

Exhibit “A”

THE STATE OF TEXAS
WINNIE STOWELL HOSPITAL DISTRICT
(EL ESTADO DE TEXAS
HOSPITALARIO DE WINNIE STOWELL)

I, Edward Murrell, PRESIDENT, WINNIE STOWELL HOSPITAL DISTRICT, do hereby certify as provided by Sec. 146.029 of the Texas Election Code, that the following persons have filed declarations of write-in candidacy for county and precinct offices for the November 6th, 2018 General Election.

(Yo, Edward Murrell, PRESIDENTE DEL DISTRITO HOSPITALARIO DE WINNIE STOWELL, por lo presente certifico, como dispone la Sec. 146.029, del Código de Elecciones de Texas, que las siguientes personas han registrado declaraciones como candidatos elegibles para recibir votos por inserción escrita para puestos oficiales del condado y puestos oficiales de los precinctos del condado en la Elección General del día 6th de noviembre de 2018.)

DISTRICT OFFICES
(DISTRITO OFICIALES DEL CONDADO)

Full Name of Candidate <i>(Nombre del Candidato)</i>	Name of Candidate as it is to Appear on the List of Write-in Candidates <i>(Nombre del candidato tal como aparece en la lista de candidatos a la escritura)</i>	Office Sought <i>(Puesto Oficial Solicitado)</i>
Derk E. Harmsen	<i>Derk Harmsen</i>	At Large Board Member, Winnie Stowell Hospital District
George Robert Way, Jr.	<i>Bobby Way</i>	At Large Board Member, Winnie Stowell Hospital District

Witness my hand on this 29th day of August, 2018.

(Atestigüe mi Firma y sello este día 29th de agosto, 2018.)

President, Winnie Stowell Hospital District
(Presidente del Distrito Hospitalario
de Winnie Stowell)

Exhibit “B”

**LIST OF DECLARED WRITE-IN CANDIDATES
WINNIE STOWELL HOSPITAL DISTRICT**

*(Lista de candidatos declarados elegibles para recibir votos por inserción escrita
HOSPITALARIO DE WINNIE STOWELL)*

**DISTRICT OFFICES
(DISTRITO OFICIALES DEL CONDADO)**

Full Name of Candidate (Nombre del Candidato)	Name of Candidate as it is to Appear on the List of Write-in Candidates (Nombre del candidato tal como aparece en la lista de candidatos a la escritura)	Office Sought (Puesto Oficial Solicitado)
Derk E. Harmsen	<i>Derk Harmsen</i>	At Large Board Member, Winnie Stowell Hospital District
George Robert Way, Jr.	<i>Bobby Way</i>	At Large Board Member, Winnie Stowell Hospital District

Exhibit “C”

August 22, 2018

WSHD
PO Box 1997
Winnie Texas 77665

All

Please all this letter to serve as my resignation as a Board member for the Winnie-Stowell Hospital District, effective immediately.

While serving as a member of the board from 2006 to present, I have seen much growth in the organization and I am satisfied with the progress we have made. I feel that my contribution has met its limit and that it would be beneficial to the organization if I were to step down.

Thank you for giving me the opportunity to be part of such a strong and dedicated team. I look forward to hearing of the continued success of the Winnie-Stowell Hospital District.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon Burgess".

Sharon Burgess

Exhibit “D”

No. 0000

General Election (*Elección General*)
Winnie Stowell Hospital District (Distrito hospitalario de Winnie Stowell)
November 6, 2018 (6 de noviembre de 2018)

OFFICIAL BALLOT (*BOLETA OFICIAL*)

INSTRUCTION NOTE: (*NOTA DE INSTRUCCION*):

Vote for none, one, or two candidates of your choice by placing an "X" in the square next to the candidate's name.

(*Vote por ninguno, uno o dos candidatos de su elección colocando una "X" en la casilla al lado del nombre del candidato.*)

RACE TITLE: At-Large Board Member Position (*Posición del miembro de la Junta At-Large*)

Raul "Coach" Espinosa

_____ (write-in, *voto escrito*)

_____ (write-in, *voto escrito*)

Exhibit “E”

TEXAS ETHICS COMMISSION
CHAPTER 258, ELECTION CODE
FAIR CAMPAIGN PRACTICES



Effective September 1, 1997
(Revised 9/1/2017)

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989
Visit us at <http://www.ethics.state.tx.us> on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

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

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.

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.

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY
Date Received
Date Hand-delivered or Postmarked
Date Processed
Date Imaged

1 ACCOUNT NUMBER (Ethics Commission Filers)	2 TYPE OF FILER CANDIDATE <input type="checkbox"/> POLITICAL COMMITTEE <input type="checkbox"/> <i>If filing as a candidate, complete boxes 3 - 6, then read and sign page 2.</i> <i>If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.</i>				
3 NAME OF CANDIDATE (PLEASE TYPE OR PRINT)	TITLE (Dr., Mr., Ms., etc.) NICKNAME	FIRST LAST	MI 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.) NICKNAME	FIRST LAST	MI 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

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 #	
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Date Received	
		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 (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE		
9 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION		
	()		
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p>		
	_____	_____	
	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 \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

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

Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us or
Fax this form to (512) 463-8808 or mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

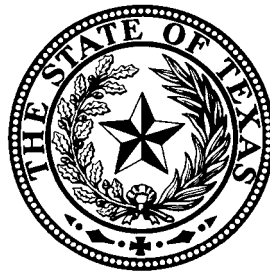
**Non-TEC Filers must file this form with the local filing authority
DO NOT SEND TO TEC**

For more information about where to file go to:
<https://www.ethics.state.tx.us/whatsnew/NewFilersGettingStarted.html>

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA – INSTRUCTION GUIDE



Revised July 14, 2010

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

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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 is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:

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

- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
 - A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
 - A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.
- * Judicial candidates use FORM JCTA to appoint a campaign treasurer.

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

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

c. Local Filing Authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SPECIFIC INSTRUCTIONS

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

PAGE 1

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

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

PAGE 2

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

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

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

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

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

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

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

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

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

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



Chair: Edward Murrell
Vice Chair: Jeff Rollo
Sect.: Raul Espinosa

P.O. Box 1997
Winnie, Texas 77665
Phone: 409-296-1003

Dir. Sharon Burgess
Dir. Anthony Stramecki
Admin. Sherrie Norris
Indigent Dir. Yani Jimenez

August 29, 2018

The Honorable Raul Martin Espinosa
Board Member, Winnie Stowell Hospital District
P.O. Box 307
Winnie, Texas 77665

Mr. Derk E. Harmsen
500 N. Hamshire Road
Winnie, Texas 77665

Mr. George Robert Way, Jr.
P. O. Box 56
Stowell, Texas 77661

Re: Winnie Stowell Hospital District-Candidate Packet;

Dear Candidates:

Thank you for filing to be a candidate to serve on the Board of the Winnie Stowell Hospital District ("District"). As you know, the election for two (2) at-large board positions that hold office for a period of four (4) years will take place on Tuesday, November 6, 2018.

To assist throughout this election process, the Winnie Stowell Hospital District has prepared an election packet for you to review and that can be found on the attached zip-drive. If you need it printed out, we are happy to do so.

Please note, as a candidate for office, there are very important deadlines to be followed. It is your duty to become familiar with these deadlines and applicable laws. It also is important to understand that our duty is limited to accepting and filing the various applications, affidavits, statements, and reports required by statute. We will not be able to judge or comment upon the timeliness or sufficiency of most of the required filings. Please remember, the required filings and reports are considered open records and may be viewed as such by reporters and opponents alike.

Should you have any questions regarding procedures, rules, or regulations related to campaign finance in Texas, please call the Texas Ethics Commission at 1-512-463-5800 for assistance. Additional forms are available from their website located at <http://www.ethics.state.tx.us>. Questions regarding election law should be directed to the Elections Division of the Secretary of State at 1-512-463-5650 or 1-800-252-8683 or visit their website located at <http://www.sos.state.tx.us>.

Otherwise, the following forms and information for the November 6, 2018 election is included in the packet. Likewise, each document can be found by pressing “Control” and clicking on the name of the document.

1. [Guide to a Local Filing Authority’s Duties under the Campaign Finance Law](#)
2. [First Steps for Candidates in a Non-Judicial Local Election](#)
3. [New Candidates-FAQ \(2018\)](#)
4. [Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities](#)
5. [2018 Filing Schedule for Reports Due in Connection with Elections Held on Uniform Election Dates](#)
6. [November 6, 2018 Election Law Calendar](#)
7. [Political Advertising: What You Need to Know, Brochure](#)
8. [Fair Campaign Practices Act](#)
9. [Form CFCP - Code of Fair Campaign Practices](#)
10. [Form CTA - Appointment of a Campaign Treasurer by a Candidate](#)
11. [Form CTA – Instruction Guide](#)
12. [Form ACTA - Amended Appointment of a Campaign Treasurer by a Candidate](#)
13. [Form ACTA – Instruction Guide](#)
14. [Form C/OH - Candidate/Officeholder Campaign Finance Report](#)
15. [Form C/OH – Instruction Guide](#)
16. [Title 15 of the Election Code](#)

In addition, the following link has additional forms and instruction guides for candidates to complete if necessary: [List of Forms and Materials for Local Filing Authorities \(https://www.ethics.state.tx.us/NTF/2018_Local_Filing_Authorities.pdf\)](https://www.ethics.state.tx.us/NTF/2018_Local_Filing_Authorities.pdf). Please review these documents to determine whether they need to be completed.

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Lastly, the District's hours of operations are from 8:00 a.m. to 5:00 p.m. Monday through Friday. The phone number is 409-296-1003 and my e-mail is sherrie@wshd-tx.com. We look forward to working with you and if you have any questions, please call me.

Sincerely,

Sherrie Norris w permission

Sherrie Norris
District Administrator and
District Election Agent

Enclosures

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 October 12, 2017

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

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.)

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, which is 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: Section 251.003 of the Election Code 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. Beginning with campaign finance reports required to be filed on or after January 1, 2012, 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. 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?

For most forms, there is a separate instruction guide. ***Remember:*** *always make the appropriate instruction guide available with a form!*

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. 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.

3. 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.

4. 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.

5. 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.

6. 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 \$500 in political contributions or spend more than \$500 in political expenditures, the committee must appoint a campaign treasurer.

7. 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.

8. 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.

9. 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.

10. 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.

11. FORM PFS (Personal Financial Disclosure Statement)

Certain local officials are required to file personal financial disclosure statements with local filing authorities. See Local Gov't. Code chs. 145, 159, 335; Educ. Code § 11.064; 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 candidates and committee treasurers to use in generating reports required under title 15. Local filers may use the software to generate a report *on paper*, but must add the affidavit required to be used on reports filed on paper and must sign the affidavit. 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. Under a law that took effect on September 1, 2003, a person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee and 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 new FORM CTA with the new filing authority. The candidate must also attach a certified copy of the old campaign treasurer appointment. This procedure can affect you in two ways: (1) You may receive a FORM CTA 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. A candidate who has been filing with you may file a campaign treasurer appointment with a different filing authority. The candidate will need to file a certified copy of his or her political subdivision campaign treasurer appointment with the new 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 campaign treasurer appointment with the Ethics Commission along with a certified copy of her city campaign treasurer appointment. 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 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 \$500 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 \$500 in contributions or expenditures in connection with an election. (A candidate has separate \$500 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 \$500 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 eighth 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 \$500 thresholds in connection with the main election and new \$500 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 \$500 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 \$500 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: Beginning on September 1, 2015, 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?

\$500 Thresholds. A specific-purpose committee must file a campaign treasurer appointment, on FORM STA, before it exceeds \$500 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 \$500 in contributions or expenditures in connection with an election. (A committee has separate \$500 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 \$500 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 \$500 thresholds in connection with the main election and additional \$500 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, any Texas resident may file a sworn complaint with the Ethics Commission alleging a violation of title 15.

PART VI. FREQUENT 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 \$500 or *accept* more than \$500 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. After the election, if the candidate does not intend to accept any further campaign contributions or make any further campaign expenditures (including payment of campaign debts), the candidate should 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 an Ethics Commission Affidavit of Good Faith 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.

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.

First Steps for Candidates Running for a County, Precinct, or District Office

This quick-start guide for non-judicial candidates is not intended to provide comprehensive information. Different filing requirements apply to certain judicial offices. For more details, including information for judicial candidates, 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. Candidates for a county office (except for multi-county district offices) will file Form CTA with the county clerk, elections administrator, or tax assessor, as applicable.

2. Opposed Candidates: Will you accept or spend more than \$500 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.
 - 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 county clerk, elections administrator, or tax assessor 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 county clerk, elections administrator, or tax assessor.
 - 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 \$500: If you elect to file on the modified reporting schedule but later exceed \$500 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$500.
 - If you exceed \$500 prior to 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 county clerk, elections administrator, or tax assessor no later than the due date.
 - If you exceed \$500 after the 30th day before the election, you are **required** to file an Exceeded \$500 Limit report using Form C/OH. To be timely filed, this report must be filed with the county clerk, elections administrator, or tax assessor within 48 hours of exceeding \$500.
 - If you exceed \$500 prior to 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 county clerk, elections administrator, or tax assessor no later than the due date.

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 county clerk, elections administrator, or tax assessor. 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). For more information, see the “Ending Your Campaign” FAQ located at www.ethics.state.tx.us/whatsnew/EndingYourCampaign.pdf for more information.

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 at www.ethics.state.tx.us/File/ to prepare a PDF version of your campaign finance reports (Form C/OH). Select “Local Authority” and follow the steps to set up an account and login to the application. The filing application will walk you through each reporting schedule. Once you have completed your report, print out a copy, get it notarized, and file it with the county clerk, elections administrator, or tax assessor by the appropriate deadline.

6. Need More Information?

TEC has published a campaign finance guide for local candidates and officeholders located at www.ethics.state.tx.us/guides/coh_local_guide.pdf. Also, you can visit our website at www.ethics.state.tx.us to find forms, instructions, common reporting errors (under “Hot Topics”), political advertising and fundraising guides, and other information you may find useful.

Frequently Asked Questions For Candidates

1. I've decided to run for office. Now what?
2. I'm not going to raise any money. Do I still need to appoint a treasurer?
3. If I run for office again do I need to appoint a campaign treasurer again?
4. Where do I file my forms?
5. How do I determine whether I am a "local" filer or a Texas Ethics Commission filer?
6. I am a "local" filer. Where do I file my forms?
7. I have never filed with the Ethics Commission. How do I get started?
8. What reports will I need to file?
9. Do I have to file my reports electronically?
10. How do I get my name on the ballot?
11. Do I still have to file reports if I chose modified reporting on my treasurer appointment?
12. What happens if I select modified reporting and then exceed \$500?
13. When do I have to file my campaign finance reports?
14. When do I have to file my report for it to be timely?
15. I was a candidate in an election, and I lost. Do I need to file any further reports?
16. How do I complete the campaign finance report?
17. What kind of bank account should I open?
18. Do I need to get a tax identification number?
19. How can I spend my campaign funds?
20. I'm running for a city or county office. Do I need to file a personal financial statement?
21. What has to be on my signs?
22. Where and when can I post my campaign signs?
23. What are my contribution limits?
24. What are my restrictions on fundraising?
25. How do I correct a report?

1. I've decided to run for office. Now what?

After you make the decision to run for office, you must file a [Campaign Treasurer Appointment](#). (Judicial candidates need to use Form JCTA). This is required before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy publicly or privately. Please be aware that becoming a candidate will trigger filing requirements. You can familiarize yourself with these requirements by consulting the appropriate campaign finance guide and filing schedule.

If this is your first time filing reports with the Texas Ethics Commission, you will be assigned a Filer ID from the Commission after the Commission has received your Campaign Treasurer Appointment. This Filer ID and a link to set your password will be emailed to you. The Ethics Commission will also mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission's forms, schedules, and guides. Once you have a Filer ID and have set your password, you can electronically file your campaign finance reports.

2. I'm not going to raise any money. Do I still need to appoint a treasurer?

Yes. The law requires every candidate to file a campaign treasurer appointment, even if the candidate does not intend to raise or spend money. You are permitted to appoint yourself as your treasurer.

3. If I run for office again do I need to appoint a campaign treasurer again?

If you are running for the same office and have not terminated your campaign treasurer appointment by filing a final report, you are not required to file another appointment of a campaign treasurer (Form CTA).

4. Where do I file my forms?

Where you file depends on whether you are running for a “local” office or one that is required to file with the Texas Ethics Commission.

5. How do I determine whether I am a “local” filer or a Texas Ethics Commission filer?

Local offices may include:

- County or precinct offices (county commissioner, tax assessor/collector, constable, justice of the peace, sheriff, etc.)
- City offices (mayor, council member, secretary, etc.)
- Political Subdivision offices (school board, community college trustee, municipal utility district, water district, etc.)

Statewide offices and other offices that file with the Texas Ethics Commission include:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Railroad Commissioner, Land Commissioner, Agriculture Commissioner, State Chair of political party
 - Texas Senate, Texas House of Representatives
 - Multi-county District Attorney
 - State Board of Education
 - Supreme Court Justice, Court of Appeals Justice, Court of Criminal Appeals Judge, and district judges
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6. I am a “local” filer. Where do I file my forms?

Local candidates do not file with the Texas Ethics Commission. If you are a local candidate, you will file with your local 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 or tax assessor, as applicable) is the appropriate 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.
 - 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.
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7. I have never filed with the Ethics Commission. How do I get started?

To file with the Texas Ethics Commission, you need a Filer ID. This Filer ID is assigned to you by the Commission. The fastest way to get started is to fill out a [Campaign Treasurer Appointment – Form CTA](#) (judicial candidates need to use Form JCTA) and a Form Security and fax them to the Ethics Commission at 512-463-8808. Your new Filer ID and a link to set your password will be emailed to you. The Ethics Commission will mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission's forms, schedules, and guides.

8. What reports will I need to file?

Candidates will typically need to file a treasurer appointment and periodic campaign finance reports disclosing the candidate's activity. The specific forms required will depend on what office you are seeking. Other forms may be required in less common situations, such as filing a correction or amending a treasurer appointment. All potentially required forms and their companion instruction guides can be found on our forms and instructions page.

9. Do I have to file my reports electronically?

Filers who file with the Texas Ethics Commission are required to file campaign finance reports electronically. A filer must request an electronic filing password using a Form Security and fax it to the Ethics Commission at 512-463-8808 to file the reports. An exception exists for filers who have limited activity and do not use computer equipment to keep track of their political activity. A filer claiming this exception must attach an affidavit of exemption to each report filed on paper. The appointment of a campaign treasurer form and any amendments to that form must still be filed on paper.

Filers who file with local authorities are not required to file electronically under state law. However, these filers should check with their local filing authority to determine whether that authority requires electronic filing.

10. How do I get my name on the ballot?

Contact the Secretary of State's Elections Division or your local party for questions about the application for a place on the ballot.

11. Do I still have to file reports if I chose modified reporting on my treasurer appointment?

By selecting the modified reporting schedule you are indicating that you plan to stay under the \$500 threshold in either contributions or expenditures in connection with an election. The modified reporting schedule exempts you from filing 30-day and 8-day pre-election reports. If you have selected the modified reporting schedule, you must still report activity during the entire period you were a candidate, either on a semiannual report or on a final report. Please note that the payment of a filing fee is not considered when calculating whether a filer has exceeded \$500 in expenditures.

12. What happens if I select modified reporting and then exceed \$500?

If you select modified reporting and exceed \$500 (in either contributions or expenditures in connection with an election) before the 30-day pre-election report is due, you must file required 30-day and 8-day pre-election reports (keep in mind that unopposed candidates are not required to file these reports regardless of their level of activity). If you exceed a \$500 threshold after the 30-day pre-election report is due, you must file an

“exceeded \$500 report” within 48 hours of exceeding the threshold and, if the threshold is exceeded before the 8-day pre-election report is due, you must file the 8-day pre-election report.

13. When do I have to file my campaign finance reports?

Due dates for campaign finance reports can be found on the appropriate filing schedule.

14. When do I have to file my report for it to be timely?

Most reports are considered timely filed if they are postmarked or electronically submitted by the due date. If filing electronically, a report must be filed by midnight central time on the night of the due date to be considered timely filed. A 30-day, 8-day, or special pre-election report must be received by the filing authority no later than the due date to be considered timely filed.

15. I was a candidate in an election, and I lost. Do I need to file any further reports?

Losing an election does not end your filing responsibilities with the Texas Ethics Commission or with your local filing authority.

If your situation meets all of the following criteria, you may file a final report to terminate your treasurer and terminate future filing requirements:

- you do not currently hold an office, and
- you lost the election, and
- you have no remaining funds or assets in your campaign account

The final report will cover the period beginning where your last report ended and ending on the day the final report is filed.

Filing a final report terminates your campaign treasurer appointment and terminates your status as a “candidate” for filing purposes. Please remember that you may not accept campaign contributions or make campaign expenditures without having a campaign treasurer appointment on file.

If you do not file a final report after the election, you will be required to file semiannual reports until you file a final report. Officeholders who have filed a final report may still have additional filing requirements. See the relevant [campaign finance guide](#) for additional information.

16. How do I complete the campaign finance report?

Each form has a companion instruction guide that instructs you how to fill out the form line-by-line. Most questions about how to fill out the form can be answered by consulting these instructions. Other topics like reporting expenditures from personal funds, reporting staff reimbursements, and reporting credit card expenditures are explained more fully in the Reporting Tips section of the website.

17. What kind of bank account should I open?

You must deposit your political contributions in a separate account from any other account you maintain. State law does not require this account to be a particular type of account (e.g., a business account), but bank policies may restrict the type of account you can use. Please consult your financial institution.

18. Do I need to get a tax identification number?

The laws under the jurisdiction of the Texas Ethics Commission do not require a candidate or political committee to obtain a Tax Identification Number. Please contact the Internal Revenue Service and the Texas Workforce Commission for further information.

19. How can I spend my campaign funds?

You may use your political funds to pay for most expenses you incur as a candidate or officeholder. The primary restriction in using campaign funds is that you cannot convert them to personal use. You can consult the commission's preexisting opinions about permissible and impermissible uses of political funds.

Additional restrictions exist for payments to close family members, payments to a business of the candidate, and payments from judicial candidates and officeholders to candidates or political committees. These restrictions are discussed in more detail in the [campaign finance guides](#).

20. I'm running for a city or county office. Do I need to file a personal financial statement?

A personal financial statement is a document disclosing a candidate or officer's personal financial activity over the period of a calendar year (in contrast to a campaign finance report, which discloses a campaign's financial activity).

Generally, the Texas Ethics Commission does not have jurisdiction to determine whether a candidate for local office is required to file a personal financial statement. However candidates for district attorney must file personal financial statements with the Commission. Other candidates should contact their local filing authority to determine whether they need to file a personal financial statement.

21. What has to be on my signs?

Most political advertising requires a political advertising disclosure statement and signs designed to be seen from a road must contain a highway right-of-way notice. Additionally, non-incumbent candidates must use the word "for" before the name of the office they are seeking. Please see the Political Advertising Guide for more specific information.

22. Where and when can I post my campaign signs?

The placement of signs is primarily regulated by the Texas Department of Transportation, which can be reached at (512) 416-2901. However, before distributing any political advertising, a candidate should have a treasurer appointment on file with the proper filing authority. Please be aware that the placement of signs or other advertising on corporate property may be a prohibited corporate contribution.

23. What are my contribution limits?

The state does not have contribution limits for most offices. Judicial candidates are subject to contribution limits, which are discussed further in the Campaign Finance Guide for Judicial Candidates. Some political subdivisions do impose their own contribution limits, so a candidate should always check with the local authority to see if any relevant limits apply.

24. What are my restrictions on fundraising?

All candidates are prohibited from accepting contributions from a corporation or labor organization and from accepting a cash contribution exceeding \$100. Candidates are also prohibited from accepting anonymous contributions, so for this reason, fundraising strategies like contribution jars are discouraged. For more information about fundraising, see the Political Fundraising Guide.

25. How do I correct a report?

A filer may correct a report filed with the Texas Ethics Commission or a local filing authority at any time. If you are required to file reports electronically with the Ethics Commission, then reports can be corrected through the software by selecting the option to "Correct a Filed Report." If you qualify to file reports on paper with the Ethics Commission, then you will need to submit a *correction affidavit*, an *affidavit for electronic filing exemption*, and the pages of the report that are being corrected. If you are required to file reports with a local filing authority, you will need to submit a correction affidavit and the pages of the report that are being corrected. Depending on the type of report that is being corrected, you should use the appropriate correction affidavit form. You can access all our affidavit forms on our Affidavits webpage.

Last Revision: January 5, 2018

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 November 15, 2017

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AN EQUAL OPPORTUNITY EMPLOYER

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

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

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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. 251-258) and in the rules adopted by the Texas Ethics Commission. This guide applies to candidates for and officeholders in most local offices in Texas.

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

OFFICEHOLDERS

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

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

JUDICIAL CANDIDATES AND OFFICEHOLDERS

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

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

FEDERAL OFFICES

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

FILING AUTHORITIES

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

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

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

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

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

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

- Multi-county district offices. (Reminder: This guide does not apply to multi-county district offices.)
- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.

POLITICAL COMMITTEES (PACS)

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

FINANCIAL DISCLOSURE STATEMENTS

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

FEDERAL INCOME TAX

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

TEXAS ETHICS COMMISSION

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

The Ethics Commission has authority to impose fines for violations of title 15. If you have evidence that a person has violated title 15, you may file a sworn complaint with the Ethics Commission. The Ethics Commission's mailing address is P.O. Box 12070, Austin, Texas 78711. The phone number is (512) 463-5800. The Ethics Commission maintains a website at www.ethics.state.tx.us on the Internet.

APPOINTING A CAMPAIGN TREASURER

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

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 when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures.
- A person may not accept a campaign contribution or make a campaign expenditure unless the person has a campaign treasurer appointment on file with the proper filing authority.
- Once a person files a form appointing a campaign treasurer, the person is a candidate for disclosure filing purposes and is responsible for filing periodic reports of contributions and expenditures with the proper filing authority until the person files a “final report.”
- The candidate, not the campaign treasurer, is responsible for filing periodic reports of contributions and expenditures.
- Filing a campaign treasurer appointment does not automatically “sign you up” for a place on the ballot. The Secretary of State can provide information about getting on the ballot. Call (512) 463-5650 or (800) 252-8683.

POLITICAL CONTRIBUTIONS AND EXPENDITURES

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

CAMPAIGN CONTRIBUTIONS

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

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

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

CAMPAIGN EXPENDITURES

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

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

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

OFFICEHOLDER CONTRIBUTIONS

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

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

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

OFFICEHOLDER EXPENDITURES

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

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

CAMPAIGN EXPENDITURES BY OFFICEHOLDER

An officeholder who has a campaign treasurer appointment on file may accept both campaign contributions and officeholder contributions and make both campaign expenditures and officeholder expenditures. On a report, there is no need for an officeholder who is a candidate to distinguish

between campaign contributions and officeholder contributions or between campaign expenditures and officeholder expenditures. Both campaign contributions and officeholder contributions are reported as “political contributions” and both campaign expenditures and officeholder expenditures are reported as “political expenditures.”

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

PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS

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

USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY

A candidate or officeholder is prohibited from using political funds to purchase real property or to pay the interest on or principal of a note for the purchase of real property.

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

ACCEPTING CONTRIBUTIONS

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

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

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

REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

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

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

SEPARATE ACCOUNT REQUIRED

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

INFORMATION REQUIRED ON REPORTS

CONTRIBUTIONS

A report must disclose the amount of each contribution or the value and nature of any in-kind contribution, as well as the name and address of the individual or political committee making the contribution, and the date of the contribution. (Detailed information about a contributor is not required to be reported if the contributor contributed \$50 or less during the reporting period.)

PLEDGES

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

A pledge that is actually received in the same reporting period in which the pledge was accepted shall be reported only on the appropriate receipts schedule.

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

Example 1: In June a supporter promises that he will give Juan Garcia \$1,000 in the last week before the November election. Juan accepts his promise. Juan must report the pledge on his July 15 report. Juan must also report a political contribution when the pledge is actually received. (**Note:** If Juan receives the pledge during the July semiannual reporting period then he does not report the

pledge and only reports a political contribution. Also, if he never receives the \$1,000, he does not amend his report to delete the entry for the pledge.)

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

LOANS

Loans made for campaign or officeholder purposes are reportable. A filer must report the amount of a loan, the date the loan is made, the interest rate, the maturity date, the type of collateral, and the name and address of the lender. The filer must also report the name, address, principal occupation, and employer of any guarantor and the amount guaranteed by the guarantor. (Detailed information is not required if a particular lender lent \$50 or less during a reporting period.) If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan. See “Campaign Expenditures from Personal Funds” in this guide for additional information.

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

CONTRIBUTIONS OF PERSONAL SERVICES

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

CONTRIBUTIONS OF PERSONAL TRAVEL

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

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

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

Contributions over \$500 in a reporting period. Before *accepting* more than \$500 in a reporting period from an out-of-state committee, a candidate or officeholder must obtain either (1) a written statement, certified by an officer of the out-of-state political committee, listing the full name and address of each person who contributed more than \$100 to the out-of-state political committee during the 12 months immediately preceding the contribution, *or* (2) a copy of the out-of-state

political committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee.

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

Contributions of \$500 or less in a reporting period. For a contribution of \$500 or less from an out-of-state committee in a reporting period, there is no requirement to obtain documentation *before accepting* the contribution. But there is a requirement to include certain documentation with the report of the contribution. The report must include *either* (1) a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee, *or* (2) the committee's name, address, and phone number; the name of the person appointing the committee's campaign treasurer; and the name, address, and phone number of the committee's campaign treasurer.

EXPENDITURES

A filer must report any campaign expenditure (regardless of whether it is made from political contributions or from personal funds) and any political expenditure (campaign or officeholder) from political contributions (regardless of whether the expenditure is a political expenditure). A filer must also report unpaid incurred obligations. *See* "Unpaid Incurred Obligations" in this guide. If the total expenditures to a particular payee do not exceed \$100 during the reporting period, a filer may report those expenditures as part of a lump sum. Otherwise, a filer must report the date of an expenditure, the name and address of the person to whom the expenditure is made, and the purpose of the expenditure.

UNPAID INCURRED OBLIGATIONS

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

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

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

EXPENDITURES MADE BY CREDIT CARD

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

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

identify the credit card company receiving the payment.

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

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

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

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

OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS

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

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

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

DIRECT EXPENDITURES

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

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

SUPPORTING POLITICAL COMMITTEES

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

PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER

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

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

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

INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS

For reports due on or after September 28, 2011, a candidate or officeholder is required to disclose information regarding the following types of activity from political contributions:

- any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, the amount of which exceeds \$100;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$100; and

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

A candidate or officeholder must use Schedule K to report such information. Although you are not required to do so, you may also report any credit/gain/refund or interest that does not exceed \$100 in the period on this schedule. (Previously, this was an optional schedule because a candidate or officeholder was not required to report this information.) A candidate or officeholder may not use interest and other income from political contributions for personal purposes. Political expenditures made from such income must be reported on the expenditures schedule.

PURCHASE OF INVESTMENTS

A candidate or officeholder must report any investment purchased with a political contribution, the amount of which exceeds \$100. This information must be disclosed on Schedule F3 of the campaign finance report.

TOTAL POLITICAL CONTRIBUTIONS MAINTAINED

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

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

TIME OF ACCEPTING CONTRIBUTION

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

TIME OF MAKING EXPENDITURE

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

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

PREPARING REPORTS

FORMS

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

SIGNATURE REQUIRED

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

FILING DEADLINES

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

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

PERIODS COVERED BY REPORTS

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

DEADLINE ON WEEKEND OR HOLIDAY

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

5 P.M. DEADLINE

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

DELIVERY BY MAIL OR OTHER CARRIER

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

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

RETENTION OF RECORDS USED FOR REPORTS

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

REPORTS

SEMIANNUAL REPORTS

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

However, there is an exception to this requirement for officeholders who file with a local filing authority, do not have a campaign treasurer appointment on file, and do not accept more than \$500 in officeholder contributions or make more than \$500 in officeholder expenditures during the period covered by the report.

REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

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

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

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

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

REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION

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

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

MODIFIED REPORTING

On the campaign treasurer appointment form, there is an option to choose modified reporting for the next election cycle. Modified reporting excuses an opposed candidate from filing reports 30 days and 8 days before an election and 8 days before a runoff. An opposed candidate is eligible for modified reporting only if the candidate does not intend to exceed either \$500 in contributions or \$500 in expenditures (excluding filing fees) in connection with an election.

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

If an opposed candidate selects modified reporting but exceeds the \$500 threshold for contributions or expenditures after the 30th day before the election, the filer must file a report within 48 hours of exceeding the threshold. (The filer must meet this deadline even if it falls on a weekend or a holiday.) At that point, the filer is no longer eligible for modified reporting and must file according to the regular filing schedule.

A selection to file on the modified reporting schedule lasts for an entire election cycle. In other words, the selection is valid for a primary, a primary runoff, and a general election (as long as the candidate does not exceed one of the \$500 thresholds). A candidate must submit an amended campaign treasurer appointment (FORM ACTA) to select modified reporting for a different election cycle.

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

An officeholder must file a report after filing a campaign treasurer appointment. (A report is not required after a *change* in campaign treasurers.) This report of contributions and expenditures is due no later than 15 days after the campaign treasurer appointment was filed. The report must cover the period that begins the day after the period covered by the last required report. The period ends on the day before the campaign treasurer appointment was filed. (**Note:** A person who is *appointed* to elective office may not have filed any previous reports. In that case, the beginning date for the report due 15 days after the campaign treasurer appointment is the date the officeholder took office.) The report is not required if the officeholder did not accept more than \$500 in contributions or make more than \$500 in expenditures by the end of the reporting period.

FINAL REPORT

See “Ending Filing Obligations” below.

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

See “Ending Filing Obligations” below.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT

See “Ending Filing Obligations” below.

Things to Remember

- An officeholder must file semiannual reports for any period during which he or she is an officeholder. (There is an exception to this rule for officeholders who do not have a campaign treasurer appointment on file and who do not accept more than \$500 in political contributions or make more than \$500 in political expenditures during the period covered by the report.)
- An opposed candidate in an election must file reports of contributions and expenditures 30 days and 8 days before the election, unless the candidate has selected (and remains eligible for) modified reporting. An opposed candidate who has not selected modified reporting must also file a report 8 days before a runoff election. A report due 30 days before an election and a report due 8 days before an election must be received by the appropriate filing authority no later than the report due date.
- An unopposed candidate is not required to file reports 30 days before an election or 8 days before an election but is required to file semiannual reports.
- A candidate who selects modified reporting must file semiannual reports.
- A filer who selects modified reporting for one election cycle will be required to file on the regular reporting schedule for the next election cycle unless the filer submits an amended campaign treasurer appointment selecting modified reporting for the next election cycle.

ENDING FILING OBLIGATIONS

FINAL REPORT

If a filer expects to accept no further political contributions and to make no further political expenditures and if the filer expects to take no further action to get elected to a public office, the filer may file a final report. Filing a final report terminates a filer’s campaign treasurer appointment and relieves the filer from any additional filing obligations *as a candidate*. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with chapter 572 of the Government Code or chapter 159 of the Local

Government Code.) If the filer is an officeholder, the filer will still be subject to the filing requirements applicable to officeholders. A filer who is not an officeholder at the time of filing a final report *and* who has surplus political funds or assets will be required to file annual reports of unexpended contributions and a report of final disposition of unexpended contributions. See “Annual Report of Unexpended Contributions” and “Report of Final Disposition of Unexpended Contributions” below.

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

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

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

The following individuals must file annual reports of unexpended contributions:

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

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

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

REPORT OF FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS

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

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

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

- The former candidate or officeholder may give them to the political party with which he or she was affiliated when last on the ballot;
- The former candidate or officeholder may contribute them to a candidate or a political committee. (This triggers a requirement to file a report of the contribution.);
- The former candidate or officeholder may give them to the comptroller for deposit in the state treasury to be used to finance primary elections;
- The former candidate or officeholder may give them to one or more contributors, but the total returned to any person may not exceed the aggregate amount accepted from that person during the last two years during which the former candidate or officeholder accepted political contributions;
- The former candidate or officeholder may give them to certain charitable organizations; or
- The former candidate or officeholder may give them to a public or private post-secondary educational institution or an institution of higher education as defined by section 61.003(8), Education Code, for the purpose of assisting or creating a scholarship program.

Things to Remember

- Anyone who has an appointment of campaign treasurer on file must file periodic reports of campaign contributions and expenditures.
- An individual who expects no further reportable activity in connection with his or her candidacy, files a final report and thereby terminates his or her campaign treasurer appointment. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with chapter 572 of the Government Code or chapter 159 of the Local Government Code.)
- An officeholder may be required to file semiannual reports even if he or she does not have a campaign treasurer appointment on file. A local officeholder who has not accepted more than \$500 in contributions or made more than \$500 in expenditures in a semiannual period since terminating his or her campaign treasurer appointment is not required to file a semiannual report for that period.

PENALTIES FOR REPORTING VIOLATIONS

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

CAMPAIGN FINANCE RESTRICTIONS

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

1. An individual may not accept a campaign contribution or make a campaign expenditure (including a campaign expenditure from personal funds) without a campaign treasurer appointment on file. Elec. Code § 253.031. An officeholder may accept officeholder contributions and make officeholder expenditures regardless of whether he or she has a campaign treasurer appointment on file.
2. Political contributions from labor organizations and from most corporations are prohibited. Elec. Code § 253.091, *et seq.* Partnerships that include one or more corporate partners are subject to the prohibition.
3. Certain documentation must be obtained in order to accept contributions from an out-of-state political committee. Elec. Code § 253.032. *See* “Contributions From Out-of-State Political Committees” in this guide.
4. Cash contributions of more than \$100 in the aggregate from one contributor in a reporting period are prohibited. (Here “cash” means coins and currency, not checks.) Elec. Code § 253.033.
5. The use of political contributions to purchase real property is prohibited. There is also a restriction on the use of political funds to rent or purchase real property from a person related to the candidate or officeholder within the second degree of consanguinity or affinity or from a business in which the candidate or officeholder or such a relative has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer. Elec. Code § 253.038.
6. Texas law does not allow anonymous contributions. Also, reports must disclose the actual source of a contribution, not an intermediary. Elec. Code § 253.001.
7. Personal use of political contributions is prohibited. Elec. Code § 253.035.
8. A candidate or officeholder may not use political contributions to pay for personal services rendered by the candidate or officeholder or by the spouse, or dependent children of the candidate or officeholder. There are also restrictions of a candidate’s or officeholder’s use of political contributions to make payments to a business in which the candidate or officeholder holds a participating interest of more than 10 percent, a position on the governing body of the business, or a position as an officer of the business. *See* Ethics Advisory Opinion No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions). Elec. Code § 253.041.

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

9. A candidate, officeholder, or political committee may not accept political contributions in the Capitol or in the Capitol Extension. Effective September 1, 2009, a candidate, officeholder, or political committee also may not accept political contributions in a courthouse. “Courthouse” means any building owned by the state, a county, or a municipality, or an office or part of a building leased to the state, a county, or a municipality, in which a justice or judge sits to conduct court proceedings. Elec. Code § 253.039.

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



TEXAS ETHICS COMMISSION
2018 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 2018 are May 5 and November 6.

Candidates and officeholders must file semiannual reports (due on January 16, 2018, and July 16, 2018). 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 2018 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 2018 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
Tuesday, January 16, 2018 <i>Deadline is extended because of holiday.</i>	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 \$500 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2017, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended.	December 31, 2017
Tuesday, January 16, 2018 <i>Deadline is extended because of holiday.</i>	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, 2017, <i>or</i> the day after the date the final report was filed.	December 31, 2017

REPORTS DUE BEFORE THE MAY 5, 2018, UNIFORM ELECTION

Thursday, April 5, 2018 NOTE: This report must be received by the appropriate filing authority no later than April 5, 2018.	30th day before the May 5, 2018, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 5 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved with the May 5 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 5 election)	January 1, 2018, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended.	March 26, 2018
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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
<p>Friday, April 27, 2018</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 27, 2018.</p>	<p>8th day before May 5, 2018, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the May 5 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the May 5 election)</p> <p>[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 5 election)</p>	<p>March 27, 2018, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	<p>April 25, 2018</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 25, 2018, may be required. Please consult the Campaign Finance Guide for further information.</p>

<p>Monday, July 16, 2018</p> <p><i>Deadline is extended because of weekend.</i></p>	<p>July semiannual</p> <p>[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 \$500 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p>	<p>January 1, 2018, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	<p>June 30, 2018</p>
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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
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REPORTS DUE BEFORE THE NOVEMBER 6, 2018, UNIFORM ELECTION

<p>Tuesday, October 9, 2018</p> <p><i>Deadline is extended because of weekend and holiday.</i></p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 9, 2018.</p>	<p>30th day before the November 6, 2018, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 6 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that are involved with the November 6 election)</p> <p>[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 6 election)</p>	<p>July 1, 2018, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	<p>September 27, 2018</p>
<p>Monday, October 29, 2018</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 29, 2018.</p>	<p>8th day before the November 6, 2018, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 6 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the November 6 election)</p> <p>[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 6 election)</p>	<p>September 28, 2018, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	<p>October 27, 2018</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 27, 2018, may be required. Please consult the Campaign Finance Guide for further information.</p>

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
Tuesday, January 15, 2019	<p>January semiannual</p> <p>[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 \$500 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p>	<p>July 1, 2018, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	December 31, 2018
Tuesday, January 15, 2019	<p>Annual report of unexpended contributions</p> <p>[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)</p>	<p>January 1, 2018, <i>or</i></p> <p>the day after the date the final report was filed.</p>	December 31, 2018

November 6, 2018 Election Law Calendar

The uniform election date in November of even-numbered years, by statute, is the general election date for federal, state, and county officers. Additionally, many local political subdivisions have their regular general election for members of their governing bodies in November of even-numbered years, or they may order special elections for this date to vote on propositions or to fill vacancies. Therefore, this calendar is required to meet the needs of many different governmental bodies. If there are questions about the applicability of something in this calendar to your specific election, do not hesitate to call the Elections Division of the Office of the Texas Secretary of State at 1-800-252-VOTE (8683).

Notes

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1. Note on Campaign Information

Under Title 15 of the Texas Election Code, candidates running for an office must file campaign contribution and expenditure reports. For further information and all questions about such disclosure filings, campaign finance, and political advertising, please contact the [Texas Ethics Commission](#) at 201 E. 14th, 10th Floor, Austin, Texas 78701; or call 512-463-5800.

2. Note on Submissions to the U.S. Department of Justice

On June 25, 2013, the United States Supreme Court issued its decision in *Shelby County v. Holder*, 133 S. Ct. 2612 (2013). The Supreme Court's decision holds that Section 4 of the federal Voting Rights Act of 1965 is unconstitutional and its formula can no longer be used as a basis for subjecting jurisdictions to preclearance. Accordingly, unless and until there is new law from the United States Congress signed by the President or other court order, the Texas Attorney General has advised the Secretary of State that it is no longer required to submit voting changes to the DOJ for preclearance. We suggest that Texas counties or other Texas political subdivision discuss the effect of *Shelby* and the continuing applicability of other provisions of the Voting Rights Act with their legal counsel.

3. Note on Statutory and Administrative Code References

Unless otherwise indicated, all references are to the Texas Election Code. The county election officer is the county clerk, the county elections administrator, or the county tax assessor-collector, depending on the actions of the county commissioners court. (Secs. 31.031; 31.071; 31.091). The county voter registrar is the county clerk, the county elections administrator, or the county tax assessor collector, depending on the actions of the county commissioners court. (Secs. 12.001; 12.031; 31.031; 31.071).

4. Note on Required Use of County Polling Places

Political subdivisions holding an election on the November uniform election date MUST use county election precincts and the county polling places on election day. This is the case even when the county has adopted the **countywide polling place system**; in that case the entity **must** have a presence in every countywide location in the county, not just the locations physically within the territory of the political subdivision. (Secs. 42.002; 43.004; 43.007(e)).

NOTE: As this election is being held on the date of the general election for state and county officers, **no consolidation of county election precincts may occur.** (Secs. 42.002(b); 42.008; 42.009).

In an election held by a political subdivision other than a county on the November uniform election date, and in which the political subdivision is not holding a joint election with a county in accordance with Chapter 271 of the Code, or has not executed a contract for election services with a county elections officer pursuant to Chapter 31 of the Code under which the political subdivision and the county share early voting polling places for the election, the political subdivision **must** designate as one of its own early voting sites one of the early voting sites established by the county (other than a movable site established under Section 85.062(e) of the Code) that is located in the political subdivision. If such a shared polling place is designated as the **main** early voting polling place by the political subdivision, it must be open for voting for all political subdivisions the polling place serves for at least the days and hours required of a main early voting polling place for the political subdivision making the designation. (Sec. 85.010; 85.002; 85.062(e)).

NOTE: The deadline for counties who were not previously designated as “Successful” or counties applying to the program for the first time to submit their proposed written plans to participate in the countywide polling place program for the November 6, 2018 general election date is Thursday, August 23, 2018. See [2018 Opportunities to Use Countywide Polling Places and Countywide Polling Place Program FAQs](#).

5. Note on Notice of Candidate Filing Periods

The authority with whom an application for a place on the ballot is filed must post a [Notice of Deadline to File Applications for Place on the Ballot \(PDF\)](#), listing the filing period dates in a building in which the authority maintains an office. The notice must be posted not later than the 30th day **before** the first day to file. (Sec. 141.040). If you order a special election to fill a vacancy, the order must include the filing deadline; we recommend posting the notice of the filing period as soon as practicable after a special election is ordered. Note that an application for a place on the ballot for a special election may not be filed before the election is ordered.

6. Note on Joint Election Requirement for School Districts

The joint election requirement for school trustee elections under Section 11.0581 of the Education Code is met by complying with the requirement of using county election precincts on election day per Section 42.002 of the Election Code.

7. Note on Joint Elections Generally

Many entities will have joint elections for the November 6, 2018 election. Note that the entries in this calendar are generally written in terms of elections held individually rather than jointly. For example, cities are advised about conducting two 12-hour days for early voting. However, we have long advised different entities who conduct early voting together to coordinate their early voting hours, which may result in entities other than cities also holding early voting on two 12-hour days. On the other hand, depending on the plan, different entities may choose to do different things separately, i.e., not holding early voting together. Not all joint election plans are alike. With a few exceptions,

we do not discuss the impact of coordinating rules for a joint election, as we think this would make the calendar longer and confusing. We encourage joint election partners to read through the entire calendar, taking note of the rules affecting the partner entities and to address the differences within the agreement itself. If you have questions about how different rules apply to a particular joint election plan, please contact our office by phone or email.

8. Note on Notice of Elections

Political subdivisions other than cities and school districts may have specific statutory notice requirements. In the absence of specific statutory requirements, political subdivisions must post a notice of election, which must include the location of each polling place, on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves, on or before the 21st day before the election. (Sec. 4.003(b)). For the Tuesday, November 6, 2018 election, this notice must be posted on or before Tuesday, October 16, 2018. The general rule is that, additionally, notice must be given using one of the following methods:

- A. By posting a notice at a public place in each election precinct in which the election is to be held on or before the 21st day before the election, Tuesday, October 16, 2018. (Sec. 4.003(a)(2)).
- B. By publishing the notice at least once not earlier than the 30th day or later than the the 10th day before the election, Sunday, October 7, 2018 – Saturday, October 27, 2018. (Sec. 4.003(a)(1)).
- C. By mailing a copy of the notice to each registered voter of the territory covered by the election, not later than the 10th day before election day, Saturday, October 27, 2018. (Sec. 4.003(a)(3)).

This notice must include:

1. The type and date of the election;
2. The location of each polling place;
3. The hours the polls will be open;
4. The location of the main early voting polling place;
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting, if any; and
7. The early voting clerk's mailing address.
8. We **recommend** that the information regarding branch early voting locations be included as part of your notice.

The following forms may be used:

[-Notice of General Election for Counties \(PDF\)](#)

[-Notice of General Election for Cities \(PDF\)](#)

[-Notice of General Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)

[-Notice of Special Election for Counties \(PDF\)](#)

Note for All Political Subdivisions: The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website. For political subdivisions other than counties or cities, the original order and notice should include all days and hours for early voting by personal appearance, including voting on **ANY** Saturday or Sunday. (Secs. 85.006; 85.007). **Note for cities and counties,** the election notice must be subsequently amended to include voting ordered for **ANY** Saturday or Sunday and must be posted on the political subdivision's website, if maintained.

Notice for Bond Elections: Entities holding bond elections must provide additional notice per Section 4.003(f). A debt obligation order under Section 3.009 must be posted:

1. On election day and during early voting by personal appearance, in a prominent location at each polling place.
2. Not later than the 21st day before the election, in three public places in the boundaries of the political subdivision holding the election.

3. During the 21 days before the election, on the political subdivision's Internet website, prominently and together with the notice of the election and the contents of the proposition, if the political subdivision maintains an Internet website.

Note for Counties for the General Election for State and County Officers: Counties are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1). Counties must also post a copy of the notice on the governmental bulletin board used for posting notice of public meetings no later than the 21st day before election day, Tuesday, October 16, 2018. (Sec. 4.003(b)).

Note for Cities and School Districts: Cities and school districts are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1)(See B, above) and may also give any additional notice. (Sec. 4.003(c)). School districts and cities must also post a copy of the notice on the governmental bulletin board used for posting notice of public meetings no later than the 21st day before election day, Tuesday, October 16, 2018. (Sec. 4.003(b)).

Note for Home-Rule Charter Cities: Home-rule cities MUST also give notice as provided in their charters.

Note for Cities: Cities must choose **two weekdays** to be open for 12 hours during the regular early voting period. The city council must choose the two weekdays and the hours the site will be open, and include that information in the notice. (Sec. 85.005(d)).

Notice for Political Subdivisions, Except Counties, School Districts, and Cities: Political subdivisions other than counties, school districts, and cities may have specific statutory election notice requirements either in their enabling acts or in the Code governing them (such as the Water Code). In the absence of specific statutory requirements, such political subdivisions must post a copy of the notice on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision on or before the 21st day before election day, Tuesday, October 16, 2018. (Sec. 4.003(b)).

Note for All Political Subdivisions, Except Counties: The governing body of a political subdivision must deliver notice of the election to the county election officer and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day, Friday, September 7, 2018. (Sec. 4.008).

9. Note of Extended Early Voting Hours and Branch Locations

Note for Counties with Population of 100,000 or more: Early voting in the general election for state and county officers must be conducted at the main early voting location: (1) for at least 12 hours on each weekday of the last week of the early voting period, (2) for at least 12 hours on the last Saturday of the early voting period, **AND** (3) for at least 5 hours on the last Sunday of the early voting period. (Secs. 85.005(c); 85.006(e)).

Note for Counties with Population of less than 100,000: Early voting in the general election for state and county officers must be conducted at the main early voting location on the weekdays of the early voting period and during the hours that the county clerk's main office's business office is regularly open for business. (Sec. 85.005(a)). However, upon receipt of a [written request](#) by at least 15 registered voters of the county for extended hours to the early voting clerk, early voting in a general election for state and county officers must be conducted at the main early voting location for at least 12 hours on each weekday of the last week of the early voting period. (Sec. 85.005(c)). The written request must be submitted in time to enable compliance with Section 85.067. (Secs. 85.005(c); 85.067(c)).

Saturdays and Sundays for Counties with Population of less than 100,000: Counties with a population under 100,000 are not required to conduct early voting on Saturday or Sunday in the general election for state and county officers. However, the county election officer may [order](#) early voting on a Saturday or Sunday, and determine the hours for such Saturday or Sunday early voting. This must be done by written order. (Secs. 85.006(b); 85.006(c)). [Notice of Saturday or Sunday early voting](#) must be posted continuously for at least 72 hours immediately preceding the first hour that voting will be conducted. (Sec. 85.007(c)). The notice shall be posted on the bulletin board used for posting notice of meetings of the commissioners court, as well as on the political subdivision's website, if maintained. (Secs. 85.007(c); 85.007(d)).

Also, for counties with a population under 100,000, if the early voting clerk receives a [written request](#) by at least 15 registered voters of the county, early voting in a general election for state and county officers must be conducted at the main early voting location for at (1) least 12 hours on the last Saturday of the early voting period, and (2) for at least 5 hours on the last Sunday of the early voting period. (Sec. 85.006(e)). The request for Saturday and Sunday hours must be received in time for the early voting clerk to comply with the 72-hour posting requirement before the start of early voting. (Secs. 85.006(e); 85.007(c)).

Note about branch early voting in the November General Election for state and county officers:

The commissioners court:

- (1) in a county with a population of 400,000 or more, **must** establish one or more temporary polling places, other than the main early voting polling place, in each state representative district containing territory covered by the election. The temporary polling place(s) must remain open the same days as the main early voting polling place, but the commissioners court determines the hours during which voting is to be conducted, unless a written request signed by 15 registered voters requesting the same number of hours as the main polling place is timely filed with the commissioners court;
- (2) in a county with a population of 120,000 or more but less than 400,000, **must** establish one or more temporary polling places, other than the main early voting polling place, in each commissioners precinct containing territory covered by the election. The temporary polling place(s) must remain open the same days as the main early voting polling place, but the commissioners court determines the hours during which voting is to be conducted, unless a written request signed by 15 registered voters requesting the same number of hours as the main polling place is timely filed with the commissioners court; or;
- (3) in a county with a population of 100,000 or more but less than 120,000, **must** establish one or more early voting polling places in each commissioners court precinct for which the commissioners court receives a timely filed written request signed by at least 15 registered voters of that precinct. The temporary polling place(s) must remain open the same days as the main early voting polling place, but the commissioners court determines the hours during which voting is to be conducted, unless a written request signed by 15 registered voters requesting the same number of hours as the main polling place is timely filed with the commissioners court. (Secs. 85.062; 85.064).

Note: If a county has a population under 100,000, the location, days, and hours of temporary branch locations may be established **only** by the commissioners court. **No petition process is available.** (Sec. 85.065).

Note: A temporary branch polling place that is “movable” may be established only with the approval of the county clerk. If a movable temporary branch polling place is established on the request of a political party, each other political party whose nominee for Governor in the most recent gubernatorial general election received more than 10 percent of the total number of votes received by all candidates for Governor in the 2014 election, is entitled to the establishment of such a polling place. The election officers serving a polling place covered by this subsection must be appointed from the list submitted by the county chairs to the early voting clerk and, to the extent possible, must be affiliated or aligned with different political parties. (Sec. 85.062(e)).

Note: In a countywide election, the total number of permanent branch polling places and temporary branch polling places open for voting at the same time in a commissioners precinct may not exceed twice the number of permanent branch and temporary branch polling places open at that time in another commissioners precinct. (Sec. 85.062(f)).

Note for All Political Subdivisions, Except Counties & Cities: Voting on **ANY** Saturday or Sunday **must** be included in the order and notice of election. The order and notice must include the dates and hours of Saturday or Sunday voting. (Secs. 85.006; 85.007). The election notice must be posted on the political subdivision’s website, if the political subdivision maintains a website. (Sec. 85.007). The political subdivision **must** have early voting on Saturday or Sunday, *if* a [written request](#) is received from at least 15 registered voters of the political subdivision in time to comply with the posting requirement. (Sec. 85.006(d)). **The request must be submitted in time to be included in the order and notice of election.** (Secs. 85.006; 85.007).

Note for Cities: Cities must choose **two weekdays** for the main early voting polling place to be open for 12 hours during the regular early voting period. The city council must choose the two weekdays. (Sec. 85.005(d)).

The city secretary may also [order](#) early voting on a Saturday or Sunday, and determine the hours for such Saturday or Sunday early voting. This must be done by written order. (Secs. 85.006(b); 85.006(c)). [Notice of Saturday or Sunday early voting](#) must be posted continuously for at least 72 hours immediately preceding the first hour that voting will be conducted. (Sec. 85.007(c)). The notice shall be posted on the bulletin board used for posting notice of meetings of the city's governing body if the early voting clerk is the city secretary, as well as on the political subdivision's website, if maintained. (Secs. 85.007(c); 85.007(d)). The city secretary **must** have early voting on Saturday or Sunday, *if a [written request \(PDF\)](#) is received from at least 15 registered voters of the city.* The written request for Saturday and Sunday hours **must** be received in time for the early voting clerk to comply with the 72-hour notice posting requirement before the start of early voting. (Secs. 85.006(d); 85.007(c)).

10. Note on Notice of Previous Polling Place:

If a different polling place is being used from the previous election held by the same authority, a [Notice of Previous Precinct \(PDF\)](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

11. Note on Notice of Change of Polling Place Location:

For elections ordered by the **Governor or county judge only**, if the location of the polling place changes after notice has been given under Section 4.003 of the Texas Election Code, and the county election officer maintains a website to inform voters about elections, the notice of the change must be posted on the website. The notice on the website must be posted not later than the earlier of 24 hours after the location was changed or 72 hours before the polls open on election day. (Sec. 43.061). If the county election officer is conducting a legislative vacancy election, the candidates listed on the ballot are entitled to receive notice directly from the county judge. **As a reminder, notice should also be provided to the Secretary of State regarding any changes made to the location of polling places.**

12. Note on Testing Tabulating and Electronic Voting Equipment

Note on Ballot Testing:

Once all candidate filing deadlines have passed, we recommend that you proof and test your ballot programming as soon as possible. Early testing will allow adequate time to locate any errors and make any necessary corrections in ballot programming. We also strongly suggest that you have candidates proof their names and offices before finalizing the ballot to avoid the necessity for last minute ballot corrections.

Note on Logic and Accuracy Test:

We recommend establishing a date to perform the test of your electronic voting equipment (L&A, or Logic and Accuracy Test) as soon as possible. We recommend that this test be performed on a date that allows time to correct programming and retest, if necessary. A notice of this test must be published by the custodian of the electronic voting equipment at least 48 hours before the date of the test. (Sec. 129.023; [Tex. Sec'y of State Election Advisory No. 2014-06](#)). The L&A test must be conducted not later than 48 hours before voting begins on a voting system. (Sec. 129.023).

Note on Testing Tabulating Equipment:

The automatic tabulating equipment used for counting ballots at a central counting station must be tested three times for each election. (Ch. 127, Subch. D). We recommend you test the equipment as soon as possible; early testing will allow adequate time to locate any errors and make any necessary corrections in programming. However, the first test **must be conducted at least 48 hours before** the automatic tabulating equipment is used to count ballots voted in the election. The second test shall be conducted immediately before the counting of ballots with the equipment begins. The third test must be conducted immediately after the counting of ballots with the equipment is completed. Please note that the custodian of the automatic tabulating equipment must publish [notice](#) of the date,

hour, and place of the first test in a newspaper at least 48 hours before the date of the test. (Sec. 127.096). The electronic files created from the L&A testing are what must be used for testing the tabulating equipment. ([Tex. Sec'y of State Election Advisory No. 2014-06](#)).

Precinct tabulators must also be tested in accordance with the procedures set forth in Chapter 127, Subchapter D of the Texas Election Code to the extent those procedures can be made applicable. (Sec. 127.152; [Tex. Sec'y of State Election Advisory No. 2014-06](#)).

Our recommendation is that both L&A testing and testing of the automatic tabulating equipment take place prior to ballots by mail being sent out. However, should there be a reason to delay testing, please be advised that L&A testing must be conducted at least 48 hours before voting begins on a voting system. This means that L&A testing should be completed before early voting and possibly, before election day, if your election day system is different than your early voting system. Additionally, the automatic tabulating equipment may not be used to count ballots voted in the election until a test is successful.

For more information on testing tabulating equipment used at the central counting station, please see Chapter 127, Subchapter D of the Election Code and [Tex. Sec'y of State Election Advisory No. 2014-06](#). See Chapter 129, Subchapter B of the Election Code and [Tex. Sec'y of State Election Advisory No. 2014-06](#) for other types of testing such as functionality tests, logic and accuracy tests, tests for central accumulators, etc. See *also* [Tex. Sec'y of State Election Advisory No. 2017-17](#).

13. Note on Voting Order Priority

NEW LAW: Section 63.0013, as amended by House Bill 658 (85th Legislature, RS 2017) provides that an election officer may accept a person with a mobility problem that substantially impairs a person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived **before** the person. For additional information, please see our [Election Judges and Clerks Handbook](#).

The **recommended** time to include this notice on a county website is when the Notice of Election is also posted on the website. (Sec 85.007(d)). See [Note](#) regarding Notice of Elections.

Cities, Schools, and Other Political Subdivisions: It is **strongly recommended** that the notice regarding accepting voters with certain disabilities also be posted on the subdivision's website, if one is maintained by the political subdivision.

14. Note on new law regarding faxed or emailed ABBMs and faxed FPCAs

NEW LAW: SB 5 (85th Legislature, 1st CS, 2017), **effective December 1, 2017**, provides that 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 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. An original hardcopy ABBM received after the 4th business day deadline but received by the 11th day before election day would entitle the voter to receive a ballot for the election.

The early voting clerk should retain a copy of the FPCA for their own records, but should send the FPCA submitted by the voter to the Voter Registrar for registration purposes.

If a voter faxes or emails the ABBM or faxes the FPCA, the date the early voting clerk receives the FAX or EMAIL is considered the date of submission. Essentially, the faxed or emailed form serves as a place-holder for the voter. Therefore, a voter whose application was faxed or emailed by the 11th day before election day (the deadline), and whose original application is received on or before the 4th business day after that date, would still be entitled to receive a ballot for the election (if otherwise eligible). The early voting clerk will have to hold the faxed or emailed ABBM or faxed FPCA until the clerk receives the original, and would only send the voter a ballot if the original is received by

the 4th business day after the faxed or emailed ABBM or faxed FPCA was received. See [Tex. Sec'y of State Election Advisory No. 2018-02](#).

NOTE: The requirement to mail the original application does not apply to an **emailed** FPCA.

Calendar of Events

May

Thursday, May 10, 2018 (180th day before Election Day)

First day to accept applications for state write-in ballots for the November 6, 2018 election. (Sec. 105.002).

Tuesday, May 29, 2018 (75th day after minor party precinct conventions)

Deadline for minor party chairs to submit petitions and precinct convention lists to Secretary of State and to the appropriate county clerk (or other county election official) for placement on the ballot. (Secs. 1.006; 181.005(a); 181.006(b)(3); 182.003; 182.004). **The deadline is extended to the next regular business day which is Tuesday, May 29, 2018 due to the 75th day falling on Sunday, May 27, 2018 and Monday, May 28, 2018 is Memorial Day, a state legal holiday. (Sec. 1.006).**

June

Monday, June 11, 2018 (20th day after Runoff Primary Election Day)

First day of new term for political party county and precinct chairs elected in the March 6, 2018 Primary Election. (Sec. 171.022(c)).

Thursday, June 21, 2018 (30th day before Saturday, July 21, 2018, “first day to file”; 30th day after Runoff Primary Election Day)

Counties: 5:00 p.m. — Filing deadline for independent candidate’s [application for place on ballot \(PDF\)](#) and [petition \(PDF\)](#) for the November General Election for state and county officers. (Sec. 142.006). See [Independent Candidates Guide](#).

Cities, Schools and Other Political Subdivisions: [Deadline to post Notice of Deadline to File Applications for Place on the Ballot \(PDF\)](#) in a public place in a building in which the authority maintains an office. The notice must be posted not later than the 30th day before the first day to file. (Sec. 141.040; Sec. 49.113 Water Code).

NOTE - 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 Water Code. (Sec. 49.113 Water Code).

Saturday, June 30, 2018 (last day in June)

In a county with a population of **over 500,000**, deadline for party chairs to submit to county commissioners court a list of eligible persons for precinct presiding election and alternate presiding judges for appointments, as well as for presiding and alternate presiding judges of central counting station for appointments for the November General Election for state and county officers. (Secs. 1.006; 32.002(a)(1), (c); 127.005(e)).

Deadline for party chairs to submit to county election officer the list of eligible persons to serve as election officers for the main and any branch early voting location for the November General Election for state and county officers. (Sec. 85.009).

Recommended date that party chairs, in a county with a population of **over 500,000**, submit to the county election board a list of names of eligible persons to serve on the early voting ballot board for the November General Election for state and county officers. (Sec. 87.002(c), (d)). **NOTE: This is not a deadline; just a recommendation.**

NOTE: A signature verification committee may be appointed at a later date. (Sec. 87.027).

Political Subdivisions Other than Counties: For recommended date to appoint your presiding election judges, see entry under [August 20, 2018](#).

July

Monday, July 2, 2018 – Monday, October 1, 2018

Recommended timeframe for the **county election board** in a **county with a population of over 500,000** to appoint the members to the early voting ballot board for the November General Election for state and county officers. (Sec. 87.002(c), (d)). Section 87.002(c) of the Election Code does not provide a deadline for the county election board to make such appointments. **NOTE: This is not a deadline; just a recommendation. October 1 is the recommended deadline because of various notice requirements.**

It is also recommended that the commissioners court, in a county with a population of **over 500,000**, appoint during its July term the central counting station manager, tabulation supervisor, and assistants to the tabulation supervisor if it has established a central counting station. (Secs. 127.001; 127.002; 127.003; 127.004). **NOTE: This is not a deadline; just a recommendation.**

Saturday, July 21, 2018 (30th day before Monday, August 20, 2018, regular filing deadline for a place on the ballot)

Counties: First day to file a [Declaration of Write-In Candidacy \(PDF\)](#) and accompanying filing fee or nominating [petition \(PDF\)](#) in lieu of filing fee with the county judge or Secretary of State, as applicable, for the November General Election for state and county officers. (Secs. 146.023; 146.0231; 146.0232; 146.025(a); 172.024; 172.025). See [Write-In Candidates Guide](#).

Political Subdivisions Other Than Counties: First day to file an application for a place on the ballot or a declaration of write-in candidacy. (Secs. 143.007(a); 144.005(a); 146.054 Election Code; Secs. 11.055; 11.056; 130.082(g); 130.0825 Educ. Code). See [Candidacy Filing outline](#) for more details. The following forms are available on the Secretary of State's website:

- [Application for Place on City/School/Other Political Subdivision Ballot \(PDF\)](#)
- If your home rule city or special law district allows for a petition, the following petition may be used: [Petition for Place on the City General Election Ballot \(PDF\)](#)
- [Declaration of Write-In Candidacy for City, School, or other Political Subdivisions](#)

NOTE: We are often asked how filing can begin if you have not yet ordered the general election. You do not need to order your **general** (regularly occurring) election in order for the filing period to begin.

NOTE: Cities, Schools, and Other Political Subdivisions: At least part of the candidate filing period will occur during the summer break for school districts. Additionally, there are political subdivisions that do not have office hours on all days of the business week (Monday through Friday) or do not have an office that is open for eight hours each day of the business week. The Elections Division recommends that political subdivisions take steps to have someone available for a few hours most days during the candidate filing period to accept filings, and that political subdivisions post a schedule on their websites and on the bulletin boards where notices of meetings are posted of the days and times when someone will be available to accept filings. The Elections Division also strongly recommends having someone available at the place of business on the filing deadline, especially from 2:00 p.m. to 5:00 p.m., if you are otherwise closed. This guideline is based on the office-hour rule under Section 31.122 of the Election Code. Although a political subdivision may accept applications by mail and fax, without a person there at the office, the political subdivision will not be able to determine which applications were timely filed by 5:00 p.m.

Tuesday, July 31, 2018 (last day “before August”)

In a county with a population of **500,000 or less**, deadline for party chairs to submit to county commissioners court list of eligible persons for precinct presiding election and alternate presiding judges for appointments, as well as for presiding and alternate presiding judges of central counting station for appointments for the November General Election for state and county officers. (Secs. 32.002(a)(2), (c); 127.005(e)).

Recommended date that party chairs in a county with a population of **500,000 or less** submit to the county election board a list of names of eligible persons to serve on the early voting ballot board for the November General Election for state and county officers. (Sec. 87.002(c), (d)). **NOTE: This is not a deadline; just a recommendation.**

NOTE: A signature verification committee may be appointed at a later date. (Sec. 87.027).

Recommended date that county election officials and local political subdivisions meet to discuss conducting elections at the same polling locations pursuant to Sections 42.002 & 42.0621, as well as any applicable joint election issues needed to be agreed upon. **NOTE: This is not a deadline; just a recommendation.**

August

Wednesday, August 1, 2018 – Monday, October 1, 2018

Recommended timeframe for the county election board in a county with a population of **500,000 or less** to appoint the members to the early voting ballot board for the November General Election for state and county officers. (Sec. 87.002(c), (d)). Section 87.002(c) of the Election Code does not provide a deadline for the county election board to make such appointments. **NOTE: This is not a deadline; just a recommendation. October 1 is the recommended deadline because of various notice requirements.**

Recommended date that commissioners court in a county with a population of **500,000 or less** appoint central counting station manager, tabulation supervisor, and assistants to the tabulation supervisor if it has established a central counting station. (Secs. 127.001; 127.002; 127.003; 127.004). **NOTE: This is not a deadline; just a recommendation.**

Wednesday, August 8, 2018 (90th day before Election Day)

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 exemption from the accessible voting system requirement. (Sec. 61.013). For additional information, consult the most current advisory on this topic, [Voting Accessibility Issues](#).

Friday, August 17, 2018 (81st day before Election Day, day before 2nd day before filing deadline)

Political Subdivisions Other Than Counties: If a candidate dies on or before this date, his or her name is not placed on the ballot, if the filing deadline is Monday, August 20, 2018. (Sec. 145.094(a)(1)).

Monday, August 20, 2018 (78th day before Election Day)

Counties: 5:00 p.m. — Deadline to file as a write-in candidate for the November General Election for state and county officers. (Sec. 146.025(a)). A declaration of write-in candidacy filed by mail is considered to be filed at the time of its receipt by the appropriate authority. (Sec. 146.025(c)). See [Write-In Candidates Guide](#).

Exception: If a candidate whose name is to appear on the general election ballot dies or is declared ineligible after the third day before the date of the filing deadline above, a declaration of write-in candidacy for the office sought by the deceased or ineligible candidate may be filed not later than 5:00 p.m. of the 75th day before election day. (Sec. 146.025(b)).

Political Subdivisions Other Than Counties: 5:00 p.m. — 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 for most political subdivisions, except as otherwise provided by the Texas Election Code. (Secs. 143.007(c); 144.005(d); Sec. 11.055, Education Code; Chapter 286, Health & Safety Code). See [Candidacy Filing outline](#) for more details.

NOTE: A home-rule city's charter may **not** provide an alternate candidate filing deadline. (Secs. 143.005(a); 143.007).

NOTE: An application submitted by mail is considered to be filed at the time of its receipt by the appropriate filing authority. (Secs. 143.007(b); 144.005(b)).

Political Subdivisions Other Than Counties (General Election): Deadline for political subdivisions to order a general election to be held on Tuesday, November 6, 2018. (Sec. 3.005). One of the following forms may be used:

- [Order of Election for Municipalities \(PDF\)](#)
- [Order of Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)

Political Subdivisions Other Than Counties (Special Election): Deadline to order a special election on a measure or a special election to fill a vacancy (if authorized to fill vacancies by special election) to be held on the date of the November General Election for state and county officers. An application may not be filed before the special election is ordered, and in addition to the information stated below, the order must state the filing deadline. (Secs. 201.051(b); 201.054(c), (d)). The following form may be used:

- [Order of Special Election for Municipalities \(PDF\)](#).

Counties: Deadline for counties to order a general election or a special election on a measure to be held on Tuesday, November 6, 2018. (Secs. 3.004; 3.005). The following forms may be used:

- [Order of Election for the November General Election \(for County & Precinct Officers\) \(PDF\)](#)
- [Order of Special Election for County-Ordered Measure Elections \(PDF\) Order](#)

The order must include:

1. The date of the election;
2. The offices or measures to be voted on;
3. The location of the main early voting polling place;
4. **(Recommended)** Branch early voting polling places (see [Note 9](#), above);
5. The dates and hours for early voting (recommended for counties and cities, but required for all other entities). (Cities must include the two designated weekdays for which early voting will be held for 12 hours);
6. The dates and hours of any Saturday and Sunday early voting (if applicable, it is recommended that this information be included in the order for counties and cities, but it must be included for all other entities); and
7. The early voting clerk's official mailing address.

In addition to the information included above, an order for a debt obligation (bond) election **must** include (Sec. 3.009):

1. the proposition language that will appear on the ballot;
2. the purpose for which the debt obligations are to be authorized;
3. the principal amount of the debt obligations to be authorized;
4. that taxes sufficient to pay the annual principal of and interest on the debt obligations may be imposed;
5. a statement of the estimated tax rate if the debt obligations are authorized or of the maximum interest rate of the debt obligations or any series of the debt obligations, based on the market conditions at the time of the election order;
6. the maximum maturity date of the debt obligations to be authorized or that the debt obligations may be issued to mature over a specified number of years not to exceed 40;
7. the aggregate amount of the outstanding principal of the political subdivision's debt obligations as of the beginning of the political subdivision's fiscal year in which the election is ordered;
8. the aggregate amount of the outstanding interest on debt obligations of the political subdivision as of the beginning of the political subdivision's fiscal year in which the election is ordered; and
9. the ad valorem debt service tax rate for the political subdivision at the time the election is ordered, expressed as an amount per \$100 valuation of taxable property.

Recommended date to order the lists of registered voters from the county voter registrar. The list should include both the voters' residences and mailing addresses in order to conduct early voting by mail. (Sec. 18.006). The political subdivision should confirm that the most recent maps or boundary changes have been provided to the voter registrar.

Recommended date to confirm telephone number for the county voter registrar's office on election day.

Recommended date to order election supplies, other than ballots. (Subchapter A, Chapter 51).

Political Subdivisions Other Than Counties: **Recommended** date to appoint **presiding and alternate judges**. Currently, the Election Code does not establish a deadline for appointing election officials; there is only a notification deadline. For further information concerning procedures for appointing judges and their alternates, see Sections 32.005, 32.008, and 32.011. General eligibility requirements are found in Subchapter C, Chapter 32. In addition to appointing a judge and alternate judge for each election precinct pursuant to Sections 32.001 and 32.005, the governing body must allow the judge to appoint no less than two clerks; however, the alternate judge must serve as one of the clerks as a matter of law. (Secs. 32.032; 32.033). The presiding judge then appoints an additional clerk(s), but not more than the maximum set by the governing body. (Sec. 32.033). Presiding judges and their alternates must be given a [Notice of Appointment \(PDF\)](#) not later than the 20th day after the appointment is made. (Sec. 32.009). 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, Monday, October 22, 2018. (Secs. 4.007; 32.009(e)). If the notices are combined, both must be delivered by the date required by the earlier notice.

NOTE: If you are conducting a joint election with the county, please be advised that the Election Code places many requirements on the method of selecting people who must be appointed by the county to work in the November General Election for state and county officers. See Sections 32.002 and 32.034, Election Code.

NOTE - Water Districts: A water district is not required to provide a Notice of Appointment to a presiding judge, as required under Section 32.009, but must provide a [Writ of Election \(PDF\)](#). (Sec. 4.007; Sec. 49.110, Water Code).

Recommended date to appoint the **presiding judge of the early voting ballot board** or to designate the election workers of one election precinct to serve as the early voting ballot board. (Secs. 87.001; 87.002, and 87.004). There is no statutory notice requirement for members of the early voting ballot board, but good practice suggests that written notice be given to them.

Recommended date to appoint the **central counting station personnel** (manager, tabulation supervisor and assistants to the tabulation supervisor) if applicable. (Secs. 127.002; 127.003; 127.004; 127.005). There is no statutory notice requirement for members of the central counting station, but good practice suggests that written notice be given to them.

Thursday, August 23, 2018 (75th day before Election Day, 4th day before recommended ballot drawing date)

Political Subdivisions Other Than Counties and Legislative Vacancies: 6:00 p.m. — Last day to file an application for a place on the ballot or a [Declaration of Write-In Candidacy](#) in a **special election to fill a vacancy** to be held on the date of the November General Election for state and county officers. (Sec. 201.054(f), (g) as amended by House Bill 2323 (2017)). **Note:** For future reference, please note that this deadline is not the same for elections held on the May uniform election date or on the November uniform election date in an odd-numbered year.

For an election held by political subdivision other than a county or city, the authority conducting the ballot position drawing shall mail written notice of the date, hour, and place of the drawing to candidates by this date if the drawing is to be conducted on Monday, August 27, 2018, as recommended. (Sec. 52.094(d)). 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.

For an election held at county expense or a city election, on receipt of a candidate's written request accompanied by a stamped, self-addressed envelope, the authority conducting the ballot position drawing shall mail written notice of the date, hour, and place of the drawing to the candidate. We recommend sending such notices by this date, if drawing is to be conducted on Monday, August 27, 2018, as recommended. (Sec. 52.094(d)).

Friday, August 24, 2018 (74th day before Election Day)

Counties: Deadline for a party nominee or independent candidate in the November General Election for state and county officers to withdraw from the election. (Secs. 145.032; 145.062).

Counties: Last day on which death, declaration of ineligibility, or withdrawal of a party nominee or an independent candidate for the November General Election for state and county officers causes an omission of the candidate's name from the ballot. (Secs. 145.035; 145.039; 145.064; 145.065). For certain exceptions regarding deceased candidates, please see Section 145.064(b)).

NOTE: Withdrawal request submitted by mail must be **received** by appropriate authority by this date. (Sec. 145.001(c)). A withdrawal request must also be sworn, and candidates may use the [Certificate of Withdrawal \(PDF\)](#). (Sec. 145.001(b)).

If a vacancy occurs on or before this date in a state, district, or county office not regularly scheduled for election in 2018, due to **death, resignation, or removal** of the officeholder, the unexpired term of the office shall be placed on the November 6, 2018 election ballot. (Sec. 202.002(a)). An appointment to fill the vacancy continues until the next succeeding general election and until a successor has been elected and has qualified for the office. Also, depending on the effective date of the vacancy, the office may also be voted on in the next succeeding primary election. (Secs. 202.002(b); 202.004). See [Election Advisory No. 2017-08](#).

Political Subdivisions Other Than Counties: 5:00 p.m. — Deadline for write-in candidates to file [Declarations of Write-In Candidacy](#) 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. (Secs. 144.006(b); 146.054(b); 146.055, Election Code; Secs. 11.056; 11.304; 130.0825, Education Code; Secs. 326.0431; 326.0432, Local Government Code; Sec. 285.131, Health and Safety Code; and Secs. 36.059; 49.101; 63.0945, Water Code). See [Candidacy Filing outline](#) for more details.

NOTE: An application submitted by mail is considered to be filed at the time of its receipt by the appropriate filing authority. (Secs. 143.007(b); 144.005(b)).

Political Subdivisions Other Than Counties: If you plan on holding your ballot position drawing on Monday, August 27, 2018, then your [Notice of Drawing for Place on Ballot \(PDF\)](#) of such drawing should be posted today. The notice must be posted for 72 hours immediately preceding the time of the drawing. (Sec. 52.094(c)).

Monday, August 27, 2018 (71st day before Election Day) (LBJ Holiday)

Political Subdivisions Other Than Counties: The Elections Division recommends that you hold your **ballot position drawing** no later than today to determine the order of candidates' names on the ballot (Sec. 52.094) and that you 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.

NOTE: After the ballot drawing has occurred, the Elections Division recommends that you proof and test your ballot programming as soon as possible and **prior to the deadline to mail a ballot** if the political subdivision will be using automatic tabulating equipment to count the mail ballots or if your mail ballots are printed from the same database used to program your precinct scanners and/or DREs (See [Note 12](#) prior to Calendar of Events). **The Elections Division also recommends that you provide candidates with copies of ballot proofs so that candidates may verify the correctness of their names, positions sought, and order of names on the ballot.**

NOTE: Ballot position for the November General Election for state and county officers is determined by Sections 52.091 and 52.092, Election Code.

Tuesday, August 28, 2018 (70th day before Election Day)

Legislative Vacancies: Last day for all candidates (including write-in candidates) to withdraw from a special election to fill a legislative vacancy. (Secs. 146.083; 145.092(a)).

Counties: 5:00 p.m. — Deadline for party chair to deliver replacement nominee or nominee to fill vacancy in an unexpired term to the appropriate officer (for a vacancy in an office that would not normally be on the 2018 ballot and that occurred after December 6, 2017 but not later than August 24, 2018). (Secs. 1.006; 145.036; 145.037(e); 171.022; 201.022; 202.006). See [Texas Sec'y of State Advisory No. 2017-08](#) for further information on this deadline and related procedures.*

Political Subdivisions Other Than Counties: 5:00 p.m. — Last day for a candidate to withdraw from a general election, by submission of a notarized [Certificate of Withdrawal \(PDF\)](#) or a notarized letter, or to be declared ineligible. **If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot.** (Secs. 1.006; 146.054(c); 145.092(f); 145.094(a)(4)); 145.096(a)(4)). *

Political Subdivisions Other Than Counties: Last day for a candidate to withdraw from a special election, by submission of a notarized [Certificate of Withdrawal \(PDF\)](#) or a notarized letter, or to be declared ineligible. **If a**

candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot. (Secs. 1.006; 145.092(a)). *

Counties and Other Political Subdivisions: 5:00 p.m. — Last day to **withdraw** as a **write-in** candidate in the general election for state and county officers, or a general or special election ordered by a political subdivision other than a county, (Secs. 1.006; 144.006(c); 146.0301; 146.054(c)). Candidates may use the [Certificate of Withdrawal \(PDF\)](#).*

Political Subdivisions Other Than Counties: Recommended first day that a general or special election may be cancelled if all filing deadlines have passed, each candidate for an office listed on the ballot is unopposed (except as discussed below), and write-in votes may be counted only for names appearing on a list of write-in candidates. (The Certification of Unopposed Candidates for Other Political Subdivisions (PDF) may be used to certify candidates as unopposed. Also, see our Sample Order of Cancellation (PDF).

A special election of a political subdivision is considered to be a separate election with a separate ballot from a general election for officers of the same political subdivision held at the same time as the special election. Therefore, the fact that there may be a proposition on the ballot will not prevent a cancellation of an election for candidates who are unopposed. (Sec. 2.051(a)). If any members of the political subdivision's governing body are elected from territorial units, such as single member districts, an election may be cancelled in a particular territorial unit if each candidate for an office that is to appear on the ballot in that territorial unit is unopposed **and no** opposed at-large race is to appear on the ballot. An unopposed at-large race may be cancelled in an election regardless of whether an opposed race is to appear on the ballot in a particular territorial unit. (Sec. 2.051(b)). **This recommended cancellation deadline considers a regular filing deadline of Monday, August 20, 2018, a special election filing deadline of Thursday, August 23, 2018, and a write-in deadline of Friday, August 24, 2018. For additional information, consult the outline on [Cancellation of Election for Local Political Subdivisions](#).**

***The deadlines referenced above are extended to the next regular business day which is Tuesday, August 28, 2018 due to the deadline falling on Monday, August 27, 2018 which falls on a holiday, LBJ Day. (Sec. 1.006).**

Thursday, August 30, 2018 (68th day before Election Day)

Deadline for Secretary of State (federal, state and district offices) and county judge (countywide and precinct offices) to certify names of independent and declared write-in candidates to county election officer for placement on the November 6, 2018 ballot. (Secs. 142.010; 146.029(c)).

Deadline for Secretary of State to certify to county election officer names of party nominees for statewide and district offices for placement on November 6, 2018 ballot, and deadline for Secretary of State to post major party nominees for county and precinct offices. (Secs. 161.008; 172.117).

September

Friday, September 7, 2018 (60th day before Election Day)

Political Subdivisions Other Than Counties: Last day for the governing body of a political subdivision to deliver notice of the election to the county election officer and voter registrar of each county in which the political subdivision is wholly or partly located. (Sec. 4.008).

Recommended date for county clerk/county elections administrator to deliver an initial list of 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 November 6, 2018. The list should only include voters that reside in the political subdivision holding the election. The list should only be created and sent to those political subdivisions that have provided notice of the election to the county clerk/elections administrator. See *also*, the note below and the [entry](#) at Friday, October 26, 2018 for more information about delivery of a final list of voters. See [entry](#) at October 25, 2018 and [entry](#) at November 3, 2018 for more information on the delivery of copies/images of the applications.

NOTE: Section 86.0015 requires the county clerk/elections administrator to provide a list of voters that have submitted an annual application for ballot by mail to all political subdivisions in their county holding an election. The law only applies to elections for which the county clerk/elections administrator is not the early voting clerk via a contract for election services or joint election agreement. The Election Division *strongly recommends* that the county and political subdivisions **discuss the frequency and method for which these lists should be transmitted** to ensure that ballots are sent out in a timely manner. Finally, the county clerk/elections administrator **must deliver either photocopies or scanned images of the applications (under Section 87.126) to the early voting clerk** of the political subdivision before the ballots by mail are delivered to the early voting ballot board for qualifying and counting under Section 87.041.

Monday, September 10, 2018 (58th day before Election Day; 21st day after August 20, 2018)

Political Subdivisions Other Than Counties: Last day to notify election judges of their appointment if they were appointed, as recommended, on **Monday, August 20, 2018**. (Secs. 1.006, 32.009(b)). Presiding and alternate judges must be [notified \(PDF\)](#) of their appointment in writing, not later than the 20th day after the date the appointment is made. **The deadline is extended to the next regular business day which is Monday, September 10, 2018 due to the 20th day falling on Sunday, September 9, 2018.**

The notice of the judge's duty to conduct the election ([Writ of Election \(PDF\)](#)) pursuant to Section 4.007 may be combined with the above notice, if the appointment is for a single election only. If the notices are **NOT** combined, then the notice of the judge's duty to conduct the election (writ of election) must be delivered not later than the 15th day before election day, Monday, October 22, 2018.

Monday, September 17, 2018 (50th day before Election Day)

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 Wednesday, September 19, 2018**. Notice of the public tests must be published at least 48 hours before the test begins. (Secs. 127.093; 127.096; 129.022; 129.023). See [Note 12](#), above.

Monday, September 17, 2018 - Sunday, December 16, 2018 (50th day before Election Day through 40th day after Election Day)

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. (Sec. 31.122).

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. (Sec. 31.122(b)).

NOTE - 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. (Sec. 31.122).

Wednesday, September 19, 2018 (48th day before Election Day)

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. (Secs. 127.093; 127.096; 129.022; 129.023). 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. See [Note 12](#), above.

Friday, September 21, 2018 (46th day before Election Day)

Deadline to challenge the filing of an application for a place on the ballot as to form, content, and procedure, if the ballots are mailed on the 45th day before election day, Saturday, September 22, 2018. **This deadline will change if any ballots were mailed prior to the 45th day before election day.** (Sec. 141.034).

NOTE – NEW LAW: Section 141.034 as amended by Senate Bill 44 (85th Legislature, RS, 2017) provides that an application for a place on the ballot may not be challenged for compliance with the applicable requirements as to form, content, and procedure after the day **before** any ballot to be voted early by mail is mailed.

Saturday, September 22, 2018 (45th day before Election Day)

Deadline to mail 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. Ballots must be mailed by this date or the 7th day after the clerk receives the application. If the early voting clerk cannot meet this 45th-day deadline, the clerk **must** notify the Secretary of State within 24 hours. (Sec. 86.004(b)).

NOTE: The 45th Day deadline under Section 86.004(b) is not extended by Section 1.006 to the next business day. The ballots covered by Section 86.004(b) should be sent out on or before Saturday, September 22, 2018.

Reminder Regarding FPCAs and Overseas ABBMs: If the EV clerk receives an FPCA (from a military or non-military voter) after the 45th day deadline, then the ballot **must** be mailed within seven days after the EV clerk **receives** the FPCA. (Secs. 86.004(b); 101.104).

Reminder Regarding ABBMs: If the domestic ABBM (i.e. a voter who is not overseas) is **received** before the 45th day, the EV clerk **must** mail the ballot no later than the 30th day before election day. (Sec. 86.004(a)). If the domestic or overseas ABBM is received after the 45th day before election day, then the EV clerk **must** mail the ballot no later than the 7th day after the EV clerk **accepts** the ABBM. (Sec. 86.004(a)).

Monday, September 24, 2018 (43rd day before Election Day, 28th day before early voting begins)

Last day for county chairs to supplement list of names for early voting officer list. (Secs. 1.006; 85.009). **The deadline is extended to the next regular business day which is Monday, September 24, 2018 due to September 22, 2018 falling on a Saturday.** \

October

Monday, October 1, 2018 (36th day before Election Day)

Deadline for the Secretary of State to mail each county judge a copy of the Governor's proclamation ordering the November General Election for state and county officers. (Sec. 3.003(c)).

Counties: Deadline to receive a petition signed by 15 registered voters by the early voting clerk requesting that a signature verification committee be created. A request submitted by mail is considered to be submitted at the time of its **receipt** by the early voting clerk. (Sec. 87.027(a-1)).

Friday, October 5, 2018 (32nd day before Election Day)

Recommended date for early voting clerk to issue order calling for appointment of signature verification committee. (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 October 17, 2018, 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. (Sec. 87.027).

Sunday, October 7, 2018 (30th day before Election Day)

First day of period during which notice of election must be published **if another method of giving notice is not specified by a law outside the Election Code**, and publication is the method of giving notice selected. (Sec. 4.003(a)(1)). The notice for elections ordered by a county 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. (Sec. 4.003(c) and (d)). This notice may be combined with the other notices you are required to publish. See [Note 8](#).

Cities, Schools, and Other Political Subdivisions: It is **strongly recommended** that the [Notice of Voting Order Priority](#) for voters with mobility issues also be posted on the subdivision's website, if one is maintained by the political subdivision. (Secs. 63.0013; 85.007(d)). For more information on this requirement, see [Note 13](#).

NOTE: Notice of Change of Polling Place Location: For elections **ordered by the governor or county judge only**, if the location of the polling place changes after notice has been given under Section 4.003, and the county election officer maintains a website to inform voters about elections, the notice of the change must be posted on the website. The notice on the website must be given not later than the earlier of 24 hours after the location was changed or 72 hours before the polls open on election day. (Sec. 43.061).

NOTE: Notice of Previous Polling Place: If a different polling place is being used than at the previous election held by the same authority, [Notice of Previous Precinct \(PDF\)](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

Tuesday, October 9, 2018 (28th day before Election Day)

Last day to register to vote for the Tuesday, November 6, 2018 election. (Secs. 1.006; 13.143). **The deadline is extended to the next regular business day which is Tuesday, October 9, 2018 due to the 30th day falling on Sunday, October 7, 2018 and Monday, October 8, 2018 is a holiday, Columbus Day.** (Secs. 13.143(e); 15.025(d)).

NOTE: A Federal Postcard Application ([FPCA](#)) also serves as an application for **permanent** registration under Texas law **unless the voter marked “do not intend to return” (2011 form), or “my return is not certain” (2017 form)**. The early voting clerk should make a copy (for mailing ballots, keeping records, etc.), then should forward the original to the county voter registrar, as soon as practicable. (Sec. 101.055; 1 Tex. Admin. Code Sec. 81.40(a), (c)(2)).

Last day for a voter to make a change of address that will be effective for the November 6, 2018 election. 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” voting, if he or she still resides in the **same** county and the same local political subdivision, if applicable, conducting the election. (Secs. 15.025; 63.0011).

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. (Secs. 18.001; 18.002; 18.003; 18.004).

Wednesday, October 10, 2018 (27th day before Election Day)

Deadline for the county elections board to [appoint \(PDF\)](#) a signature verification committee (if one was ordered not later than Friday, October 5, 2018 at the discretion of the county election officer and not required due to petition by 15 registered voters. The members must be appointed not later than the fifth day after the order was issued by the early voting clerk. The county elections board must post a notice of the appointment of committee members continuously until the last day the signature verification committee meets. (Sec. 87.027). This form may be used for the notice: [Notice of Appointment of Signature Verification Committee \(PDF\)](#).

Friday, October 12, 2018 (25th day before Election Day)

Counties: Deadline for Democratic and Republican County Chairs to submit to the precinct presiding judges for each election day precinct, a list containing at least two persons who are eligible to serve as election clerks, in order to secure appointment of clerks affiliated or aligned with their respective parties. (Sec. 32.034(b)).

Monday, October 15, 2018 (22nd day before Election Day)

Counties: Deadline for county elections board to [appoint \(PDF\)](#) signature verification committee, if a valid petition requesting one to be created was presented to the early voting clerk by the deadline, Monday, October 1, 2018. (Sec. 87.027(a-1), (c)).

Tuesday, October 16, 2018 (21st day before Election Day)

Last day to post notice of election on bulletin board used for posting notices of meetings of governing body. (Sec. 4.003(b)). A [Record of Posting Notice of Election \(PDF\)](#) should be completed at the time of posting. (Sec. 4.005).

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. (Sec. 4.003(a)(2)). A [Record of Posting Notice of Election \(PDF\)](#) should be completed at the time of posting. (Sec. 4.005).

NOTE for All Political Subdivisions: The election notice shall be posted on the political subdivision’s website, if the political subdivision maintains a website.

NOTE for Counties: The **recommended** time to include the notice of voting order priority for voters with mobility issues on a county website is when the notice of election is also posted on the website. (Secs. 63.0013; 85.007(d)). See [Note 13](#) on voting order priority for voters with mobility issues.

Wednesday, October 17, 2018 (20th day before Election Day; 5th day before the first day of early voting in person)

Counties: Last day to petition for temporary branch polling place(s) in a county with a population of 100,000 to 120,000, if the voting at those branch locations is to begin on the first day of early voting, Monday, October 22, 2018. (Secs. 85.062(d)(3); 85.067).

Counties: Last day to post [notice \(PDF\)](#) 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 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. (Secs. 85.062(d)(3); 85.067(c)).

Last day for a person to apply for a full ballot by mail using an FPCA, if the person is not a registered voter but meets the requirements under Title 2 of the Texas Election Code. (Secs. 101.052(e) & 101.055(a)). (If the voter marks the FPCA form indicating “indefinitely” (older form) or “do not intend to return” (newer form), the voter receives a federal-only ballot.) Postmark with this date on the FPCA is proof that the applicant submitted the FPCA by this deadline. See [Monday, October 22, 2018](#) for timeliness of an FPCA received without a postmark. (Sec. 101.052(e), (i)).

NOTE: Be sure to check the list of registered voters for permanent registration status. Also, state law authorizes an FPCA to also serve as an application for **permanent registration**; therefore, the person might be permanently-registered based on a prior-FPCA. Even if the FPCA arrives too late for a particular election, the early voting clerk will still need to forward the original FPCA to the county voter registrar, aftermaking a copy for your early voting clerk’s use (mailing ballots, etc.) and records. (Sec. 101.055; 1 Tex. Admin. Code Sec. 81.40).

NOTE: Overseas (non-military) voters marking the FPCA “do not intend to return” (2011 form) or “my return is not certain” (2017 form) receive a federal ballot **only** regardless of the date filed. (Chapter 114). In a local (non-federal) election, this means there is **no ballot to send the voter**.

Last day to publish notice of L&A test for voting systems if test will be held on Friday, October 19, 2018, if testing has not already completed by September 19, 2018. Notice of the public L&A Test must be published at least 48 hours before the test begins. (Secs. 129.001; 129.023). See [Note 12](#), above.

First day that a signature verification committee, if one is appointed, may begin operating. (Sec. 87.027(f)).

Thursday, October 18, 2018 – Friday, October 26, 2018 (19th day before Election Day - 11th day before Election Day)

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 Tuesday, November 6, 2018. See [entry](#) below under October 22, 2018 (FPCA without a postmark). (Secs. 84.007; 101.052(e), (f)). The early voting clerk is required to maintain this application since it may be used for other elections

NOTE: Overseas (non-military) voters marking the FPCA “do not intend to return” (2011 form) or “my return is not certain” (2017 form) receive a federal ballot **only** regardless of the date filed. (Chapter 114). In a local (non-federal) election, this means there is **no ballot to send the voter**.

Friday, October 19, 2018 (18th day before Election Day; at least 48 hours before early voting begins)

Last day for a voter to hand-deliver their application for a ballot by mail. (Sec. 84.008).

If a **defective application to vote early by mail** is received on or before this date, the early voting clerk must mail the applicant a new application with explanation of defects and instructions for submitting the new application. For defective applications received after this date and before the end of early voting by personal appearance, the early voting clerk must mail only the [Notice of Defective Application for Ballot by Mail \(PDF\)](#) and a statement that the voter is not entitled to vote early by mail unless he or she submits a sufficient application by the deadline, which is Friday, October 26, 2018. (Secs. 84.007(c); 86.008).

Last day to conduct public L&A test of a voting system. We highly **recommend** that this test is done on an earlier date to allow time for corrections to programming, if necessary. (See [Note 12](#), above). 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.

Monday, October 22, 2018 (15th day before Election Day)

First day to vote early in person. (Sec. 85.001)

NOTE: The early voting period for the general election begins 17 days prior to election day, but because this day falls on a weekend (Saturday, October 20, 2018), it is extended to the next regular business day, Monday, October 22, 2018. (Sec. 85.001(c)).

NOTE: About branch early voting in a general election for state and county officers. The commissioners court:

1. in a county with a population of 400,000 or more, **must** establish one or more temporary polling places, other than the main early voting polling place, in each state representative district containing territory covered by the election. The temporary polling place(s) must remain open the same days as the main early voting polling place, but the commissioners court determines the hours during which voting is to be conducted, unless a written request signed by 15 registered voters requesting the same number of hours as the main polling place is timely filed with the commissioners court;
2. in a county with a population of 120,000 or more but less than 400,000, **must** establish one or more temporary polling places, other than the main early voting polling place, in each commissioners precinct containing territory covered by the election. The temporary polling place(s) must remain open the same days as the main early voting polling place, but the commissioners court determines the hours during which voting is to be conducted, unless a written request signed by 15 registered voters requesting the same number of hours as the main polling place is timely filed with the commissioners court; or
3. in a county with a population of 100,000 or more but less than 120,000, **must** establish one or more early voting polling places in each commissioners precinct for which the commissioners court receives a timely filed written request signed by at least 15 registered voters of that precinct. The temporary polling place(s) must remain open the same days as the main early voting polling place, but the commissioners court determines the hours during which voting is to be conducted, unless a written request signed by 15 registered voters requesting the same number of hours as the main polling place is timely filed with the commissioners court. (Secs. 85.062; 85.064).

NOTE: If a county has a population under 100,000, the location, days, and hours of temporary branch locations may be established **only** by the commissioners court. **No petition process is available.** (Sec. 85.065).

NOTE: A temporary branch polling place that is “movable” may be established only with the approval of the county clerk. If a movable temporary branch polling place is established on the request of a political party, each political party whose nominee for governor in the most recent gubernatorial general election received more than 10 percent of the total number of votes received by all candidates for governor in the 2014 election is entitled to the establishment of such a polling place. The election officers serving a polling place covered by this subsection must be appointed from the list submitted by the county chairs to the early voting clerk. (Sec. 85.062(e)).

If early voting by personal appearance is required to be conducted for extended hours or for weekend hours, the county voter registrar's office is required to remain open for providing voter registration information during the extended hours or weekend hours that the main early voting polling place is open for voting. (Secs. 12.004(d); 85.005(c); 85.006(e)).

NOTE: Voting by limited ballot must be done during the early voting period (or by mail). (Sec. 112.002(a)).

Political subdivisions other than cities and counties: Early voting in person must be conducted for at least eight (8) hours each weekday that is not a legal state holiday unless the political subdivision has fewer than 1,000 registered voters, in which case early voting in person must be conducted for at least three (3) hours per day. (Sec. 85.005).

Cities and counties: Early voting in person must be conducted on the weekdays of the early voting period and during the hours that the county clerk's or city secretary's main business office is regularly open for business. (Sec. 85.005). However, because cities and counties must have office hours for election-related business at least three hours every business day for this type of election (see [note](#) at 50th day before election entry, Monday, September 17, 2018), we harmonize these requirements with the result that, if a city or county is not regularly open for business on one or more week days, on those "closed" days a city or a county must conduct early voting for at least three (3) hours a day at the main early voting location (except for a city's two 12-hour days, when it must be open for the full 12 hours).

Joint elections: If conducting early voting by personal appearance jointly, we recommend a unified schedule covering all requirements; i.e., no entity's requirements should be neglected or subtracted as a result of a joint agreement.

NOTE for Cities: Cities must choose **two weekdays** for the main early voting polling location to be open for 12 hours during the regular early voting period. The city council must choose the two weekdays. (Sec. 85.005(d)).

NOTE to Independent School Districts: Despite the change in state law that allows an ISD to be closed on school holidays during the mandatory office hours period, you are **required to be open** during the entire early voting period except on legal state and national holidays.

If an [FPCA \(PDF\)](#) 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 **the voter** "does not intend to return" (2011 form), or "my return is not certain" (2017 form), in which case the voter receives a federal-only ballot.*) (Sec. 101.052(i)).

Last day to notify election judges of duty to hold election ([Writ of Election \(PDF\)](#) and [Writ of Election – General Election for State and County Officers \(PDF\)](#)). 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. The Writ of Election must be given to each presiding judge and include:

1. The judge's duty to hold the election;
2. The type and date of election;
3. The polling place location at which the judge will serve;
4. The polling place hours; and
5. The maximum number of clerks the judge may appoint. (Sec. 4.007).

Tuesday, October 23, 2018 (14th day before Election Day)

NOTE for Counties: Deadline to file a [petition \(PDF\)](#) in the November General Election for state and county officers to require the early voting clerk of a county with a population **under 100,000** to conduct extended early voting for **12 hours on the last Saturday** of the early voting period, October 27, 2018. (Secs. 85.006(e); 85.007). [Notice of weekend voting](#) must be posted beginning no later than Wednesday, October 24, 2018 and continuing through Friday, October 26, 2018. (Sec. 85.007(c)).

Deadline to file a petition in the November General Election for state and county officers to require the early voting clerk of a county with a population of 100,000 or more to conduct extended early voting for 12 hours on each weekday of the last week (Monday, October 29, 2018 through Friday, November 2, 2018) at all required **temporary branch locations** created under Section 85.062(d) of the Code. Notice of extended hours must be posted beginning no later than Wednesday, October 24, 2018 and continuing through Friday, November 2, 2018. (Secs. 85.064(b); 85.067).

Deadline to file a [petition \(PDF\)](#) in the November General Election for state and county officers to require the early voting clerk of a county with a population **under 100,000** to conduct extended early voting at the **main early voting polling place** for 12 hours on each **weekday** of the last week of the early voting period (Monday, October 29, 2018 through Friday, November 2, 2018). [Notice of extended hours \(PDF\)](#) must be posted beginning no later than Wednesday, October 24, 2018 and continuing through Friday, November 2, 2018. (Secs. 85.005(c); 85.067).

NOTE for Cities: Deadline to file a [petition \(PDF\)](#) to require the early voting clerk of a city to conduct extended early voting on the last Saturday of the early voting period, October 27, 2018 (Sec. 85.006(d)). [Notice of weekend voting](#) must be posted beginning no later than Wednesday, October 24, 2018 and continuing through Friday, October 26, 2018. (Sec. 85.007(c)).

Wednesday, October 24, 2018 (13th day before Election Day; 72 hours preceding first hour Saturday early voting will be conducted)

NOTE for Counties : Deadline to file a [petition \(PDF\)](#) in the November General Election for state and county officers to require the early voting clerk of a county with a population **under 100,000** to conduct extended early voting for **5 hours on Sunday**, October 28, 2018. (Sec. 85.006(e)). [Notice of weekend voting](#) must be posted beginning no later than Thursday, October 25, 2018 and continuing through Saturday, October 27, 2018. (Sec. 85.007(c)).

NOTE for Cities: Deadline to file a [petition \(PDF\)](#) to require the early voting clerk of a city to conduct extended early voting on the last Sunday of the early voting period, October 28, 2018 (Sec. 85.006(d)). [Notice of weekend voting](#) must be posted beginning no later than Thursday, October 25, 2018 and continuing through Saturday, October 27, 2018. (Sec. 85.007(c)).

Counties and Cities Only: Last day to post notice on bulletin board for posting notice of meetings for the commissioners court and city council if early voting will be conducted on Saturday, October 27, 2018. (Sec. 85.007). Notice must be posted at least 72 hours before early voting begins on a Saturday or Sunday. If the County Clerk or City Secretary on her own motion by written order orders early voting on Saturday or Sunday OR if the County Clerk or City Secretary orders Saturday or Sunday voting after being petitioned to do so by at least 15 registered voters, such voting need not be included in the regular order or notice of the election. (Secs. 85.006(b), (d) and 85.007(b), (c)).

Note for all Political Subdivisions, except Counties and Cities: Voting on ANY Saturday or Sunday ordered by the **governing body** on its own motion (i.e., not petitioned for by 15 registered voters) **must** be included in the order and notice of election. (Secs. 85.006; 85.007(a)).

NOTE: Section 85.007, as amended by House Bill 2721 (2015), requires that the election notice, which includes the days and hours of early voting be posted on the political subdivision's website, if the political subdivision maintains a website.

Thursday, October 25, 2018 (12th day before Election Day; day before the last day to apply for a ballot by mail)

Counties and Cities Only: Last day to post notice on bulletin board for posting notice of meetings of the commissioners court or city council, if early voting will be conducted on Sunday, October 28, 2018. (Sec. 85.007). Notice must be posted at least 72 hours before early voting begins on a Saturday or Sunday. See [entry](#) at Wednesday, October 24, 2018.

A voter who becomes sick or disabled on or after this date may vote a late ballot if the sickness or disability prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. (Sec. 102.001). See [Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability](#). An application may be submitted after the last day of the period for early voting by personal appearance and before 5:00 p.m. on Election Day. (Sec. 102.003).

NOTE: Section 87.0222, as amended by Senate Bill 383 (2015), changed the first day that a county with a population of 100,000 or more may begin processing and qualifying mail ballots beginning on the ninth day before the last day for early voting by personal appearance.

First day that counties with a population of 100,000 or more, or entities that are having joint elections with such a county, may convene their early voting ballot board and deliver by mail ballots to begin processing and qualifying mail ballots; however, the mail ballots may not be counted until (i) the polls open on election day, or (ii) in an election conducted by an authority of a county with a population of 100,000 or more or entities that are having joint elections with such a county, the end of the period for early voting in person. (Secs. 87.0222; 87.0241). 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. (Sec. 87.0222). **NOTE: Results may not be released until the polls close on election day.** See [Notice of Delivery of Early Voting Balloting Materials](#), [Notice of Delivery of Ballots Voted by Mail](#).

NOTE: The county clerk/elections administrator must ensure that photocopies or electronic recordings of annual applications for ballot by mail have been delivered to the early voting clerk of every political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

Friday, October 26, 2018 (11th day before Election Day)

Last day to receive an [FPCA \(PDF\)](#) from a 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. (Secs. 101.052(b), (f); 114.004(c)).

Last day for early voting clerk to receive applications for a ballot to be voted by mail. (Sec. 84.007(c)). 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 e-mail. The early voting clerk’s designated email address must be posted on the Secretary of State’s website. If a voter submits an application for ballot by mail via fax or e-mail, the early voting clerk must receive a copy via mail within 4 business days of the submission of the fax or e-mail (Sec. 84.007(c)).

NOTE - NEW LAW: SB 5 (85th Legislature, 1st CS, 2017) provides that 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 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. For additional information on this new law, please see [Note 14](#), above.

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 November 6, 2018, for which the county clerk/elections administrator is not the early voting clerk via a joint election agreement or contract for election services.

Saturday, October 27, 2018 (10th day before Election Day; last Saturday of early voting period)

Counties: In counties with populations of 100,000 or more, early voting must be conducted in the November General Election for state and county officers for at least 12 hours on last Saturday of the early voting period. (Sec. 85.006(e)). For counties under 100,000, voting on Saturday is only required if a proper [petition \(PDF\)](#) was received in a timely manner. See [entry](#) under Tuesday, October 23, 2018.

Cities: If a proper [petition \(PDF\)](#) was received in a timely manner, early voting must be conducted on last Saturday of the early voting period. See [entry](#) under Tuesday, October 23, 2018.

Last day of period during which notice of the November General Election for state and county officers and other elections ordered by a county or a city or school district must be published in a newspaper of general circulation. (Sec. 4.003(a)(1)).

NOTE: The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website.

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 the notice **if method of giving notice is not specified by a law outside the Texas Election Code** and this method of giving notice is selected.

Sunday, October 28, 2018 (9th day before Election Day; last Sunday of early voting period)

Counties with a Population of 100,000 or More: In counties with populations of 100,000 or more, early voting must be conducted in the November General Election for state and county officers for at least 5 hours on last Sunday of the early voting period. (Sec. 85.006(e)). For counties under 100,000, voting on Sunday is only required if a proper [petition \(PDF\)](#) was received in a timely manner. See [entry](#) under Wednesday, October 24, 2018.

Cities: If a proper [petition \(PDF\)](#) was received in a timely manner, early voting must be conducted on last Sunday of the early voting period. See [entry](#) under Wednesday, October 24, 2018.

Monday, October 29 – Friday, November 2, 2018 (last week of early voting by personal appearance)

In counties with a population of 100,000 or more, the early voting clerk must keep the main polling place open for 12 hours each day for the November General Election for state and county officers. Early voting must be conducted at permanent branch locations for 12 hours each day. Early voting must be conducted for 12 hours on each **weekday** of the last week at a required **temporary branch locations** (created under Section 85.062(d) of the Code) if a written request signed by 15 registered voters was filed by Tuesday, October 23, 2018. Please note there is a 5-day notice posting requirement if the early voting clerk received a petition requesting these extended hours. (Secs. 85.005(c); 85.063; 85.064; 85.067).

Wednesday, October 31, 2018 (6th day and 4th business day before Election Day)

5:00 p.m. — Deadline to submit a [Request for Election Inspectors \(PDF\)](#) for election day, Tuesday, November 6, 2018 to the Secretary of State. (Sec. 34.001).

November

Thursday, November 1, 2018 (5th day before Election Day; day before the last day to vote early in person)

A voter is eligible to vote a late ballot if they will be out of their 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 Saturday, November 3, 2018 (the day after early voting in person ends). (Secs. 103.001; 103.003(b)). An application may be submitted after the last day of the period for early voting by personal appearance before the close of business on the day before election day. (Sec. 103.003).

Deadline for the early voting clerk to receive, by mail, the original of an ABBM that was faxed or emailed or of an FPCA that was faxed on the deadline to apply for a ballot by mail, Friday, October 26, 2018.

NOTE – NEW LAW: SB 5 (85th Legislature, 1st CS, 2017), provides that 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**. For more information, see [Note 14](#).

Friday, November 2, 2018 (4th day before Election Day)

Last day to vote early by personal appearance. (Sec. 85.001(a)).

Early voting clerk must post [Notice of Delivery of Ballots Voted by Mail \(PDF\)](#) to the early voting ballot board if materials are to be delivered to the board on Saturday, November 3, 2018. Notice must be posted continuously for 24 hours preceding each delivery to the board. (Secs. 87.0221; 87.0222; 87.023; 87.024; 87.0241).

NOTE: 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.

Last day to publish [notice](#) of public test of automatic tabulating equipment, if test will be held on Sunday, November 4, 2018, and if the first test was not previously already completed. The public notice of the test of automatic tabulating equipment must be published at least 48 hours before the test begins. (Sec. 127.096).

Saturday, November 3, 2018 (3rd day before Election Day)

First day to submit an [application \(PDF\)](#) for and vote a late ballot because of a death in the immediate family that occurred on or after Thursday, November 1, 2018, and will require absence from the county on election day, November 6, 2018. (Secs. 103.001; 103.003(b)). An application may be submitted after the last day of the period for early voting by personal appearance before the close of business on the day before election day. (Sec. 103.003).

First day to submit an [application \(PDF\)](#) for and vote a late ballot because of sickness or disability that arose on or after Thursday, October 25, 2018. (Secs. 102.001; 102.003). An application may be submitted after the last day of the period for early voting by personal appearance and before 5:00 p.m. on Election Day. (Sec. 102.003).

First day that counties with a population of 100,000 or more (or local subdivisions conducting a joint election 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 joint election with such a county) is convening their early voting ballot board early to begin **counting** ballots, and will be using automatic tabulating equipment, the test will need to be completed at least 48 hours before the equipment is used to count ballots. (Secs. 87.0222; 87.0241; 127.096).

First day that all other counties and political subdivisions may convene their early voting ballot board for **processing** and **qualifying** mail ballots, 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. (Secs. 87.0221; 87.023; 87.024; 87.0241). See [Notice of Delivery of Ballots Voted by Mail \(PDF\)](#).

NOTE: The county clerk/elections administrator must ensure that photocopies or electronic recordings of annual applications for ballot by mail have been delivered to the early voting clerk of every political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

Sunday, November 4, 2018 (2 days before Election Day)

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. We highly **recommend** that this test is done on an earlier date to allow time for corrections to programming, if necessary. (See [Note 12](#), above).

Monday, November 5, 2018 (1 day before Election Day)

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. (Sec. 103.003(b)).

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. (Sec. 87.122). This may be delivered electronically if your county is using an e-poll book.

Delivery of Provisional Ballots and Forms: If the 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 Monday, November 5, 2018, 24 hours before election day. (1 Tex. Admin. Code. Secs. 81.174(d)(3)). 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.

NOTE: The general custodian of election records (or the early voting clerk, if applicable) must also post a [Notice of Delivery of Provisional Ballots](#) at least 24 hours before delivery will occur. (1 T.A.C. 81.174(b)(1)).

Tuesday, November 6, 2018 - (Election Day)

<p>7:00 a.m. – 7:00 p.m.</p>	<p>Polls open. (Sec. 41.031).</p> <p>Voter registrar’s office is open. (Sec. 12.004(c)).</p> <p>Early voting clerk’s office is open for early voting activities. (Sec. 83.011). 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 comply with applicable identification procedures. The identification procedure is the same as that used for personal appearance voting under SB 5 (85th Regular Session, 2017) (Sec.86.006).</p> <p>Sick and disabled persons may vote at the main early voting polling place if electronic voting systems are used at regular polling place(s) on election day and the voter has a sickness or condition that prevents the voter from voting in the regular manner without personal assistance or likelihood of injury. (Secs.104.001; 104.003). However, if the early voting ballots by mail are processed at a location other than the main early voting polling place, the early voting clerk may require the voting to be conducted at that location. (Sec. 104.003).</p>
<p>5:00 p.m.</p>	<p>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</p>

	Thursday, October 25, 2018. (Sec. 102.003(b)).
7:00 p.m.	Regular deadline for receiving early voting ballots by mail. BUT see entry for Wednesday, November 7, 2018 on “late domestic ballots” and entries for Tuesday, November 13, 2018 on other “late” ballots. Deadline for receiving early voting ballots by mail and late ballots cast by voters who became sick or disabled on or after Thursday, October 25, 2018. (Secs. 86.007(a); 102.006(c)).

NOTE - Receipt of Mail Ballots: All early voting ballots sent by mail from inside the United States that are received by 7:00 p.m. on election day, November 6, 2018, **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**. (Sec. 86.007(a)(1)). 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. (Sec. 86.007(b)). The early voting clerk **must** check the mailbox for early voting mail ballots at least once after the time for regular mail delivery. (Sec. 86.007(b)).

NEW LAW: 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, per HB 1151 (85th Legislature, RS, 2017), which applies to ballots mailed from outside the United States (Sec. 86.007(d)), late domestic ballots (Sec. 86.007(a)(2)), and ballots from members of the armed forces and merchant marine of the United States, their spouses and dependents (Sec. 101.057). See [entry](#) for Wednesday, November 7, 2018 on “late domestic ballots” and [entries](#) for Tuesday, November 13, 2018 on other “late” ballots. See [Tex. Sec’y of State Election Advisory No. 2018-02](#).

NOTE - Delivery of Early Voting by Personal Appearance and Mail Ballots: The early voting clerk delivers the voted ballots, the key to the double-locked ballot box, etc., to the early voting ballot board at the time or times specified by the presiding judge of the early voting ballot board, during the hours the polls are open or as soon after the polls close as practicable. (Secs. 87.021; 87.022). The custodian of the key to the second lock of the double-locked early voting ballot box delivers his or her key to the presiding judge of the early voting ballot board on request of the presiding judge. (Secs. 85.032(d); 87.025). **The custodian is the sheriff for county elections, elections ordered by the governor, and a primary election** (or the county judge in a year when the office of sheriff is on the ballot). The custodian is the chief of police or city marshal for city elections, and the constable of the justice precinct in which the political subdivision’s main office is located (or the sheriff, if there is no constable), for other political subdivision elections. (Sec. 66.060). If ballots are to be delivered before election day, the early voting clerk must post notice at least 24 hours before each delivery at the main early voting polling place.

NOTE - Delivery of Early Voting Ballot to Early Voting Ballot Board Before Election Day: Early voting ballots may be delivered to the early voting ballot board at any time after early voting by personal appearance ends. Mail ballots may be qualified and processed (signatures verified, carrier envelopes opened, and the secrecy envelope containing the ballot placed in a secure location), but they may not be counted until election day. (Secs. 87.0221; 87.0222; 87.023; 87.024; 87.0241). If ballots are to be delivered before election day, the early voting clerk must post notice at least 24 hours before each delivery at the main early voting polling place.

Exception: Counties with a population of 100,000, or more or entities that are having joint elections with counties with a population of 100,000 or more, may process the mail ballots (i.e., qualify, and accept or reject, but not count) as early as the 8th day before the end of the early voting period; in such an election, votes may be counted no earlier than the end of the period for early voting by personal appearance; the results may not be released until the polls close on election day. (Secs. 87.0221; 87.0222; 87.023; 87.024; 87.0241(b); 87.042). If ballots are to be delivered before election day, that is after the end of the early-voting-in-person period but before the polls open on election day, the early voting clerk must post notice at least 24 hours before each delivery at the main early voting polling place. (Secs. 87.0221(b); 87.023(b); 87.024(b)).

NOTE - Manual Examination of Ballots Before Processing on Automatic Counting Equipment: The central counting station manager shall direct the manual examination of all electronic voting system ballots to ascertain whether the ballots can be processed in the usual manner or if the ballots need to be duplicated to clearly reflect the voter's intent. (Sec. 127.125).

NOTE - Testing of Tabulating Equipment: The second test of automatic tabulating equipment used for counting ballots at a central counting station must be conducted immediately before the counting of ballots with equipment begins. The third test must be conducted immediately after the counting is completed. (Secs. 127.093, 127.097, 127.098).

NOTE - Precinct Election Returns: Precinct election returns are delivered to the appropriate authorities after completion. (Secs. 66.053(a); 127.065; 127.066; 127.067).

Transfer of Provisional Ballots to Voter Registrar Election Night: The county voter registrar may take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used) on election night (instead of on the next business day) by informing the custodian of election records and posting a notice of such election night transfer no later than 24 hours before election day. Under this type of delivery, the voter registrar must go to the office of the custodian and pick up the ballot box(es) or transfer case(s) and associated forms. (Sec. 65.052; 1 T.A.C. §§ 81.172 – 81.174 & 81.176).

Last day to post notice of governing authority's meeting to canvass returns of election if canvass is to take place on Friday, November 9, 2018 (3rd day after election). (Sec. 67.003(b)). This notice must be posted at least 72 hours before the scheduled time of the meeting. (Secs. 551.002; 551.041; 551.043, Texas Government Code).

Wednesday, November 7, 2018 (1st day and 1st business day after Election Day)

5:00 p.m. – 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 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, November 6, 2018. (Secs. 86.007; 101.057; 101.001). A late domestic ballot **cannot be counted** if it does **not** bear a cancellation mark or a receipt mark.

NOTE – NEW LAW: House Bill 1151 (2017) amended Section 86.007 to provide 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 7:00 p.m.** at the location of the election on election day.

NOTE: 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; those voters have until the 6th day after election day to return their ballots. See [entries](#) for Tuesday, November 13, 2018.

Unless the county voter registrar has already taken possession of the provisional ballots prior to this date, the general custodian of election records must deliver the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used), along with the Summary of Provisional Ballots and the List of Provisional Voters for each precinct to the voter registrar by this day. The general custodian of election records makes this delivery to the voter registrar during the voter registrar office's regular business hours. (Secs. 65.052, 65.053; 1 T.A.C. §§ 81.172 – 81.174 & 81.176).

Note for Political Subdivisions Located in More than One County: A political subdivision will have to make delivery of the provisional ballots and forms to the county voter registrar in **each** county in which the political subdivision is located. (1 Tex. Admin. Code Secs. 81.172 – 81.174).

NOTE: If the county voter registrar wants to take possession of the provisional ballots and forms on election night (Tuesday, November 6, 2018), the county voter registrar must inform the custodian of the election records and post a notice of the transfer no later than 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. Also, note that the county voter registrar may take possession of provisional ballots prior to election night if ballots are kept separate and may be provided without unlawful entry into ballot box. (1 Tex. Admin. Code Secs. 81.172 – 81.174).

Friday, November 9, 2018 (3rd day after Election Day)

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 the ballot board has finished convening for all late arriving ballots.** (Sec. 67.003). See [entries](#) for November 7, 2018 and [entries](#) for November 13, 2018. Notice of canvass must be posted at least 72 hours continuously before the canvass is conducted.

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. (Secs. 67.016; 212.0331).

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. (Sec. 67.016). 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. (Secs. 2.053(e); 67.003; 67.016).

NOTE: This does not apply to officers of a Type A general law city, see [entry](#) at Monday, November 12, 2018.

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. (Sec. 127.201(a), (g)). The count must be completed not later than the 21st day after election day. Results of manual count must be delivered to Secretary of State not later than the 3rd day after the manual count is completed. (Sec. 127.201(e)). No partial manual count needs to be done of ballots cast on DRE voting machines. (Sec. 127.201(g)).

Monday, November 12, 2018 (6th day after Election Day)

First day that newly-elected officers of Type A general law city may qualify and assume duties of office (per Sec. 22.006, Local Government Code), but see **NOTE**, below.

NOTE: 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). Section 22.036 of the Texas Local Government Code further requires that the newly-elected governing body of the municipality “meet at the usual meeting place and shall be installed.”

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. (Secs. 67.016; 212.0331).

Tuesday, November 13, 2018 (7th day after Election Day)

Deadline for 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. (Secs. 1.006; 65.054; 65.0541).

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, Tuesday, November 6, 2018, as evidenced by a postal service cancellation mark or a receipt mark of a common or contract carrier or a courier (Secs. 86.007, 101.057 and 101.001). A late overseas ballot sent by a voter who applied for a ballot using an ABBM (not an FPCA) **cannot be counted** if it does **not** bear a cancellation mark or a receipt mark.*

NOTE: House Bill 1151 (2017) amended Section 86.007 to provide 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.

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, Tuesday, November 6, 2018. (Sec. 86.007(d) and (e)).*

*The deadlines referenced above are extended to the next regular business day which is Tuesday, November 13, 2018 due to the 5th day falling on a Sunday and Veterans Day being observed by the U.S. Postal Service on Monday, November 12, 2018. (Secs. 1.006; 86.007(d-1)).

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.** (Secs. 1.006; 101.057; 101.001). See Note on House Bill 929 (2017, RS), below. The deadline is extended to the next regular business day which is Tuesday, November 13, 2018 due to the 6th day falling on a Monday and Veterans Day being observed by the U.S. Postal Service on November 12, 2018. (Sec. 86.007(d-1)).

NOTE: House Bill 929 (2017, RS) amended Section 101.057 to provide that carrier envelopes mailed domestically or overseas from certain **military voters** (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) who submitted a **Federal Post Card Application (FPCA)** may arrive on or before the 6th day after election day. (Secs. 86.007; 101.057; 101.001).

NOTE: The carrier envelope or, if applicable, the envelope containing the carrier envelope sent by the military members listed above who applied to vote by mail using the FPCA does NOT need to bear a cancellation or receipt mark in order to be counted.

Deadline for Voter Registrar to complete the review of provisional ballots. (1 Tex. Admin Code Secs. 81.172 – 81.175).

Deadline for custodian of election records or presiding judge of the early voting ballot board to retrieve provisional ballots from county voter registrar. (1 Tex. Admin. Code Secs. 81.172 – 81.176).

Saturday, November 17, 2018 (11th day after Election Day)

Last day to post notice of governing authority's meeting to canvass returns of election if canvass is to take place on Tuesday, November 20, 2018 (14th day after election). This notice must be posted at least 72 hours before the scheduled time of the meeting. (Secs. 551.002; 551.041; 551.043, Texas Government Code).

Monday, November 19, 2018 (13th day after Election Day)

Last day for **early voting ballot board** to convene to qualify and count:

1. any late **domestic** ballots (non-military) 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, November 6, 2018, and were received not later than 5:00 p.m. on the first business day after election day, on [Wednesday, November 7, 2018](#). (Secs. 86.007(a); 87.125(a)).
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, [Tuesday, November 13, 2018](#). (Secs. 1.006; 87.125(a)); 86.007(d)).*
3. any ballots received by the 6th day after election day, [Tuesday, November 13, 2018](#), 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 and who applied for a ballot using an FPCA. (Secs. 1.006; 101.057; 87.125(a)).*
4. any provisional ballots that have been reviewed by the voter registrar. (Sec. 65.051(a)).

NOTE: The deadlines referenced above are extended to the next regular business day which is Tuesday, November 13, 2018 due to the 5th day falling on a Sunday and Veterans Day being observed by the U.S. Postal Service on Monday, November 12, 2018. (Secs. 1.006; 86.007(d-1)).

NOTE: Ballots that do not qualify under 1-3 above should be treated as ballots not timely returned and should not be delivered to the ballot board.

NOTE: The presiding judge of the EVBB shall mail a [Notice of Rejected Ballot](#) 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. (Sec. 87.0431).

The time the board reconvenes is set by the presiding judge of the early voting ballot board. (Secs. 86.007(d); 87.125).

Tuesday, November 20, 2018 (14th day after Election Day)

Last day for official canvass of returns by governing authority of political subdivision. (Sec. 67.003).

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. (Secs. 67.016; 212.0331).

Saturday, November 24, 2018 (18th day after Election Day)

First day that Governor may conduct the state canvass of the November General Election for state and county officers. (Sec. 67.012).

Tuesday, November 27, 2018 (21st day after Election Day)

Last day to complete the partial manual count. (Sec. 127.201(a)).

Friday, November 30, 2018 (24th day after Election Day; 10th day after last canvass)

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 Tuesday, November 20, 2018. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass. (65.059; 1 Tex. Admin. Code Sec. 81.176(e)).

December

Thursday, December 6, 2018 (30th day after Election Day)

Last day to file **electronic** precinct-by-precinct returns with the Secretary of State. (Sec. 67.017).

Monday, December 10, 2018 (34th day after Election Day)

Last day for the Governor to conduct the state canvass for the November General Election for state and county. Since the actual deadline (the 33rd day) falls on a Sunday, the deadline is moved to the next business day. (Secs. 1.006; 67.012).

Friday, December 14, 2018 (38th day after Election Day)

Last day of the period for mandatory office hours. See [entry](#) for Monday, September 17, 2018. (Sec. 31.122).

January

Sunday, January 6, 2019 (61st day after Election Day)

First day that contents of ballot box(es) may be transferred from locked ballot box to separate container for the remainder of the preservation period. (Sec. 66.058(b)).

2018 - 2020

Monday, September 7, 2020 (day after 22 months after November 6, 2018 Election Day)

Contents of ballot box(es) may be destroyed **IF** no contest or criminal investigation has arisen (Secs. 1.013; 66.058), and **IF** no open records request has been filed ([Tex. Att'y Gen. ORD-505 \(1988\)](#)).

NOTE - NEW LAW: SB 5 (85th Legislative Session, 1st CS, 2017) provides that **all** election records must be preserved for 22 months from election day, even when there is no federal office on the ballot. (Sec. 66.058).

Notable Exceptions:

Permanent Records: Election results must be permanently-maintained in the election register. (Sec. 67.006).

NOTE - Electronic Voting Systems: See advisories on our website for preservation procedures for electronic voting systems.

Saturday, November 7, 2020 (day after Two Years after November 6, 2018 Election Day)

NOTE - 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. (Sec. 18.011).

NOTE - Retention of Candidate Applications: Candidate applications must be retained by the governing body for **two** years after date of election. (Sec. 141.036).

POLITICAL ADVERTISING

What You Need To Know



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

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

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

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

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

(512) 463-5800

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

REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

I. What Is Political Advertising?

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

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

Part A. What Does It Say?

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

Part B. Where Does It Appear?

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

II. When Is A Disclosure Statement Required?

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

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

The precise language of political advertising authorized by someone other than a candidate, the candidate's agent, or a political committee will determine if the advertising contains express advocacy and is therefore required to include a disclosure statement. Generally, the question is whether the communication expressly advocates the election or defeat of an identified candidate, or expressly advocates the passage or defeat of a measure, such as a bond election. The inclusion of words such as "vote for," "elect," "support," "defeat," "reject," or "Smith for Senate" would clearly constitute express advocacy, but express advocacy is not limited to communications that use those words. Similar phrases, such as "Cast your ballot for X," would also constitute express advocacy. Additionally, in 2007, the United States Supreme Court held that an advertisement included express advocacy or its functional equivalent "if the ad is susceptible to no reasonable interpretation other than as an appeal to vote for or against a specific candidate." *FEC v. Wisconsin Right to Life, Inc.*, 127 S.Ct. 2652 (2007). It is a question of fact whether a particular communication constitutes express advocacy. If you are not sure whether political advertising contains express advocacy, do the cautious thing and include the disclosure statement. That way there is no need to worry about whether you have violated the law.

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

III. What Should The Disclosure Statement Say?

A disclosure statement must include the following:

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

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

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

IV. Are There Any Exceptions To The Disclosure Statement Requirement?

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

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

3. an envelope that is used to transmit political advertising, provided that the political advertising in the envelope includes the disclosure statement;
4. circulars or fliers that cost in the aggregate less than \$500 to publish and distribute; and
5. political advertising printed on letterhead stationery, if the letterhead includes the name of one of the following: (a) the person who paid for the advertising, (b) the political committee authorizing the advertising, or, (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate. (Note: There is also an exception for holiday greeting cards sent by an officeholder, provided that the officeholder's name and address appear on the card or the envelope.)

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

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

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

VI. The Fair Campaign Practices Act.

The Fair Campaign Practices Act sets out basic rules of decency, honesty, and fair play to be followed by candidates and political committees during a campaign. A candidate or political committee may choose to subscribe to the voluntary code by signing a copy of the code and filing it with the authority with whom the candidate or committee is required to file its campaign treasurer appointment. A person subscribing to the code may indicate that fact on political advertising by including the following or a substantially similar statement:

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

VII. Special Rule For Judicial Candidates, Officeholders, and Committees.

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

state the following in political advertising:

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

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

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

ROAD SIGNS

I. When Is The “Right-Of-Way” Notice Required?

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

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

II. What Should The “Right-Of-Way” Notice Say?

Section 255.007 of the Texas Election Code prescribes the exact language of the notice:

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

III. Do Yard Signs Have To Have The “Right-Of-Way” Notice?

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

IV. What About Bumper Stickers?

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

V. Where May I Place My Signs And How Long May Signs Be Posted?

For information about exactly where you may or may not place signs, or for information regarding the length of time your signs may be posted, check with your city or county government and with the Texas Department of Transportation at (512) 416-2901.

MISREPRESENTATION

I. Are There Restrictions On The Contents Of Political Advertising?

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

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

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

II. Misrepresentation Of Office Title.

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

**Vote John Doe
for Attorney General**

**John Doe
For
Attorney General**

III. Misrepresentation Of Identity Or Source.

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

IV. Use Of State Seal.

Only officeholders may use the state seal in political advertising.

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA – INSTRUCTION GUIDE



Revised July 14, 2010

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM CTA–INSTRUCTION GUIDE

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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 is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:
 - Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner.
 - State Senator or State Representative.
 - Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge.*
 - State Board of Education.
 - A multi-county district judge* or multi-county district attorney.
 - A single-county district judge.*

- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
 - A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
 - A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.
- * Judicial candidates use FORM JCTA to appoint a campaign treasurer.

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

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

c. Local Filing Authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SPECIFIC INSTRUCTIONS

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

PAGE 1

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

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

PAGE 2

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

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

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

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

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

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

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

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

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

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

TEXAS ETHICS COMMISSION
CHAPTER 258, ELECTION CODE
FAIR CAMPAIGN PRACTICES



Effective September 1, 1997
(Revised 9/1/2017)

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

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.

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY
Date Received
Date Hand-delivered or Postmarked
Date Processed
Date Imaged

1 ACCOUNT NUMBER (Ethics Commission Filers)	2 TYPE OF FILER CANDIDATE <input type="checkbox"/> POLITICAL COMMITTEE <input type="checkbox"/> <i>If filing as a candidate, complete boxes 3 - 6, then read and sign page 2.</i> <i>If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.</i>				
3 NAME OF CANDIDATE (PLEASE TYPE OR PRINT)	TITLE (Dr., Mr., Ms., etc.) NICKNAME	FIRST LAST	MI 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.) NICKNAME	FIRST LAST	MI 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

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
	NICKNAME	LAST	SUFFIX
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
	()		
5 OFFICE HELD (if any)	Date Imaged		
6 OFFICE SOUGHT (if known)	Receipt # Amount \$		
7 CAMPAIGN TREASURER NAME	MS/MRS/MR	FIRST	MI
	NICKNAME	LAST	SUFFIX
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE		
	AREA CODE	PHONE NUMBER	EXTENSION
9 CAMPAIGN TREASURER PHONE	()		
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 \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

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

Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us or
Fax this form to (512) 463-8808 or mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

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

For more information about where to file go to:
<https://www.ethics.state.tx.us/whatsnew/NewFilersGettingStarted.html>

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE



Revised January 1, 2017

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM C/OH – INSTRUCTION GUIDE

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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 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 forms required to be filed under title 15, Texas Election Code.

ELECTRONIC FILING

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

FILLING OUT THE FORMS

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

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

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

You must keep an exact copy of each report filed and all records necessary to complete the report for at least two (2) years after the deadline for filing the report.

If you have questions, please call our office at (512) 463-5800.

TEXAS ETHICS COMMISSION GUIDES

The Commission publishes a Campaign Finance Guide for each type of filer. These guides are designed to explain your responsibilities as a filer. The Commission encourages you to read the appropriate guide before you begin accepting political contributions or making or authorizing political expenditures.

PHOTOCOPIES OF FORMS

You may use photocopies of Commission forms. For example, if the space provided on Schedule A1 is insufficient, you may make copies of a blank Schedule A1 form and attach more pages as needed.

FILING DATE

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

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

If you are filing with the Commission, please address your reports and correspondence to the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070. For hand-deliveries, the Commission's street address is 201 East 14th Street, Sam Houston Building, 10th Floor, Austin, Texas 78701.

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

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH). A complete report includes the Form C/OH cover sheet, and any of the following schedules on which there is information to report: A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T. A complete Final Report must also include Form C/OH-FR.

Note: Judicial candidates and officeholders must use a different form, Form JC/OH.

GENERAL INFORMATION

Use Form C/OH for filing the following reports:

- Semiannual reports (January 15 and July 15)
- Pre-election reports (30th day before election, 8th day before election)
- Runoff report (8th day before runoff election)
- Exceeded \$500 limit report
- 15th day after officeholder campaign treasurer appointment
- Final Report

See the instructions for sections 9 and 10 of the Cover Sheet for help in deciding which reports you are required to file.

OFFICEHOLDER ACTIVITY

An officeholder may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. However, an officeholder must have a campaign treasurer appointment on file before the officeholder may make campaign expenditures or accept campaign contributions.

DUTIES OF CANDIDATE OR OFFICEHOLDER

As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

DUTIES OF CAMPAIGN TREASURER

State law does not impose any reporting or record-keeping obligations on a candidate's campaign treasurer.

WHERE TO FILE

This form is filed with the same filing authority with which you were required to file your Campaign Treasurer Appointment (Form CTA). If you are an officeholder who does not have a campaign treasurer appointment on file, file your reports with the same authority with which a candidate for your office must file the campaign treasurer appointment.

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a Final Report of contributions and expenditures. A Final Report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports *as a candidate*. If you are an officeholder at the time of filing a Final Report, you may be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

If you are not an officeholder at the time of filing a Final Report *and* if you have surplus funds or retain assets purchased with political funds, you will be required to file annual reports of Unexpended Contributions. (*See instructions for Form C/OH-UC.*)

To file a Final Report, you must complete the “C/OH CAMPAIGN FINANCE REPORT” (Form C/OH), check the “final” box in section 9 on the Cover Sheet, and complete and attach the “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH- FR).

COMPLETING THE COVER SHEET

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

PAGE 1

- 1. FILER ID:** If you are filing with the Commission, you were assigned a filer identification number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your Filer ID. Enter this number wherever you see “FILER ID.” If you do not file with the Commission, you are not required to enter a Filer ID.
- 2. TOTAL PAGES FILED:** After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of page 1 only. Each side of a two-sided form counts as one page.
- 3. CANDIDATE/OFFICEHOLDER NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 4. CANDIDATE/OFFICEHOLDER MAILING ADDRESS:** Enter your complete mailing address. If your mailing address has changed since you last gave notice of your address, check the “Change of Address” box.
- 5. CANDIDATE/OFFICEHOLDER PHONE:** Enter your phone number including the area code, and your extension, if applicable.

Sections 6 - 8 pertain to a candidate’s campaign treasurer. If you are an officeholder who does not have a campaign treasurer appointment on file, skip these sections.

- 6. CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 7. CAMPAIGN TREASURER ADDRESS:** Enter the complete address of your campaign treasurer.
- 8. CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer including the area code, and the extension, if applicable.
- 9. REPORT TYPE:** Check the box that describes the type of report you are filing, according to the descriptions below. See the instructions for section 10 for the periods covered by each type of report.

January 15 Report: All candidates and most officeholders must file a semiannual report by January 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

All candidates and officeholders who file with the Commission must file this report by midnight Central Time on the January 15 report due date. All candidates and officeholders who file locally must file this report by 5 p.m. on the January 15 report due date.

Note: Anyone who has a campaign treasurer appointment (Form CTA) on file must file semiannual reports, even after an election has ended and even if the filer lost the election. To end this semiannual filing requirement, the filer must cease campaign activity and file a Final Report. (See “Final Report” below for more information.)

July 15 Report: All candidates and most officeholders must file a semiannual report by July 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

See “January 15 Report” above for more information on filing requirements and deadlines for semiannual reports.

30th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting, but then exceeded a threshold before the 30th day before the election, the candidate must file this report.

The report is due no later than 30 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

You are an "opposed" candidate if you have an opponent, including a minor party candidate, whose name is printed on the ballot. If your only opposition is a write-in candidate, you are not considered opposed for filing purposes. If you are a write-in candidate, you are an "opposed" candidate subject to the reporting requirements if you accept political contributions or make political expenditures. Candidates who are unopposed in an election are not required to file pre-election reports for that election.

8th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting but then exceeded a threshold before the 8th day before the election, the candidate must file this report.

The report is due no later than 8 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Runoff Report: Opposed candidates who are participating in a runoff election and who did not choose the modified reporting schedule must file this runoff report. The report is due no later than 8 days before the runoff election. For all candidates and officeholders who file with Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Exceeded \$500 Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded \$500 in contributions or \$500 in expenditures in connection with the election must file this Exceeded \$500 Limit report within 48 hours after exceeding the \$500 limit. The candidate must meet this deadline even if it falls on a weekend or a holiday.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): An officeholder must file this report if he or she appoints a campaign treasurer after a period of not having a campaign treasurer appointment (Form CTA) on file. For all officeholders who file with Commission, this report is due no later than midnight Central Time on the 15th day after an officeholder files Form CTA with the Commission. For all officeholders who file locally, this report is due no later than 5 p.m. on the 15th day after an officeholder files Form CTA with the filing authority. It is not required of officeholders who are merely changing their campaign treasurer. It is not required of an officeholder who files locally if the officeholder did not exceed \$500 in either contributions or expenditures during the period covered by the report. Candidates who are not officeholders do not file this report.

Final Report: A person who has a campaign treasurer appointment on file may file this report when he or she does not expect to accept any further campaign contributions or make or authorize any further campaign expenditures. There is not a fixed deadline for this report. This report must have a completed “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH-FR) attached.

A candidate must have a CTA on file to accept campaign contributions or make campaign expenditures, including contributions intended to offset campaign debts or expenditures made to pay campaign debts. A candidate who intends to continue campaign activity should not file a Final Report.

A Final Report terminates a candidate’s CTA and relieves the candidate from any additional filing obligations as a candidate. Officeholders who file a Final Report will still be subject to the filing requirements applicable to officeholders. A person who is not an officeholder but who has surplus political funds or assets after filing a Final Report will be required to file annual Unexpended Contribution reports. (See “Form C/OH-FR: Designation of Final Report” for more information.) A candidate or officeholder who does not have a CTA on file may still be required to file a personal financial statement (PFS).

Filing a Final Report does not relieve a candidate of responsibility for any delinquent reports or outstanding civil penalties.

Daily Pre-Election Report of Contributions: A candidate or officeholder who files with the Commission may be required to file daily pre-election reports disclosing contributions during the period beginning the 9th day before an election and ending at 12 noon on the day before the election. This information can be disclosed on Form C/OH-T. For more information, please see the instructions for Form C/OH-T.

Legislative Special Session Report: A candidate or officeholder who files with the Commission and who accepts a political contribution during the period beginning on the date the governor signs the proclamation calling a special legislative session and continuing through the date of final adjournment is required to file a report after a special session of the legislature. This information can be disclosed on Form C/OH-SS. For more information, please see the instructions for Form C/OH-SS.

- 10. PERIOD COVERED:** A reporting period includes the start date and the end date. The *due date* for filing will generally be *after* the end of the period. Generally, a report picks up where the last report left off, and there should be no gaps or overlapping periods. The exceptions are Daily Pre-election reports, which do create overlaps because you are required to report the activity twice.

First Reports: If this is the first report of contributions and expenditures that you have filed, the beginning date will depend on the date your campaign treasurer appointment (Form CTA) was filed or the date you took office.

- If you are a candidate (a person who has filed a Form CTA) and you are filing your first report, the start date will be the date your Form CTA was filed.
- If you are an officeholder who was appointed to an elective office and who did not have a Form CTA on file at the time of the appointment, the start date for your first report will be the date you took office.

January 15th Semiannual Report: The start date is July 1 of the previous year or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is December 31 of the previous year.

July 15th Semiannual Report: The start date is January 1 or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is June 30.

30th Day Before Election Report: The start date is the day after the last day covered by your last required report. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 40th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

8th Day Before Election Report: The start date is the 39th day before the election if you filed a 30th Day Before Election Report. If you did not file the 30th Day Before Election

Report, the day after the last day covered by your last required report is the start date. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 10th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

Runoff Report: The start date is the 9th day before the main election if you filed an 8th Day Before Election Report. Otherwise, the start date is the day after the last day covered by your last required report or the day you appointed a campaign treasurer, whichever is later. The end date is the 10th day before the runoff election. This report is not required for candidates who are filing under the modified reporting schedule.

Exceeded \$500 Limit Report: The start date for the report is either the day you appointed your campaign treasurer or the day after the last day covered by your last required report, whichever is later. The end date is the day you exceeded the \$500 limit for contributions or expenditures.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): The start date is either the day after the last day covered by your last required report or the day you began serving an appointment to elective office. The end date is the day before the campaign treasurer appointment was filed. This report is due no later than 15 days after the campaign treasurer appointment was filed.

Final Report: The start date is the day after the last day covered by your last required report. The end date is the day the final report is filed.

If you are an officeholder without a campaign treasurer appointment on file, or if you have a campaign treasurer appointment on file but you are not a candidate in an upcoming election and were not a candidate in a recent election, you may skip Section 11.

- 11. ELECTION:** If you are a candidate in an upcoming election or were a candidate in a recently held election, provide the following information concerning the upcoming or recent election.

Election Date: Enter the month, day, and year of the election for which this report is filed, if known.

Candidate in an Upcoming Election: If the political activity in the report primarily pertains to an upcoming election, provide the date of the upcoming election in which you intend to participate as a candidate that most immediately follows the deadline for this report.

Candidate in a Recently Held Election: If the political activity in this report primarily pertains to a recently held election, provide the date of the recently held election in which you participated as a candidate that most immediately precedes the deadline for this report.

Election Type: Check the box next to the type of election that most accurately describes the election for which this report is filed.

Primary: An election held by a political party to select its nominees for office.

Runoff: An election held if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote.

General: An election, other than a primary election, that regularly occurs at fixed dates.

Special: An election that is neither a general election nor a primary election nor a runoff election.

Other: If none of the listed election types apply, check “Other” and provide your own description of the election for which the report is filed.

- 12. OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
- 13. OFFICE SOUGHT:** If you are a candidate in an upcoming election, please enter the office you seek. If you were a candidate in a recently held election, but were unsuccessful or are not currently an officeholder, please enter the office you sought during the election that most immediately precedes the deadline for this report. Include the district, precinct, or other designation for the office, if applicable.

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- 14. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 15. FILER ID:** See instructions for section 1.
- 16. NOTICE FROM POLITICAL COMMITTEE(S):** Complete this section if you received notice from a political committee that it accepted political contributions or made political expenditures on your behalf. You are required to disclose the receipt of such a notice in the report covering the period in which you receive the notice. If you have not received such notice, you may skip this section.

The political committee is required to include in the notice the full name and address of the committee, the full name and address of the committee’s campaign treasurer, and a statement indicating whether the committee is a general-purpose committee or a specific-purpose committee. If the notice also describes the expenditure, do not include the description in this section.

“Additional Pages” box: If you received notice from more than one committee, check this box and attach an additional page listing the names and addresses of the other committees and of their campaign treasurers.

Committee Type:

“General” box: Check this box if the notice is from a general-purpose committee.

“Specific” box: Check this box if the notice is from a specific-purpose committee.

Committee Name: Enter the full name of the committee as reported in the notice.

Committee Address: Enter the address of the committee as reported in the notice.

Committee Campaign Treasurer Name: Enter the name of the committee’s campaign treasurer as reported in the notice.

Committee Campaign Treasurer Address: Enter the address of the committee’s campaign treasurer as reported in the notice.

17. TOTALS: Complete this section only after you have completed all applicable schedules.

Line 1- Total Political Contributions of \$50 or Less, Unless Itemized: Enter the total of all unitemized contributions (other than pledges or loans or guarantees of loans) of \$50 or less. Do not include any contributions itemized on Schedules A1 or A2. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you were required to itemize political contributions that totaled more than \$50 from one person. You also had the option of itemizing contributions of \$50 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

Line 2- Total Political Contributions: Add the total contributions listed on Schedules A1 and A2 to the amount you entered on line 1. Enter that total on line 2. Enter a “0” if you did not receive any contributions during the period covered.

Line 3- Total Political Expenditures of \$100 or Less, Unless Itemized: Enter the total of all unitemized political expenditures of \$100 or less. Do not include any expenditures itemized on Schedules F1, F2, F3, F4, G, or H. Enter a “0” if you did not make any unitemized expenditures during the period covered.

On Schedule F1, you were required to itemize political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing expenditures totaling \$100 or less to one payee. Do not include any expenditures itemized on Schedule F1 in the total entered on line 3, regardless of amount.

On Schedule F2, you were required to itemize incurred but not yet paid political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing incurred political expenditures totaling \$100 or less to one payee. Do not

include any political or non-political expenditures itemized on Schedule F2 in the total entered on line 3, regardless of amount.

On Schedule F4, you were required to itemize political expenditures made by a credit card that totaled more than \$100 to one payee. You also had the option of itemizing political expenditures totaling \$100 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F4 in the total entered on line 3, regardless of amount.

On Schedule G, you were required to itemize political expenditures from personal funds if you intend to seek reimbursement from political contributions. Do not include any expenditures itemized on Schedule G in the total entered on line 3, regardless of amount.

On Schedule H, you were required to itemize payments from political contributions made to certain businesses. Do not include any expenditures itemized on Schedule H in the total entered on line 3, regardless of amount.

Line 4- Total Political Expenditures: Add the following:

- (a) the total expenditures itemized on Schedule F1;
- (b) the total political expenditures itemized on Schedule F2;
- (c) the total political expenditures itemized on Schedule F4;
- (d) the total political expenditures itemized on Schedule G;
- (e) the total political expenditures itemized on Schedule H; and
- (f) the amount you entered on line 3.

Enter that total on line 4.

Enter a “0” if you did not make any expenditures during the period covered.

Line 5- Total Political Contributions Maintained: Enter the total amount of political contributions, including interest or other income on those contributions, maintained as of the last day of the reporting period. Enter “0” if you do not maintain political contributions, including interest or other income on those contributions, as of the last day of the reporting period. This is different from the total contributions reported on line 2. Only contributions accepted during the period covered by the report are entered on line 2.

The law requires you to disclose the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period.

The “total amount of political contributions maintained” includes the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions; the present value of any investments that can be readily converted to cash, such as

certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.; and the balance of political contributions accepted and held in any online fundraising account over which the filer can exercise control by making a withdrawal, expenditure, or transfer.

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

Line 6- Total Principal Amount of All Outstanding Loans: Enter the aggregate outstanding principal amount of all loans accepted for campaign or officeholder purposes as of the last day of the reporting period. Enter a “0” if you did not accept any loans during the period covered and have no outstanding loans as of the last day of the reporting period. This is different from the information reported on Schedule E. This line must include outstanding principal of loans made in this reporting period as well as outstanding principal of loans made previously.

- 18. AFFIDAVIT:** Complete this section only after you have completed all applicable sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. *Only the candidate or officeholder filing the report may sign the affidavit.*

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- 19. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 20. FILER ID:** See instructions for section 1.
- 21. SCHEDULE SUBTOTALS:** Complete this section only after you have completed all applicable schedules.

Check the appropriate boxes to indicate which schedules are attached to your report. If a schedule is not included in the report, leave the check box blank.

Line 1- Schedule A1: Add the total amount of contributions itemized on Schedule A1 to the amount of unitemized monetary political contributions accepted during the period covered. Enter that total on line 1. Enter a “0” if you did not accept any contributions during the period covered.

Line 2- Schedule A2: Add the total amount of non-monetary in-kind contributions itemized on Schedule A2 to the amount of unitemized non-monetary in-kind contributions accepted during the period covered. Enter that total on line 2. Enter a “0”

if you did not accept any non-monetary in-kind contributions during the period covered.

Line 3- Schedule B: Add the total amount of pledged contributions itemized on Schedule B to the amount of unitemized pledged contributions accepted during the period covered. Enter that total on line 3. Enter a “0” if you did not accept any pledged contributions during the period covered.

Line 4- Schedule E: Add the total amount of loans itemized on Schedule E to the amount of unitemized loans accepted during the period covered. Enter that total on line 4. Enter a “0” if you did not accept any loans during the period covered.

Line 5- Schedule F1: Add the total amount of political expenditures from political contributions itemized on Schedule F1 to the amount of unitemized political expenditures from political contributions made during the period covered. Enter that total on line 5. Enter a “0” if you did not make any political expenditures from political contributions during the period covered.

Line 6- Schedule F2: Add the total amount of unpaid incurred obligations itemized on Schedule F2 to the amount of unitemized unpaid obligations incurred during the period covered. Enter that total on line 6. Enter a “0” if you did not incur any unpaid obligations during the period covered.

Line 7- Schedule F3: Enter the total amount of investments purchased from political contributions itemized on Schedule F3. Enter a “0” if you did not purchase any investments from political contributions during the period covered.

Line 8- Schedule F4: Add the total amount of expenditures made by a credit card itemized on Schedule F4 to the amount of unitemized expenditures made by a credit card during the period covered. Enter that total on line 8. Enter a “0” if you did not make any expenditures by credit card during the period covered.

Line 9- Schedule G: Add the total amount of political expenditures from personal funds itemized on Schedule G to the amount of unitemized political expenditures from personal funds made during the period covered. Enter that total on line 9. Enter a “0” if you did not make any political expenditures from personal funds during the period covered.

Line 10- Schedule H: Enter the total amount of payments from political contributions to a business of the candidate or officeholder itemized on Schedule H. Enter a “0” if you did not make any payments from political contributions to a business of the candidate or officeholder during the period covered.

Line 11- Schedule I: Enter the total amount of non-political expenditures from political contributions itemized on Schedule I. Enter a “0” if you did not make any non-political expenditures from political contributions during the period covered.

Line 12- Schedule K: Enter the total amount of interests, credits, gains, refunds, and contributions returned to the filer itemized on Schedule K. Enter a “0” if you did not have any such activity during the period covered.

SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about monetary campaign and officeholder contributions accepted during the reporting period. Do not enter on this schedule information on non-monetary, in-kind contributions, pledges, loans, or guarantees of loans. Once you actually receive pledged money, it must be reported on Schedule A1. (Report non-monetary, in-kind contributions on Schedule A2; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter incoming monetary contributions that exceed \$50 from one person during a reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

- 1. TOTAL PAGES SCHEDULE A1:** After you have completed Schedule A1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you *accepted* the contribution. Accepting a contribution is different from receiving a contribution. You accept a contribution when you decide to accept it rather than reject it. This may or may not be the same day that you receive the contribution.
- 5. FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor. If the contributor is an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable. If the contributor is an entity, enter the full name of the entity.

“Out-of-State PAC” box: If the contributor is an out-of-state political committee, check the box. Certain restrictions apply to contributions from out-of-state PACS. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state PAC for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state PAC. A political committee that makes most of its political expenditures outside of Texas may be an out-of-state PAC. A political committee must determine if it is an out-of-state PAC.

If the contributor is an out-of-state political committee from which you accepted more than \$500 in the reporting period (including pledges or loans from sources

other than financial institutions that have been in business for more than a year), you must include one of the following with your report:

- a written statement, certified by an officer of the out-of-state political committee, listing the full name and address of each person who contributed more than \$100 to the out-of-state political committee during the 12 months immediately preceding the contribution; *or*
- a copy of the out-of-state political committee’s statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee.

If the contributor is an out-of-state political committee from which you accepted \$500 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee’s statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee; *or*
- a document listing the committee’s name, address and phone number; the name of the person appointing the committee’s campaign treasurer; and the name, address and phone number of the committee’s campaign treasurer.

“ID #” Line (Electronic Filing Only): If you are filing your report electronically, you may enter in this field the out-of-state committee's Federal Election Commission (FEC) identification number. If you do not have an FEC # for the out-of-state PAC or are not filing electronically with the Commission, you must provide other documentation as explained above.

6. CONTRIBUTOR ADDRESS: Enter the complete address of the contributor.

7. AMOUNT OF CONTRIBUTION: Enter the amount of the contribution.

8. PRINCIPAL OCCUPATION OR JOB TITLE: Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

9. EMPLOYER: Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the employer of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-monetary, in-kind campaign and officeholder contributions received during the reporting period. An in-kind contribution is a contribution of goods, services, or any other thing of value ***other than money*** that is given to your campaign. You are not required to include contributions of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on monetary political contributions, pledges, loans, or guarantees of loans. Once you actually receive a pledged in-kind contribution, it must be reported on Schedule A2. (Report monetary contributions on Schedule A1; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter non-monetary (in-kind) contributions of goods, services, or other things of value that exceed \$50 from one person during a reporting period on this schedule. If you accepted two or more non-monetary contributions from the same person, the total of which exceeds \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

1. **TOTAL PAGES SCHEDULE A2:** After you have completed Schedule A2, count the total number of pages. Each side of a two-sided form counts as one page.
2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS:** Enter the total amount of in-kind political contributions of \$50 or less that you accepted during the period covered that are not itemized on this schedule. If you choose to itemize an in-kind contribution of \$50 or less on this schedule, do not include it in this total.
5. **DATE:** See instructions for Schedule A1, section 4.
6. **FULL NAME OF CONTRIBUTOR:** See instructions for Schedule A1, section 5.

 “Out-of-State PAC” box: See instructions for Schedule A1, section 5.
7. **CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
8. **AMOUNT OF CONTRIBUTION:** Enter the fair market value of the in-kind contribution.

9. IN-KIND CONTRIBUTION DESCRIPTION: Enter a description of the contribution. The description should be sufficiently detailed to allow a person reviewing your report to understand what was contributed.

“Travel Outside of Texas” box: If the contribution was for travel outside of Texas, please check the box and report this information on Schedule T.

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

Sections 12-16 pertain to judicial candidates and officeholders only. Do not complete these sections. If you are a judicial candidate or officeholder, please use form JC/OH and the corresponding instructions.

SCHEDULE B: PLEDGED CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE B: PLEDGED CONTRIBUTIONS.

Use this schedule to disclose information about pledges accepted during the reporting period for campaign or officeholder purposes. You are not required to include pledges of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on contributions actually received, loans, or guarantees of loans. (Report contributions actually received on Schedule A1 or Schedule A2, as applicable; report loans and guarantees of loans on Schedule E.)

If you accept a pledge from a person to give you money, goods, services, or anything of value, that pledge is a reportable contribution and you must include the pledge on this schedule for the report covering the period in which you accept the pledge.

Itemization: You must itemize pledges that exceed \$50 in the aggregate from one person during the reporting period. If you received pledges totaling more than \$50 from one person during the reporting period, you must itemize all of those pledges, even if individual pledges were for \$50 or less. Although you are not required to do so, you may also itemize pledges for \$50 or less from one person. You must also disclose the receipt of the pledged contribution on Schedule A1 (used for monetary contributions) or A2 (used for non-monetary contributions), as applicable, in the reporting period in which you actually receive the pledged money or thing of value. If the pledge is accepted and received in the same reporting period, it is not required to be reported on Schedule B.

Note: See the Campaign Finance Guide for more information on pledges.

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

- 1. TOTAL PAGES SCHEDULE B:** After you have completed Schedule B, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED PLEDGES:** Enter the total amount of pledges that you accepted during the period that did not exceed \$50 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of \$50 or less on this schedule. If you itemize some pledges of \$50 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of \$50 or less, do not enter a total amount here.
- 5. DATE:** Enter the date you *accepted* the pledge. Accepting a pledge is different from receiving a contribution. You accept a pledge when you decide to accept it rather than reject it.

Pledge accepted and received in different reporting periods: If you accept a pledge in one reporting period and then receive the pledged money or other thing of value in a later reporting period, you will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. You will also disclose the receipt of the pledged money or other thing of value on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E) in the reporting period in which you received the pledge.

Pledge received in same reporting period as accepted: If you receive a pledge in the same reporting period in which it was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E). The date of the contribution will be the date you accepted the pledged contribution, regardless of when the pledged contribution was actually received.

Pledge accepted but never received: You will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. If you never actually receive the pledge, it is not necessary to correct your report to delete the pledge.

Example: In June a supporter promises that he will give Juan Garcia \$1,000 in the last week before the November election. Juan accepts his promise. Juan must disclose the pledge on his July 15 report covering the period in which he accepted the pledge. (Note: When he receives the \$1,000, he will disclose it as a monetary contribution on Schedule A1 of the report covering the period in which he received the money. Also, if he never receives the \$1,000, he does not correct/amend his report to delete the entry for the pledge.)

6. FULL NAME OF PLEDGOR: Enter the full name of the person who made the pledge.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

7. PLEDGOR ADDRESS: Enter the complete address of the person who made the pledge.

8. AMOUNT OF PLEDGE: Enter the amount of the pledge or the fair market value of any pledged goods or services or other thing of value, as applicable.

9. IN-KIND DESCRIPTION: If the pledge was for goods or services or any other thing of value, enter a description of the pledged goods or services or other thing of value. The description should be sufficiently detailed to allow a person reviewing your report to understand what was pledged.

“Travel Outside of Texas” box: If the pledged contribution was an in-kind contribution for travel outside of Texas, please check the box and report this information on Schedule T.

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

You do not need Schedules C1-4 and D. These schedules are for political committees to report contributions from corporations and labor organizations. Candidates and officeholders are generally prohibited from accepting such contributions.

SCHEDULE E: LOANS

These instructions are for candidates and officeholders using SCHEDULE E: LOANS.

Use this schedule to disclose information about loans and guarantees of loans accepted during the reporting period for campaign or officeholder purposes. This schedule must also be used to disclose deposits of personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. This schedule may also be used to disclose political expenditures from personal funds.

Loans to Your Campaign from Your Personal Funds: You may disclose political expenditures from personal funds as a loan to your campaign on Schedule E. Outgoing political expenditures made from that loan must then be disclosed as if they were made from political contributions. The amount you disclose as a loan from yourself in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from your personal funds in the reporting period was \$5,000. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan. (You may also disclose political expenditures from personal funds on Schedule G. See the Schedule G instructions below for more information.)

Personal Funds Deposited into a Political Account: If you deposit personal funds in an account in which political contributions are held, you must disclose the deposited amount as a loan on Schedule E and check the box indicating "Personal Funds Deposited into Political Account." Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction. Disclose the outgoing political expenditures made from that loan as if they were made from political contributions. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan.

Itemization: You must itemize loans (including loans from personal funds) that exceed \$50 that you accepted during the period from one person. If you accepted two or more loans from the same person, the total of which exceeds \$50, itemize each loan separately. Although you are not required to do so, you may also itemize loans that do not exceed \$50.

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

- 1. TOTAL PAGES SCHEDULE E:** After you have completed Schedule E, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.

- 4. TOTAL OF UNITEMIZED LOANS:** Enter the total amount of loans accepted during the reporting period that did not exceed \$50 in the aggregate per person and were not from financial institutions.

Although you are not required to do so, you may itemize loans of \$50 or less from persons other than financial institutions on this schedule. If you itemize some loans of \$50 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$50 or less, enter a “0” here.

- 5. DATE OF LOAN:** Enter the date you *accepted* the loan.
- 6. IS LENDER A FINANCIAL INSTITUTION?:** If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, circle “Y” for yes. If you accepted the loan from any other source, circle “N” for no. A loan from a corporation that has not been legally engaged in the business of making loans for more than one year is a corporate contribution. Candidates and officeholders may not accept corporate contributions.
- 7. NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan. If the lender is an individual, enter the full first and last name and suffix (Jr., III, et.) if applicable. If the lender is an entity, enter the full name of the entity.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

Note: See the Campaign Finance Guide for detailed information on accepting and reporting contributions from out-of-state political committees.

- 8. LENDER ADDRESS:** Enter the complete address of the person or financial institution that made the loan.
- 9. LOAN AMOUNT:** Enter the principal amount of the loan.
- 10. INTEREST RATE:** Enter the interest rate.
- 11. MATURITY DATE:** Enter the maturity date.
- 12. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of each individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$500 or more during the reporting period. Other types of filers are not required to report this information but may do so.
- 13. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the full name of the employer of an individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$500 or more during the reporting period. Other types of filers are not required to report this information but may do so.

- 14. DESCRIPTION OF COLLATERAL:** If there is no collateral for the loan, check the “none” box and go to section 15. If there is collateral for the loan, enter a description of the collateral for the loan.
- 15. “Check if personal funds were deposited into political account” box:** Check this box *only if* the loan is a deposit of your personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported as if they were made from political contributions. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.
- 16. GUARANTOR INFORMATION:** If there are no guarantors for the loan, check the “Not Applicable” box and go to the next loan. If you have no further loans to report, go to the next applicable schedule.
- A person who guarantees all or part of a loan makes a reportable contribution in the amount of the guarantee. You must report such a contribution on this schedule, and not on the contributions schedule.
- 17. NAME OF GUARANTOR:** Enter the full name of the person guaranteeing the loan. If the guarantor is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the guarantor is an entity, enter the full name of the entity.
- 18. GUARANTOR ADDRESS:** Enter the complete address of the guarantor.
- 19. AMOUNT GUARANTEED:** Enter the dollar amount of the loan that the guarantor has agreed to guarantee.
- 20. PRINCIPAL OCCUPATION:** Enter the principal occupation of the guarantor.
- 21. EMPLOYER:** Enter the employer of the guarantor.

SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about political expenditures from political contributions that were made during the reporting period. Do not enter on this schedule unpaid incurred obligations, political expenditures made from personal funds, the purchase of investments from political contributions, expenditures made by credit card, or payments from political contributions made to a business that you own or control. (Report unpaid incurred obligations on Schedule F2; report expenditures from personal funds on Schedule G; report the purchase of investments from political contributions on Schedule F3; report expenditures made by credit card on Schedule F4; and report payments from political contributions made to a business that you own or control on Schedule H.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 in the period on this schedule. If you choose not to itemize expenditures of \$100 and less on this schedule, you must total all unitemized expenditures and report them on the Cover Sheet, page 2, section 17, line 3.

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

- 1. TOTAL PAGES SCHEDULE F1:** After you have completed Schedule F1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made. Remember: Expenditure obligations you incurred in this reporting period *but have not yet paid* are entered on Schedule F2. Expenditures made by credit card are entered on Schedule F4.

5. **PAYEE NAME:** Enter the full name of the person to whom the expenditure was made.

Note: If you make an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor who sold you the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 8, “Purpose of Expenditure.”

6. **AMOUNT:** Enter the exact amount of the expenditure.

7. **PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.

8. **PURPOSE OF EXPENDITURE:** You must disclose the purpose of the expenditure in two parts: Category and Description. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

- (a) **Category:** Select a category of goods, services, or other thing of value for which an expenditure is made. If none of the listed categories apply, select “Other” and enter your own category. Examples of acceptable categories include:

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By Candidate/Officeholder/Political Committee
Credit Card Payment
Event Expense
Fees
Food/Beverage Expense
Gifts/Awards/Memorials Expense
Legal Services
Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor
Solicitation/Fundraising Expense
Transportation Equipment and Related Expense
Travel In District
Travel Out Of District
Other

- (b) **Description:** Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of

value for which the expenditure is made does not adequately describe the purpose of an expenditure.

For examples of acceptable ways to disclose the purpose of an expenditure, please see the "Examples: Purpose of Expenditures" on page 46.

“Check if travel outside of Texas” box: Check this box if the expenditure is for travel outside of Texas. The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

“Check if Austin, TX, officeholder living expense” box: For expenditures made on or after July 1, 2014, check this box if the expenditure is an officeholder expense for living in Austin, Texas.

9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:

If you made a direct campaign expenditure to benefit another candidate or officeholder, enter the full name of the candidate or officeholder and the name of the office sought or held, including the district, precinct, or other designation of the office, as applicable. (Attach additional sheets to list multiple candidates.) Do not complete this section if the expenditure was not a direct campaign expenditure.

A “direct campaign expenditure” to benefit another candidate is not a “political contribution” to that other candidate. A direct campaign expenditure is a campaign expenditure that you make on someone else’s behalf and without the prior consent or approval of that person. This is in contrast to a political contribution, which the person has the opportunity to accept or reject.

Example: If you made expenditures to prepare and distribute an endorsement letter in support of a candidate after first asking for and getting the candidate’s approval, you made an *in-kind contribution*. However, if you did not get the candidate’s approval *before* you made the expenditure, you made a *direct campaign expenditure*.

SCHEDULE F2: UNPAID INCURRED OBLIGATIONS

These instructions are for candidates and officeholders using SCHEDULE F2: UNPAID INCURRED OBLIGATIONS.

Use this schedule to disclose information about obligations to make an expenditure that you incurred during the reporting period but have not yet paid. Do not enter on this schedule obligations that were incurred and paid during the reporting period, or other outgoing funds. (Report obligations incurred and paid during the reporting period on Schedule F1, F3, G, H, or I as appropriate, and report expenditures made by credit card on Schedule F4.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: Itemization requirements differ depending on whether the unpaid incurred obligation is for a political or non-political expenditure.

Unpaid Incurred Political Obligations: You must enter political obligations incurred but not yet paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you incurred more than one obligation to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report political obligations incurred to one person that do not exceed \$100 in the period on this schedule. If you choose not to itemize incurred political obligations of \$100 and less on this schedule, you must total all unitemized obligations and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$100 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Unpaid Incurred Non-Political Obligations: You must enter non-political obligations incurred but not yet paid to one individual or entity during a reporting period on this schedule, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE F2:** After you have completed Schedule F2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS:** Enter the total amount of political obligations incurred during the reporting period that do not exceed \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of \$100 or less, but if you choose to do so, do not include those unpaid incurred obligations in the total you enter here.

5. DATE: Enter the date the obligation was incurred. Obligations you incurred *and* paid during the reporting period are not entered on this schedule.

6. PAYEE NAME: See instructions for Schedule F1, section 5.

Note: If you incurred an obligation for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you incurred the obligation. Include that information under section 10, “Purpose of Expenditure.”

7. AMOUNT: Enter the exact amount of the incurred obligation.

8. PAYEE ADDRESS: Enter the complete address of the person to whom the obligation is owed.

9. TYPE OF EXPENDITURE: Check only one box to indicate whether the incurred obligation was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. PURPOSE OF EXPENDITURE: See instructions for Schedule F1, section 8.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:
See instructions for Schedule F1, section 9.

SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about investments purchased from political contributions during the reporting period. Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, expenditures made by credit card, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report expenditures made by credit card on Schedule F4; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter investments purchased with political contributions during a reporting period that in the aggregate exceed \$100 on this schedule. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed \$100 in the period on this schedule.

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

- 1. TOTAL PAGES SCHEDULE F3:** After you have completed Schedule F3, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you purchased the investment.
- 5. NAME OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the full name of the person or entity from whom you purchased the investment. If you purchased the investment from an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable (title is optional). If you purchased the investment from an entity, enter the full name of the entity.
- 6. ADDRESS OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the complete address of the person or entity from whom you purchased the investment.
- 7. DESCRIPTION OF INVESTMENT:** Enter a brief statement or description of the investment. For example, “Ten shares of stock in ABC company.”
- 8. AMOUNT OF INVESTMENT:** Enter the amount of the investment purchased.

SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD

These instructions are for candidates and officeholders using SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD.

Use this schedule to disclose information about expenditures made by a credit card. Effective July 5, 2015, you must disclose expenditures charged to a credit card on this schedule and identify the individual, entity, or vendor who receives payment from the credit card company. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable.

Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report the purchase of investments from political contributions on Schedule F3; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

For examples regarding the disclosure of expenditures made by credit card, please see “Examples: Reporting Expenditures Made by Credit Card” on page 42.

Itemization: Itemization requirements differ depending on whether the expenditure made by a credit card is for a political or non-political expenditure.

Political Expenditures Made by Credit Card: You must itemize political expenditures made by credit card that exceed \$100 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee, the total of which exceeded \$100, enter each expenditure made by credit card separately. Although you are not required to do so, you may also report political expenditures made by credit card that do not exceed \$100 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of \$100 and less on this schedule, you must total all unitemized political expenditures and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$100 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Non-Political Expenditures Made by Credit Card: You must itemize any non-political expenditure made by credit card, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE F4:** After you have completed Schedule F4, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD:** Enter the total amount of political expenditures charged to a credit card during the reporting period that do not exceed \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of \$100 or less, but if you choose to do so, do not include those political expenditures made by credit card in the total you enter here.
5. **DATE:** Enter the date you made the expenditure by credit card.

Note: There is a special reporting rule for expenditures made by credit card. For reports due 30 days and 8 days before an election (pre-election reports) and for runoff reports, the date of the credit card expenditure is the date the credit card is used. For other reports, the date of the credit card expenditure is either the date of the charge or the date the credit card statement is received. *A filer can never go wrong by disclosing the date of the expenditure as the date of the charge.*

6. **PAYEE NAME:** See instructions for Schedule F1, section 5. Disclose the name of the vendor who sold you the goods or services as the payee, NOT the credit card company. You do not report the name of the credit card company on this schedule.

Note: If you made an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 10, “Purpose of Expenditure.”

7. **AMOUNT:** Enter the amount of the credit card expenditure.
8. **PAYEE ADDRESS:** Enter the complete address of the payee of the credit card expenditure.
9. **TYPE OF EXPENDITURE:** Check only one box to indicate whether the credit card expenditure was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

Note: Do not choose “Credit Card Payment” as the category for an expenditure made by credit card when an individual, entity, or vendor receives payment from the credit card company. Instead, choose the category that corresponds to the goods, services, or other thing of value purchased from the individual, entity, or vendor.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:

See instructions for Schedule F1, section 9.

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for candidates and officeholders using SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS.

You may use this schedule to disclose information about political expenditures from personal funds that were made during the reporting period. Alternatively, you may choose to disclose political expenditures from personal funds as a loan on Schedule E (see the Schedule E instructions above for more information). Do not enter on this schedule information about personal funds deposited in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. (Report the deposit of personal funds into a political account as a loan on Schedule E.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

If you intend to seek reimbursement *in any amount* from political contributions for a political expenditure made from personal funds, you must either report the expenditure on Schedule E or itemize the expenditure on this schedule and check the box in Section 6 to indicate that you intend to seek reimbursement from political contributions. ***You may not correct a report to allow reimbursement.*** When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1.

See the Campaign Finance Guide for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: If you choose to report political expenditures from personal funds on this schedule, you must itemize political expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 in the period on this schedule. You must total all political expenditures from personal funds that you do not itemize on this schedule and include them in the total of unitemized political expenditures on the C/OH Cover Sheet, page 2, section 17, line 3.

Officeholder expenditures from personal funds for which you do not intend to seek reimbursement are not required to be reported on this schedule or included in the total of unitemized political expenditures.

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

1. **TOTAL PAGES SCHEDULE G:** After you have completed Schedule G, count the total number of pages. Each side of a two-sided form counts as one page.
2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **DATE:** Enter the date the expenditure was made.
5. **PAYEE NAME:** See instructions for Schedule F1, section 7.
6. **AMOUNT:** Enter the exact amount of the expenditure.

“Reimbursement from Political Contributions Intended” box: Check this box if you intend to reimburse yourself for the expenditure. (In order to be reimbursed from political contributions in any amount for an expenditure made out of personal funds, you must itemize the expenditure on this schedule and check this box or you must report the expenditure as a loan to yourself on Schedule E.)

7. **PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
8. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
9. **DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

These instructions are for candidates and officeholders using SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH.

Use this schedule to disclose information about payments from political contributions that were made to a business in which you have an interest of more than 10%, a position on the governing body, or a position as an officer. Do not enter on this schedule other payments from political contributions made during the reporting period.

See the *Campaign Finance Guide for Candidates and Officeholders* for a discussion on the important restrictions on making and reporting payments from political contributions to a business in which you have an interest.

This schedule is for payments to a business in which you have one or more of the following interests or positions:

- 1) a participating interest of more than 10%;
- 2) a position on the governing body of the business; or
- 3) a position as an officer of the business.

Itemization: You must enter all payments from political contributions made to certain businesses (as defined above) of a candidate or officeholder made during the reporting period on this schedule, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE H:** After you have completed Schedule H, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you made the payment.
- 5. BUSINESS NAME:** Enter the full name of the business to which you made the payment.
- 6. AMOUNT:** Enter the dollar amount of the payment.
- 7. BUSINESS ADDRESS:** Enter the complete address of the business to which you made the payment.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
- 9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-political expenditures from political contributions made during the reporting period. Do not enter political expenditures on this schedule. Also, do not enter non-political expenditure obligations you incurred in this reporting period but have not yet paid or non-political expenditures made by credit card. (Report unpaid incurred obligations on Schedule F2; report expenditures made by a credit card on Schedule F4.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose non-political expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: Expenditures Made by Credit Card for more information.

Itemization: You must enter all non-political expenditures from political contributions on this schedule, regardless of the amount. A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures. You may not convert political contributions to personal use.

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

- 1. TOTAL PAGES SCHEDULE I:** After you have completed Schedule I, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made.
- 5. PAYEE NAME:** See instructions for Schedule F1, section 5.
- 6. AMOUNT:** Enter the exact amount of the expenditure payment.
- 7. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

These instructions are for candidates and officeholders using SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER.

Use this schedule to report information regarding any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$100, and any other gain from a political contribution received during the reporting period.

Itemization: You must enter interest, credits, gains, refunds and returned contributions received during a reporting period that in the aggregate exceed \$100 on this schedule. Although you are not required to do so, you may also report any credit/gain/refund, or interest that does not exceed \$100 in the period on this schedule.

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

- 1. TOTAL PAGES SCHEDULE K:** After you have completed Schedule K, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the credit/gain/refund was received or the interest was earned, as applicable.
- 5. NAME OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the full name of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 6. ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 7. PURPOSE FOR WHICH AMOUNT IS RECEIVED:** Enter a brief statement or description of the purpose for which the amount was received (for example, “phone service deposit return” “returned contribution” or “interest on savings account”).

“Check if political contribution returned to filer” box: If the incoming credit/gain was originally made by you in the form of a political contribution to another candidate or political committee and was returned to you in this reporting period, check this box.

- 8. AMOUNT:** Enter the exact dollar amount of the credit/gain/refund/returned contribution, or interest.

SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS

These instructions are for candidates and officeholders using SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS.

Use this schedule to disclose information about contributions accepted or expenditures made during the reporting period. In addition to completing this schedule, you must also report the actual contribution or expenditure on the appropriate schedule or form. The law requires detailed information regarding in-kind contributions or political expenditures for travel outside of the state of Texas.

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

- 1. TOTAL PAGES SCHEDULE T:** After you have completed Schedule T, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter the full name of the candidate, committee, or party on whose report you are including this schedule.
- 3. FILER ID:** If you are filing with the Commission, enter your account number. If you do not file with the Commission, you are not required to enter an account number.
- 4. NAME OF CONTRIBUTOR / CORPORATION OR LABOR ORGANIZATION / PLEDGOR / PAYEE:** Enter the full name of the contributor / corporation or labor organization / pledgor / payee as it appears on the schedule or form on which you reported the actual contribution or expenditure.
- 5. CONTRIBUTION / EXPENDITURE REPORTED ON:** Check the appropriate box for the schedule or form on which you reported the actual contribution or expenditure.
- 6. DATES OF TRAVEL:** Enter the dates on which the travel occurred.
- 7. NAME OF PERSON(S) TRAVELING:** Enter the full name of the person or persons traveling on whose behalf the travel was accepted or on whose behalf the expenditure was made.
- 8. DEPARTURE CITY OR NAME OF DEPARTURE LOCATION:** Enter the name of the departure city or the name of each departure location.
- 9. DESTINATION CITY OR NAME OF DESTINATION LOCATION:** Enter the name of the destination city or the name of each destination location.
- 10. MEANS OF TRANSPORTATION:** Enter the method of travel (e.g., airplane, bus, boat, car, etc.)
- 11. PURPOSE OF TRAVEL:** Enter the campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

These instructions are for candidates and officeholders using Form C/OH-FR: C/OH REPORT: DESIGNATION OF FINAL REPORT. A final report must include this form (Form C/OH-FR) and the CAMPAIGN FINANCE REPORT (Form C/OH) with the “Final Report” box checked on page 1, section 9. It must also include Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T, as applicable.

GENERAL INFORMATION

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate.

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

The effect of filing a final report differs depending on whether you are an officeholder at the time you file a final report.

Officeholders Filing a Final Report: You will not have to worry about surplus political funds and assets until you cease to be an officeholder. You may still be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are local officeholders who do not exceed \$500 in contributions or expenditures during the reporting period.

If you cease to be an officeholder at a time when you do not have a campaign treasurer appointment on file, and you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions after filing the last required report as an officeholder, you **must** file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year following the year in which you filed the last required report as an officeholder. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

Non-Officeholders Filing a Final Report: You will no longer be required to file reports **unless** you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions. If you retain any of those items, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. You may not retain these unexpended funds longer than six years after the date of filing a final report. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

COMPLETING THE FORM

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

- 1. C/OH NAME:** Enter your full name.
- 2. FILER ID:** If you are filing with the Commission, enter your Filer ID. If you do not file with the Commission, you are not required to enter a Filer ID.
- 3. SIGNATURE:** You must sign this section to indicate that you understand the consequences of filing a final report.
- 4. FILER WHO IS NOT AN OFFICEHOLDER:** Complete this section if you are not an officeholder at the time of filing your final report. Be sure to check the appropriate box in both sections A and B and sign on the “Signature” line.
- 5. OFFICEHOLDER:** Complete this section if you are an officeholder at the time of filing your final report. You must check the box to indicate awareness of further filing requirements.

EXAMPLES: REPORTING EXPENDITURES MADE BY CREDIT CARD

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures made by credit card and payments made to credit card companies.

Example #1: Candidate Using Credit Card to Make Political Expenditures and Using Political Contributions to Pay the Credit Card Bill in the Same Reporting Period

A candidate for office uses her credit card to buy \$1,000 in campaign office supplies from an office store. During the same reporting period, the candidate uses her credit card to buy \$500 in political advertising signs from a sign company. During the same reporting period, the candidate makes a single payment from her political contributions account to pay the \$1,500 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which she made the credit card charges and sent the payment to the credit card company:

1. For the credit card charges: a \$1,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the office store as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Office Overhead/Rental Expense,” and a description as “Campaign Office Supplies.” In Section 9 of the schedule, the box for “Political” is also checked. The candidate also reports the \$500 expenditure on the “Expenditures Made by Credit Card” Schedule and identifies the sign company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Signs.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$1,500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for credit card expenditures.”
3. Both \$1,500 amounts reported on each schedule will also be included in the appropriate totals sections of Cover Sheet Pages 2 and 3.

Example #2: Candidate Using Credit Card to Make a Political Expenditure and Using Personal Funds to Pay the Credit Card Bill in the Same Reporting Period

A candidate for *non-judicial* office uses his credit card to purchase \$3,000 in political advertising materials from a print shop. During the same reporting period, the candidate makes a payment from his personal funds account to pay the \$3,000 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which he made the credit card charge and sent the payment to the credit card company:

1. For the credit card charge: a \$3,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the print shop as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Materials.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$3,000 expenditure on the “Political Expenditures Made from Personal Funds” Schedule (G). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising materials.” If the candidate intends to seek reimbursement from political contributions, the candidate may also check the appropriate box in Section 6.
3. Both \$3,000 amounts reported on each schedule will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #3: Political Committee Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A general-purpose committee uses its credit card to buy \$500 in political advertising in a newspaper. The committee receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the committee sends a payment to the credit card company, it makes a \$500 payment from its political contributions account.

To report the credit card charge, the committee’s campaign treasurer would report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the committee’s campaign treasurer would also report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the payment to the credit card company:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the

expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”

2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #4: Candidate Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A candidate for *judicial* office uses her credit card to buy \$500 in political advertising in a newspaper. The candidate receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the candidate sends a payment to the credit card company, she makes a \$500 payment from her political contributions account.

To report the credit card charge, the candidate would report all of the following on a campaign finance report (Form JC/OH) covering the period in which she made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the candidate would also report all of the following on a campaign finance report (Form JC/OH) covering the period in which the payment to the credit card company was made:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”
2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

EXAMPLES: PURPOSE OF EXPENDITURES

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting the purpose of an expenditure. However, it is not, and is not intended to be, an exhaustive or an exclusive list of how a filer may permissibly report the purpose of an expenditure.

(1) Example: Candidate X is seeking the office of State Representative, District 2000. She purchases an airline ticket from ABC Airlines to attend a campaign rally within District 2000. The acceptable category for this expenditure is “travel in district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign rally. An acceptable brief statement is “airline ticket to attend campaign event.”

(2) Example: Candidate X purchases an airline ticket to attend a campaign event outside of District 2000 but within Texas, the acceptable category is “travel out of district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign event. An acceptable brief statement is “airline ticket to attend campaign or officeholder event.”

(3) Example: Candidate X purchases an airline ticket to attend an officeholder related seminar outside of Texas. The acceptable method for the purpose of this expenditure is by selecting the “travel out of district” category and completing the “Schedule T” (used to report travel outside of Texas).

(4) Example: Candidate X contracts with an individual to do various campaign related tasks such as work on a campaign phone bank, sign distribution, and staffing the office. The acceptable category is “salaries/wages/contract labor.” The candidate activity that is accomplished by making the expenditure is to compensate an individual working on the campaign. An acceptable brief statement is “contract labor for campaign services.”

(5) Example: Officeholder X is seeking re-election and makes an expenditure to purchase a vehicle to use for campaign purposes and permissible officeholder purposes. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “purchase of campaign/officeholder vehicle.”

(6) Example: Candidate X makes an expenditure to repair a flat tire on a campaign vehicle purchased with political funds. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “campaign vehicle repairs.”

(7) Example: Officeholder X purchases flowers for a constituent. The acceptable category is “gifts/awards/memorials expense” and an acceptable brief description is “flowers for constituent.”

(8) Example: Political Committee XYZ makes a political contribution to Candidate X. The acceptable category is “contributions/donations made by candidate/officeholder/political committee” and an acceptable brief description is “campaign contribution.”

(9) Example: Candidate X makes an expenditure for a filing fee to get his name on the ballot. The acceptable category is “fees” and an acceptable brief description is “candidate filing fee.”

(10) Example: Officeholder X makes an expenditure to attend a seminar related to performing a duty or engaging in an activity in connection with the office. The acceptable category is “fees” and an acceptable brief description is “attend officeholder seminar.”

(11) Example: Candidate X makes an expenditure for political advertising to be broadcast by radio. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.” Similarly, Candidate X makes an expenditure for political advertising to appear in a newspaper. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.”

(12) Example: Officeholder X makes expenditures for printing and postage to mail a letter to all of her constituents, thanking them for their participation during the legislative session. Acceptable categories are “advertising expense” OR “printing expense” and an acceptable brief description is “letter to constituents.”

(13) Example: Officeholder X makes an expenditure to pay the campaign office electric bill. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office electric bill.”

(14) Example: Officeholder X makes an expenditure to purchase paper, postage, and other supplies for the campaign office. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office supplies.”

(15) Example: Officeholder X makes an expenditure to pay the campaign office monthly rent. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office rent.”

(16) Example: Candidate X hires a consultant for fundraising services. The acceptable category is “consulting expense” and an acceptable brief description is “campaign services.”

(17) Example: Candidate/Officeholder X pays his attorney for legal fees related to either campaign matters or officeholder matters. The acceptable category is “legal services” and an acceptable brief description is “legal fees for campaign” or “for officeholder matters.”

(18) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting with her constituents. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting with constituents.”

(19) Example: Candidate X makes food and beverage expenditures for a meeting to discuss candidate issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign issues.”

(20) Example: Officeholder X makes food and beverage expenditures for a meeting to discuss officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss officeholder issues.”

(21) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting to discuss campaign and officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign/officeholder issues.”

EXAMPLES: REPORTING EXPENDITURES FROM PERSONAL FUNDS

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures from personal funds.

If you intend to seek reimbursement of any amount from political contributions for a political expenditure made from your personal funds, you must report the expenditure in one of three ways. Keep in mind that this reporting system is not an accounting system and duplication of expenditures is not uncommon when reporting transactions related to expenditures made from personal funds.

Method #1: Itemize the expenditure on the “Political Expenditures Made from Personal Funds” schedule (Schedule G) and check the box to indicate that you intend to seek reimbursement from political contributions. You may not correct a report to allow reimbursement without subjecting yourself to a possible penalty. When you reimburse yourself, which could be months or years later, report the reimbursement on the “Political Expenditures” schedule (Schedule F1).

Example: On December 1, 2007, Candidate A spends \$500 of her own personal funds to purchase political advertising signs. She reports the expenditure to the vendor on Schedule G and checks the box to indicate that reimbursement is intended. One year later, Candidate A reimburses herself from political contributions. She reports the reimbursement on Schedule F1. Candidate A is the payee and the purpose of the expenditure is to reimburse herself for a political expenditure made from personal funds on December 1, 2007.

If you intend to seek reimbursement from political contributions for a political expenditure of any amount made from personal funds, you must itemize the expenditure on Schedule G.

Method #2: Report the political expenditures made from your personal funds as a loan to your campaign on the “Loans” schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, F4, or H as appropriate). Do NOT report political expenditures made from the loan on Schedule G. The amount you report as a loan in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from personal funds in the reporting period was \$5,000. When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1.

Example: In one reporting period, Candidate B spends \$5,000 of his own personal funds to purchase political advertising materials. He spends \$3,000 at Business One and \$2,000 at Business Two. He reports the expenditures as a \$5,000 loan on Schedule E and then itemizes each of the two expenditures as a political expenditure on Schedule F1. A year later, Candidate B reimburses himself from political contributions by disclosing the reimbursement on Schedule F1. He reports the reimbursement on Schedule F1. The payee in this instance is Candidate B, the category of the expenditure is “Loan

Repayment/Reimbursement,” and “political expenditure made from personal funds reported as a loan” is an acceptable brief description.

Method #3: Deposit personal funds in an account in which your political contributions are maintained and report that amount as a loan on the "Loans" schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, or H as appropriate). When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction.)

Example: In one reporting period, Candidate C opens a campaign bank account and deposits \$5,000 of her own personal funds into the account. She makes one \$3,000 expenditure for political advertising. Candidate C has no other activity in the reporting period. She reports the \$5,000 as a loan on Schedule E, itemizes the \$3,000 expenditure for the political advertising on Schedule F1, and includes the remaining \$2,000 on her contributions maintained at the end of the reporting period total. A year later, Candidate C reimburses herself from political contributions by disclosing the reimbursement on Schedule F1. The payee in this instance is Candidate C, the category of expenditure is "Loan Repayment/Reimbursement," and "political expenditure made from personal funds reported as a loan" is an acceptable brief description.

EXAMPLES: REPORTING STAFF REIMBURSEMENT

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting staff reimbursements.

When a staff member makes political payment(s) out of his or her personal funds, how you disclose the payment(s) depends on two things: 1) the aggregate total of those payments in the reporting period; and 2) whether or not you reimburse the staff worker in the same reporting period.

Example #1: The payment out of the staff worker's personal funds does not exceed \$5,000 in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will simply itemize the payment (if over the \$100 itemization threshold) on Schedule F1 as if you made the expenditure directly to the vendor out of your political funds, with the name of the vendor who sold the goods or services as the payee for the expenditure. **Do not** disclose as the payee the name of your staff worker.

Example #2: The payment(s) out of the staff worker's personal funds are over \$5,000 in the aggregate in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will use a 3-step process, disclosing everything on the same report: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) On Schedule F1, disclose the payment to your staff worker for the reimbursement of the loan.

Example #3: The payment(s) out of the staff worker's personal funds do not exceed \$5,000 in the aggregate in the reporting period **but** you reimburse the staff worker from political funds in a different reporting period – You will use a 3-step process, disclosing steps 1 and 2 on the same report and step 3 later, when the reimbursement occurs: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) When you reimburse your staff worker, if ever, disclose on Schedule F1 of the report covering the period in which the reimbursement occurs the payment to your staff worker for the reimbursement of the loan.

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 \$

Date Processed

6 CANDIDATE
PHONE

NEW

AREA CODE

PHONE NUMBER

EXTENSION

()

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 (NO PO BOX PLEASE); 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 \$500 in political contributions
or make more than \$500 in political expenditures (excluding filing
fees) in connection with any future election within the election cycle.
I understand that if either one of those limits is exceeded, I will be
required to file pre-election reports and, if necessary, a runoff
report.

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

Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us or
Fax this form to (512) 463-8808 or mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

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

For more information about where to file go to:
<https://www.ethics.state.tx.us/whatsnew/NewFilersGettingStarted.html>

TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA—INSTRUCTION GUIDE



Revised July 14, 2010

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM 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 account number, if you file with the Ethics 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. ACCOUNT #:** If you are filing with the Ethics 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 “ACCOUNT #.” 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. Please do not enter a P.O. Box.

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

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

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

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

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

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

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

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

16 NOTICE FROM POLITICAL COMMITTEE(S)	THIS BOX IS FOR NOTICE OF POLITICAL CONTRIBUTIONS ACCEPTED OR POLITICAL EXPENDITURES MADE BY POLITICAL COMMITTEES TO SUPPORT THE CANDIDATE / OFFICEHOLDER. <i>THESE EXPENDITURES MAY HAVE BEEN MADE WITHOUT THE CANDIDATE'S OR OFFICEHOLDER'S KNOWLEDGE OR CONSENT.</i> CANDIDATES AND OFFICEHOLDERS ARE REQUIRED TO REPORT THIS INFORMATION ONLY IF THEY RECEIVE NOTICE OF SUCH EXPENDITURES.													
<input type="checkbox"/> Additional Pages	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%; padding: 5px;">COMMITTEE TYPE</td> <td style="padding: 5px;">COMMITTEE NAME</td> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> GENERAL</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> SPECIFIC</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">COMMITTEE ADDRESS</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">COMMITTEE CAMPAIGN TREASURER NAME</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">COMMITTEE CAMPAIGN TREASURER ADDRESS</td> </tr> </table>	COMMITTEE TYPE	COMMITTEE NAME	<input type="checkbox"/> GENERAL		<input type="checkbox"/> SPECIFIC			COMMITTEE ADDRESS		COMMITTEE CAMPAIGN TREASURER NAME		COMMITTEE CAMPAIGN TREASURER ADDRESS	
	COMMITTEE TYPE	COMMITTEE NAME												
	<input type="checkbox"/> GENERAL													
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	COMMITTEE ADDRESS													
	COMMITTEE CAMPAIGN TREASURER NAME													
	COMMITTEE CAMPAIGN TREASURER ADDRESS													

17 CONTRIBUTION TOTALS	1. TOTAL POLITICAL CONTRIBUTIONS OF \$50 OR LESS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS), UNLESS ITEMIZED	\$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	\$
EXPENDITURE TOTALS	3. TOTAL POLITICAL EXPENDITURES OF \$100 OR LESS, UNLESS ITEMIZED	\$
	4. TOTAL POLITICAL EXPENDITURES	\$
CONTRIBUTION BALANCE	5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	\$
OUTSTANDING LOAN TOTALS	6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	\$

18 AFFIDAVIT

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

Signature of Candidate or Officeholder

AFFIX NOTARY STAMP / SEAL ABOVE

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

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

SUBTOTALS - C/OH

FORM C/OH COVER SHEET PG 3

19 FILER NAME

20 Filer ID (Ethics Commission Filers)

21 SCHEDULE SUBTOTALS
NAME OF SCHEDULE

SUBTOTAL
AMOUNT

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

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A1

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A1:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) 6 Contributor address; City; State; Zip Code	7 Amount of contribution (\$)
8 Principal occupation / Job title (See Instructions)		9 Employer (See Instructions)
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)

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

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A2:	
2 FILER NAME		3 Filer ID (Ethics Commission Filers)	
4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS		\$	
5 Date	6 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)	8 Amount of Contribution \$	9 In-kind contribution description
	7 Contributor address; City; State; Zip Code		
<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.			
10 Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)		11 Employer (FOR NON-JUDICIAL) (See Instructions)	
12 Contributor's principal occupation (FOR JUDICIAL)		13 Contributor's job title (FOR JUDICIAL) (See Instructions)	
14 Contributor's employer/law firm (FOR JUDICIAL)		15 Law firm of contributor's spouse (if any) (FOR JUDICIAL)	
16 If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)			

Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of Contribution \$	In-kind contribution description
	Contributor address; City; State; Zip Code		
<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.			
Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)		Employer (FOR NON-JUDICIAL) (See Instructions)	
Contributor's principal occupation (FOR JUDICIAL)		Contributor's job title (FOR JUDICIAL) (See Instructions)	
Contributor's employer/law firm (FOR JUDICIAL)		Law firm of contributor's spouse (if any) (FOR JUDICIAL)	
If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)			

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

PLEGGED CONTRIBUTIONS

SCHEDULE B

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

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

LOANS

SCHEDULE E

The Instruction Guide explains how to complete this form.		1 Total pages Schedule E:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED LOANS		\$
5 Date of loan	7 Name of lender <input type="checkbox"/> 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 <input type="checkbox"/> none		15 Check if personal funds were deposited into political account (See Instructions) <input type="checkbox"/>
16 GUARANTOR INFORMATION <input type="checkbox"/> 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 <input type="checkbox"/> out-of-state PAC (ID#: _____)	Loan Amount (\$)
Is lender a financial Institution? Y N	Lender address; City; State; Zip Code	Interest rate
		Maturity date
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Description of Collateral <input type="checkbox"/> none		Check if personal funds were deposited into political account (See Instructions) <input type="checkbox"/>
GUARANTOR INFORMATION <input type="checkbox"/> not applicable	Name of guarantor	Amount Guaranteed (\$)
	Guarantor address; City; State; Zip Code	
Principal Occupation (See Instructions)		Employer (See Instructions)

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

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 <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense			
	<table style="width:100%; border:none;"> <tr> <td style="width:20%; border:none;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:40%; border:none;">Candidate / Officeholder name</td> <td style="width:20%; border:none;">Office sought</td> <td style="width:20%; border:none;">Office held</td> </tr> </table>		Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held		
Date	Payee name				
Amount (\$)	Payee address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense			
	<table style="width:100%; border:none;"> <tr> <td style="width:20%; border:none;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:40%; border:none;">Candidate / Officeholder name</td> <td style="width:20%; border:none;">Office sought</td> <td style="width:20%; border:none;">Office held</td> </tr> </table>		Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held		
Date	Payee name				
Amount (\$)	Payee address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense			
	<table style="width:100%; border:none;"> <tr> <td style="width:20%; border:none;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:40%; border:none;">Candidate / Officeholder name</td> <td style="width:20%; border:none;">Office sought</td> <td style="width:20%; border:none;">Office held</td> </tr> </table>		Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held		

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F2:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
-----------------------------------	---------------------	--

4 TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS	\$
--	----

5 Date	6 Payee name
---------------	---------------------

7 Amount (\$)	8 Payee address; City; State; Zip Code
----------------------	---

9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
------------------------------	------------------------------------	--

10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
		<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense

11 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
-------------	--------------------------------------

TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
---------------------	------------------------------------	--

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
		<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

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

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F4:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
-----------------------------------	---------------------	--

4 TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD	\$
--	----

5 Date	6 Payee name
---------------	---------------------

7 Amount (\$)	8 Payee address; City; State; Zip Code
----------------------	---

9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
------------------------------	------------------------------------	--

10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
----------------------------------	---	--

11 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
-------------	--------------------------------------

TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
----------------------------	------------------------------------	--

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

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 (\$)	7 Payee address; City; State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended	

8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
---	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended	

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	(b) Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended	

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	(b) Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE H

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule H:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
----------------------------------	---------------------	--

4 Date	5 Business name
---------------	------------------------

6 Amount (\$)	7 Business address; City; State; Zip Code
----------------------	--

8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
---	---	--

9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
---	-------------------------------	---------------	-------------

Date	Business name
------	---------------

Amount (\$)	Business address; City; State; Zip Code
-------------	---

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Business name
------	---------------

Amount (\$)	Business address; City; State; Zip Code
-------------	---

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense
-------------------------------	--	---

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE K

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE T

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.
.. Complete only if "Report Type" on page 1 is marked "Final Report" ..

1 C/OH NAME

2 Filer ID (Ethics Commission Filers)

3 SIGNATURE

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

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

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

A. CAMPAIGN FUNDS

Check only one:

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

B. ASSETS

Check only one:

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

Signature of Candidate

5 OFFICEHOLDER

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

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

Signature of Officeholder

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE



Revised January 1, 2017

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM C/OH – INSTRUCTION GUIDE

TABLE OF CONTENTS

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

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GENERAL INSTRUCTIONS

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

ELECTRONIC FILING

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

FILLING OUT THE FORMS

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

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

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

You must keep an exact copy of each report filed and all records necessary to complete the report for at least two (2) years after the deadline for filing the report.

If you have questions, please call our office at (512) 463-5800.

TEXAS ETHICS COMMISSION GUIDES

The Commission publishes a Campaign Finance Guide for each type of filer. These guides are designed to explain your responsibilities as a filer. The Commission encourages you to read the appropriate guide before you begin accepting political contributions or making or authorizing political expenditures.

PHOTOCOPIES OF FORMS

You may use photocopies of Commission forms. For example, if the space provided on Schedule A1 is insufficient, you may make copies of a blank Schedule A1 form and attach more pages as needed.

FILING DATE

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

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

If you are filing with the Commission, please address your reports and correspondence to the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070. For hand-deliveries, the Commission's street address is 201 East 14th Street, Sam Houston Building, 10th Floor, Austin, Texas 78701.

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

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH). A complete report includes the Form C/OH cover sheet, and any of the following schedules on which there is information to report: A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T. A complete Final Report must also include Form C/OH-FR.

Note: Judicial candidates and officeholders must use a different form, Form JC/OH.

GENERAL INFORMATION

Use Form C/OH for filing the following reports:

- Semiannual reports (January 15 and July 15)
- Pre-election reports (30th day before election, 8th day before election)
- Runoff report (8th day before runoff election)
- Exceeded \$500 limit report
- 15th day after officeholder campaign treasurer appointment
- Final Report

See the instructions for sections 9 and 10 of the Cover Sheet for help in deciding which reports you are required to file.

OFFICEHOLDER ACTIVITY

An officeholder may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. However, an officeholder must have a campaign treasurer appointment on file before the officeholder may make campaign expenditures or accept campaign contributions.

DUTIES OF CANDIDATE OR OFFICEHOLDER

As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

DUTIES OF CAMPAIGN TREASURER

State law does not impose any reporting or record-keeping obligations on a candidate's campaign treasurer.

WHERE TO FILE

This form is filed with the same filing authority with which you were required to file your Campaign Treasurer Appointment (Form CTA). If you are an officeholder who does not have a campaign treasurer appointment on file, file your reports with the same authority with which a candidate for your office must file the campaign treasurer appointment.

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a Final Report of contributions and expenditures. A Final Report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports *as a candidate*. If you are an officeholder at the time of filing a Final Report, you may be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

If you are not an officeholder at the time of filing a Final Report *and* if you have surplus funds or retain assets purchased with political funds, you will be required to file annual reports of Unexpended Contributions. (*See instructions for Form C/OH-UC.*)

To file a Final Report, you must complete the “C/OH CAMPAIGN FINANCE REPORT” (Form C/OH), check the “final” box in section 9 on the Cover Sheet, and complete and attach the “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH- FR).

COMPLETING THE COVER SHEET

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

PAGE 1

- 1. FILER ID:** If you are filing with the Commission, you were assigned a filer identification number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your Filer ID. Enter this number wherever you see “FILER ID.” If you do not file with the Commission, you are not required to enter a Filer ID.
- 2. TOTAL PAGES FILED:** After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of page 1 only. Each side of a two-sided form counts as one page.
- 3. CANDIDATE/OFFICEHOLDER NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 4. CANDIDATE/OFFICEHOLDER MAILING ADDRESS:** Enter your complete mailing address. If your mailing address has changed since you last gave notice of your address, check the “Change of Address” box.
- 5. CANDIDATE/OFFICEHOLDER PHONE:** Enter your phone number including the area code, and your extension, if applicable.

Sections 6 - 8 pertain to a candidate’s campaign treasurer. If you are an officeholder who does not have a campaign treasurer appointment on file, skip these sections.

- 6. CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 7. CAMPAIGN TREASURER ADDRESS:** Enter the complete address of your campaign treasurer.
- 8. CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer including the area code, and the extension, if applicable.
- 9. REPORT TYPE:** Check the box that describes the type of report you are filing, according to the descriptions below. See the instructions for section 10 for the periods covered by each type of report.

January 15 Report: All candidates and most officeholders must file a semiannual report by January 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

All candidates and officeholders who file with the Commission must file this report by midnight Central Time on the January 15 report due date. All candidates and officeholders who file locally must file this report by 5 p.m. on the January 15 report due date.

Note: Anyone who has a campaign treasurer appointment (Form CTA) on file must file semiannual reports, even after an election has ended and even if the filer lost the election. To end this semiannual filing requirement, the filer must cease campaign activity and file a Final Report. (See “Final Report” below for more information.)

July 15 Report: All candidates and most officeholders must file a semiannual report by July 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$500 in contributions or expenditures during the reporting period.

See “January 15 Report” above for more information on filing requirements and deadlines for semiannual reports.

30th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting, but then exceeded a threshold before the 30th day before the election, the candidate must file this report.

The report is due no later than 30 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

You are an "opposed" candidate if you have an opponent, including a minor party candidate, whose name is printed on the ballot. If your only opposition is a write-in candidate, you are not considered opposed for filing purposes. If you are a write-in candidate, you are an "opposed" candidate subject to the reporting requirements if you accept political contributions or make political expenditures. Candidates who are unopposed in an election are not required to file pre-election reports for that election.

8th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting but then exceeded a threshold before the 8th day before the election, the candidate must file this report.

The report is due no later than 8 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Runoff Report: Opposed candidates who are participating in a runoff election and who did not choose the modified reporting schedule must file this runoff report. The report is due no later than 8 days before the runoff election. For all candidates and officeholders who file with Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Exceeded \$500 Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded \$500 in contributions or \$500 in expenditures in connection with the election must file this Exceeded \$500 Limit report within 48 hours after exceeding the \$500 limit. The candidate must meet this deadline even if it falls on a weekend or a holiday.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): An officeholder must file this report if he or she appoints a campaign treasurer after a period of not having a campaign treasurer appointment (Form CTA) on file. For all officeholders who file with Commission, this report is due no later than midnight Central Time on the 15th day after an officeholder files Form CTA with the Commission. For all officeholders who file locally, this report is due no later than 5 p.m. on the 15th day after an officeholder files Form CTA with the filing authority. It is not required of officeholders who are merely changing their campaign treasurer. It is not required of an officeholder who files locally if the officeholder did not exceed \$500 in either contributions or expenditures during the period covered by the report. Candidates who are not officeholders do not file this report.

Final Report: A person who has a campaign treasurer appointment on file may file this report when he or she does not expect to accept any further campaign contributions or make or authorize any further campaign expenditures. There is not a fixed deadline for this report. This report must have a completed “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH-FR) attached.

A candidate must have a CTA on file to accept campaign contributions or make campaign expenditures, including contributions intended to offset campaign debts or expenditures made to pay campaign debts. A candidate who intends to continue campaign activity should not file a Final Report.

A Final Report terminates a candidate’s CTA and relieves the candidate from any additional filing obligations as a candidate. Officeholders who file a Final Report will still be subject to the filing requirements applicable to officeholders. A person who is not an officeholder but who has surplus political funds or assets after filing a Final Report will be required to file annual Unexpended Contribution reports. (See “Form C/OH-FR: Designation of Final Report” for more information.) A candidate or officeholder who does not have a CTA on file may still be required to file a personal financial statement (PFS).

Filing a Final Report does not relieve a candidate of responsibility for any delinquent reports or outstanding civil penalties.

Daily Pre-Election Report of Contributions: A candidate or officeholder who files with the Commission may be required to file daily pre-election reports disclosing contributions during the period beginning the 9th day before an election and ending at 12 noon on the day before the election. This information can be disclosed on Form C/OH-T. For more information, please see the instructions for Form C/OH-T.

Legislative Special Session Report: A candidate or officeholder who files with the Commission and who accepts a political contribution during the period beginning on the date the governor signs the proclamation calling a special legislative session and continuing through the date of final adjournment is required to file a report after a special session of the legislature. This information can be disclosed on Form C/OH-SS. For more information, please see the instructions for Form C/OH-SS.

- 10. PERIOD COVERED:** A reporting period includes the start date and the end date. The *due date* for filing will generally be *after* the end of the period. Generally, a report picks up where the last report left off, and there should be no gaps or overlapping periods. The exceptions are Daily Pre-election reports, which do create overlaps because you are required to report the activity twice.

First Reports: If this is the first report of contributions and expenditures that you have filed, the beginning date will depend on the date your campaign treasurer appointment (Form CTA) was filed or the date you took office.

- If you are a candidate (a person who has filed a Form CTA) and you are filing your first report, the start date will be the date your Form CTA was filed.
- If you are an officeholder who was appointed to an elective office and who did not have a Form CTA on file at the time of the appointment, the start date for your first report will be the date you took office.

January 15th Semiannual Report: The start date is July 1 of the previous year or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is December 31 of the previous year.

July 15th Semiannual Report: The start date is January 1 or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is June 30.

30th Day Before Election Report: The start date is the day after the last day covered by your last required report. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 40th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

8th Day Before Election Report: The start date is the 39th day before the election if you filed a 30th Day Before Election Report. If you did not file the 30th Day Before Election

Report, the day after the last day covered by your last required report is the start date. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 10th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

Runoff Report: The start date is the 9th day before the main election if you filed an 8th Day Before Election Report. Otherwise, the start date is the day after the last day covered by your last required report or the day you appointed a campaign treasurer, whichever is later. The end date is the 10th day before the runoff election. This report is not required for candidates who are filing under the modified reporting schedule.

Exceeded \$500 Limit Report: The start date for the report is either the day you appointed your campaign treasurer or the day after the last day covered by your last required report, whichever is later. The end date is the day you exceeded the \$500 limit for contributions or expenditures.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): The start date is either the day after the last day covered by your last required report or the day you began serving an appointment to elective office. The end date is the day before the campaign treasurer appointment was filed. This report is due no later than 15 days after the campaign treasurer appointment was filed.

Final Report: The start date is the day after the last day covered by your last required report. The end date is the day the final report is filed.

If you are an officeholder without a campaign treasurer appointment on file, or if you have a campaign treasurer appointment on file but you are not a candidate in an upcoming election and were not a candidate in a recent election, you may skip Section 11.

- 11. ELECTION:** If you are a candidate in an upcoming election or were a candidate in a recently held election, provide the following information concerning the upcoming or recent election.

Election Date: Enter the month, day, and year of the election for which this report is filed, if known.

Candidate in an Upcoming Election: If the political activity in the report primarily pertains to an upcoming election, provide the date of the upcoming election in which you intend to participate as a candidate that most immediately follows the deadline for this report.

Candidate in a Recently Held Election: If the political activity in this report primarily pertains to a recently held election, provide the date of the recently held election in which you participated as a candidate that most immediately precedes the deadline for this report.

Election Type: Check the box next to the type of election that most accurately describes the election for which this report is filed.

Primary: An election held by a political party to select its nominees for office.

Runoff: An election held if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote.

General: An election, other than a primary election, that regularly occurs at fixed dates.

Special: An election that is neither a general election nor a primary election nor a runoff election.

Other: If none of the listed election types apply, check “Other” and provide your own description of the election for which the report is filed.

- 12. OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
- 13. OFFICE SOUGHT:** If you are a candidate in an upcoming election, please enter the office you seek. If you were a candidate in a recently held election, but were unsuccessful or are not currently an officeholder, please enter the office you sought during the election that most immediately precedes the deadline for this report. Include the district, precinct, or other designation for the office, if applicable.

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- 14. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 15. FILER ID:** See instructions for section 1.
- 16. NOTICE FROM POLITICAL COMMITTEE(S):** Complete this section if you received notice from a political committee that it accepted political contributions or made political expenditures on your behalf. You are required to disclose the receipt of such a notice in the report covering the period in which you receive the notice. If you have not received such notice, you may skip this section.

The political committee is required to include in the notice the full name and address of the committee, the full name and address of the committee’s campaign treasurer, and a statement indicating whether the committee is a general-purpose committee or a specific-purpose committee. If the notice also describes the expenditure, do not include the description in this section.

“Additional Pages” box: If you received notice from more than one committee, check this box and attach an additional page listing the names and addresses of the other committees and of their campaign treasurers.

Committee Type:

“General” box: Check this box if the notice is from a general-purpose committee.

“Specific” box: Check this box if the notice is from a specific-purpose committee.

Committee Name: Enter the full name of the committee as reported in the notice.

Committee Address: Enter the address of the committee as reported in the notice.

Committee Campaign Treasurer Name: Enter the name of the committee’s campaign treasurer as reported in the notice.

Committee Campaign Treasurer Address: Enter the address of the committee’s campaign treasurer as reported in the notice.

17. TOTALS: Complete this section only after you have completed all applicable schedules.

Line 1- Total Political Contributions of \$50 or Less, Unless Itemized: Enter the total of all unitemized contributions (other than pledges or loans or guarantees of loans) of \$50 or less. Do not include any contributions itemized on Schedules A1 or A2. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you were required to itemize political contributions that totaled more than \$50 from one person. You also had the option of itemizing contributions of \$50 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

Line 2- Total Political Contributions: Add the total contributions listed on Schedules A1 and A2 to the amount you entered on line 1. Enter that total on line 2. Enter a “0” if you did not receive any contributions during the period covered.

Line 3- Total Political Expenditures of \$100 or Less, Unless Itemized: Enter the total of all unitemized political expenditures of \$100 or less. Do not include any expenditures itemized on Schedules F1, F2, F3, F4, G, or H. Enter a “0” if you did not make any unitemized expenditures during the period covered.

On Schedule F1, you were required to itemize political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing expenditures totaling \$100 or less to one payee. Do not include any expenditures itemized on Schedule F1 in the total entered on line 3, regardless of amount.

On Schedule F2, you were required to itemize incurred but not yet paid political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing incurred political expenditures totaling \$100 or less to one payee. Do not

include any political or non-political expenditures itemized on Schedule F2 in the total entered on line 3, regardless of amount.

On Schedule F4, you were required to itemize political expenditures made by a credit card that totaled more than \$100 to one payee. You also had the option of itemizing political expenditures totaling \$100 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F4 in the total entered on line 3, regardless of amount.

On Schedule G, you were required to itemize political expenditures from personal funds if you intend to seek reimbursement from political contributions. Do not include any expenditures itemized on Schedule G in the total entered on line 3, regardless of amount.

On Schedule H, you were required to itemize payments from political contributions made to certain businesses. Do not include any expenditures itemized on Schedule H in the total entered on line 3, regardless of amount.

Line 4- Total Political Expenditures: Add the following:

- (a) the total expenditures itemized on Schedule F1;
- (b) the total political expenditures itemized on Schedule F2;
- (c) the total political expenditures itemized on Schedule F4;
- (d) the total political expenditures itemized on Schedule G;
- (e) the total political expenditures itemized on Schedule H; and
- (f) the amount you entered on line 3.

Enter that total on line 4.

Enter a “0” if you did not make any expenditures during the period covered.

Line 5- Total Political Contributions Maintained: Enter the total amount of political contributions, including interest or other income on those contributions, maintained as of the last day of the reporting period. Enter “0” if you do not maintain political contributions, including interest or other income on those contributions, as of the last day of the reporting period. This is different from the total contributions reported on line 2. Only contributions accepted during the period covered by the report are entered on line 2.

The law requires you to disclose the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period.

The “total amount of political contributions maintained” includes the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions; the present value of any investments that can be readily converted to cash, such as

certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.; and the balance of political contributions accepted and held in any online fundraising account over which the filer can exercise control by making a withdrawal, expenditure, or transfer.

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

Line 6- Total Principal Amount of All Outstanding Loans: Enter the aggregate outstanding principal amount of all loans accepted for campaign or officeholder purposes as of the last day of the reporting period. Enter a “0” if you did not accept any loans during the period covered and have no outstanding loans as of the last day of the reporting period. This is different from the information reported on Schedule E. This line must include outstanding principal of loans made in this reporting period as well as outstanding principal of loans made previously.

- 18. AFFIDAVIT:** Complete this section only after you have completed all applicable sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. *Only the candidate or officeholder filing the report may sign the affidavit.*

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- 19. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 20. FILER ID:** See instructions for section 1.
- 21. SCHEDULE SUBTOTALS:** Complete this section only after you have completed all applicable schedules.

Check the appropriate boxes to indicate which schedules are attached to your report. If a schedule is not included in the report, leave the check box blank.

Line 1- Schedule A1: Add the total amount of contributions itemized on Schedule A1 to the amount of unitemized monetary political contributions accepted during the period covered. Enter that total on line 1. Enter a “0” if you did not accept any contributions during the period covered.

Line 2- Schedule A2: Add the total amount of non-monetary in-kind contributions itemized on Schedule A2 to the amount of unitemized non-monetary in-kind contributions accepted during the period covered. Enter that total on line 2. Enter a “0”

if you did not accept any non-monetary in-kind contributions during the period covered.

Line 3- Schedule B: Add the total amount of pledged contributions itemized on Schedule B to the amount of unitemized pledged contributions accepted during the period covered. Enter that total on line 3. Enter a “0” if you did not accept any pledged contributions during the period covered.

Line 4- Schedule E: Add the total amount of loans itemized on Schedule E to the amount of unitemized loans accepted during the period covered. Enter that total on line 4. Enter a “0” if you did not accept any loans during the period covered.

Line 5- Schedule F1: Add the total amount of political expenditures from political contributions itemized on Schedule F1 to the amount of unitemized political expenditures from political contributions made during the period covered. Enter that total on line 5. Enter a “0” if you did not make any political expenditures from political contributions during the period covered.

Line 6- Schedule F2: Add the total amount of unpaid incurred obligations itemized on Schedule F2 to the amount of unitemized unpaid obligations incurred during the period covered. Enter that total on line 6. Enter a “0” if you did not incur any unpaid obligations during the period covered.

Line 7- Schedule F3: Enter the total amount of investments purchased from political contributions itemized on Schedule F3. Enter a “0” if you did not purchase any investments from political contributions during the period covered.

Line 8- Schedule F4: Add the total amount of expenditures made by a credit card itemized on Schedule F4 to the amount of unitemized expenditures made by a credit card during the period covered. Enter that total on line 8. Enter a “0” if you did not make any expenditures by credit card during the period covered.

Line 9- Schedule G: Add the total amount of political expenditures from personal funds itemized on Schedule G to the amount of unitemized political expenditures from personal funds made during the period covered. Enter that total on line 9. Enter a “0” if you did not make any political expenditures from personal funds during the period covered.

Line 10- Schedule H: Enter the total amount of payments from political contributions to a business of the candidate or officeholder itemized on Schedule H. Enter a “0” if you did not make any payments from political contributions to a business of the candidate or officeholder during the period covered.

Line 11- Schedule I: Enter the total amount of non-political expenditures from political contributions itemized on Schedule I. Enter a “0” if you did not make any non-political expenditures from political contributions during the period covered.

Line 12- Schedule K: Enter the total amount of interests, credits, gains, refunds, and contributions returned to the filer itemized on Schedule K. Enter a “0” if you did not have any such activity during the period covered.

SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about monetary campaign and officeholder contributions accepted during the reporting period. Do not enter on this schedule information on non-monetary, in-kind contributions, pledges, loans, or guarantees of loans. Once you actually receive pledged money, it must be reported on Schedule A1. (Report non-monetary, in-kind contributions on Schedule A2; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter incoming monetary contributions that exceed \$50 from one person during a reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

- 1. TOTAL PAGES SCHEDULE A1:** After you have completed Schedule A1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you *accepted* the contribution. Accepting a contribution is different from receiving a contribution. You accept a contribution when you decide to accept it rather than reject it. This may or may not be the same day that you receive the contribution.
- 5. FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor. If the contributor is an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable. If the contributor is an entity, enter the full name of the entity.

“Out-of-State PAC” box: If the contributor is an out-of-state political committee, check the box. Certain restrictions apply to contributions from out-of-state PACS. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state PAC for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state PAC. A political committee that makes most of its political expenditures outside of Texas may be an out-of-state PAC. A political committee must determine if it is an out-of-state PAC.

If the contributor is an out-of-state political committee from which you accepted more than \$500 in the reporting period (including pledges or loans from sources

other than financial institutions that have been in business for more than a year), you must include one of the following with your report:

- a written statement, certified by an officer of the out-of-state political committee, listing the full name and address of each person who contributed more than \$100 to the out-of-state political committee during the 12 months immediately preceding the contribution; *or*
- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee.

If the contributor is an out-of-state political committee from which you accepted \$500 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee; *or*
- a document listing the committee's name, address and phone number; the name of the person appointing the committee's campaign treasurer; and the name, address and phone number of the committee's campaign treasurer.

“ID #” Line (Electronic Filing Only): If you are filing your report electronically, you may enter in this field the out-of-state committee's Federal Election Commission (FEC) identification number. If you do not have an FEC # for the out-of-state PAC or are not filing electronically with the Commission, you must provide other documentation as explained above.

- 6. CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
- 7. AMOUNT OF CONTRIBUTION:** Enter the amount of the contribution.
- 8. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.
- 9. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the employer of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-monetary, in-kind campaign and officeholder contributions received during the reporting period. An in-kind contribution is a contribution of goods, services, or any other thing of value *other than money* that is given to your campaign. You are not required to include contributions of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on monetary political contributions, pledges, loans, or guarantees of loans. Once you actually receive a pledged in-kind contribution, it must be reported on Schedule A2. (Report monetary contributions on Schedule A1; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter non-monetary (in-kind) contributions of goods, services, or other things of value that exceed \$50 from one person during a reporting period on this schedule. If you accepted two or more non-monetary contributions from the same person, the total of which exceeds \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

1. **TOTAL PAGES SCHEDULE A2:** After you have completed Schedule A2, count the total number of pages. Each side of a two-sided form counts as one page.
2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS:** Enter the total amount of in-kind political contributions of \$50 or less that you accepted during the period covered that are not itemized on this schedule. If you choose to itemize an in-kind contribution of \$50 or less on this schedule, do not include it in this total.
5. **DATE:** See instructions for Schedule A1, section 4.
6. **FULL NAME OF CONTRIBUTOR:** See instructions for Schedule A1, section 5.

 “Out-of-State PAC” box: See instructions for Schedule A1, section 5.
7. **CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
8. **AMOUNT OF CONTRIBUTION:** Enter the fair market value of the in-kind contribution.

9. IN-KIND CONTRIBUTION DESCRIPTION: Enter a description of the contribution. The description should be sufficiently detailed to allow a person reviewing your report to understand what was contributed.

“Travel Outside of Texas” box: If the contribution was for travel outside of Texas, please check the box and report this information on Schedule T.

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

Sections 12-16 pertain to judicial candidates and officeholders only. Do not complete these sections. If you are a judicial candidate or officeholder, please use form JC/OH and the corresponding instructions.

SCHEDULE B: PLEDGED CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE B: PLEDGED CONTRIBUTIONS.

Use this schedule to disclose information about pledges accepted during the reporting period for campaign or officeholder purposes. You are not required to include pledges of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on contributions actually received, loans, or guarantees of loans. (Report contributions actually received on Schedule A1 or Schedule A2, as applicable; report loans and guarantees of loans on Schedule E.)

If you accept a pledge from a person to give you money, goods, services, or anything of value, that pledge is a reportable contribution and you must include the pledge on this schedule for the report covering the period in which you accept the pledge.

Itemization: You must itemize pledges that exceed \$50 in the aggregate from one person during the reporting period. If you received pledges totaling more than \$50 from one person during the reporting period, you must itemize all of those pledges, even if individual pledges were for \$50 or less. Although you are not required to do so, you may also itemize pledges for \$50 or less from one person. You must also disclose the receipt of the pledged contribution on Schedule A1 (used for monetary contributions) or A2 (used for non-monetary contributions), as applicable, in the reporting period in which you actually receive the pledged money or thing of value. If the pledge is accepted and received in the same reporting period, it is not required to be reported on Schedule B.

Note: See the Campaign Finance Guide for more information on pledges.

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

- 1. TOTAL PAGES SCHEDULE B:** After you have completed Schedule B, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED PLEDGES:** Enter the total amount of pledges that you accepted during the period that did not exceed \$50 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of \$50 or less on this schedule. If you itemize some pledges of \$50 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of \$50 or less, do not enter a total amount here.
- 5. DATE:** Enter the date you *accepted* the pledge. Accepting a pledge is different from receiving a contribution. You accept a pledge when you decide to accept it rather than reject it.

Pledge accepted and received in different reporting periods: If you accept a pledge in one reporting period and then receive the pledged money or other thing of value in a later reporting period, you will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. You will also disclose the receipt of the pledged money or other thing of value on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E) in the reporting period in which you received the pledge.

Pledge received in same reporting period as accepted: If you receive a pledge in the same reporting period in which it was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E). The date of the contribution will be the date you accepted the pledged contribution, regardless of when the pledged contribution was actually received.

Pledge accepted but never received: You will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. If you never actually receive the pledge, it is not necessary to correct your report to delete the pledge.

Example: In June a supporter promises that he will give Juan Garcia \$1,000 in the last week before the November election. Juan accepts his promise. Juan must disclose the pledge on his July 15 report covering the period in which he accepted the pledge. (Note: When he receives the \$1,000, he will disclose it as a monetary contribution on Schedule A1 of the report covering the period in which he received the money. Also, if he never receives the \$1,000, he does not correct/amend his report to delete the entry for the pledge.)

6. FULL NAME OF PLEDGOR: Enter the full name of the person who made the pledge.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

7. PLEDGOR ADDRESS: Enter the complete address of the person who made the pledge.

8. AMOUNT OF PLEDGE: Enter the amount of the pledge or the fair market value of any pledged goods or services or other thing of value, as applicable.

9. IN-KIND DESCRIPTION: If the pledge was for goods or services or any other thing of value, enter a description of the pledged goods or services or other thing of value. The description should be sufficiently detailed to allow a person reviewing your report to understand what was pledged.

“Travel Outside of Texas” box: If the pledged contribution was an in-kind contribution for travel outside of Texas, please check the box and report this information on Schedule T.

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

You do not need Schedules C1-4 and D. These schedules are for political committees to report contributions from corporations and labor organizations. Candidates and officeholders are generally prohibited from accepting such contributions.

SCHEDULE E: LOANS

These instructions are for candidates and officeholders using SCHEDULE E: LOANS.

Use this schedule to disclose information about loans and guarantees of loans accepted during the reporting period for campaign or officeholder purposes. This schedule must also be used to disclose deposits of personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. This schedule may also be used to disclose political expenditures from personal funds.

Loans to Your Campaign from Your Personal Funds: You may disclose political expenditures from personal funds as a loan to your campaign on Schedule E. Outgoing political expenditures made from that loan must then be disclosed as if they were made from political contributions. The amount you disclose as a loan from yourself in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from your personal funds in the reporting period was \$5,000. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan. (You may also disclose political expenditures from personal funds on Schedule G. See the Schedule G instructions below for more information.)

Personal Funds Deposited into a Political Account: If you deposit personal funds in an account in which political contributions are held, you must disclose the deposited amount as a loan on Schedule E and check the box indicating "Personal Funds Deposited into Political Account." Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction. Disclose the outgoing political expenditures made from that loan as if they were made from political contributions. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan.

Itemization: You must itemize loans (including loans from personal funds) that exceed \$50 that you accepted during the period from one person. If you accepted two or more loans from the same person, the total of which exceeds \$50, itemize each loan separately. Although you are not required to do so, you may also itemize loans that do not exceed \$50.

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

- 1. TOTAL PAGES SCHEDULE E:** After you have completed Schedule E, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.

- 4. TOTAL OF UNITEMIZED LOANS:** Enter the total amount of loans accepted during the reporting period that did not exceed \$50 in the aggregate per person and were not from financial institutions.

Although you are not required to do so, you may itemize loans of \$50 or less from persons other than financial institutions on this schedule. If you itemize some loans of \$50 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$50 or less, enter a “0” here.

- 5. DATE OF LOAN:** Enter the date you *accepted* the loan.
- 6. IS LENDER A FINANCIAL INSTITUTION?:** If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, circle “Y” for yes. If you accepted the loan from any other source, circle “N” for no. A loan from a corporation that has not been legally engaged in the business of making loans for more than one year is a corporate contribution. Candidates and officeholders may not accept corporate contributions.
- 7. NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan. If the lender is an individual, enter the full first and last name and suffix (Jr., III, et.) if applicable. If the lender is an entity, enter the full name of the entity.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

Note: See the Campaign Finance Guide for detailed information on accepting and reporting contributions from out-of-state political committees.

- 8. LENDER ADDRESS:** Enter the complete address of the person or financial institution that made the loan.
- 9. LOAN AMOUNT:** Enter the principal amount of the loan.
- 10. INTEREST RATE:** Enter the interest rate.
- 11. MATURITY DATE:** Enter the maturity date.
- 12. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of each individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$500 or more during the reporting period. Other types of filers are not required to report this information but may do so.
- 13. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the full name of the employer of an individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$500 or more during the reporting period. Other types of filers are not required to report this information but may do so.

- 14. DESCRIPTION OF COLLATERAL:** If there is no collateral for the loan, check the “none” box and go to section 15. If there is collateral for the loan, enter a description of the collateral for the loan.
- 15. “Check if personal funds were deposited into political account” box:** Check this box *only if* the loan is a deposit of your personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported as if they were made from political contributions. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.
- 16. GUARANTOR INFORMATION:** If there are no guarantors for the loan, check the “Not Applicable” box and go to the next loan. If you have no further loans to report, go to the next applicable schedule.
- A person who guarantees all or part of a loan makes a reportable contribution in the amount of the guarantee. You must report such a contribution on this schedule, and not on the contributions schedule.
- 17. NAME OF GUARANTOR:** Enter the full name of the person guaranteeing the loan. If the guarantor is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the guarantor is an entity, enter the full name of the entity.
- 18. GUARANTOR ADDRESS:** Enter the complete address of the guarantor.
- 19. AMOUNT GUARANTEED:** Enter the dollar amount of the loan that the guarantor has agreed to guarantee.
- 20. PRINCIPAL OCCUPATION:** Enter the principal occupation of the guarantor.
- 21. EMPLOYER:** Enter the employer of the guarantor.

SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about political expenditures from political contributions that were made during the reporting period. Do not enter on this schedule unpaid incurred obligations, political expenditures made from personal funds, the purchase of investments from political contributions, expenditures made by credit card, or payments from political contributions made to a business that you own or control. (Report unpaid incurred obligations on Schedule F2; report expenditures from personal funds on Schedule G; report the purchase of investments from political contributions on Schedule F3; report expenditures made by credit card on Schedule F4; and report payments from political contributions made to a business that you own or control on Schedule H.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 in the period on this schedule. If you choose not to itemize expenditures of \$100 and less on this schedule, you must total all unitemized expenditures and report them on the Cover Sheet, page 2, section 17, line 3.

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

- 1. TOTAL PAGES SCHEDULE F1:** After you have completed Schedule F1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made. Remember: Expenditure obligations you incurred in this reporting period *but have not yet paid* are entered on Schedule F2. Expenditures made by credit card are entered on Schedule F4.

5. PAYEE NAME: Enter the full name of the person to whom the expenditure was made.

Note: If you make an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor who sold you the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 8, “Purpose of Expenditure.”

6. AMOUNT: Enter the exact amount of the expenditure.

7. PAYEE ADDRESS: Enter the complete address of the person to whom the expenditure was made.

8. PURPOSE OF EXPENDITURE: You must disclose the purpose of the expenditure in two parts: Category and Description. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

(a) Category: Select a category of goods, services, or other thing of value for which an expenditure is made. If none of the listed categories apply, select “Other” and enter your own category. Examples of acceptable categories include:

- Advertising Expense
- Accounting/Banking
- Consulting Expense
- Contributions/Donations Made By Candidate/Officeholder/Political Committee
- Credit Card Payment
- Event Expense
- Fees
- Food/Beverage Expense
- Gifts/Awards/Memorials Expense
- Legal Services
- Loan Repayment/Reimbursement
- Office Overhead/Rental Expense
- Polling Expense
- Printing Expense
- Salaries/Wages/Contract Labor
- Solicitation/Fundraising Expense
- Transportation Equipment and Related Expense
- Travel In District
- Travel Out Of District
- Other

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of

value for which the expenditure is made does not adequately describe the purpose of an expenditure.

For examples of acceptable ways to disclose the purpose of an expenditure, please see the "Examples: Purpose of Expenditures" on page 46.

“Check if travel outside of Texas” box: Check this box if the expenditure is for travel outside of Texas. The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

“Check if Austin, TX, officeholder living expense” box: For expenditures made on or after July 1, 2014, check this box if the expenditure is an officeholder expense for living in Austin, Texas.

9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:

If you made a direct campaign expenditure to benefit another candidate or officeholder, enter the full name of the candidate or officeholder and the name of the office sought or held, including the district, precinct, or other designation of the office, as applicable. (Attach additional sheets to list multiple candidates.) Do not complete this section if the expenditure was not a direct campaign expenditure.

A “direct campaign expenditure” to benefit another candidate is not a “political contribution” to that other candidate. A direct campaign expenditure is a campaign expenditure that you make on someone else’s behalf and without the prior consent or approval of that person. This is in contrast to a political contribution, which the person has the opportunity to accept or reject.

Example: If you made expenditures to prepare and distribute an endorsement letter in support of a candidate after first asking for and getting the candidate’s approval, you made an *in-kind contribution*. However, if you did not get the candidate’s approval *before* you made the expenditure, you made a *direct campaign expenditure*.

SCHEDULE F2: UNPAID INCURRED OBLIGATIONS

These instructions are for candidates and officeholders using SCHEDULE F2: UNPAID INCURRED OBLIGATIONS.

Use this schedule to disclose information about obligations to make an expenditure that you incurred during the reporting period but have not yet paid. Do not enter on this schedule obligations that were incurred and paid during the reporting period, or other outgoing funds. (Report obligations incurred and paid during the reporting period on Schedule F1, F3, G, H, or I as appropriate, and report expenditures made by credit card on Schedule F4.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: Itemization requirements differ depending on whether the unpaid incurred obligation is for a political or non-political expenditure.

Unpaid Incurred Political Obligations: You must enter political obligations incurred but not yet paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you incurred more than one obligation to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report political obligations incurred to one person that do not exceed \$100 in the period on this schedule. If you choose not to itemize incurred political obligations of \$100 and less on this schedule, you must total all unitemized obligations and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$100 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Unpaid Incurred Non-Political Obligations: You must enter non-political obligations incurred but not yet paid to one individual or entity during a reporting period on this schedule, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE F2:** After you have completed Schedule F2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS:** Enter the total amount of political obligations incurred during the reporting period that do not exceed \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of \$100 or less, but if you choose to do so, do not include those unpaid incurred obligations in the total you enter here.

5. DATE: Enter the date the obligation was incurred. Obligations you incurred *and* paid during the reporting period are not entered on this schedule.

6. PAYEE NAME: See instructions for Schedule F1, section 5.

Note: If you incurred an obligation for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you incurred the obligation. Include that information under section 10, “Purpose of Expenditure.”

7. AMOUNT: Enter the exact amount of the incurred obligation.

8. PAYEE ADDRESS: Enter the complete address of the person to whom the obligation is owed.

9. TYPE OF EXPENDITURE: Check only one box to indicate whether the incurred obligation was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. PURPOSE OF EXPENDITURE: See instructions for Schedule F1, section 8.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:
See instructions for Schedule F1, section 9.

SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about investments purchased from political contributions during the reporting period. Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, expenditures made by credit card, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report expenditures made by credit card on Schedule F4; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter investments purchased with political contributions during a reporting period that in the aggregate exceed \$100 on this schedule. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed \$100 in the period on this schedule.

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

- 1. TOTAL PAGES SCHEDULE F3:** After you have completed Schedule F3, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you purchased the investment.
- 5. NAME OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the full name of the person or entity from whom you purchased the investment. If you purchased the investment from an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable (title is optional). If you purchased the investment from an entity, enter the full name of the entity.
- 6. ADDRESS OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the complete address of the person or entity from whom you purchased the investment.
- 7. DESCRIPTION OF INVESTMENT:** Enter a brief statement or description of the investment. For example, “Ten shares of stock in ABC company.”
- 8. AMOUNT OF INVESTMENT:** Enter the amount of the investment purchased.

SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD

These instructions are for candidates and officeholders using SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD.

Use this schedule to disclose information about expenditures made by a credit card. Effective July 5, 2015, you must disclose expenditures charged to a credit card on this schedule and identify the individual, entity, or vendor who receives payment from the credit card company. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable.

Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report the purchase of investments from political contributions on Schedule F3; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

For examples regarding the disclosure of expenditures made by credit card, please see “Examples: Reporting Expenditures Made by Credit Card” on page 42.

Itemization: Itemization requirements differ depending on whether the expenditure made by a credit card is for a political or non-political expenditure.

Political Expenditures Made by Credit Card: You must itemize political expenditures made by credit card that exceed \$100 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee, the total of which exceeded \$100, enter each expenditure made by credit card separately. Although you are not required to do so, you may also report political expenditures made by credit card that do not exceed \$100 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of \$100 and less on this schedule, you must total all unitemized political expenditures and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$100 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Non-Political Expenditures Made by Credit Card: You must itemize any non-political expenditure made by credit card, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE F4:** After you have completed Schedule F4, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD:** Enter the total amount of political expenditures charged to a credit card during the reporting period that do not exceed \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of \$100 or less, but if you choose to do so, do not include those political expenditures made by credit card in the total you enter here.
5. **DATE:** Enter the date you made the expenditure by credit card.

Note: There is a special reporting rule for expenditures made by credit card. For reports due 30 days and 8 days before an election (pre-election reports) and for runoff reports, the date of the credit card expenditure is the date the credit card is used. For other reports, the date of the credit card expenditure is either the date of the charge or the date the credit card statement is received. *A filer can never go wrong by disclosing the date of the expenditure as the date of the charge.*

6. **PAYEE NAME:** See instructions for Schedule F1, section 5. Disclose the name of the vendor who sold you the goods or services as the payee, NOT the credit card company. You do not report the name of the credit card company on this schedule.

Note: If you made an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 10, “Purpose of Expenditure.”

7. **AMOUNT:** Enter the amount of the credit card expenditure.
8. **PAYEE ADDRESS:** Enter the complete address of the payee of the credit card expenditure.
9. **TYPE OF EXPENDITURE:** Check only one box to indicate whether the credit card expenditure was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

Note: Do not choose “Credit Card Payment” as the category for an expenditure made by credit card when an individual, entity, or vendor receives payment from the credit card company. Instead, choose the category that corresponds to the goods, services, or other thing of value purchased from the individual, entity, or vendor.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:

See instructions for Schedule F1, section 9.

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for candidates and officeholders using SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS.

You may use this schedule to disclose information about political expenditures from personal funds that were made during the reporting period. Alternatively, you may choose to disclose political expenditures from personal funds as a loan on Schedule E (see the Schedule E instructions above for more information). Do not enter on this schedule information about personal funds deposited in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. (Report the deposit of personal funds into a political account as a loan on Schedule E.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

If you intend to seek reimbursement *in any amount* from political contributions for a political expenditure made from personal funds, you must either report the expenditure on Schedule E or itemize the expenditure on this schedule and check the box in Section 6 to indicate that you intend to seek reimbursement from political contributions. ***You may not correct a report to allow reimbursement.*** When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1.

See the Campaign Finance Guide for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: If you choose to report political expenditures from personal funds on this schedule, you must itemize political expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 in the period on this schedule. You must total all political expenditures from personal funds that you do not itemize on this schedule and include them in the total of unitemized political expenditures on the C/OH Cover Sheet, page 2, section 17, line 3.

Officeholder expenditures from personal funds for which you do not intend to seek reimbursement are not required to be reported on this schedule or included in the total of unitemized political expenditures.

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

1. **TOTAL PAGES SCHEDULE G:** After you have completed Schedule G, count the total number of pages. Each side of a two-sided form counts as one page.
2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **DATE:** Enter the date the expenditure was made.
5. **PAYEE NAME:** See instructions for Schedule F1, section 7.
6. **AMOUNT:** Enter the exact amount of the expenditure.

“Reimbursement from Political Contributions Intended” box: Check this box if you intend to reimburse yourself for the expenditure. (In order to be reimbursed from political contributions in any amount for an expenditure made out of personal funds, you must itemize the expenditure on this schedule and check this box or you must report the expenditure as a loan to yourself on Schedule E.)

7. **PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
8. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
9. **DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

These instructions are for candidates and officeholders using SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH.

Use this schedule to disclose information about payments from political contributions that were made to a business in which you have an interest of more than 10%, a position on the governing body, or a position as an officer. Do not enter on this schedule other payments from political contributions made during the reporting period.

See the *Campaign Finance Guide for Candidates and Officeholders* for a discussion on the important restrictions on making and reporting payments from political contributions to a business in which you have an interest.

This schedule is for payments to a business in which you have one or more of the following interests or positions:

- 1) a participating interest of more than 10%;
- 2) a position on the governing body of the business; or
- 3) a position as an officer of the business.

Itemization: You must enter all payments from political contributions made to certain businesses (as defined above) of a candidate or officeholder made during the reporting period on this schedule, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE H:** After you have completed Schedule H, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you made the payment.
- 5. BUSINESS NAME:** Enter the full name of the business to which you made the payment.
- 6. AMOUNT:** Enter the dollar amount of the payment.
- 7. BUSINESS ADDRESS:** Enter the complete address of the business to which you made the payment.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
- 9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-political expenditures from political contributions made during the reporting period. Do not enter political expenditures on this schedule. Also, do not enter non-political expenditure obligations you incurred in this reporting period but have not yet paid or non-political expenditures made by credit card. (Report unpaid incurred obligations on Schedule F2; report expenditures made by a credit card on Schedule F4.)

Expenditures Made by Credit Card: Effective July 5, 2015, you must disclose non-political expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: Expenditures Made by Credit Card for more information.

Itemization: You must enter all non-political expenditures from political contributions on this schedule, regardless of the amount. A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures. You may not convert political contributions to personal use.

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

- 1. TOTAL PAGES SCHEDULE I:** After you have completed Schedule I, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made.
- 5. PAYEE NAME:** See instructions for Schedule F1, section 5.
- 6. AMOUNT:** Enter the exact amount of the expenditure payment.
- 7. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

These instructions are for candidates and officeholders using SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER.

Use this schedule to report information regarding any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$100, and any other gain from a political contribution received during the reporting period.

Itemization: You must enter interest, credits, gains, refunds and returned contributions received during a reporting period that in the aggregate exceed \$100 on this schedule. Although you are not required to do so, you may also report any credit/gain/refund, or interest that does not exceed \$100 in the period on this schedule.

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

- 1. TOTAL PAGES SCHEDULE K:** After you have completed Schedule K, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the credit/gain/refund was received or the interest was earned, as applicable.
- 5. NAME OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the full name of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 6. ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 7. PURPOSE FOR WHICH AMOUNT IS RECEIVED:** Enter a brief statement or description of the purpose for which the amount was received (for example, “phone service deposit return” “returned contribution” or “interest on savings account”).

“Check if political contribution returned to filer” box: If the incoming credit/gain was originally made by you in the form of a political contribution to another candidate or political committee and was returned to you in this reporting period, check this box.

- 8. AMOUNT:** Enter the exact dollar amount of the credit/gain/refund/returned contribution, or interest.

SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS

These instructions are for candidates and officeholders using SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS.

Use this schedule to disclose information about contributions accepted or expenditures made during the reporting period. In addition to completing this schedule, you must also report the actual contribution or expenditure on the appropriate schedule or form. The law requires detailed information regarding in-kind contributions or political expenditures for travel outside of the state of Texas.

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

- 1. TOTAL PAGES SCHEDULE T:** After you have completed Schedule T, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter the full name of the candidate, committee, or party on whose report you are including this schedule.
- 3. FILER ID:** If you are filing with the Commission, enter your account number. If you do not file with the Commission, you are not required to enter an account number.
- 4. NAME OF CONTRIBUTOR / CORPORATION OR LABOR ORGANIZATION / PLEDGOR / PAYEE:** Enter the full name of the contributor / corporation or labor organization / pledgor / payee as it appears on the schedule or form on which you reported the actual contribution or expenditure.
- 5. CONTRIBUTION / EXPENDITURE REPORTED ON:** Check the appropriate box for the schedule or form on which you reported the actual contribution or expenditure.
- 6. DATES OF TRAVEL:** Enter the dates on which the travel occurred.
- 7. NAME OF PERSON(S) TRAVELING:** Enter the full name of the person or persons traveling on whose behalf the travel was accepted or on whose behalf the expenditure was made.
- 8. DEPARTURE CITY OR NAME OF DEPARTURE LOCATION:** Enter the name of the departure city or the name of each departure location.
- 9. DESTINATION CITY OR NAME OF DESTINATION LOCATION:** Enter the name of the destination city or the name of each destination location.
- 10. MEANS OF TRANSPORTATION:** Enter the method of travel (e.g., airplane, bus, boat, car, etc.)
- 11. PURPOSE OF TRAVEL:** Enter the campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

These instructions are for candidates and officeholders using Form C/OH-FR: C/OH REPORT: DESIGNATION OF FINAL REPORT. A final report must include this form (Form C/OH-FR) and the CAMPAIGN FINANCE REPORT (Form C/OH) with the “Final Report” box checked on page 1, section 9. It must also include Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T, as applicable.

GENERAL INFORMATION

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate.

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

The effect of filing a final report differs depending on whether you are an officeholder at the time you file a final report.

Officeholders Filing a Final Report: You will not have to worry about surplus political funds and assets until you cease to be an officeholder. You may still be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are local officeholders who do not exceed \$500 in contributions or expenditures during the reporting period.

If you cease to be an officeholder at a time when you do not have a campaign treasurer appointment on file, and you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions after filing the last required report as an officeholder, you **must** file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year following the year in which you filed the last required report as an officeholder. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

Non-Officeholders Filing a Final Report: You will no longer be required to file reports **unless** you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions. If you retain any of those items, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. You may not retain these unexpended funds longer than six years after the date of filing a final report. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

COMPLETING THE FORM

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

- 1. C/OH NAME:** Enter your full name.
- 2. FILER ID:** If you are filing with the Commission, enter your Filer ID. If you do not file with the Commission, you are not required to enter a Filer ID.
- 3. SIGNATURE:** You must sign this section to indicate that you understand the consequences of filing a final report.
- 4. FILER WHO IS NOT AN OFFICEHOLDER:** Complete this section if you are not an officeholder at the time of filing your final report. Be sure to check the appropriate box in both sections A and B and sign on the “Signature” line.
- 5. OFFICEHOLDER:** Complete this section if you are an officeholder at the time of filing your final report. You must check the box to indicate awareness of further filing requirements.

EXAMPLES: REPORTING EXPENDITURES MADE BY CREDIT CARD

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures made by credit card and payments made to credit card companies.

Example #1: Candidate Using Credit Card to Make Political Expenditures and Using Political Contributions to Pay the Credit Card Bill in the Same Reporting Period

A candidate for office uses her credit card to buy \$1,000 in campaign office supplies from an office store. During the same reporting period, the candidate uses her credit card to buy \$500 in political advertising signs from a sign company. During the same reporting period, the candidate makes a single payment from her political contributions account to pay the \$1,500 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which she made the credit card charges and sent the payment to the credit card company:

1. For the credit card charges: a \$1,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the office store as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Office Overhead/Rental Expense,” and a description as “Campaign Office Supplies.” In Section 9 of the schedule, the box for “Political” is also checked. The candidate also reports the \$500 expenditure on the “Expenditures Made by Credit Card” Schedule and identifies the sign company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Signs.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$1,500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for credit card expenditures.”
3. Both \$1,500 amounts reported on each schedule will also be included in the appropriate totals sections of Cover Sheet Pages 2 and 3.

Example #2: Candidate Using Credit Card to Make a Political Expenditure and Using Personal Funds to Pay the Credit Card Bill in the Same Reporting Period

A candidate for *non-judicial* office uses his credit card to purchase \$3,000 in political advertising materials from a print shop. During the same reporting period, the candidate makes a payment from his personal funds account to pay the \$3,000 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which he made the credit card charge and sent the payment to the credit card company:

1. For the credit card charge: a \$3,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the print shop as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Materials.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$3,000 expenditure on the “Political Expenditures Made from Personal Funds” Schedule (G). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising materials.” If the candidate intends to seek reimbursement from political contributions, the candidate may also check the appropriate box in Section 6.
3. Both \$3,000 amounts reported on each schedule will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #3: Political Committee Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A general-purpose committee uses its credit card to buy \$500 in political advertising in a newspaper. The committee receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the committee sends a payment to the credit card company, it makes a \$500 payment from its political contributions account.

To report the credit card charge, the committee’s campaign treasurer would report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the committee’s campaign treasurer would also report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the payment to the credit card company:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the

expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”

2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #4: Candidate Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A candidate for *judicial* office uses her credit card to buy \$500 in political advertising in a newspaper. The candidate receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the candidate sends a payment to the credit card company, she makes a \$500 payment from her political contributions account.

To report the credit card charge, the candidate would report all of the following on a campaign finance report (Form JC/OH) covering the period in which she made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the candidate would also report all of the following on a campaign finance report (Form JC/OH) covering the period in which the payment to the credit card company was made:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”
2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

EXAMPLES: PURPOSE OF EXPENDITURES

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting the purpose of an expenditure. However, it is not, and is not intended to be, an exhaustive or an exclusive list of how a filer may permissibly report the purpose of an expenditure.

(1) Example: Candidate X is seeking the office of State Representative, District 2000. She purchases an airline ticket from ABC Airlines to attend a campaign rally within District 2000. The acceptable category for this expenditure is “travel in district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign rally. An acceptable brief statement is “airline ticket to attend campaign event.”

(2) Example: Candidate X purchases an airline ticket to attend a campaign event outside of District 2000 but within Texas, the acceptable category is “travel out of district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign event. An acceptable brief statement is “airline ticket to attend campaign or officeholder event.”

(3) Example: Candidate X purchases an airline ticket to attend an officeholder related seminar outside of Texas. The acceptable method for the purpose of this expenditure is by selecting the “travel out of district” category and completing the “Schedule T” (used to report travel outside of Texas).

(4) Example: Candidate X contracts with an individual to do various campaign related tasks such as work on a campaign phone bank, sign distribution, and staffing the office. The acceptable category is “salaries/wages/contract labor.” The candidate activity that is accomplished by making the expenditure is to compensate an individual working on the campaign. An acceptable brief statement is “contract labor for campaign services.”

(5) Example: Officeholder X is seeking re-election and makes an expenditure to purchase a vehicle to use for campaign purposes and permissible officeholder purposes. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “purchase of campaign/officeholder vehicle.”

(6) Example: Candidate X makes an expenditure to repair a flat tire on a campaign vehicle purchased with political funds. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “campaign vehicle repairs.”

(7) Example: Officeholder X purchases flowers for a constituent. The acceptable category is “gifts/awards/memorials expense” and an acceptable brief description is “flowers for constituent.”

(8) Example: Political Committee XYZ makes a political contribution to Candidate X. The acceptable category is “contributions/donations made by candidate/officeholder/political committee” and an acceptable brief description is “campaign contribution.”

(9) Example: Candidate X makes an expenditure for a filing fee to get his name on the ballot. The acceptable category is “fees” and an acceptable brief description is “candidate filing fee.”

(10) Example: Officeholder X makes an expenditure to attend a seminar related to performing a duty or engaging in an activity in connection with the office. The acceptable category is “fees” and an acceptable brief description is “attend officeholder seminar.”

(11) Example: Candidate X makes an expenditure for political advertising to be broadcast by radio. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.” Similarly, Candidate X makes an expenditure for political advertising to appear in a newspaper. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.”

(12) Example: Officeholder X makes expenditures for printing and postage to mail a letter to all of her constituents, thanking them for their participation during the legislative session. Acceptable categories are “advertising expense” OR “printing expense” and an acceptable brief description is “letter to constituents.”

(13) Example: Officeholder X makes an expenditure to pay the campaign office electric bill. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office electric bill.”

(14) Example: Officeholder X makes an expenditure to purchase paper, postage, and other supplies for the campaign office. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office supplies.”

(15) Example: Officeholder X makes an expenditure to pay the campaign office monthly rent. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office rent.”

(16) Example: Candidate X hires a consultant for fundraising services. The acceptable category is “consulting expense” and an acceptable brief description is “campaign services.”

(17) Example: Candidate/Officeholder X pays his attorney for legal fees related to either campaign matters or officeholder matters. The acceptable category is “legal services” and an acceptable brief description is “legal fees for campaign” or “for officeholder matters.”

(18) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting with her constituents. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting with constituents.”

(19) Example: Candidate X makes food and beverage expenditures for a meeting to discuss candidate issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign issues.”

(20) Example: Officeholder X makes food and beverage expenditures for a meeting to discuss officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss officeholder issues.”

(21) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting to discuss campaign and officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign/officeholder issues.”

EXAMPLES: REPORTING EXPENDITURES FROM PERSONAL FUNDS

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures from personal funds.

If you intend to seek reimbursement of any amount from political contributions for a political expenditure made from your personal funds, you must report the expenditure in one of three ways. Keep in mind that this reporting system is not an accounting system and duplication of expenditures is not uncommon when reporting transactions related to expenditures made from personal funds.

Method #1: Itemize the expenditure on the “Political Expenditures Made from Personal Funds” schedule (Schedule G) and check the box to indicate that you intend to seek reimbursement from political contributions. You may not correct a report to allow reimbursement without subjecting yourself to a possible penalty. When you reimburse yourself, which could be months or years later, report the reimbursement on the “Political Expenditures” schedule (Schedule F1).

Example: On December 1, 2007, Candidate A spends \$500 of her own personal funds to purchase political advertising signs. She reports the expenditure to the vendor on Schedule G and checks the box to indicate that reimbursement is intended. One year later, Candidate A reimburses herself from political contributions. She reports the reimbursement on Schedule F1. Candidate A is the payee and the purpose of the expenditure is to reimburse herself for a political expenditure made from personal funds on December 1, 2007.

If you intend to seek reimbursement from political contributions for a political expenditure of any amount made from personal funds, you must itemize the expenditure on Schedule G.

Method #2: Report the political expenditures made from your personal funds as a loan to your campaign on the “Loans” schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, F4, or H as appropriate). Do NOT report political expenditures made from the loan on Schedule G. The amount you report as a loan in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from personal funds in the reporting period was \$5,000. When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1.

Example: In one reporting period, Candidate B spends \$5,000 of his own personal funds to purchase political advertising materials. He spends \$3,000 at Business One and \$2,000 at Business Two. He reports the expenditures as a \$5,000 loan on Schedule E and then itemizes each of the two expenditures as a political expenditure on Schedule F1. A year later, Candidate B reimburses himself from political contributions by disclosing the reimbursement on Schedule F1. He reports the reimbursement on Schedule F1. The payee in this instance is Candidate B, the category of the expenditure is “Loan

Repayment/Reimbursement,” and “political expenditure made from personal funds reported as a loan” is an acceptable brief description.

Method #3: Deposit personal funds in an account in which your political contributions are maintained and report that amount as a loan on the "Loans" schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, or H as appropriate). When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction.)

Example: In one reporting period, Candidate C opens a campaign bank account and deposits \$5,000 of her own personal funds into the account. She makes one \$3,000 expenditure for political advertising. Candidate C has no other activity in the reporting period. She reports the \$5,000 as a loan on Schedule E, itemizes the \$3,000 expenditure for the political advertising on Schedule F1, and includes the remaining \$2,000 on her contributions maintained at the end of the reporting period total. A year later, Candidate C reimburses herself from political contributions by disclosing the reimbursement on Schedule F1. The payee in this instance is Candidate C, the category of expenditure is "Loan Repayment/Reimbursement," and "political expenditure made from personal funds reported as a loan" is an acceptable brief description.

EXAMPLES: REPORTING STAFF REIMBURSEMENT

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting staff reimbursements.

When a staff member makes political payment(s) out of his or her personal funds, how you disclose the payment(s) depends on two things: 1) the aggregate total of those payments in the reporting period; and 2) whether or not you reimburse the staff worker in the same reporting period.

Example #1: The payment out of the staff worker's personal funds does not exceed \$5,000 in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will simply itemize the payment (if over the \$100 itemization threshold) on Schedule F1 as if you made the expenditure directly to the vendor out of your political funds, with the name of the vendor who sold the goods or services as the payee for the expenditure. **Do not** disclose as the payee the name of your staff worker.

Example #2: The payment(s) out of the staff worker's personal funds are over \$5,000 in the aggregate in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will use a 3-step process, disclosing everything on the same report: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) On Schedule F1, disclose the payment to your staff worker for the reimbursement of the loan.

Example #3: The payment(s) out of the staff worker's personal funds do not exceed \$5,000 in the aggregate in the reporting period **but** you reimburse the staff worker from political funds in a different reporting period – You will use a 3-step process, disclosing steps 1 and 2 on the same report and step 3 later, when the reimbursement occurs: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) When you reimburse your staff worker, if ever, disclose on Schedule F1 of the report covering the period in which the reimbursement occurs the payment to your staff worker for the reimbursement of the loan.

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



Effective June 15, 2017
(Revised 9/1/2017)

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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.

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(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.

(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 a group of persons that has as a principal purpose accepting political contributions or making political expenditures.

(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.

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; and

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

(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 the name of and the office sought by the candidate. If that information changes, the committee shall immediately file an amended appointment reflecting the change.

(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.

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) A general-purpose committee may not knowingly make or authorize a political contribution or political expenditure unless the committee has:

(1) filed its campaign treasurer appointment not later than the 60th day before the date the contribution or expenditure is made; and

(2) accepted political contributions from at least 10 persons.

(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) Subsection (a) does not apply to a political party's county executive committee that is complying with Section 253.031 or to a general-purpose committee that accepts contributions from a multicandidate political committee (as defined by the Federal Election Campaign Act) that is registered with the Federal Election Commission, provided that the general-purpose committee is in compliance with Section 253.032.

(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. 253.098. 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; or
- (12) expenses incurred in preparing and delivering committee contributions.

(b) A corporation may make political expenditures 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 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.

(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.

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) "Complying candidate" or "complying officeholder" means a judicial candidate who files a declaration of compliance under Section 253.164(a)(1).

(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 or that is designated as an officeholder contribution, 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.

(4) "Noncomplying candidate" means a judicial candidate who:

(A) files a declaration of intent to exceed the limits on expenditures under Section 253.164(a)(2);

(B) files a declaration of compliance under Section 253.164(a)(1) but later exceeds the limits on expenditures;

(C) fails to file a declaration of compliance under Section 253.164(a)(1) or a declaration of intent under Section 253.164(a)(2); or

(D) violates Section 253.173 or 253.174.

(5) "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 OFFICEHOLDER 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 officeholder 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) Subject to Section 253.1621, a judicial candidate or officeholder may not, except as provided by Subsection (c), knowingly accept political contributions from a person that in the aggregate exceed the limits prescribed by Subsection (b) in connection with each election in which the person is involved.

(b) The contribution limits 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) For purposes of this section, a contribution by a law firm whose members are each members of a second law firm is considered to be a contribution by the law firm that has members other than the members the firms have in common.

(e) A person who receives a political contribution that violates Subsection (a) 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 LAW FIRM OR MEMBER OR GENERAL-PURPOSE COMMITTEE OF LAW FIRM.

(a) Subject to Section 253.1621, a judicial candidate or officeholder may not accept a political contribution in excess of \$50 from a person if:

(1) the person is a law firm, a member of a law firm, or a general-purpose committee established or controlled by a law firm; and

(2) the contribution when aggregated with all political contributions accepted by the candidate or officeholder from the law firm, other members of the law firm, or a general-purpose committee established or controlled by the law firm in connection with the election would exceed six times the applicable contribution limit under Section 253.155.

(b) A person who receives a political contribution that violates Subsection (a) 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 fails to return a political contribution as required by Subsection (b) is liable for a civil penalty not to exceed three times the total amount of political contributions accepted from the law firm, members of the law firm, or general-purpose committees established or controlled by the law firm in connection with the election.

(d) For purposes of this section, a general-purpose committee is established or controlled by a law firm if the committee is established or controlled by members of the law firm.

(e) In this section:

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

(2) "Member" means a partner, associate, shareholder, employee, or person designated "of counsel" or "of the firm".

Sec. 253.158. CONTRIBUTION BY SPOUSE OR CHILD CONSIDERED TO BE CONTRIBUTION BY INDIVIDUAL.

(a) For purposes of Sections 253.155 and 253.157, a contribution by the spouse or child of an individual is considered to be a contribution by the individual.

(b) In this section, "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.

Sec. 253.159. EXCEPTION TO CONTRIBUTION LIMITS. Sections 253.155 and 253.157 do 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. 253.160. AGGREGATE LIMIT ON CONTRIBUTIONS FROM AND DIRECT CAMPAIGN EXPENDITURES BY GENERAL-PURPOSE COMMITTEE.

(a) Subject to Section 253.1621, a judicial candidate or officeholder may not knowingly accept a political contribution from a general-purpose committee that, when aggregated with each other political contribution from a general-purpose committee in connection with an election, exceeds 15 percent of the applicable limit on expenditures prescribed by Section 253.168, regardless of whether the limit on expenditures is suspended.

(b) A person who receives a political contribution that violates Subsection (a) 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) For purposes of this section, an expenditure by a general-purpose committee for the purpose of supporting a candidate, for opposing the candidate's opponent, or for assisting the candidate as an officeholder is considered to be a contribution to the candidate unless the campaign treasurer of the general-purpose committee, in an affidavit filed with the authority with whom the candidate's campaign treasurer appointment is required to be filed, states that the committee has not directly or indirectly communicated with the candidate's campaign, including the candidate, an aide to the candidate, a campaign officer, or a campaign consultant, or a specific-purpose committee in regard to a strategic matter, including polling data, advertising, or voter demographics, in connection with the candidate's campaign.

(d) This section does not apply to a political expenditure by the principal political committee of the state executive committee or a county executive committee of a political party that complies with Section 253.171(b).

(e) A person who violates this section is liable for a civil penalty not to exceed three times the amount by which the political contributions accepted in violation of this section exceed the applicable limit prescribed by Subsection (a).

Sec. 253.1601. CONTRIBUTION TO CERTAIN COMMITTEES CONSIDERED CONTRIBUTION TO CANDIDATE. For purposes of Sections 253.155, 253.157, and 253.160, a contribution to a specific-purpose committee for the purpose of supporting a judicial candidate, opposing the candidate's opponent, or assisting the candidate as an officeholder is considered to be a contribution to the candidate.

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.

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

(1) was a candidate for a judicial office; or

(2) held a judicial office, unless the person had become a candidate for another office.

(c) This section does not prohibit a candidate or officeholder from making a political contribution to another candidate or officeholder.

(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 (effective 6-15-2017).

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

(a) Subject to Section 253.1621, a judicial candidate or officeholder who makes political expenditures from the person's personal funds may not reimburse the personal funds 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) A judicial 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 consanguinity, as determined under Subchapter B, Chapter 573, Government Code, may not use political contributions to repay the loans.

(c) A person who is both a candidate and an officeholder may reimburse the person's personal funds only in 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 a contribution limit prescribed by Section 253.155, 253.157, or 253.160 and the limit on reimbursement of personal funds prescribed by Section 253.162, the general primary election and general election for state and county officers are considered to be a single election in which a judicial candidate is involved if the candidate:

(1) is unopposed in the primary election; or

(2) does not have an opponent in the general election whose name is to appear on the ballot.

(b) For a candidate to whom Subsection (a) applies, each applicable contribution limit prescribed by Section 253.155, 253.157, or 253.160 is increased by 25 percent. A candidate who accepts political contributions from a person that in the aggregate exceed the applicable contribution limit prescribed by Section 253.155, 253.157, or 253.160 but that do not exceed the adjusted limit as determined under this subsection¹ may use the amount of those contributions that exceeds the limit prescribed by Section 253.155, 253.157, or 253.160 only for making an officeholder expenditure.

Sec. 253.163. NOTICE REQUIRED FOR CERTAIN POLITICAL EXPENDITURES.

(a) A person other than a candidate, officeholder, or the principal political committee of the state executive committee or a county executive committee of a political party may not make political expenditures that in the aggregate exceed \$5,000 for the purpose of supporting or opposing a candidate for an office other than a statewide judicial office or assisting such a candidate as an officeholder unless the person files with the authority with whom a campaign

¹ So in original.

treasurer appointment by a candidate for the office is required to be filed a written declaration of the person's intent to make expenditures that exceed the limit prescribed by this subsection.

(b) A person other than a candidate, officeholder, or the principal political committee of the state executive committee or a county executive committee of a political party may not make political expenditures that in the aggregate exceed \$25,000 for the purpose of supporting or opposing a candidate for a statewide judicial office or assisting such a candidate as an officeholder unless the person files with the commission a written declaration of the person's intent to make expenditures that exceed the limit prescribed by this subsection.

(c) A declaration under Subsection (a) or (b) must be filed not later than the earlier of:

(1) the date the person makes the political expenditure that causes the person to exceed the limit prescribed by Subsection (a) or (b); or

(2) the 60th day before the date of the election in connection with which the political expenditures are intended to be made.

(d) A declaration received under Subsection (a) or (b) shall be filed with the records of each judicial candidate or officeholder on whose behalf the person filing the declaration intends to make political expenditures. If the person intends to make only political expenditures opposing a judicial candidate, the declaration shall be filed with the records of each candidate for the office.

(e) An expenditure made by a political committee or other association that consists only of costs incurred in contacting the committee's or association's membership may be made without the declaration required by Subsection (a) or (b).

(f) For purposes of this section, a person who makes a political expenditure benefitting more than one judicial candidate or judicial officeholder shall, in accordance with rules adopted by the commission, allocate a portion of the expenditure to each candidate or officeholder whom the expenditure benefits in proportion to the benefit received by that candidate or officeholder. For purposes of this subsection:

(1) a political expenditure for supporting judicial candidates or assisting judicial officeholders benefits each candidate or officeholder supported or assisted; and

(2) a political expenditure for opposing a judicial candidate benefits each opponent of the candidate.

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

Sec. 253.164. VOLUNTARY COMPLIANCE.

(a) When a person becomes a candidate for a judicial office, the person shall file with the authority with whom the candidate's campaign treasurer appointment is required to be filed:

(1) a sworn declaration of compliance stating that the person voluntarily agrees to comply with the limits on expenditures prescribed by this subchapter; or

(2) a written declaration of the person's intent to make expenditures that exceed the limits prescribed by this subchapter.

(b) The limits on contributions and on reimbursement of personal funds prescribed by this subchapter apply to complying candidates unless suspended as provided by Section 253.165 or 253.170. The limits on contributions and on reimbursement of personal funds prescribed by this subchapter apply to noncomplying candidates regardless of whether the limits on contributions, expenditures, and reimbursement of personal funds are suspended for complying candidates.

(c) A judicial candidate may not knowingly accept a campaign contribution or make or authorize a campaign expenditure before the candidate files a declaration under Subsection (a).

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

Sec. 253.165. EFFECT OF NONCOMPLYING CANDIDATE.

(a) A complying candidate or a specific-purpose committee for supporting a complying candidate is not required to comply with the limits on contributions, expenditures, and the reimbursement of personal funds prescribed by this subchapter if another person becomes a candidate for the same office and:

(1) files a declaration of intent to exceed the limits on expenditures under Section 253.164(a)(2);

(2) fails to file a declaration of compliance under Section 253.164(a)(1) or a declaration of intent under Section 253.164(a)(2);

(3) files a declaration of compliance under Section 253.164(a)(1) but later exceeds the limits on expenditures; or

(4) violates Section 253.173 or 253.174.

(b) The executive director of the commission shall issue an order suspending the limits on contributions and expenditures for a specific office not later than the fifth day after the date the executive director determines that:

(1) a person has become a candidate for that office and:

(A) has filed a declaration of intent to exceed the limits on expenditures under Section 253.164(a)(2); or

(B) has failed to file a declaration of compliance under Section 253.164(a)(1) or a declaration of intent under Section 253.164(a)(2);

(2) a complying candidate for that office has exceeded the limit on expenditures prescribed by this subchapter; or

(3) a candidate for that office has violated Section 253.173 or 253.174.

(c) A county clerk who receives a declaration of intent to exceed the limits on expenditures under Section 253.164(a)(2) shall deliver a copy of the declaration to the executive director of the commission not later than the fifth day after the date the county clerk receives the declaration.

(d) A county clerk who receives a campaign treasurer appointment in connection with a judicial office and does not receive a declaration of compliance under Section 253.164(a)(1) or a declaration of intent to exceed the limits on expenditures under Section 253.164(a)(2) shall deliver a copy of the campaign treasurer appointment and a written notice of the candidate's failure to file a declaration of compliance or a declaration of intent to the executive director of the commission not later than the fifth day after the date the county clerk receives the campaign treasurer appointment.

(e) A county clerk who receives a written allegation that a complying candidate has exceeded the limit on expenditures or that a candidate has engaged in conduct prohibited by Section 253.173 or 253.174 shall deliver a copy of the allegation to the executive director of the commission not later than the fifth day after the date the county clerk receives the allegation. The county clerk shall, at no cost to the commission, deliver to the executive director by mail or

telephonic facsimile machine copies of documents relevant to the allegation not later than 48 hours after the executive director requests the documents.

(f) A county clerk is required to act under Subsection (c), (d), or (e) only in connection with an office for which a campaign treasurer appointment is required to be filed with that county clerk.

Sec. 253.166. BENEFIT TO COMPLYING CANDIDATE.

(a) A complying candidate is entitled to state on political advertising as provided by Section 255.008 that the candidate complies with the Judicial Campaign Fairness Act, regardless of whether the limits on contributions, expenditures, and the reimbursement of personal funds are later suspended.

(b) A noncomplying candidate is not entitled to the benefit provided by this section.

Sec. 253.167. CERTIFICATION OF POPULATION; NOTICE OF CONTRIBUTION AND EXPENDITURE 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 and expenditure limits applicable to the office the candidate seeks.

Sec. 253.168. EXPENDITURE LIMITS.

(a) For each election in which the candidate is involved, a complying candidate may not knowingly make or authorize political expenditures that in the aggregate exceed:

(1) for a statewide judicial office, \$2 million;

(2) for the office of chief justice or justice, court of appeals:

(A) \$500,000, if the population of the judicial district is more than one million; or

(B) \$350,000, if the population of the judicial district is one million or less; or

(3) for an office other than an office covered by Subdivision (1) or (2):

(A) \$350,000, if the population of the judicial district is more than one million;

(B) \$200,000, if the population of the judicial district is 250,000 to one million; or

(C) \$100,000, if the population of the judicial district is less than 250,000.

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

Sec. 253.169. EXPENDITURE BY CERTAIN COMMITTEES CONSIDERED EXPENDITURE BY CANDIDATE.

(a) For purposes of Section 253.168, an expenditure by a specific-purpose committee for the purpose of supporting a candidate, opposing the candidate's opponent, or assisting the candidate as an officeholder is considered to be an expenditure by the candidate unless the candidate, in an affidavit filed with the authority with whom the candidate's campaign treasurer appointment is required to be filed, states that the candidate's campaign, including the candidate, an aide to the candidate, a campaign officer, or a campaign consultant of the candidate, has not directly or indirectly communicated with the committee in regard to a strategic matter, including polling data, advertising, or voter demographics, in connection with the candidate's campaign.

(b) This section applies only to an expenditure of which the candidate or officeholder has notice.

(c) An affidavit under this section shall be filed with the next report the candidate or officeholder is required to file under Chapter 254 following the receipt of notice of the expenditure .

Sec. 253.170. EFFECT OF CERTAIN POLITICAL EXPENDITURES.

(a) A complying candidate for an office other than a statewide judicial office or a specific-purpose committee for supporting such a candidate is not required to comply with the limits on contributions, expenditures, and the reimbursement of personal funds prescribed by this subchapter if a person other than the candidate's opponent or the principal political committee of the state executive committee or a county executive committee of a political party makes political expenditures that in the aggregate exceed \$5,000 for the purpose of supporting the candidate's opponent, opposing the candidate, or assisting the candidate's opponent as an officeholder.

(b) A complying candidate for a statewide judicial office or a specific-purpose committee for supporting such a candidate is not required to comply with the limits on contributions, expenditures, and the reimbursement of personal funds prescribed by this subchapter if a person other than the candidate's opponent or the principal political committee of the state executive committee or a county executive committee of a political party makes political expenditures that in the aggregate exceed \$25,000 for the purpose of supporting the candidate's opponent, opposing the candidate, or assisting the candidate's opponent as an officeholder.

(c) The executive director of the commission shall issue an order suspending the limits on contributions, expenditures, and the reimbursement of personal funds for a specific office not later than the fifth day after the date the executive director determines that:

(1) a declaration of intent to make expenditures that exceed the limit prescribed by Subsection (a) or (b) is filed in connection with the office as provided by Section 253.163; or

(2) a political expenditure that exceeds the limit prescribed by Subsection (a) or (b) has been made.

(d) A county clerk who receives a declaration of intent to make expenditures that exceed the limit prescribed by Subsection (a) or (b) shall deliver a copy of the declaration to the executive director of the commission not later than the fifth day after the date the county clerk receives the declaration. A county clerk who receives a written allegation that a person has made a political expenditure that exceeds the limit prescribed by Subsection (a) or (b) shall deliver a copy of the allegation to the executive director not later than the fifth day after the date the county clerk receives the allegation. The county clerk shall, at no cost to the commission, deliver to the executive director by mail or telephonic facsimile machine copies of documents relevant to the allegation not later than 48 hours after the executive director requests the documents. A county clerk is required to act under this subsection only in connection with an office for which a campaign treasurer appointment is required to be filed with that county clerk.

(e) An expenditure made by a political committee or other association that consists only of costs incurred in contacting the committee's or association's membership does not count towards the limit prescribed by Subsection (a) or (b).

Sec. 253.171. CONTRIBUTION FROM OR DIRECT CAMPAIGN EXPENDITURE BY POLITICAL PARTY.

(a) Except as provided by Subsection (b), a political contribution to or a direct campaign expenditure on behalf of a complying candidate that is made by the principal political committee of the state executive committee or a county executive committee of a political party is considered to be a political expenditure by the candidate for purposes of the expenditure limits prescribed by Section 253.168.

(b) Subsection (a) does not apply to a political expenditure for a generic get-out-the-vote campaign or for a written list of two or more candidates that:

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

Sec. 253.172. RESTRICTION ON EXCEEDING EXPENDITURE LIMITS.

(a) A candidate who files a declaration of compliance under Section 253.164(a)(1) and who later files a declaration of intent to exceed the limits on expenditures under Section 253.164(a)(2) or a specific-purpose committee for supporting such a candidate may not make a political expenditure that causes the person to exceed the applicable limit on expenditures prescribed by Section 253.168 before the 60th day after the date the candidate files the declaration of intent to exceed the limits on expenditures.

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

Sec. 253.173. AGREEMENT TO EVADE LIMITS PROHIBITED.

(a) A complying candidate may not:

- (1) solicit a person to enter a campaign as a noncomplying candidate opposing the complying candidate; or

(2) enter into an agreement under which a person enters a campaign as a noncomplying candidate opposing the complying candidate.

(b) A candidate who violates this section is considered to be a noncomplying candidate.

Sec. 253.174. MISREPRESENTATION OF OPPONENT'S COMPLIANCE WITH OR VIOLATION OF SUBCHAPTER PROHIBITED.

(a) A candidate for judicial office may not knowingly misrepresent that an opponent of the candidate:

(1) is a noncomplying candidate; or

(2) has violated this subchapter.

(b) A candidate who violates this section is considered to be a noncomplying candidate.

Sec. 253.175. JUDICIAL CAMPAIGN FAIRNESS FUND.

(a) The judicial campaign fairness fund is a special account in the general revenue fund.

(b) The judicial campaign fairness fund consists of:

(1) penalties recovered under Section 253.176; and

(2) any gifts or grants received by the commission under Subsection (e).

(c) The judicial campaign fairness fund may be used only for:

(1) voter education projects that relate to judicial campaigns; and

(2) payment of costs incurred in imposing civil penalties under this subchapter.

(d) To the extent practicable, the fund shall be permitted to accumulate until the balance is sufficient to permit the publication of a voter's guide that lists candidates for judicial office, their backgrounds, and similar information. The commission shall implement this subsection and shall adopt rules under which a candidate must provide information to the commission for inclusion in the voter's guide. In providing the information, the candidate shall comply with applicable provisions of the Code of Judicial Conduct. The voter's guide must, to the extent practicable, indicate whether each candidate is a complying candidate or noncomplying candidate, based on declarations filed under Section 253.164 or determinations by the executive director or the county clerk, as appropriate, under Section 253.165. The listing of a noncomplying candidate may not include any information other than the candidate's name and must include a statement that the candidate is not entitled to have complete information about the candidate included in the guide.

(e) The commission may accept gifts and grants for the purposes described by Subsections (c)(1) and (d). Funds received under this subsection shall be deposited to the credit of the judicial campaign fairness fund.

(f) The judicial campaign fairness fund is exempt from Sections 403.094 and 403.095, Government Code.

Sec. 253.176. CIVIL PENALTY.

(a) The commission may impose a civil penalty against a person 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) A penalty collected under this section shall be deposited to the credit of the judicial campaign fairness fund.

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 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;

(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. 254.032. 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) Repealed by Acts 2003, 78th Leg., ch. 249, Sec. 2.26.

(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) The county clerk of a county with a population of 800,000 or more shall make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with a county office or the office of county commissioner available to the public on the county's Internet website not later than the fifth business day after the date the report is received.

(b) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 847, Sec. 3(a), eff. September 1, 2013.

(c) The clerk of a municipality with a population of 500,000 or more shall make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection with the office of mayor or member of the municipality's governing body available to the public on the municipality's Internet website not later than the fifth business day after the date the report is received.

(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.

(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.*

Sec. 254.04011. AVAILABILITY OF REPORTS OF SCHOOL TRUSTEES ON INTERNET.

(a) This section applies only to a school district:

(1) located wholly or partly in a municipality with a population of more than 500,000; and

(2) with a student enrollment of more than 15,000.

(b) A report filed under this chapter by a member of the board of trustees of a school district, a candidate for membership on the board of trustees of a school district, or a specific-purpose committee for supporting, opposing, or assisting a candidate or member of a board of trustees of a school district must be posted on the Internet website of the school district.

(c) A report to which Subsection (b) applies must be available to the public on the Internet website not later than the fifth business day after the date the report is filed with the school district.

(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 available on the Internet under this section, the school district 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. If the address information is removed as permitted by this subsection, the information must remain available on the report maintained in the school district's office.

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.

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" has the meaning assigned by Section 253.158.

(2) "Law firm" and "member" have the meanings assigned by Section 253.157.

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 committeeunder 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 255.007, 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.

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. 255.007. 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.

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 - VOID²

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.

² 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.