Commission after its due date is not considered late for purposes of late-filing penalties if: (1) any error or omission in the report as originally filed was made in good faith, and (2) the person filing the report files a corrected report and a good-faith affidavit not later than the 14th business day after the date the person learns that the report as originally filed is inaccurate or incomplete.

Semiannual Reports: A semiannual report (due January 15 or July 15) that is amended/corrected before the eighth day after the original report was filed is considered to have been filed on the date the original report was filed. A semiannual report that is amended/corrected on or after the eighth day after the original report was filed is considered to have been filed on the date the original report was filed if: (1) the amendment/correction is made before any complaint is filed with regard to the subject of the amendment/correction; and (2) the original report was made in good faith and without intent to mislead or misrepresent the information contained in the report.

Attach additional pages as necessary.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

- 1. Filer ID.** If you file with the Ethics Commission, you should have received a letter acknowledging receipt of your campaign treasurer appointment and assigning you a Filer ID. Put that number in this box. If you do not file with the Ethics Commission, skip this box.
- 2. Total Pages Filed.** After completing this form and any attachments, count the number of pages. Enter that number in this box. Each side of a two-sided form counts as a page. In other words, this form is two pages.
- 3. Candidate/Officeholder Name.** Put your full name here. Enter your name in the same way as on the report you are correcting.
- 4. Original Report Type.** Mark the type of report you are correcting.
- 5. Original Period Covered.** Enter the period covered by the report you are correcting. The year is important because filers sometimes correct reports years after filing the original.
- 6. Explanation of Correction.** Attach a complete copy of the corrected campaign finance report and explain corrections. Explain why there was an error on the original report. Also explain what information is being corrected and how the new information is different from the information on the original report. (Use additional pages if you need more space.) You may also use this area to request a waiver or reduction of a late-filing penalty and state the basis of your request.
- 7. Signature.** If you are using the paper form, fill this section out by hand after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says "Signature of Candidate/Officeholder" (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say "Signature of Candidate/Officeholder (Declarant)" (an electronic signature is not acceptable), and fill out the unsworn declaration section.

Name of Form:

Declaration of Write-in Candidacy for Cities, School Districts, or Other Political Subdivisions

Section Reference:

Section 146.054, Texas Election Code,

Section 11.056, Education Code, Section 49.101, Water Code

Purpose:

To collect the legally required information from a candidate who seeks a place on the ballot as a write-in candidate for an election for cities, schools and other political subdivisions.

Number of Copies Required:

One

Completed by:

Candidate, the person authorized to administer oaths and the City Secretary or Secretary of the Board of the political subdivision.

Filing Date:

Not later than 5:00 p.m. on the 74th day prior to election day for any uniform election date.

Filed with:

City Secretary or Secretary of the Board of the political subdivision.

Comments:

A candidate for office must indicate whether he or she was ever finally convicted of a felony. A candidate who was finally convicted, must show proof that he or she released from the resulting disabilities of a felony conviction. Please see the instructions attached to the application.

Version:

Current form is date 9/2023*.

**Previous version of the form dated 9/2021 may still be used.*

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

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

DECLARATION OF WRITE-IN CANDIDACY FOR _____ (Name of City, School District or Other Political Subdivision)					
TO: Filing Officer I declare that I am a write-in candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)			INDICATE TERM ☐ FULL ☐ UNEXPIRED		
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE LIST OF DECLARED WRITE-IN CANDIDATES*		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)		DATE OF BIRTH / /	VOTER REGISTRATION VOID NUMBER² (Optional)
TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____					
FELONY CONVICTION STATUS (You MUST check one)		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN			
☐ I have not been finally convicted of a felony. ☐ I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³		IN THE STATE OF TEXAS ____ year(s) ____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED ____ year(s) ____ month(s)	
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
X _____ SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the _____ day of _____, _____, by _____. (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath ⁴			Printed Name of Officer Authorized to Administer Oath		
Title of Officer Authorized to Administer Oath			Notarial or Official Seal		
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: ☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. ☐ Voter Registration Status Verified _____/_____/_____ Date Received Date Accepted (See Section 1.007) _____ Signature of Filing Officer or Designee					

Print

Reset

INSTRUCTIONS

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

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

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

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

NEPOTISM LAW

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

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

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

FOOTNOTES

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

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

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

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

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

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

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

DECLARACIÓN DE CANDIDATURA POR ESCRITO PARA CIUDADES, DISTRITOS ESCOLARES Y OTRAS SUBDIVISIONES POLÍTICAS
TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL¹
El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

DECLARACIÓN DE CANDIDATURA POR ESCRITO PARA _____ Para: Oficial de Presentación (nombre de la ciudad, distrito escolar u otra subdivisión política) Por la presente declaro que soy un candidato por escrito para el cargo indicado a continuación.					
CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			INDIQUE TÉRMINO ☐ TÉRMINO COMPLETO ☐ TÉRMINO INCOMPLETO		
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA LISTA DE CANDIDATOS DECLARADOS POR ESCRITO*		
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		OCUPACIÓN (No deje este espacio en blanco)	FECHA DE NACIMIENTO / /	VOID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional)	
INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Hogar: Trabajo: Celular:					
ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)			DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA		
☐ No he sido finalmente condenado por un delito grave. ☐ He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³			EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es)		EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es)
*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial. Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: “Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas.” X _____ FIRMA DEL CANDIDATO					
Jurado y suscrito ante mí este día _____ de _____ del _____ por _____. (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento ⁴			Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial		
Título del oficial autorizado para administrar el juramento					
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: ☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. ☐ Voter Registration Status Verified					
____/____/____ Date Received		____/____/____ Date Accepted		(See Section 1.007) _____ Signature of Filing Officer or Designee	

INSTRUCCIONES

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

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

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

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

LEY DE NEPOTISMO

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

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

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

NOTAS

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

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

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

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

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

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

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

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

UNSWORN DECLARATION

FORM UD

Attach this unsworn declaration to the front of any campaign finance report or personal financial statement in lieu of a notarized signature. See Tex. Civil Practice and Remedies Code § 132.001.

OFFICE USE ONLY

Date Received

Method of Delivery

Date Processed

1 FILER ID:

(Ethics Commission filers)

2 NAME OF FILER

(PLEASE TYPE OR PRINT)

3 TYPE OF FILER

☐

CANDIDATE/ OFFICEHOLDER

☐

POLITICAL COMMITTEE

☐

JUDICIAL CANDIDATE/ OFFICEHOLDER

☐

POLITICAL PARTY

☐

PERSONAL FINANCIAL STATEMENT

☐

STATE/COUNTY CHAIR

☐

DIRECT CAMPAIGN EXPENDITURE

4 TYPE OF REPORT

5 DUE DATE

6 UNSWORN DECLARATION:

My name is _____, and my date of birth is _____.

My Address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I swear, or affirm, under penalty of perjury that the information in the attached report is in all things true and correct, and includes all information required to be reported by me under Title 15, Election Code, or Chapter 572, Government Code.

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.

Signature of Filer/ Committee Representative
(Declarant)