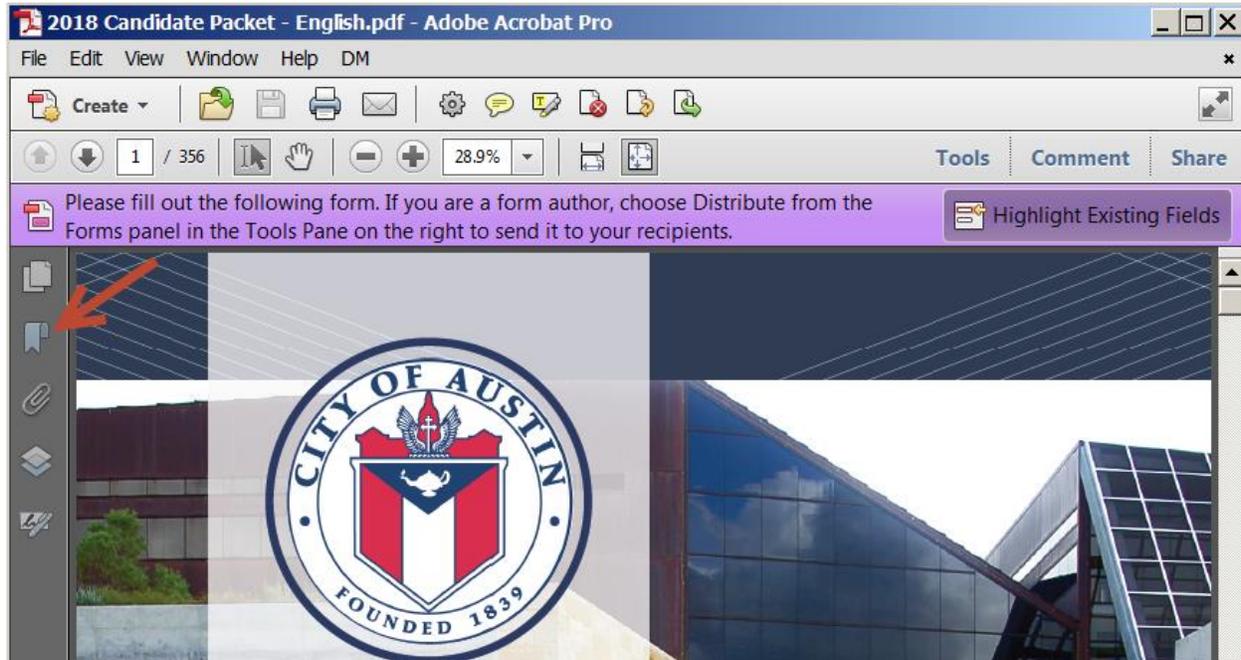


The 2018 Candidate Packet is one continuous document.

However, to view documents individually, click on the bookmark tab at the left of the screen.



A list of all documents contained in the packet should appear in a screen to the left.

Click on the item you would like to view, and it will appear in the window to the right.

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Candidate Packet

City of Austin
Office of the City Clerk

**General Election
November 6, 2018**

Jannette Goodall
City Clerk



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www.ethics.state.tx.us/guides/coh_local_guide.pdf

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MEMORANDUM

TO: Candidates for the 2018 City Council Election

FROM: Jannette Goodall, City Clerk

DATE: May 4, 2018

SUBJECT: Election Information

The Candidates Guide is a packet containing important information and forms for anyone interested in running for the Austin City Council. On the ballot for the November 6, 2018 election are Mayor and Districts 1, 3, 5, 8 and 9. Article II, Section 2 of the City Charter specifies the eligibility requirements to serve on Council. The requirements to serve as Mayor or as a City Council Member are:

- A candidate for mayor must meet all eligibility requirements listed in the Texas Election Code, Section 141.001 and must have resided continuously in the state for 12 months and in the city for six months immediately preceding the regular filing deadline for a mayoral candidate's application for a place on the ballot.
- A candidate for city council from a council district must meet all eligibility requirements listed in the Texas Election Code, Section 141.001 and must have resided continuously in the state for 12 months and in the council district from which the member is seeking election for six months immediately preceding the regular filing deadline for a council candidate's application for a place on the ballot.

The regular filing deadline for the application for a place on the November 6, 2018 ballot is Monday, August 20, 2018 at 5 PM. Based on the filing deadline and the eligibility requirements, the relevant residency deadlines are:

- Resident of the state as of August 19, 2017; and
- Resident of the city and if appropriate the respective council district as of February 19, 2018.

The Candidates Guide and all relevant forms are available on-line at <http://austintexas.gov/page/elections-2018>. Forms that were not created by the City of Austin have been downloaded from the appropriate website. The forms were current as of April 15, 2018; however candidates should be aware that it is possible that the Secretary of State or the Texas Ethics Commission may update their forms without notice. Prior to using a form contained in the Guide, you should compare the date of the form in the Guide with the date of the form currently

posted on the appropriate State agency website. The web address for each form included in the Guide is listed in the Table of Contents immediately below the name of the form. While the Candidates Guide has provided website links published in both English and Spanish, the destination website may or may not contain Spanish translations.

The Guide also provide instructions on the City requirements for electronic filing of campaign finance data as required by City Code, Section 2-2-26 which states “A candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report.” Additional instructions and forms are provided in the Guide in the section relating to campaign finance or the City web site at <http://austintexas.gov/page/campaign-finance-forms>.

The duty of the City Clerk’s Office is to accept, retain and provide access to the election documents including the application for place on the ballot and campaign finance documents. The Office is not responsible for providing campaign advice or completing, correcting or ensuring the timeliness or accuracy of the documents filed. Election law, especially campaign finance law is complex. For this reason, a candidate may want to consider retaining legal counsel or an experienced campaign manager to assist you during your campaign. A candidate may direct specific questions to the City Clerk’s Office or request a meeting with staff to discuss specific questions. Where ever possible, the staff will assist you in either determining the answer or direct you to the correct State agency for a response.

CITY OF AUSTIN ELECTION CALENDAR

NOVEMBER 6, 2018 GENERAL/SPECIAL (BOND/CHARTER) ELECTION

- November 6, 2017 First date for candidates to begin soliciting campaign contributions.¹
- January 16, 2018 Deadline for filing hard-copy semiannual report of campaign contributions, along with the required structured data file, with the City Clerk's Office (applicable to candidates, officeholders, specific-purpose and/or general-purpose political committees; required to file by Title 15 of the Texas Election Code; rules adopted by the Texas Ethics Commission; and City Code Chapter 2-2). The deadline is 5:00 p.m.²
- May 4, 2018 Candidate packet available electronically and hardcopy from the City Clerk's Office.³
- July 16, 2018 Deadline for filing hard-copy semiannual report of campaign contributions, along with the required structured data file, with the City Clerk's Office (applicable to candidates, officeholders, specific-purpose and/or general-purpose political committees; required to file by Title 15 of the Texas Election Code; rules adopted by the Texas Ethics Commission; and City Code Chapter 2-2). The deadline is 5:00 p.m.⁴
- July 23, 2018 First day a candidate may submit an application for a place on the ballot.⁵ (NOTE: A candidate must have filed a campaign treasurer appointment prior to filing an application for a place on the ballot.)⁶
- [Although not specifically tied to this date, please note the following: the deadline for filing the voluntary "campaign contract" delineated in City Code section 2-2-11 is "the earlier of (1) 30 days after [an individual] becomes a candidate under the Texas Election Code; or (2) the date the candidate files for a place on the ballot." For additional information, please refer to the Texas Election Code and the City Clerk's document entitled "Candidate and Officeholder Brochure on Campaign Finance".]⁷
- August 8 - 20, 2018 Window for City Council to order an election.⁸ During this time window, there is one regular council meeting scheduled (August 9).
- August 20, 2018 Last day a candidate may file an application for a place on the ballot. The deadline is 5:00 p.m.⁹
- August 21, 2018 City Clerk conducts drawing for order of names on ballot (scheduled for 10:00 a.m., City Hall, 301 W. 2nd Street).¹⁰
- August 27, 2018 Deadline for a candidate to file "public statement of financial information" with the City Clerk's Office.¹¹ The deadline is 4:45 p.m.¹²
- August 27, 2018 Deadline for a candidate to withdraw candidate's name from the ballot. The deadline is 5:00 p.m.¹³
- September 10, 2018 Deadline for a candidate to file the "Personal Financial Statement" form required by state statute with the City Clerk's Office.¹⁴

October 9, 2018	Deadline for filing hard-copy report of campaign contributions and expenditures (30th Day Before Election Report), <u>along with the required structured data file</u> , with the City Clerk's Office. This report must be filed by opposed candidates who have not filed a declaration of intent to follow modified reporting procedures, and by specific-purpose and/or general-purpose political committees involved in the election supporting or opposing candidates or ballot measures, which are required to be filed by Title 15 of the Texas Election Code; rules adopted by the Texas Ethics Commission; and City Code Chapter 2-2. ¹⁵
	<u>The deadline is 5:00 p.m.</u> ¹⁶
October 9, 2018	Deadline to register to vote, whether voting early or on Election Day. ¹⁷
October 22, 2018	First day of early voting by personal appearance. ¹⁸
October 26, 2018	Last day to apply (by mail, fax or electronic transmission) for an early ballot to be voted by mail. ¹⁹
October 29, 2018	Deadline for filing hard-copy report of campaign contributions and expenditures (8th Day Before Election Report), <u>along with the required structured data file</u> , with the City Clerk's Office. This report must be filed by opposed candidates who have not filed a declaration of intent to follow modified reporting procedures, and by specific-purpose and/or general-purpose political committees involved in the election supporting or opposing candidates or ballot measures, which are required to be filed by Title 15 of the Texas Election Code; rules adopted by the Texas Ethics Commission; and City Code section 2-2-29 and Chapter 2-2. ²⁰
	<u>The deadline is 5:00 p.m.</u> ²¹
October 29 – November 6, 2018	Period for required filings of City of Austin Pre-Election Reports by candidates or political committees who meet reporting thresholds delineated in City Code section 2-2-29. ²²
November 2, 2018	Last day of early voting by personal appearance. ²³
November 6, 2018	ELECTION DAY
Third day after date of final canvass	Last day for a candidate in a runoff election to withdraw from the runoff. <u>The deadline is 5:00 p.m.</u> ²⁴
November 9 - 20, 2018	Canvassing Window: Earliest possible date for canvassing is the third day after the election and the latest date for canvassing is the 14 th day after the election. ²⁵
November 15, 2018	Date of regularly scheduled council meeting during canvassing window. City Council has the option of setting a special-called meeting, upon 72-hours' notice given by the City Clerk, during the canvassing window. ²⁵
January 6, 2019	Inauguration Day

- 1 "The campaign period for a general election begins the 365th day before the date of the general election." Austin City Code § 2-2-7(B).

A candidate may not accept contribution or make expenditures when campaign treasurer appointment is not in effect. Tex. Election Code § 253.031(a). Texas Ethics Commission's 2017 "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" states: "... 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." (page 4) https://www.ethics.state.tx.us/guides/coh_local_guide.pdf

- 2 Candidate shall file semiannual report not later than January 15. Tex. Election Code § 254.063(a) and (b). Officeholder shall file semiannual report not later than January 15. Tex. Election Code § 254.093(a) and (b). Because January 15 falls on a holiday, the deadline is extended to Tuesday, January 16. Tex. Election Code § 1.006. Under City Code section 2-2-26(A), a "candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed." The Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" states: "The deadline for filing a report is 5 p.m. on the due date" and "... 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." (pages 15-16) https://www.ethics.state.tx.us/guides/coh_local_guide.pdf

- 3 "The city clerk shall prepare a candidate guide ... [and] make the candidate guide available cost-free in hard copy at least six months before a City election. The city clerk may also make the guide available online in an electronic format this is readily reproducible. City Code § 2-2-6(A) and (B).

- 4 Candidate shall file semiannual report not later than July 15. Tex. Election Code § 254.063(a) and (b). Officeholder shall file semiannual report not later than July 15. Tex. Election Code § 254.093(a) and (b). Because July 15 falls on a Sunday, the deadline is extended to Monday, July 16. Tex. Election Code § 1.006. Under City Code section 2-2-26(A), a "candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed." The Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" states: "The deadline for filing a report is 5 p.m. on the due date" and "...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." (pages 15-16) https://www.ethics.state.tx.us/guides/coh_local_guide.pdf

- 5 Application may not be filed earlier than the 30th day before the date of the filing deadline. Tex. Election Code § 143.007(a). Filing deadline is August 20; therefore the first day for filing is the 30th day preceding, that being Saturday, July 21. However, Secretary of State has confirmed that "regular business hours" prevails, and the filing start date is therefore moved to the next regular business day which is Monday, July 23.

- 6 Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides as follows: "... 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." (page 3) https://www.ethics.state.tx.us/guides/coh_local_guide.pdf
- 7 City Code section 2-2-11(A) states, a "candidate for mayor or city council may sign a contract with the City agreeing to abide by limitations on that candidate's contributions and expenditures as specified in this article in exchange for benefits provided under this chapter" which contract is required to qualify for public funds from the Austin Fair Campaign Finance Fund under City Code section 2-2-63. City Code section 2-2-11(B) requires that a candidate "sign the campaign contract the earlier of (1) 30 days after [becoming] a candidate under the Texas Election Code; or (2) the date the candidate files for a place on the ballot."
- 8 General election must be ordered not later than the 78th day before Election Day, that being August 20. Tex. Election Code § 3.005(c). Special (bond) election must be ordered not more than 90 days before Election Day, that being August 8. Tex. Gov't Code §1251.003(c). There is one regularly scheduled council meeting during that time window, August 9. A later special-called meeting may be scheduled by Council with 72-hours' notice.
- 9 Deadline for filing is not later than 5:00 p.m. of the 78th day before Election Day, that being August 20. Tex. Election Code § 143.007(c).
- 10 No statutory time is mandated, as drawing for general or special elections may be conducted at any time after the filing deadline, but the City Clerk must post notice of the drawing 72 hours immediately preceding the scheduled time of the drawing. Tex. Election Code § 52.094.
- 11 Statement must be filed within five working days after the deadline for filing for office, that being August 20; therefore, five business days thereafter is August 27 which is the deadline for filing the required statement. City Code § 2-7-74(A).
- 12 Statements required to be filed by City Code Article 5 "Financial Disclosure" must be "...received by the city clerk by 4:45 p.m. on the last day required." City Code § 2-7-76.
- 13 May not withdraw after 5:00 p.m. of the 71st day before Election Day. Tex. Election Code § 145.092(f). Candidate's name shall be omitted from ballot if there is a timely withdrawal before 5:00 p.m. of 71st day before Election Day. Tex. Election Code § 145.094(a)(4).
- 14 Personal Financial Statement is required by Texas Local Government Code, Section 145.003 and must comply with sections 572.022 and 572.023 of the Texas Government Code. Tex. Local Gov't Code § 145.003. Candidate must file Personal Financial Statement with the City Clerk not later than the 20th day after the deadline for filing an application for a place on the ballot. Tex. Local Gov't Code § 145.004(c). The filing application deadline is August 20; therefore, the 20th day thereafter is Sunday, September 9 (since this falls on a Sunday, the date is extended to the next regular business day, under Texas Election Code, Section 1.006(a)). Therefore, the deadline for filing the Personal Financial Statement is Monday, September 10. Texas Local Government Code, Section 145.004(g) states that a candidate will have timely filed if the Personal Financial Statement is personally delivered not later than 5:00 p.m. of the last day for filing (that being September 10) or, alternatively, if the City Clerk has adopted rules and procedures to provide for electronic filing and the candidate complies, then the candidate will have timely filed if the Personal Financial Statement is filed not later than midnight of the last day for filing the statement.

- 15 An opposed candidate shall file two additional reports, the first being due not later than the 30th day before Election Day (that being Sunday, October 7, but the deadline is extended by Texas Election Code, Section 1.006 to the next regular business day which is Tuesday October 9 due to Monday, October 8th falling on the national holiday of Columbus Day); and the second being due not later than the 8th day before Election Day (that being October 29). Tex. Election Code § 254.064(a),(b), and (c). Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides information under "Reports Due 30 Days and 8 Days Before an Election." (page 16) https://www.ethics.state.tx.us/guides/coh_local_guide.pdf Under City Code section 2-2-26(A), a "candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed."
- 16 Required reports must be received by the City Clerk by the deadline. Tex. Election Code § 254.064(b) and (c).
- 17 An approved voter registration application becomes effective on the 30th day after the date of the application in submitted to the voter registrar. Tex. Election Code § 13.143(a). A registration is effective for purposes of voting early if it will be effective on Election Day. Tex. Election Code § 13.143. The deadline to register to vote falls on Sunday, October 7, but is extended by Texas Election Code, Sec. 13.143(e) to the next regular business day which is Tuesday, October 9, due to Monday, October 8 falling on the national holiday of Columbus Day.
- 18 For an election held on the uniform election date in November, the period for early voting by personal appearance would begin on the 17th day before Election Day (that being Saturday, October 20), but the deadline is extended by Texas Election Code, Section 85.001(c) to the next regular business day (that being Monday, October 22), and early voting continues through the fourth day before Election Day (that being November 2). Tex. Election Code § 85.001.
- 19 Application must be received, not postmarked before the close of regular business in the early voting clerk's office or 12:00 noon, whichever is later, on the 11th day before Election Day (that being 5:00 p.m. Friday, October 26). Tex. Election Code § 84.007(c). An application is considered to be submitted at the time of its receipt by the early voting clerk. Texas Election Code, Sec. 84.007(d). For an application for ballot by mail submitted by telephonic facsimile (fax) machine or electronic transmission (email) to be effective, the application also must be submitted by mail and received by the early voting clerk not later than the fourth business day after transmission by fax or email. Tex. Election Code § 84.007(b-1).
- 20 An opposed candidate shall file two additional reports, the first being due not later than the 30th day before Election Day (that being Sunday, October 7, but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Tuesday October 9 due to Monday, October 10th falling on the national holiday of Columbus Day); and the second being due not later than the 8th day before Election Day (that being October 29). Texas Election Code, Sec. 254.064(a)(b)(c). Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides information under "Reports Due 30 Days and 8 Days Before an Election." Under City Code 2-2-26(A), a "candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed.
- 21 Required reports must be received by the City Clerk by the deadline. Tex. Election Code §254.064(b) and (c).

- 22 City Code § 2-2-29 and Chapter 2-2.
- 23 Early voting continues through the fourth day before Election Day (that being November 2). Tex. Election Code § 85.001.
- 24 May not withdraw after 5:00 p.m. of the third day after the final canvass for the main election. Tex. Election Code § 145.092(d). "If a runoff candidate withdraws, the remaining candidate is considered to be elected and the runoff election for that office is not held." Tex. Election Code § 145.095.
- 25 Canvass must be held not earlier than the 3rd day after Election Day (that being November 9 for the earliest day to canvass), or later than the fourteenth day after Election Day (that being November 20 for the latest date to canvass). Tex. Election Code § 67.003(c).

CITY OF AUSTIN RUNOFF ELECTION CALENDAR

The City of Austin Runoff Election Calendar will be released at a later date.
For updated information, please visit the 2018 Elections website
<http://austintexas.gov/page/elections-2018>

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LAW DEPARTMENT

MEMORANDUM

TO: 2018 City Council Candidates
FROM: Anne L. Morgan, City Attorney
DATE: January 30, 2018
RE: Requests for Public Information

Austin City Council candidates for the 2018 General Election may submit requests for public information pertaining to the City of Austin to the Law Department for coordination of responses.

City staff will provide an initial response to Public Information Requests within 10 working days from the date received by the City. Depending on the complexity, breadth, or potential costs of providing the response, final disposition of a Public Information Request may extend beyond the initial 10 working days. In such cases, the requestor will be notified and provided appropriate estimates of time and costs. Please direct your requests to:

City of Austin Law Department
Attn: Amanda Brown, Public Information Manager
301 W. Second St.
Austin, Texas 78701
(512) 974-2189
Email: public.information@austintexas.gov

Responsive public information compiled by staff will be made available to all Council candidates, and published on the City of Austin website at www.austintexas.gov. Copies will be made available to all candidates via the Law Department at Austin City Hall, 301 W. Second St., Fourth Floor.

Candidate requestors should provide a phone number, email address, and mailing address when submitting a request so that responsive information may be provided as quickly as possible.

Thank you.

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Dear Candidate:

By seeking public office, you have demonstrated your commitment to Austin's vision of being the most livable city in the country. Austinites value a community that is clean and green. To that end, we ask you to ensure that your campaign follow the City Code regarding placement of signs and encourage recycling of your campaign signs after the election.

We recognize that placement of your signs is important. However, the City does have a sign ordinance (Chapter 25-10 Sign Regulations) that regulates all signs, including political campaign signs. Please share the following sign standards with your campaign staff and supporters:

Campaign signs cannot:

- Signs cannot be attached to utility poles, traffic control boxes, light poles, or traffic sign poles and cannot be placed on Public property.
- Signs cannot be place in the median, at intersection corners, or on traffic islands.
- Signs cannot be placed between the street and the first expansion joint in a driveway, the street and the sidewalk, or the street and the utility poles.

Please see the enclosed flyer **Facts about Prohibited Signs** for more detailed information and diagrams. Signs unlawfully placed in the public right-of-way will be removed by the Code Department and recycled appropriately. **If you have any questions, call 3-1-1.**

Make Sure Your Signs Can Be Recycled

To ensure that your signs are eligible to be recycled, please share the following information with your sign shop when you have your signs printed:

- All sizes and colors of polypropylene Coroplast™ signs will be accepted
- Signs must not have any vinyl lettering or vinyl overlays

Free Recycling of Campaign Signs

After the election, we encourage you to have your campaign staff collect and recycle your signs for free! Austin Resource Recovery coordinated with the City's contracted recycling partners, Texas Disposal Systems and Balcones Resources, to offer free recycling of campaign signs. Please see the enclosed flyer Campaign Sign Recycling for details.

Thank you in advance for your cooperation.

Cora D. Wright
Director, Austin Code Department

Sam Angoori, P.E.
Interim Director, Austin Resource Recovery

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Campaign Sign Recycling

Make sure your signs can be recycled:

If you would like to recycle your signs, be sure to share the following information when you place your order for signs with your sign shop.

- All sizes and colors of polypropylene Coroplast™ signs will be accepted for recycling
- Signs must NOT have any vinyl lettering or vinyl overlays.

When distributing your signs and after the election:

Campaign signs cannot be recycled through the City's curbside recycling program. But, the City has partnered with Texas Disposal Systems and Balcones Resources to recycle campaign signs.

When distributing signs to supporters tell them how to recycle their signs:

- Remove and separate stakes or hardware into a separate box
 - Metal sign stakes can be recycled at all three of our partner facilities
 - Wood sign stakes can be composted at select facilities
- Take your signs and separated wood and/or metal stakes to one of the recycling facilities below.

Signs meeting the requirements above will be accepted at:

Recycling Facility	Campaign Signs	Metal Stakes	Wood Stakes
Texas Disposal Systems 3606-C FM 1327, Creedmoor, TX 78617 (512) 421-1300 Monday through Friday, 8:00 a.m. – 3:00 p.m.	X	X	X
Balcones Resources 9301 Johnny Morris Road, Austin, TX 78724 (512) 472-3355 Monday through Friday, 7:00 a.m. – 4:00 p.m.	X	X	
City of Austin Recycle and Reuse Drop Off Center 2514 Business Center Drive, Austin, Texas 78744 (512) 974-4373 Monday through Friday, 9:00 a.m. – 5:00 p.m. Saturday, 7:00 a.m. – 12:00 p.m.	X	X	X

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The City of Austin sign ordinance (§ 25-10-103) includes campaign signs.

As a courtesy, if a complaint is received, the Austin Code Department will contact the candidate **one time** reminding them of the sign ordinance. Candidates will have **24 hours to remove the sign**. If additional complaints are received, notification will not be given.

Campaign signs **cannot** be placed in the median, at intersection corners, on traffic islands, attached to utility poles, traffic sign poles, or on Public property.

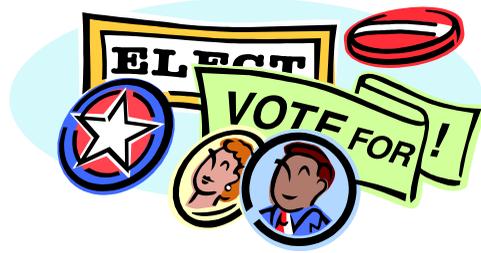
Austin Code will **collect** and **dispose** of all signs that are not removed **within 24 hours**.

Questions? Email: CodeCommunications@austintexas.gov

AUSTINCODE
DEPARTMENT

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POLITICAL ADVERTISING



WHAT YOU NEED TO KNOW

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

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

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

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

Texas Ethics Commission

P. O. Box 12070
Austin, Texas 78711-2070
(512) 463-5800
Fax (512) 463-5777

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

Revised January 1, 2017

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
1. 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?

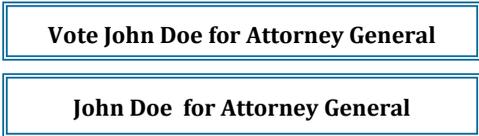
Political advertising and campaign communications may not misrepresent a person's identity or official title, nor may they misrepresent the true source of the advertising or communication. The election law does not address other types of misrepresentation in political advertising or campaign communications.

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:



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.

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available in alternative formats. The Texas Ethics Commission is an Equal Opportunity Employer and does not discriminate in providing services and employment.

Copies of this publication have been distributed in compliance with the State Depository Law.

SWORN COMPLAINTS

An individual may file a sworn complaint with the Ethics Commission alleging a violation of any of the laws it administers, and Sections 334.025 and 335.055, Local Government Code, concerning false and misleading campaign material supporting or opposing the authorization of a sports or community venue project. The Commission does not have the authority to enforce the Penal Code.

A sworn complaint sets in motion a process that may include a preliminary review hearing and a formal hearing, and which permits resolution of the matter at several points in the process. The Commission may ultimately resolve a sworn complaint by dismissal, referral for criminal prosecution, or imposition of a civil penalty. A final decision of the Commission in a sworn complaint process may be appealed to a district court for a trial de novo. During most stages of the process, the Commissioners and Commission staff members are required to keep the complaint confidential.

ENFORCEMENT AND INVESTIGATIVE POWERS

The Ethics Commission is authorized to undertake civil enforcement actions on its own motion or in response to a sworn complaint, hold enforcement hearings, issue orders, and impose civil penalties.

*This pamphlet presents a brief overview of the Texas Ethics Commission. If you have a question about your own activities, we urge you to request an opinion from the Commission **before** engaging in the activity in question. Requests to the Commission for an advisory opinion must be in writing. You may also call the Commission's Legal Department at (512) 463-5800 for informal advice.*

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer by telephone at 512-463-5800, or through RELAY Texas at 800-735-2989; or by mail in care of the Texas Ethics Commission, P. O. Box 12070, Austin, Texas 78711-2070.

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TEXAS ETHICS COMMISSION

*Promoting Public Confidence
In Government*



Texas Ethics Commission

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

(512) 463-5800
FAX (512) 463-5777
TDD (800) 735-2989

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

Revised January 10, 2017

THE TEXAS ETHICS COMMISSION

On November 5, 1991, Texas voters approved an amendment that added Article III, Section 24a, to the Texas Constitution. The constitutional amendment created the Texas Ethics Commission. The amendment set out the method by which the eight members of the Commission are to be appointed, with four of the Commissioners appointed by the Governor, two appointed by the Lieutenant Governor, and two appointed by the Speaker of the Texas House of Representatives. No more than four members may be from the same political party.

CONSTITUTIONAL DUTIES

The Texas Constitution provides that the Ethics Commission may recommend the salary of members of the Legislature, the Lieutenant Governor, and the Speaker of the House of Representatives, subject to approval by the voters at the subsequent general election for state and county officers. Also, the Commission must set the *per diem* of members of the Legislature and of the Lieutenant Governor. The Legislature is to determine the other powers and duties of the Commission.

RULEMAKING

The Ethics Commission has rulemaking authority with respect to the laws it administers. Adoption of a rule requires an affirmative vote by six Commissioners.

LAWS ADMINISTERED BY THE TEXAS ETHICS COMMISSION

Statutory duties of the Ethics Commission are in Chapter 571 of the Government Code. The agency is responsible for administering these laws: (1) Title 15, Election Code, concerning political contributions and expenditures, and political advertising; (2) Chapter 302, Government Code, concerning the election of the Speaker of the Texas House of Representatives; (3) Chapter 303, Government Code, concerning the governor for a day and speaker's reunion day ceremonies; (4) Chapter 305, Government Code, concerning lobbyist registration, reports, and activities; (5) Chapter 572, Government Code, concerning personal financial disclosure of state officers and conduct of state officers and employees; (6) Chapter 2004, Government Code, concerning representation before state agencies; (7) Chapter 159, Local Government Code, concerning judges of statutory county courts or statutory probate courts who elect to file a financial statement with the Commission; (8) Government Code, Section 2152.064 (concerning Conflict of Interest in Certain Transactions involving the Texas Facilities Commission); and (9) Government Code, Section 2155.003 (concerning Conflict of Interest involving the Office of the Texas Comptroller of Public Accounts).

ADVISORY OPINIONS

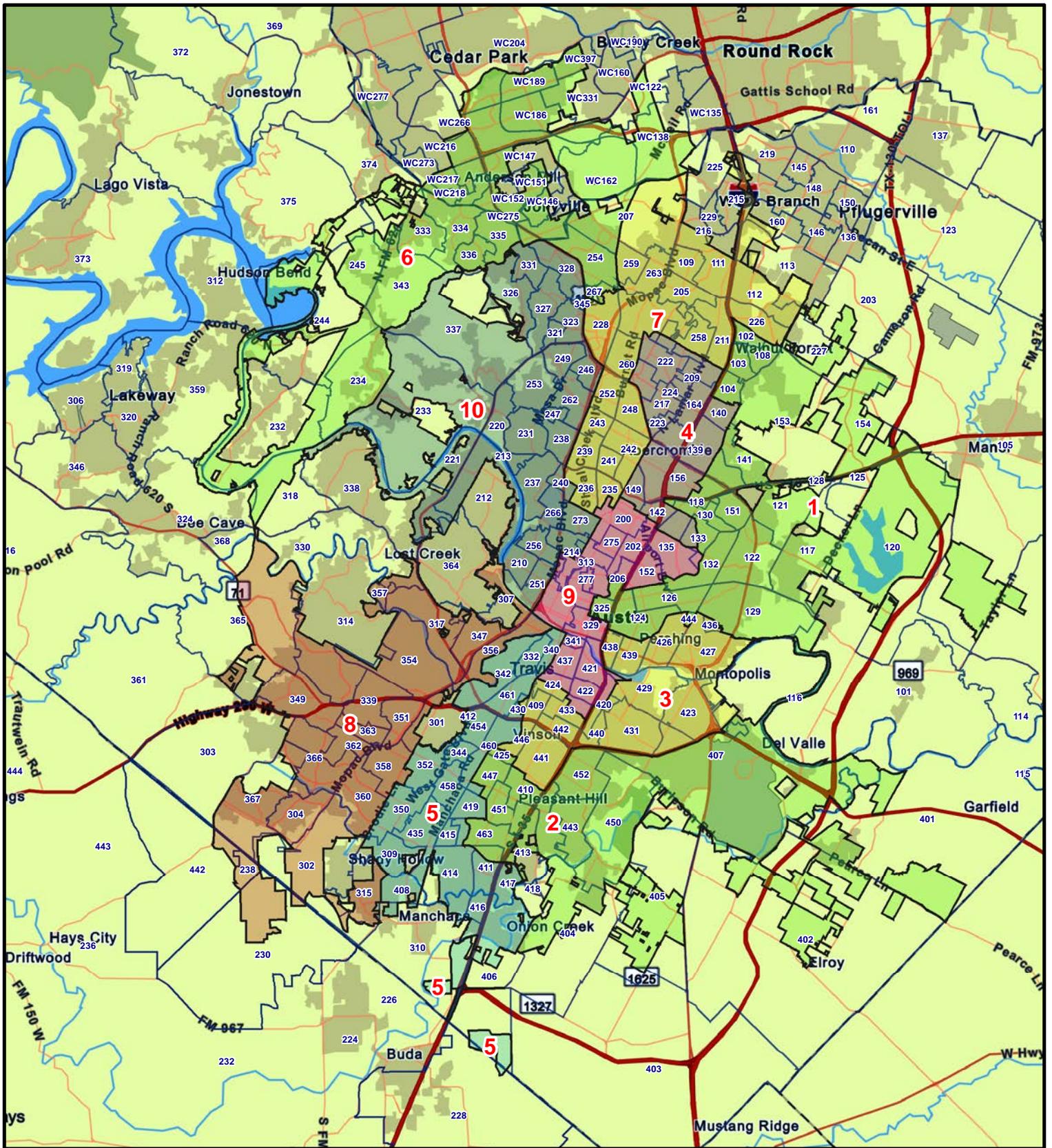
The Commission has the authority to issue an advisory opinion in response to a request from a person subject to any of the laws it administers, as well as Chapter 36, Penal Code, concerning bribery and corrupt influence, and Chapter 39, Penal Code, concerning abuse of office. It is a defense to prosecution or the imposition of a civil penalty under any of these laws that a person reasonably relied on an advisory opinion of the Commission. The name of a person requesting an advisory opinion must be kept confidential by the Commission.

FINANCIAL DISCLOSURE

The Ethics Commission serves as a repository of required disclosure statements for state officials, candidates, political committees, lobbyists, and certain district and county judicial officers.

TRAINING

The Ethics Commission provides, in cooperation with state agencies, a program of ethics training for state employees, and also provides training for members and members-elect of the Texas Legislature concerning compliance with laws administered by the Commission. The Commission also produces educational materials and provides training programs for other groups affected by laws administered by the Commission.

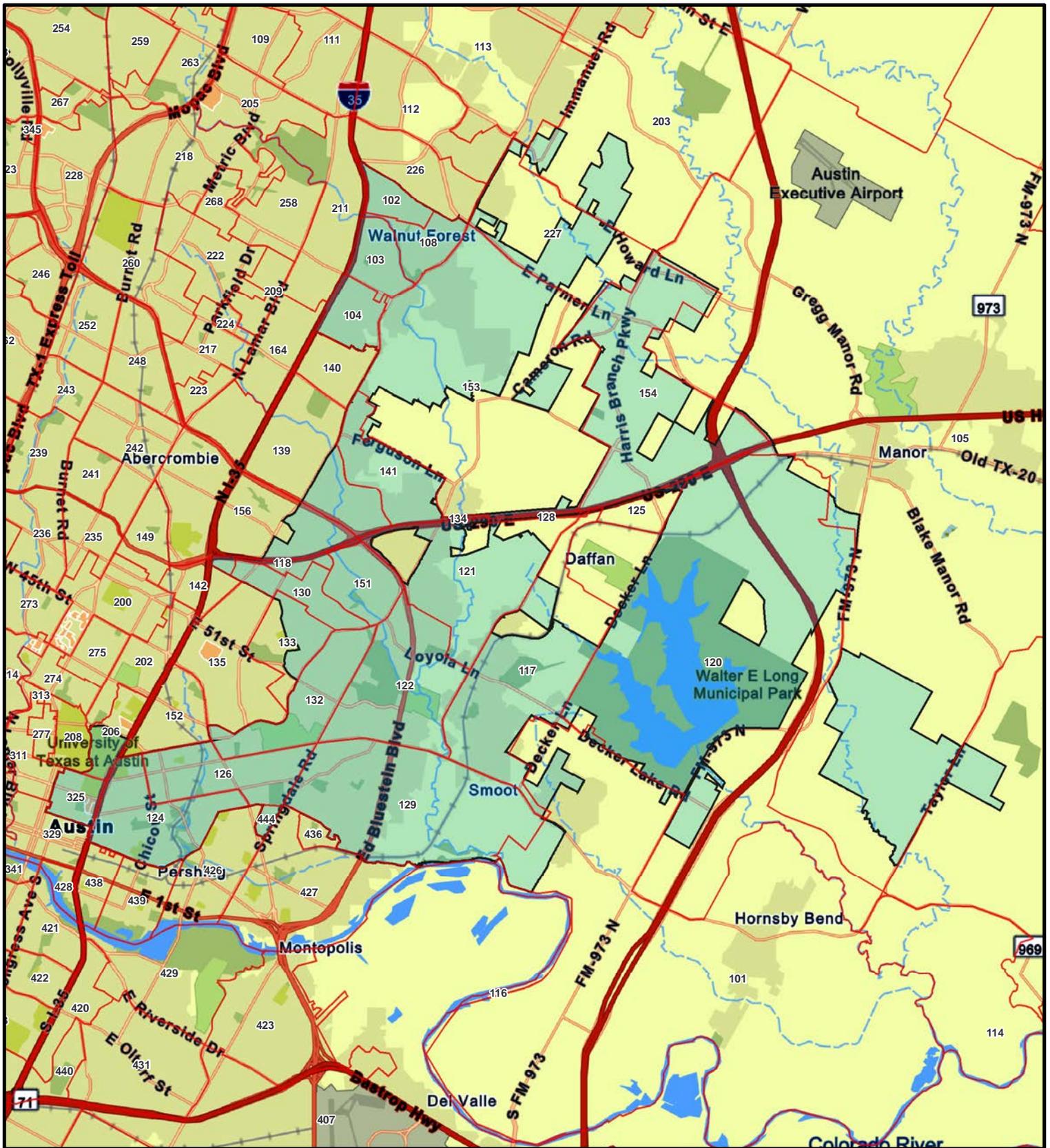


City Council Districts

Office of the City Clerk
3/26/2018



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Parks and Recreation Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

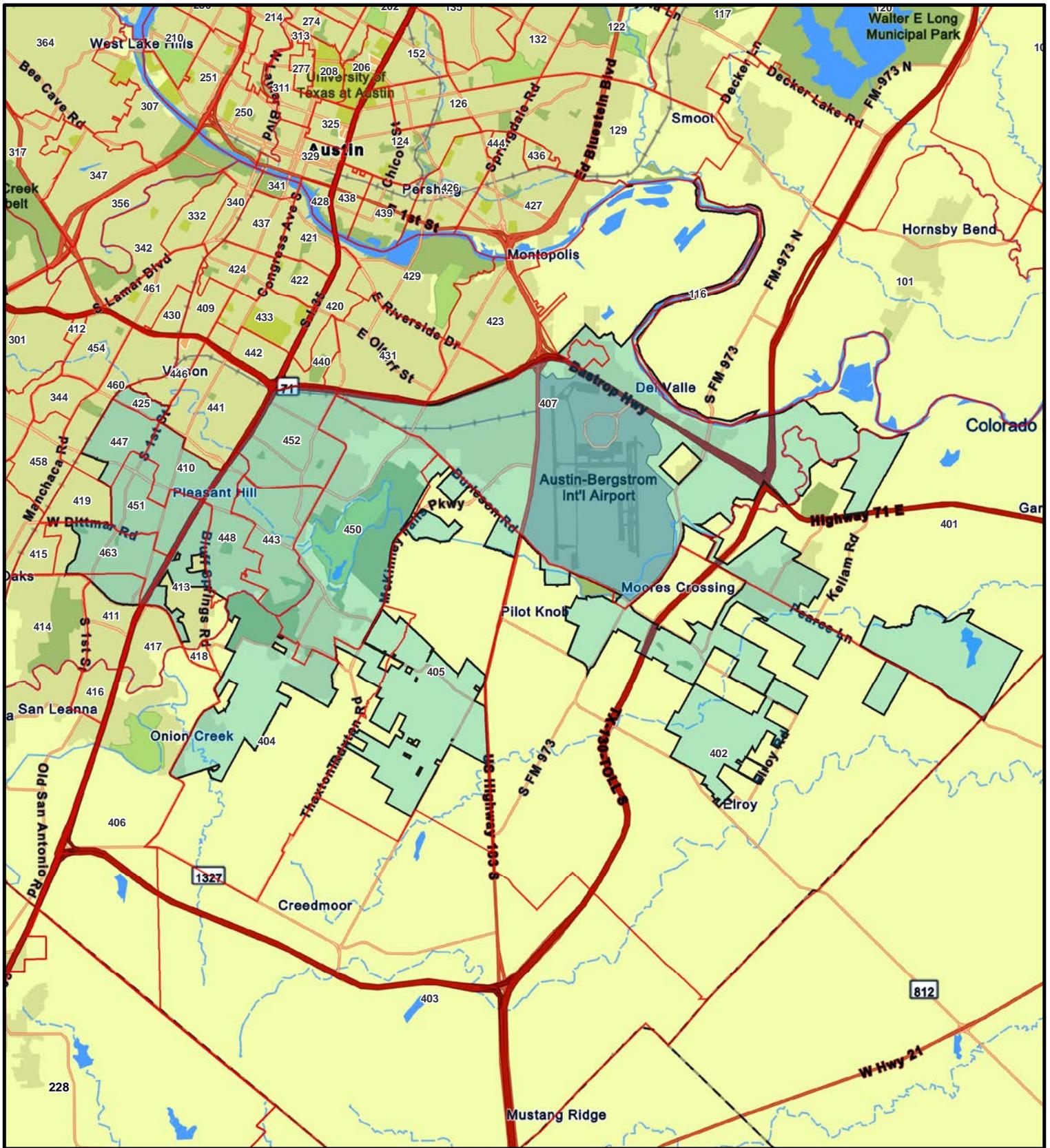


City Council District 1

Office of the City Clerk
3/26/2018



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City Council District 2

Office of the City Clerk
3/26/2018



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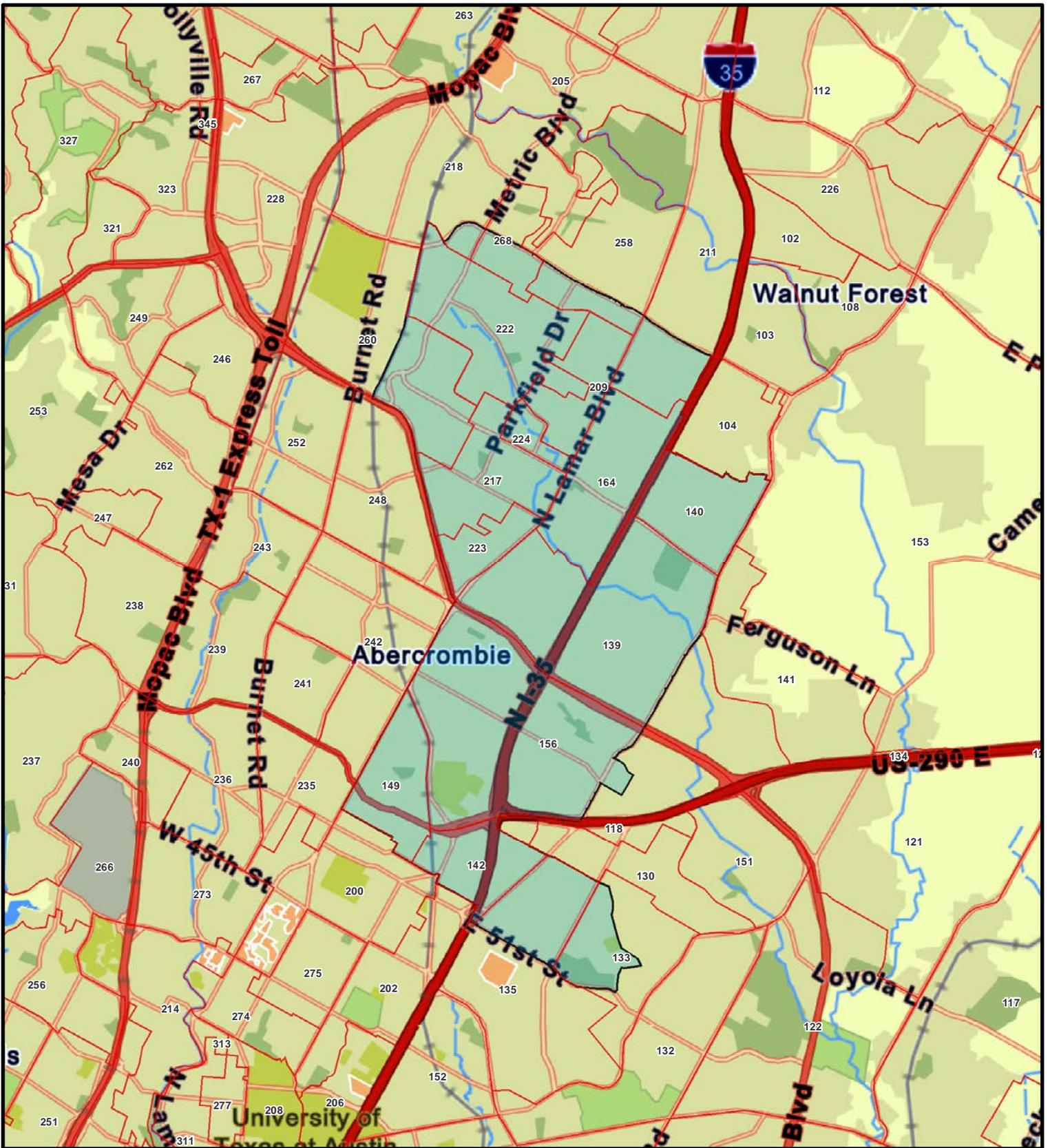


City Council District 3

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3/26/2018



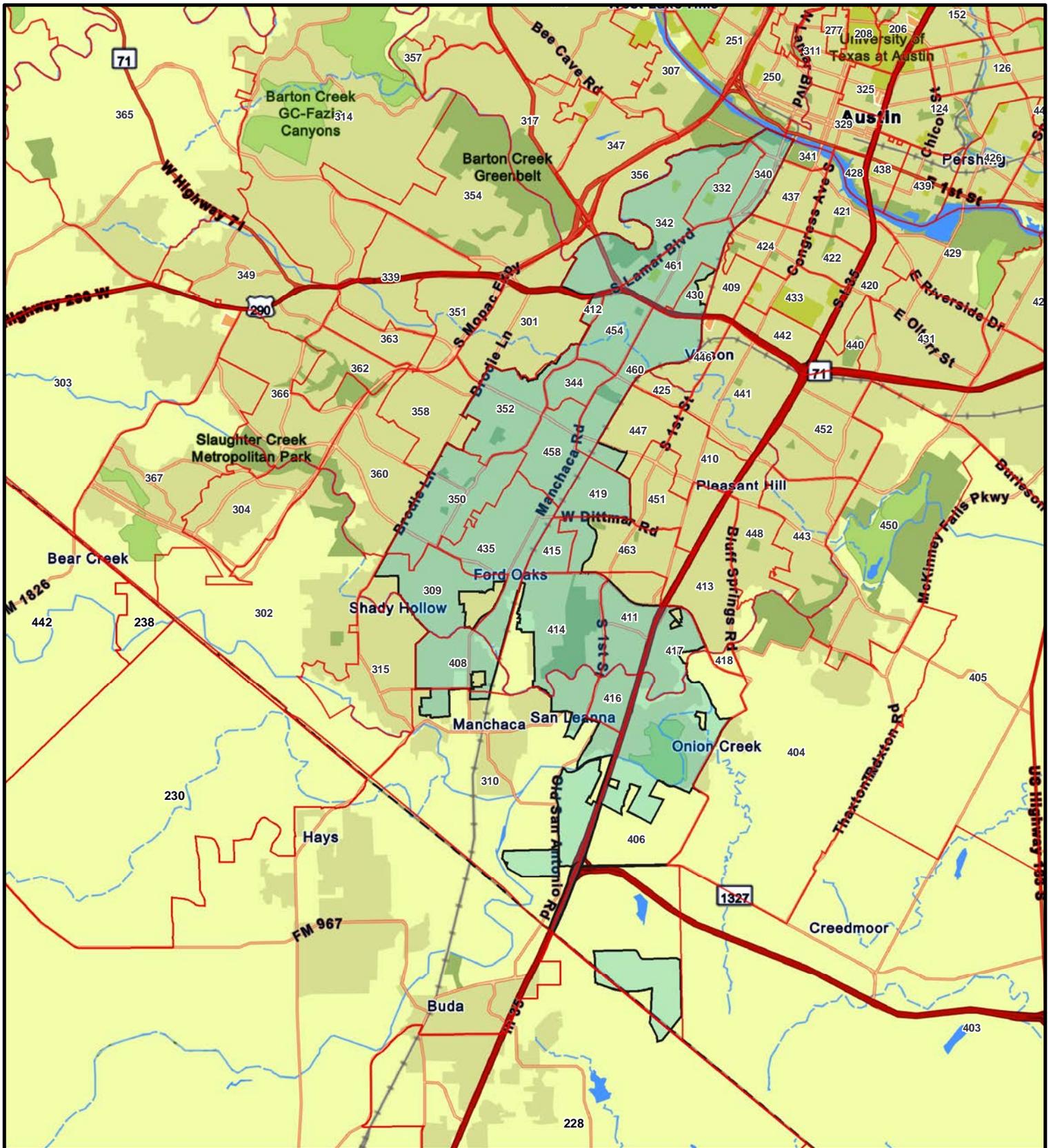


City Council District 4

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Office of the City Clerk
3/26/2018



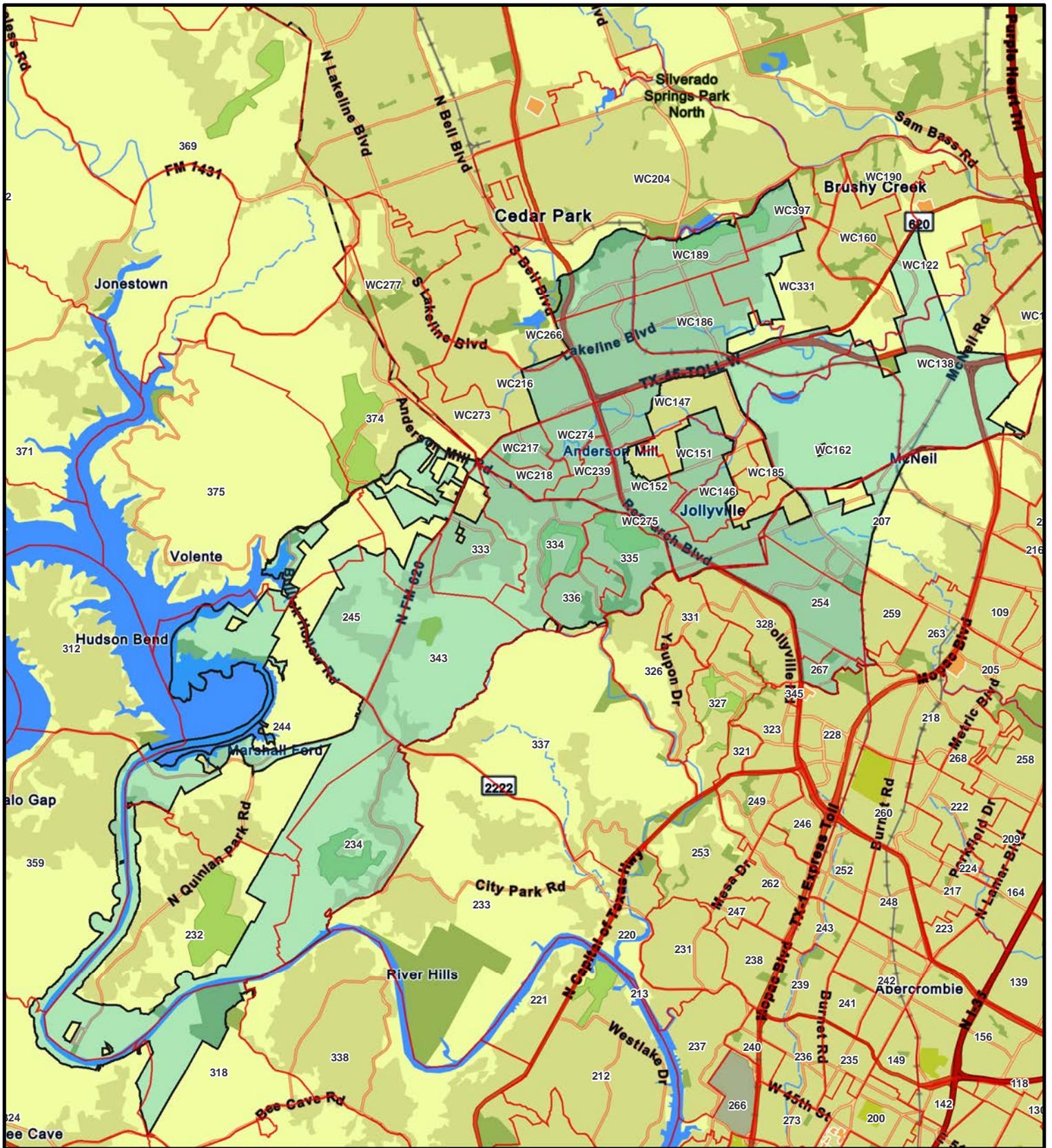


District 5

Office of the City Clerk
3/26/2018



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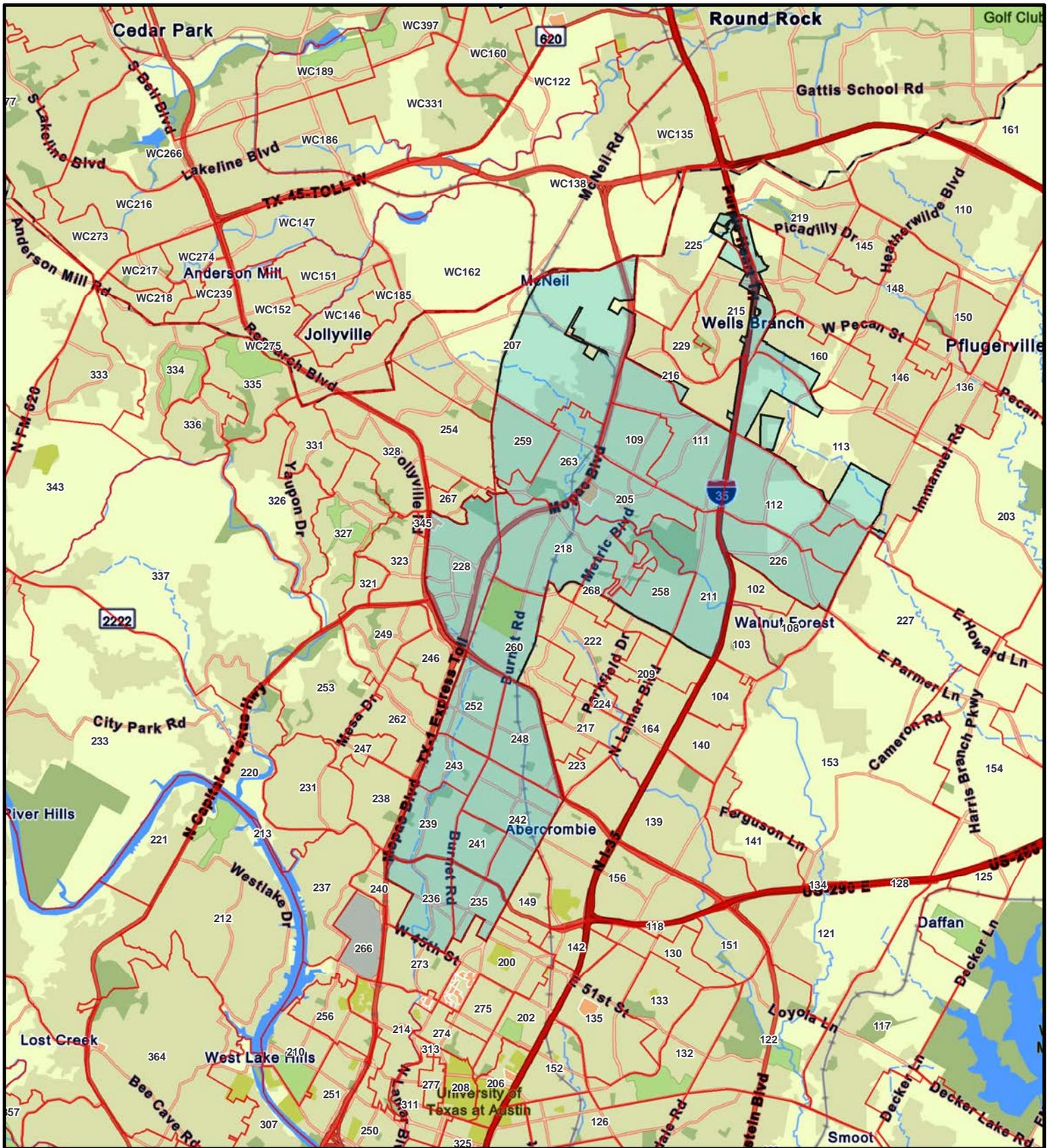


District 6

Web AppBuilder for ArcGIS
3/23/2018

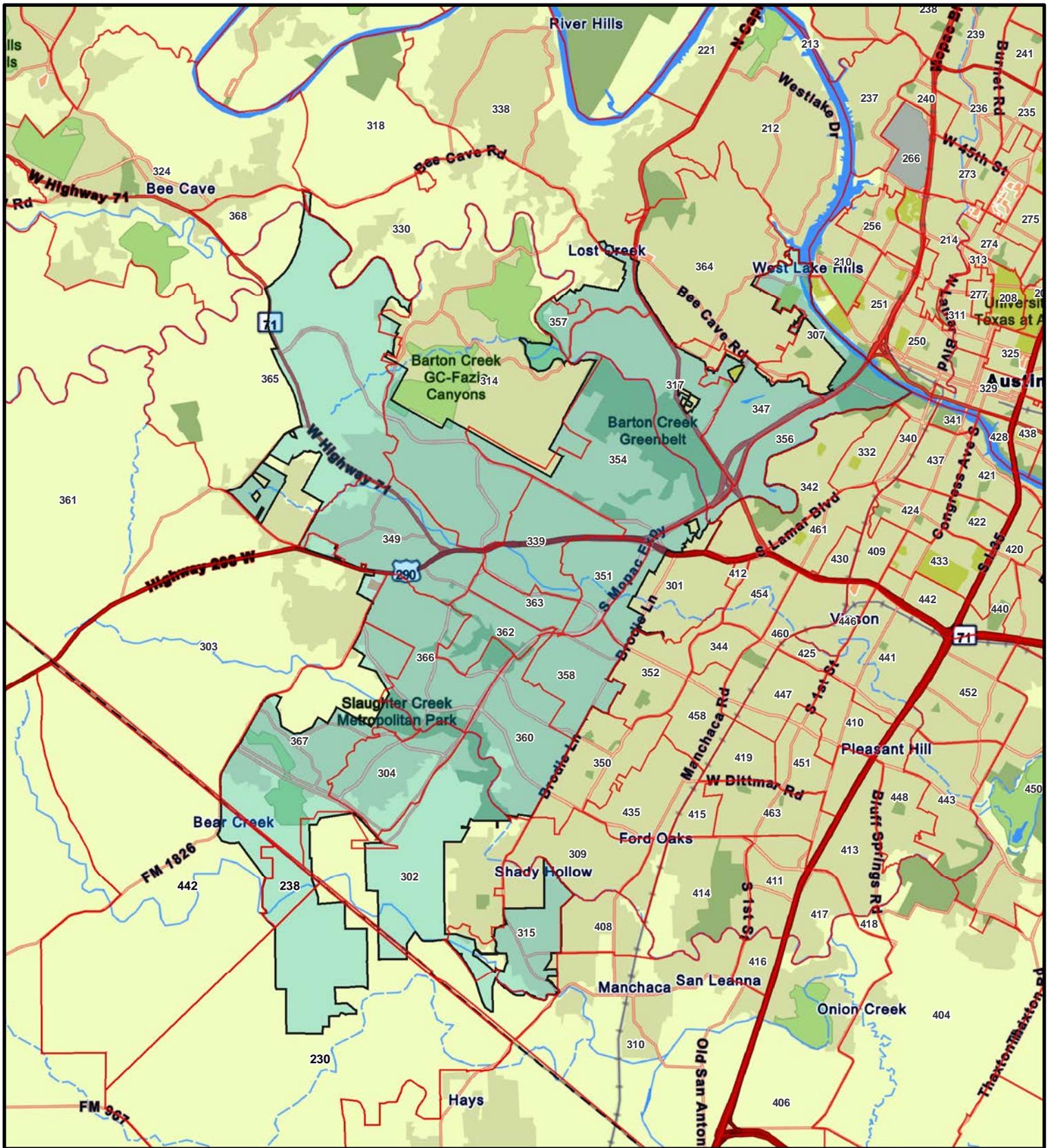


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District 8

Web AppBuilder for ArcGIS
3/26/2018



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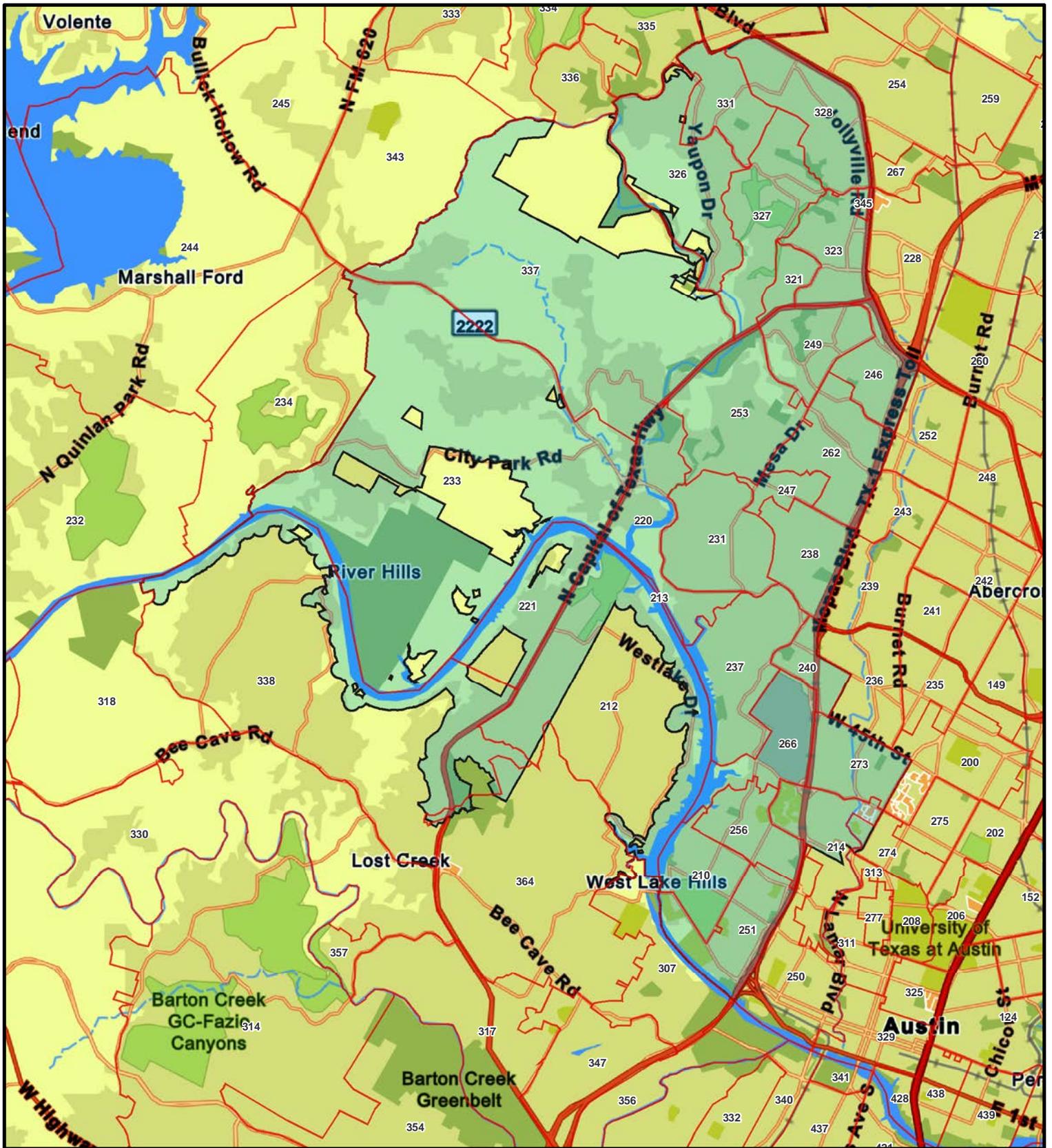


City Council District 9

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Office of the City Clerk
3/26/2018





District 10

Office of the City Clerk
3/26/2018



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MEMORANDUM

TO: Candidates for the 2018 City Council Election

FROM: Jannette Goodall, City Clerk

DATE: May 4, 2018

SUBJECT: Annual Adjustment of Campaign Finance Limits

Article III Section 8(A)(1) and 8(A)(3), of the Austin City Charter, requires campaign finance limits to be modified annually with the adoption of the budget to increase or decrease in accordance with the most recently publicized federal government, Bureau of Labor Statistics Indicator, Consumer Price Index U.S. City Average (CPI-W U.S. City Average).

Article III, Section 8, reads as follows:

§ 8. LIMITS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. (A) Limits On Contributions To Candidates.

(1) No candidate for Mayor or City Council and his or her campaign committee shall accept campaign contributions in excess of \$300 [see below for current index amount] per contributor per election from any person, except for the candidate and small-donor political committees. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$50.00.

[Using the current CPI, the campaign contribution limit amount is modified to \$350.00.]

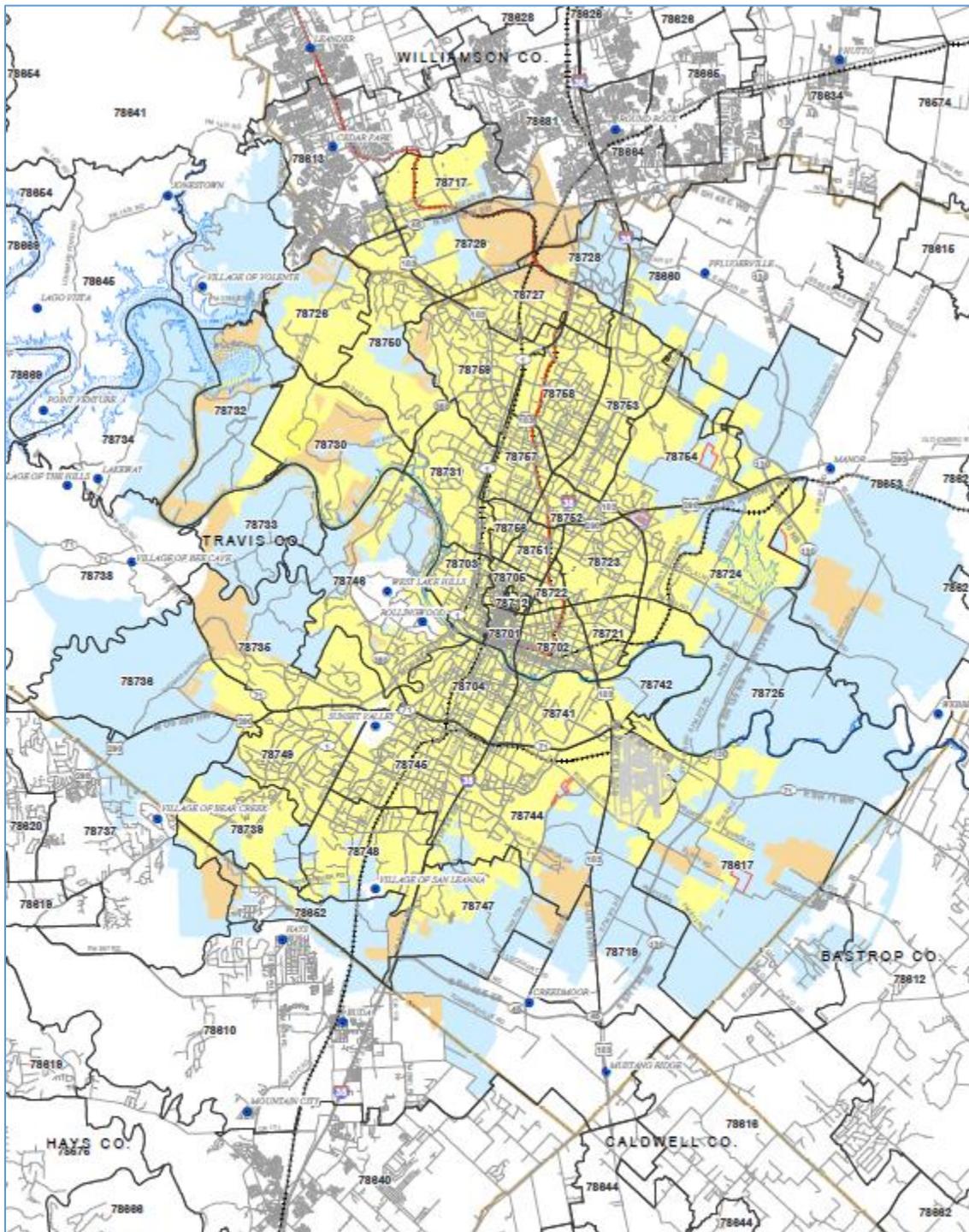
(3) No candidate and his or her committee shall accept an aggregate contribution total of more than \$30,000 [see below for current index amount] per election, and \$20,000 [see below for current index amount] in the case of a runoff election, from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$1,000.00.

[Using the current CPI, the aggregate contribution limit is modified to \$36,000 per election, and \$24,000 per runoff election.]

Attached are a list of zip codes and a map showing postal zip codes that are completely or partially within the Austin city limits. The contribution limits will be recalculated as part of the 2018 Budget adoption in September 2017. If the contribution limits are adjusted a revised memo will be distributed and posted to the Election webpage.

If you have questions, please contact the City Clerk's office at (512) 974-2210.

78610	78721	78739
78612	78722	78741
78613	78723	78742
78617	78724	78744
78641	78725	78745
78644	78726	78746
78645	78727	78747
78652	78728	78748
78653	78729	78749
78660	78730	78750
78681	78731	78751
78701	78732	78752
78702	78733	78753
78703	78734	78754
78704	78735	78756
78705	78736	78757
78712	78737	78758
78717	78738	78759
78719		



Austin's Jurisdictions and Zip Codes

- Austin Full Purpose
- Austin Limited Purpose
- Austin ETJ
- Austin ETJ - Agri. Agmt.
- County
- Zip Code Boundary
- Other City
- Major Roads
- Capital Metro Rail Route
- Railroads

1 in = 3 miles

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness. All data by City of Austin unless otherwise provided.

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CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

11 CANDIDATE
NAME

12 MODIFIED
REPORTING
DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

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

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

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

I do not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

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

Signature of Candidate

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

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

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

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

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA – INSTRUCTION GUIDE



Revised July 14, 2010

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM CTA–INSTRUCTION GUIDE

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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.

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

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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.

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CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE

POLITICAL COMMITTEE

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

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

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

FIRST

MI

NICKNAME

LAST

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

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

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

FIRST

MI

NICKNAME

LAST

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

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

Signature

Date

CANDIDATE CONTRACT

This Austin Fair Campaign Contract, made (enter date of contract) _____, is between the City of Austin, and (enter Candidate's name) _____, a candidate for (enter the office sought by Candidate including place number if the office is City Council Member) _____.

In the interest of having less costly, fair election campaigns for the offices of Mayor and City Council; safeguarding the City election process and City government from undue influence; and promoting public confidence in the integrity of its government, the parties agree to this Contract as provided by the Charter, Article III, Section 8, and Chapter 2-2 of the City Code.

NOW THEREFORE, for good and valuable consideration, the parties agree as follows:

SECTION I

Definitions

The words and phrases in this Contract shall have the same meaning as the Charter, Article III, Section 8, the Austin Fair Campaign Ordinance, and the Texas Election Code, unless otherwise stated.

"Austin Fair Campaign Ordinance" means Chapter 2-2 of the City Code.

"Austin City Code, as amended" means the City Code.

When capitalized, "Candidate" means (enter Candidate's name) _____,
a candidate for the office of (enter the office sought by Candidate, including place number if the office is City
Council Member) _____.

“Charter” means the Austin Charter, Article III, Section 8.

When capitalized, "Contract" means this contract.

"Ethics Review Commission" means the Ethics Review Commission created by section
2-7-26 of the City Code.

"Funds" means money which may be available from the Austin Fair Campaign Finance
Fund to qualifying candidates in a runoff election who sign this contract and agree to
participate in candidate forums arranged by the Ethics Review Commission.

"Office" means the position of Mayor or City Council member.

"Opposing candidate" means a candidate other than the Candidate, who has become a
candidate for the same office as the Candidate. If the Candidate is a candidate for mayor,
an "opposing candidate" is any other candidate for mayor. If the Candidate is a candidate
for the position of Austin City Council member, an "opposing candidate" is any other
candidate for the same numbered place on the City Council.

SECTION II

Parties

The parties to this Contract are the City of Austin and the Candidate. The Candidate's
contractual obligation extends to any agent of the Candidate that acts on the Candidate's
behalf, or in any way assists, promotes, manages, volunteers, or is hired for the

Candidate's campaign. The Candidate's contractual obligation extends to any person who acts with the prior consent of or cooperation or strategic communication between the person and the Candidate or the Candidate's committee. The Candidate agrees that each opposing candidate who has signed a campaign contract is a beneficiary of the Candidate's compliance with the terms of this Contract, and agrees that each opposing candidate who has signed a campaign contract may enforce the terms of this Contract as a party to this Contract.

SECTION III

Construction of the Agreement

This agreement is to be construed in a manner that is consistent with the purpose and spirit of the Charter and the Austin Fair Campaign Ordinance. The Charter and the Austin Fair Campaign Ordinance are incorporated into this Contract by reference. The Candidate must follow the requirements of the Charter and the Austin Fair Campaign Ordinance.

SECTION IV

Consideration

Candidate: The Candidate agrees to be bound by the terms of this Contract in exchange for the mutual promises and obligations set forth herein, including, without limitation, the following:

- (1) The opportunity to qualify for available funds from the Austin Fair Campaign Finance Fund, as provided in the Austin Fair Campaign Ordinance;
- (2) The use of the statement of compliance with the Austin Fair Campaign Ordinance provided by section 2-2-14 of the City Code;
- (3) The right to participate in candidate forums; and
- (4) Compliance with the terms of a campaign contract by an opposing candidate who may sign one.

The Candidate accepts the foregoing as full consideration for the Candidate's obligations under this contract with the full understanding that funds might be limited, and that opposing candidates might not enter into campaign contracts.

City of Austin: The City of Austin agrees to be bound by the terms of this Contract in exchange for the mutual promises and obligations set forth herein, including, without limitation the following:

- (1) The Candidate's full compliance, except as provided by section 2-2-17 of the City Code, with the limits on contributions and expenditures set forth in sections 2-2-12 and 2-2-13 of the Austin City Code, as modified by the Charter, Article III, Section 8, and
- (2) The Candidate's participation in the series of forums provided by section 2-2-65 of the Austin City Code, as amended.

SECTION V

The Obligations

In exchange for the consideration stated above, the City of Austin will provide available funds to the Candidate in accordance with section 2-2-64 of the City Code. The City will use reasonable efforts to maintain funding for the Campaign Finance Fund. To the extent that funds are available from the Austin Fair Campaign Finance Fund, the Candidate shall receive a distribution of the available funds equal to that received by other qualifying candidates.

In exchange for the consideration stated above, the Candidate will comply, except as provided by section 2-2-17 of the City Code, with the limits on contributions and expenditures set forth in sections 2-2-12 and 2-2-13 of the City Code, as modified by the Charter, Article III, Section 8, will participate in the series of candidate forums provided by section 2-2-65 of the City Code, and will be liable for liquidated damages and enforcement sanctions as provided below.

The Candidate has no expectation, neither implicit nor explicit, concerning the amount of matching public funds that the Candidate will be eligible for under this Contract. Furthermore, in the event that sufficient funds are not appropriated by the City Council in succeeding fiscal years, or in the event there is no money available for funds, or in the event that the Candidate is dissatisfied with the amount of money that is available for funds, the Candidate agrees that no contractual cause of action exists against the City for the Candidate's dissatisfaction.

The Candidate understands that other causes of actions may accrue against the Candidate in regard to the Candidate's campaign, and the Candidate agrees that this Contract is not intended to abridge or otherwise limit the rights of others against the Candidate in matters arising from or related to the Candidate's campaign.

This Contract imposes upon the Candidate and upon the City of Austin the duty of good faith compliance. The Candidate and the City of Austin are obligated to act in accordance with all substantive and procedural requirements of the Charter and the Austin Fair Campaign Ordinance.

SECTION VI

Term

The term of this Contract begins on the date it is signed by the Candidate and extends through the date of the election for the office sought by the Candidate, except in the event the Candidate is in a runoff election, in which event the term of this Contract shall extend through the date of the runoff election.

Termination

This Contract cannot be terminated by either party except as provided by section 2-2-17(B) of the City Code.

SECTION VII

Liquidated Damages

The Candidate understands and agrees that the actual damages that might be sustained by the City and by opposing candidates who have signed campaign contracts by reason of the Candidate's breach of this Contract are uncertain and are difficult to ascertain. Therefore, the Candidate accepts liability for liquidated damages in the event that Candidate or a person to whom the Candidate's contractual obligation extends under Section II of this Contract acts in a manner or fails to act in a manner that breaches the Candidate's obligations under the Contract.

It is stipulated that a reasonable and just compensation to each damaged party, including the City and each opposing candidate who has signed a campaign contract, for the Candidate's breach of the contribution or expenditure limits set forth in sections 2-2-12 and 2-2-13 of the City Code, as modified by the Charter, Article III, Section 8, would be three times the amount of the excessive expenditure made, or three times the amount of the excessive contribution accepted. In addition, if the Candidate breaches this Contract, the City may recover as damages from the Candidate any amount paid to the Candidate from the Austin Fair Campaign Finance Fund.

The Candidate promises to pay, and the City of Austin and each opposing candidate who signs a campaign contract agrees to accept, in lieu of other damages, the amounts set out in this Section VII as liquidated damages, and not as a penalty, in the event of a breach of this Contract. The Candidate further agrees that the City of Austin and each opposing candidate who has signed a campaign contract shall recover reasonable attorney's fees from the Candidate in connection with a lawsuit for liquidated damages, in the event a court of competent jurisdiction finds the Candidate has breached this Contract.

SECTION VIII

Other Enforcement and Sanctions

If the Candidate breaches this Contract, the Candidate shall not be considered as a provider of goods or services to the City of Austin under a contract for a period of four years following the date of the election in which the breach occurred, unless controlling state law requires that his or her bid or proposal be accepted by the City. The City Council may waive this ineligibility by a unanimous vote.

Enforcement

This contract shall be enforceable as a matter of contract law in the courts of the state of Texas.

SECTION IX.

Severability of Provisions

If any provision of this Contract is held to be invalid, illegal or unenforceable by a court of competent jurisdiction, that holding (1) shall not invalidate the remainder of this Contract, (2) shall be limited to the specific parts of this Contract described in that holding, and (3) shall not affect the validity of this Agreement in any other way.

SECTION X.

Assignment Prohibited

In no event shall the Candidate assign or transfer any rights or obligations under this Contract.

SECTION XI.

Entire Agreement

This Contract supersedes all negotiations, agreements, and discussions, if any, between the City of Austin and the Candidate concerning all or any part of the subject matter of this Fair Campaign Contract.

EXECUTED AND EFFECTIVE as of the date first written above.

SIGNED AND DATED:

CANDIDATE NAME:

DATE

CITY MANAGER, or designee, for the City of Austin

DATE

CANDIDATE AND OFFICEHOLDER BROCHURE

CAMPAIGN FINANCE

DISCLAIMER

This brochure is intended to assist candidates in City of Austin elections and City of Austin officeholders. It has been prepared by the Ethics Review Commission of the City of Austin, and does not necessarily represent the position of the City of Austin. The candidate or officeholder utilizing this brochure is held responsible for knowing and obeying all laws governing campaign finance and reporting. **THIS BROCHURE IS NOT INTENDED AS LEGAL ADVICE**, nor is it an exhaustive discussion of relevant election law. Anyone using this brochure must consult his/her own attorney for interpretation and applicability of any and all election laws.

APPLICABLE CITY CHARTER AND CODE PROVISIONS

Article III, Section 8 of the Austin City Charter (“the Charter”), entitled *Limits on Campaign Contributions and Expenditures*, governs issues relating to campaign finance. Chapter 2-2 of the City of Austin City Code (“City Code” or “Code”), entitled *Campaign Finance*, also governs issues relating to filing and reporting requirements, contribution and expenditure limitations, accounts, campaign debt, disclosures, appointments, fund raising, limitations on use of contributions, enforcement, sanctions, records retention, and the like. In cases of apparent or actual conflict between Charter provisions and Code provisions, the Charter controls.

APPLICABLE STATE LAW PROVISIONS

Vernon’s Texas Codes Annotated, Election Code, Title 15, entitled *Regulating Political Funds and Campaigns*, Chapters 251 – 258 governs, among other matters, issues relating to campaign finance. The state statutes apply to candidates and officeholders at both the local level and the state level. This brochure does not contain such state statutes, but all candidates and officeholders are required to be aware of and comply with applicable provisions of state law.

City of Austin campaign finance laws and requirements work in conjunction with state law, and City Charter and City Code requirements must be read in light of and in harmony with state campaign finance laws and all applicable state statutes.

TEXAS ETHICS COMMISSION

Title 15 of the Texas Election Code, is interpreted and administered by the Texas Ethics Commission. The Texas Ethics Commission does **not** have jurisdiction over City of Austin campaign finance requirements, nor is its staff prepared to answer inquiries about or interpret City campaign finance issues.

As to state law, the Texas Ethics Commission has excellent interpretive materials available on topics governed by state campaign finance statutes. Please refer to the online publication, *Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities* (2017); https://www.ethics.state.tx.us/guides/coh_local_guide.pdf

Attorneys and staff will respond to telephone inquiries, and may be contacted as follows:

Texas Ethics Commission
201 East 14th Street
Sam Houston Building, 10th Floor
Austin, TX 78701
Telephone: 512.463.5800/Fax: 512.463.5777
Website: www.ethics.state.tx.us/

CITY OF AUSTIN ETHICS REVIEW COMMISSION

The Ethics Review Commission (ERC) is an eleven-member board of the City of Austin. It has numerous responsibilities regarding campaign finance, including but not limited to recommending guidelines for ethical standards of conduct for City officials and employees; prescribing forms for reports, statements, notices, and miscellaneous documents required by City campaign finance laws; and scheduling and overseeing public candidate forums held in connection with City elections.

City Code Chapter 2-7, Article 2, entitled *Ethics Review Commission*, sets the ERC as the body having jurisdiction over City Code Chapter 2-2 (*Campaign Finance*) and Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*). City Code § 2-7-26. The ERC hears and rules on sworn complaints of alleged violations in these areas, and may impose a range of sanctions. City Code §§ 2-7-30(A)(6) and 2-7-49.

CITY OF AUSTIN CAMPAIGN FINANCE LAWS

City-imposed Additional Requirements. The City's campaign finance laws mandate reporting requirements and impose restrictions on the receipt, timing and use of political funds that are in addition to those found in state law. Most significantly, the City Charter imposes limitations on contributions and expenditures [Article III, Section 8, *Limits on Campaign Contributions and Expenditures*] and imposed a requirement for filing a structured data file for campaign finance reports. City Code §2-2-26.

Candidates may voluntarily contract with the City to abide by limitations on expenditures, thereby becoming eligible to potentially receive benefits/funding under the Austin Fair Campaign Chapter of the City Code Chapter 2-2, § 2-2-1 *et. seq.*

The Austin Fair Campaign Chapter is discussed more fully below under its own subheading.

- Persons Subject to City of Austin Campaign Finance Laws. The mayor, council members, candidates for those offices, and for some matters officeholders are subject to the City's campaign finance laws, requirements, and regulations. Additionally, some campaign finance laws affect political action committees, contributors, and others who participate in City elections.
- Time when Person Becomes Subject to City of Austin Campaign Finance Laws. For purposes of both City of Austin campaign finance laws and state campaign finance statutes, a person becomes a candidate – and therefore subject to campaign finance laws – when that person takes any action for the purpose of gaining election to public office. Examples of such actions include but are not limited to filing an Appointment of Campaign Treasurer form, circulating a petition for placement on the ballot,

soliciting pledges or actual contributions, or holding a press conference in which candidacy is effectively announced.

- Appointment of Campaign Treasurer Form.
 - **Filing an Appointment of Campaign Treasurer form should be the first act of a person's candidacy.**
 - The form is obtainable from, and is filed with, the City Clerk. A candidate should make certain he/she obtains the instruction booklet that accompanies the form.
 - A candidate may not begin to accept contributions or make political expenditures until the form has been correctly completed and filed.
 - A candidate may not spend personal funds for campaign purposes without first properly designating a treasurer by filing the form.
 - Filing the form does not place a candidate's name on the ballot. For information on securing a position on the ballot, candidates should contact the City Clerk.
 - Immediately upon filing the form, a candidate becomes responsible for filing required periodic reports of contributions and expenditures with the City Clerk. There are criminal and civil penalties for failure to timely file required reports. Filing required reports is the responsibility of the candidate, not the campaign treasurer.

CAMPAIGN CONTRIBUTIONS

- **Definition.** The City Code definition of "contribution" in Section 2-2-2(7) states: CONTRIBUTION means a direct or indirect transfer of money, goods, services, or any other thing of value, including a pledge or an agreement or other obligation incurred, whether legally enforceable or not, to make a transfer." The term does include an in-kind contribution, except for in-kind labor as defined in Code Section 2-2-2(11). The term includes a guarantee of a loan or extension of credit, as well as a loan or extension of credit other than those expressly excluded by state law. Tex. Election Code § 251.001(2). The term does not include "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 "an expenditure required to be reported under Texas Government Code, Section 305.006(b)." Tex. Election Code § 251.001(2).
- **City Charter Limitations on Campaign Contributions.** State law imposes no limits on the size of campaign contributions. However, the Charter in Article III, Section 8 imposes the following limitations on contributions for all City elections:
 - **A candidate may authorize, establish, administer, or control only one campaign committee at one time.**
 - **A candidate and the candidate's campaign committee must not accept contributions in excess of \$350 (the current limit adjusted for inflation) per contributor per election from any person, except for the candidate and small-donor political committees. The**

amount of the contribution limit must be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$50.00.

- A candidate and the candidate's campaign committee must not accept an aggregate contribution total of more than \$36,000 (**the current limit adjusted for inflation**) per election, and \$24,000 (**the current limit adjusted for inflation**) in the case of a runoff election, from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits. The amount of the contribution limit must be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$1,000.00.
- **A small-donor political committee, as defined in City Charter Article III, Section 8(B)(2), must not contribute more than \$1,000 per candidate per election for the offices of Mayor and City Council. Each donation cannot exceed \$25. See City Charter, Article III, Section 8(B)(1).**
- **The candidate has the responsibility of preventing violations. The candidate or the candidate's campaign committee must determine whether accepting each contribution would violate City Charter Article III, Section 8 before accepting the contribution.**
- **Additional Restrictions on Accepting Contributions.**
 - City-owned Buildings. A person must not make a contribution to a candidate or officeholder, and a candidate or officeholder must not solicit or accept a contribution at a City-owned building, except at a City-owned building that is available for rental to the general public and that is rented for a campaign-related event at the time the contribution is made. This prohibition does not apply to acceptance of contributions mailed to officeholders at a City mailing address. See City Code Section 2-2-52.
 - Cash Contributions. State law prohibits a candidate, officeholder, or special-purpose committee from accepting from a contributor in a reporting period, political contributions in cash that total more than \$100. Tex. Election Code § 253.033 Checks are not considered to be cash.

A candidate or officeholder who accepts cash contributions in connection with a City election must maintain a receipt book for cash contributions. The receipt book must list the date of any cash contributions and the contributor's name and address. However, this is not the case if the cash contributions are received by a candidate or officeholder at one or more fundraising events having a stated ticket price of \$25 per person or less. Such contributions may be aggregated if the treasurer files with the next contribution and expenditure report an affidavit stating the

amount of cash proceeds received at the event and verifies that no individual made a cash contribution of more than \$50 in connection with the event. *See* City Code Section 2-2-51.

- Contributions from Lobbyists. No person who is compensated to lobby the mayor or city council and who is required to register with the City as a lobbyist, and no spouse of any such person, may contribute more than \$25 in a campaign period to an officeholder or candidate for mayor or city council, or to a specific-purpose political committee involved in an election for mayor or city council. *See* City Code Section 2-2-53. Lobbyists can be individuals, corporations, associations, firms, partnerships, committees, clubs, organizations, or a group of persons who are voluntarily acting in concert. For information on lobbyist registration requirements, see City Code Chapter 4-8, and more specifically, section 4-8-3. Texas law generally prohibits accepting political contributions from corporations. Tex. Election Code § 253.094; *King Street Patriots v. Texas Democratic Party*, 521 S.W.3d 729, 741-43 (Tex. 2017). For more information on the prohibition on corporate political contributions, contact the Texas Ethics Commission.

“AUSTIN FAIR CAMPAIGN CHAPTER”

- Voluntary Contract. As previously stated, candidates may voluntarily contract with the City to abide by limitations on expenditures, thereby becoming eligible to potentially receive benefits/funding under the Austin Fair Campaign Chapter. City Code Section 2-2-11 *et. seq.*
- **Time for Signing Campaign Contract. A candidate who wishes to sign the Campaign Contract must personally execute it the earlier of (1) 30 days after becoming a candidate under the Texas Election Code; or (2) the date the candidate files for a place on the ballot.**
- Campaign Contract Availability. City Code Section 2-2-11(A) states: “A candidate for mayor or city council may sign a contract with the City agreeing to abide by limitations on that candidate’s contributions and expenditures as specified in this article in exchange for benefits provide under this chapter.” Such contract is called the “Campaign Contract” and may be obtained from the City Clerk.
- Available Funding. City Code Section 2-2-11(C) provides as follows: “Only a candidate who signs a campaign contract with the City will qualify for public funds from the Austin Fair Campaign Finance Fund.” Additionally, the signing candidate must agree to participate in a series of candidate forums arranged by the City’s Ethics Review Commission.

Information about the Fair Campaign Finance Fund is found in City Code Section 2-2-61 *et. seq.*

The Fair Campaign Finance Fund provides partial public support for qualifying candidates in runoff elections. Funding is subject to availability, and is not provided to candidates in uncontested elections, recall elections, or elections to fill vacancies created by a recall election. The fund itself is comprised from monies garnered from lobbyist fees, donations, liquidated damages and criminal fines collected for violations of campaign laws, and filing fees from candidates.

- Limitations on Contributions. City Code Section 2-2-13 imposes the following limitations on contributions for those signing the Campaign Contract:
 - **Candidates for Mayor:** A candidate must not accept contributions from an individual or any political committee in excess of the aggregate contribution amount set by City Charter Article III, Section 8(A)(1) for both the campaign period for the election and the campaign period for a runoff election; and more than \$24,000 from political committees for a regular election, or an additional \$16,000 for a runoff election.
 - **Candidates for City Council:** A candidate must not accept contributions from an individual or any political committee in excess of the aggregate contribution amount set by City Charter Article III, Section 8(A)(3) for both the campaign period for the election and the campaign period for a runoff election; and more than \$15,000 from political committees for a regular election, or an additional \$10,000 for a runoff election.
- Limitations on Expenditures. City Code Section 2-2-12 imposes the following limitations on expenditures for those signing the Campaign Contract:
 - **Candidates for Mayor:** A candidate for mayor must not make expenditures in excess of \$120,000 for the campaign period for the election, and an additional \$80,000 for a runoff election.
 - **Candidates for City Council:** A candidate for city council must not make expenditures in excess of \$75,000 for the campaign period for the election, and an additional \$50,000 for a runoff election.
 - A candidate in a race for mayor or city council must not make expenditures from the candidate's own funds that exceed five percent of the applicable voluntary expenditure limits delineated above for an election or runoff election.
- Disclosure Statement Required.
 - City Code Section 2-2-14 mandates that a candidate who has signed a Campaign Contract must include the following notice in all political advertising, verbatim and in a clear and conspicuous manner: **“This campaign has agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter.”**
 - The same City Code section also mandates that if a candidate has not signed a Campaign Contract, the following notice must be included in all political advertising, verbatim and in a clear and conspicuous manner: **“This campaign has not agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter.”**

- Consequences of Violation of Campaign Contract.
 - Breach of a candidate’s Campaign Contract can be the result of violating the contribution or expenditure limits, or authorizing the publication of political advertising without the required notice, or the like.
 - The Campaign Contract provides for liquidated damages payable to the City and to other candidates for the same office who have signed a Campaign Contract, and the amount of liquidated damages is three times the amount of the excessive expenditure made or contribution accepted. City Code § 2-2-15. Additionally, the City and each opposing candidate having signed a Campaign Contract are able to recover reasonable attorney’s fees from the breaching party in connection with a lawsuit for liquidated damages. City Code § 2-2-15. The City may also recover from the breaching party any amount paid to that candidate from the Fair Campaign Finance Fund. The breaching party may also be barred for four years from being considered as a provider of goods or services to the City.
 - The Campaign Contract is enforceable as a matter of contract law in the courts. It is not intended to create criminal liability.

TIME RESTRICTIONS ON CANDIDATE FUNDRAISING

A candidate may only raise funds for an election during an authorized campaign period. City Code § 2-2-7(G). The campaign period for a general election begins 365 days¹ before the date of the general election. City Code § 2-2-7(B). The campaign period for a runoff election begins the day after the date of an election. City Code § 2-2-7(C).

RESTRICTIONS ON USE OF CONTRIBUTIONS

- State law prohibits converting contributions to personal use.
- Candidates are not required to disgorge (or distribute the balance of) campaign funds at the end of an election.²
- City Charter Article III, Section 8(F)(6-8) allows an officeholder to retain up to \$20,000 of funds received from political contributions for the purposes of officeholder expenditures, with the provision that such funds be held in a separate account, be used only for officeholder expenditures and not for

¹ The 365-day campaign period was adopted by city council after a federal court struck down the 180-day campaign period (which is set forth in City Charter Article III, section 8(F)(2)). Zimmerman v. City of Austin, ---F.3d---, 2018 WL 652854 *8-9 (Feb. 1, 2018).

² See Zimmerman v. City of Austin, ---F.3d---, 2018 WL 652854 *9-11 (Feb. 1, 2018)(holding unconstitutional City Charter Article III, Section 8(F)(3), which required disgorgement of campaign funds).

campaign expenditures, and be paid to the Fair Campaign Fund when the officeholder leaves the council.

- City Charter Article III, Section 8(F)(4) allows an unsuccessful candidate having unpaid expenses after an election, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, to solicit and accept political contributions after the election until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed.
- City Charter Article III, Section 8(F)(5) allows an officeholder having unpaid expenses after an election, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, to solicit and accept political contributions after leaving office until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed. An officeholder may also pay the unpaid expenses and reimburse the unreimbursed expenditures from political contributions received during a subsequent campaign.

CONTRIBUTION AND EXPENDITURE REPORTS; OTHER REPORTS

- City Code Section 2-2-2(3) defines “campaign finance report” as “a periodic report of contributions, loans, credits, interests, gains, reimbursements, and expenditures of a candidate, officeholder, or political committee required to be filed under Chapter 254, Texas Election Code, including any other matters and reports required to be disclosed” under City Code Chapter 2-2.
- Under City Code Section 2-2-21 and Texas Election Code Section 254.202, candidates for mayor and city council must file campaign finance reports with the City Clerk’s office. The report must include any information required by the Texas Election Code or the Austin Fair Campaign Chapter (City Code Chapter 2-2).
- Under City Code Section 2-2-26, a candidate, officeholder, or political committee, required by the City Code or state law to file a campaign finance report with the city clerk, must also provide the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed.
- Other Reports. As mandated by and in accordance with the Texas Election Code or City Code, a candidate must file the following:
 - A campaign treasurer appointment;
 - Semiannual sworn statements of contributions and expenditures;
 - Pre-election sworn statements of contributions and expenditures due 30 days before an election and eight days before an election (for opposed candidates);
 - Runoff reports (in the event of a runoff);
 - A final report (as a candidate);

- Annual reports of unexpended contributions (for candidates who have unexpended contributions after having filed a final report); and
- A report of final disposition of unexpended contributions.
- City of Austin Pre-Election Reports
- City of Austin Bundling Report
- City of Austin Direct Campaign Expenditure Report
- City of Austin Candidate and Officeholder Data File

State law also encourages candidates and political committees to subscribe to the Code of Fair Campaign Practices. Tex. Election Code Chapter 258. Subscription to the Texas Fair Campaign Practices Code is voluntary. Tex. Election Code § 258.003. Candidates may subscribe to and file the Code of Fair Campaign Practices.

Candidates may obtain Code of Fair Campaign Practices forms, as well as Austin Fair Campaign Chapter forms, at the City Clerk’s Office at 301 West Second Street, First Floor, Austin, Texas. Tex. Election Code § 258.005; City Code § 2-2-6.

DIRECT CAMPAIGN EXPENDITURES MADE BY PERSON OTHER THAN A CANDIDATE OR A CANDIDATE’S COMMITTEE

- City Code Section 2-2-32 sets forth reporting requirements for persons other than a candidate or a candidate’s committee who make expenditures for or opposing a candidate or ballot measure. An expenditure supporting or opposing the election of a candidate or ballot measure is considered independent of the candidate’s campaign if:
 - The expenditure is made independently of the candidate and the candidate’s committee;
 - The expenditure is made without prior consent of the candidate; and
 - The expenditure is made without cooperation or strategic communication between the independent person making the expenditure and the candidate or the candidate’s committee.
- City Code Section 2-2-32 requires reporting of direct campaign expenditures that in the aggregate meet or exceed \$500. The form identified as Schedule ATX.1, “Report of Direct Campaign Expenditures”, must be filed with the City Clerk’s office by every person, including political action committees other than a candidate or a candidate’s committee, that makes independent expenditures of \$500 or more in the aggregate to promote the election or defeat of any candidate or ballot measure in a City election. The report must be filed within the deadlines specified in Section 2-2-32 and in compliance with any other campaign finance reporting deadlines under state law or the City Code.

LENGTH OF TIME FOR RETAINING RECORDS

- City Code Section 2-2-28 requires that copies of checks, bank statements, deposit slips, and other information necessary for filing Contribution and Expenditure Reports must be kept for a period of five years after the close of the reporting period to which the records are applicable.

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#: _____) <hr style="border-top: 1px dotted black;"/> 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#: _____) <hr style="border-top: 1px dotted black;"/> 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#: _____) <hr style="border-top: 1px dotted black;"/> 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#: _____) <hr style="border-top: 1px dotted black;"/> Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)

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

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A2:	
2 FILER NAME		3 Filer ID (Ethics Commission Filers)	
4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS		\$	
5 Date	6 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)	8 Amount of Contribution \$	9 In-kind contribution description
	7 Contributor address; City; State; Zip Code		
<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.			
10 Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)		11 Employer (FOR NON-JUDICIAL) (See Instructions)	
12 Contributor's principal occupation (FOR JUDICIAL)		13 Contributor's job title (FOR JUDICIAL) (See Instructions)	
14 Contributor's employer/law firm (FOR JUDICIAL)		15 Law firm of contributor's spouse (if any) (FOR JUDICIAL)	
16 If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)			

Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of Contribution \$	In-kind contribution description
	Contributor address; City; State; Zip Code		
<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.			
Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)		Employer (FOR NON-JUDICIAL) (See Instructions)	
Contributor's principal occupation (FOR JUDICIAL)		Contributor's job title (FOR JUDICIAL) (See Instructions)	
Contributor's employer/law firm (FOR JUDICIAL)		Law firm of contributor's spouse (if any) (FOR JUDICIAL)	
If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)			

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

PLEGGED CONTRIBUTIONS

SCHEDULE B

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

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

LOANS

SCHEDULE E

The Instruction Guide explains how to complete this form.

1 Total pages Schedule E:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 TOTAL OF UNITEMIZED LOANS

\$

5 Date of loan

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

9 Loan Amount (\$)

6 Is lender a financial Institution?

Y N

8 Lender address; City; State; Zip Code

10 Interest rate

11 Maturity date

12 Principal occupation / Job title (See Instructions)

13 Employer (See Instructions)

14 Description of Collateral

none

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

16 GUARANTOR INFORMATION

17 Name of guarantor

19 Amount Guaranteed (\$)

18 Guarantor address; City; State; Zip Code

not applicable

20 Principal Occupation (See Instructions)

21 Employer (See Instructions)

Date of loan

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

Loan Amount (\$)

Is lender a financial Institution?

Y N

Lender address; City; State; Zip Code

Interest rate

Maturity date

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Description of Collateral

none

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

GUARANTOR INFORMATION

Name of guarantor

Amount Guaranteed (\$)

Guarantor address; City; State; Zip Code

not applicable

Principal Occupation (See Instructions)

Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F2:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
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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 Candidate/Officeholder/Political Committee	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
	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)
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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	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Candidate/Officeholder/Political Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)
Credit Card Payment			

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE H

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule H:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)			
4 Date	5 Business name				
6 Amount (\$)	7 Business address; City; State; Zip Code				
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense			
	<table border="0" style="width:100%;"> <tr> <td style="width:50%;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:25%;">Candidate / Officeholder name</td> <td style="width:20%;">Office sought</td> <td style="width:5%;">Office held</td> </tr> </table>		Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held		
Date	Business name				
Amount (\$)	Business address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense			
	<table border="0" style="width:100%;"> <tr> <td style="width:50%;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:25%;">Candidate / Officeholder name</td> <td style="width:20%;">Office sought</td> <td style="width:5%;">Office held</td> </tr> </table>		Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held		
Date	Business name				
Amount (\$)	Business address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense			
	<table border="0" style="width:100%;"> <tr> <td style="width:50%;">Complete <u>ONLY</u> if direct expenditure to benefit C/OH</td> <td style="width:25%;">Candidate / Officeholder name</td> <td style="width:20%;">Office sought</td> <td style="width:5%;">Office held</td> </tr> </table>		Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held		

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE K

<p style="text-align: center;">The Instruction Guide explains how to complete this form.</p>	<p>1 Total pages Schedule K:</p>
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<p>2 FILER NAME</p>	<p>3 Filer ID (Ethics Commission Filers)</p>
----------------------------	---

4 Date	<p>5 Name of person from whom amount is received</p> <p>.....</p> <p>6 Address of person from whom amount is received; City; State; Zip Code</p> <p>.....</p>	8 Amount (\$)
<p>7 Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer</p>		

Date	<p>Name of person from whom amount is received</p> <p>.....</p> <p>Address of person from whom amount is received; City; State; Zip Code</p> <p>.....</p>	Amount (\$)
<p>Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer</p>		

Date	<p>Name of person from whom amount is received</p> <p>.....</p> <p>Address of person from whom amount is received; City; State; Zip Code</p> <p>.....</p>	Amount (\$)
<p>Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer</p>		

Date	<p>Name of person from whom amount is received</p> <p>.....</p> <p>Address of person from whom amount is received; City; State; Zip Code</p> <p>.....</p>	Amount (\$)
<p>Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer</p>		

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

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CORRECTION/AMENDMENT AFFIDAVIT FOR CANDIDATE/OFFICEHOLDER

FORM COR-C/OH

1 Filer ID (Ethics Commission Filers)		2 Total pages filed:		OFFICE USE ONLY			
3 CANDIDATE / OFFICEHOLDER NAME	MS / MRS / MR	FIRST	MI				
	NICKNAME	LAST	SUFFIX				
4 ORIGINAL REPORT TYPE	<input type="checkbox"/> January 15	<input type="checkbox"/> Runoff	<input type="checkbox"/> Other (specify) _____				
	<input type="checkbox"/> July 15	<input type="checkbox"/> Exceeded \$500 limit	_____				
	<input type="checkbox"/> 30th day before election	<input type="checkbox"/> 15th day after treasurer appointment (officeholder only)					
	<input type="checkbox"/> 8th day before election	<input type="checkbox"/> Final report					
5 ORIGINAL PERIOD COVERED	Month	Day	Year	THROUGH	Month	Day	Year
	/	/			/	/	
Date Received							
Date Hand-delivered or Date Postmarked							
Receipt #				Amount \$			
Date Processed							
Date Imaged							

6 EXPLANATION OF CORRECTION

7 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that this corrected report is true and correct.

Check ONLY if applicable:

Semiannual reports: I swear, or affirm, that the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

Other reports: I swear, or affirm, that I am filing this corrected report not later than the 14th business day after the date I learned that the report as originally filed is inaccurate or incomplete. I swear, or affirm, that any error or omission in the report as originally filed was made in good faith.

AFFIX NOTARY STAMP / SEAL ABOVE

Signature of Candidate or Officeholder

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

**Remember To Attach Any Part Of The Campaign Finance Report Form
Needed To Report And Explain Corrections**

CORRECTION/AMENDMENT AFFIDAVIT FOR CANDIDATE/OFFICEHOLDER

All Reports: A filer who files a corrected report must submit a correction affidavit. The affidavit must identify the information that has changed.

Reports filed with Texas Ethics Commission: A corrected report (other than a report due 8 days before an election or a special report near election) filed with the Ethics Commission after its due date is not considered late for purposes of late-filing penalties if: (1) any error or omission in the report as originally filed was made in good faith, and (2) the person filing the report files a corrected report and a good-faith affidavit not later than the 14th business day after the date the person learns that the report as originally filed is inaccurate or incomplete.

Semiannual Reports: Effective September 1, 2011, a semiannual report (due January 15 or July 15) that is amended/corrected before the eighth day after the original report was filed is considered to have been filed on the date the original report was filed. A semiannual report that is amended/corrected on or after the eighth day after the original report was filed is considered to have been filed on the date the original report was filed if: (1) the amendment/correction is made before any complaint is filed with regard to the subject of the amendment/correction; and (2) the original report was made in good faith and without intent to mislead or misrepresent the information contained in the report.

Attach additional pages as necessary.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

1. Filer ID. If you file with the Ethics Commission, you should have received a letter acknowledging receipt of your campaign treasurer appointment and assigning you a Filer ID. Put that number in this box. If you do not file with the Ethics Commission, skip this box.

2. Total Pages Filed. After completing this form and any attachments, count the number of pages. Enter that number in this box. Each side of a two-sided form counts as a page. In other words, this form is two pages.

3. Candidate/Officeholder Name. Put your full name here. Enter your name in the same way as on the report you are correcting.

4. Original Report Type. Mark the type of report you are correcting.

5. Original Period Covered. Enter the period covered by the report you are correcting. The year is important because filers sometimes correct reports years after filing the original.

6. Explanation of Correction. Attach any part of the campaign finance report form needed to report and explain corrections. Explain why there was an error on the original report. Also explain what information is being corrected and how the new information is different from the information on the original report. (Use additional pages if you need more space.) You may also use this area to request a waiver or reduction of a late-filing penalty and state the basis of your request.

7. Affidavit. Read the affidavit before signing. You must sign the affidavit in the presence of an individual authorized to take oaths. If signed before a notary public, the affidavit must include the notary's signature and seal.

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.

PAGE 2

- 14. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 15. FILER ID:** See instructions for section 1.
- 16. NOTICE FROM POLITICAL COMMITTEE(S):** Complete this section if you received notice from a political committee that it accepted political contributions or made political expenditures on your behalf. You are required to disclose the receipt of such a notice in the report covering the period in which you receive the notice. If you have not received such notice, you may skip this section.

The political committee is required to include in the notice the full name and address of the committee, the full name and address of the committee’s campaign treasurer, and a statement indicating whether the committee is a general-purpose committee or a specific-purpose committee. If the notice also describes the expenditure, do not include the description in this section.

“Additional Pages” box: If you received notice from more than one committee, check this box and attach an additional page listing the names and addresses of the other committees and of their campaign treasurers.

Committee Type:

“General” box: Check this box if the notice is from a general-purpose committee.

“Specific” box: Check this box if the notice is from a specific-purpose committee.

Committee Name: Enter the full name of the committee as reported in the notice.

Committee Address: Enter the address of the committee as reported in the notice.

Committee Campaign Treasurer Name: Enter the name of the committee’s campaign treasurer as reported in the notice.

Committee Campaign Treasurer Address: Enter the address of the committee’s campaign treasurer as reported in the notice.

17. TOTALS: Complete this section only after you have completed all applicable schedules.

Line 1- Total Political Contributions of \$50 or Less, Unless Itemized: Enter the total of all unitemized contributions (other than pledges or loans or guarantees of loans) of \$50 or less. Do not include any contributions itemized on Schedules A1 or A2. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you were required to itemize political contributions that totaled more than \$50 from one person. You also had the option of itemizing contributions of \$50 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

Line 2- Total Political Contributions: Add the total contributions listed on Schedules A1 and A2 to the amount you entered on line 1. Enter that total on line 2. Enter a “0” if you did not receive any contributions during the period covered.

Line 3- Total Political Expenditures of \$100 or Less, Unless Itemized: Enter the total of all unitemized political expenditures of \$100 or less. Do not include any expenditures itemized on Schedules F1, F2, F3, F4, G, or H. Enter a “0” if you did not make any unitemized expenditures during the period covered.

On Schedule F1, you were required to itemize political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing expenditures totaling \$100 or less to one payee. Do not include any expenditures itemized on Schedule F1 in the total entered on line 3, regardless of amount.

On Schedule F2, you were required to itemize incurred but not yet paid political expenditures that totaled more than \$100 to one payee. You also had the option of itemizing incurred political expenditures totaling \$100 or less to one payee. Do not

include any political or non-political expenditures itemized on Schedule F2 in the total entered on line 3, regardless of amount.

On Schedule F4, you were required to itemize political expenditures made by a credit card that totaled more than \$100 to one payee. You also had the option of itemizing political expenditures totaling \$100 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F4 in the total entered on line 3, regardless of amount.

On Schedule G, you were required to itemize political expenditures from personal funds if you intend to seek reimbursement from political contributions. Do not include any expenditures itemized on Schedule G in the total entered on line 3, regardless of amount.

On Schedule H, you were required to itemize payments from political contributions made to certain businesses. Do not include any expenditures itemized on Schedule H in the total entered on line 3, regardless of amount.

Line 4- Total Political Expenditures: Add the following:

- (a) the total expenditures itemized on Schedule F1;
- (b) the total political expenditures itemized on Schedule F2;
- (c) the total political expenditures itemized on Schedule F4;
- (d) the total political expenditures itemized on Schedule G;
- (e) the total political expenditures itemized on Schedule H; and
- (f) the amount you entered on line 3.

Enter that total on line 4.

Enter a “0” if you did not make any expenditures during the period covered.

Line 5- Total Political Contributions Maintained: Enter the total amount of political contributions, including interest or other income on those contributions, maintained as of the last day of the reporting period. Enter “0” if you do not maintain political contributions, including interest or other income on those contributions, as of the last day of the reporting period. This is different from the total contributions reported on line 2. Only contributions accepted during the period covered by the report are entered on line 2.

The law requires you to disclose the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period.

The “total amount of political contributions maintained” includes the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions; the present value of any investments that can be readily converted to cash, such as

certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.; and the balance of political contributions accepted and held in any online fundraising account over which the filer can exercise control by making a withdrawal, expenditure, or transfer.

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

Line 6- Total Principal Amount of All Outstanding Loans: Enter the aggregate outstanding principal amount of all loans accepted for campaign or officeholder purposes as of the last day of the reporting period. Enter a “0” if you did not accept any loans during the period covered and have no outstanding loans as of the last day of the reporting period. This is different from the information reported on Schedule E. This line must include outstanding principal of loans made in this reporting period as well as outstanding principal of loans made previously.

- 18. AFFIDAVIT:** Complete this section only after you have completed all applicable sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. *Only the candidate or officeholder filing the report may sign the affidavit.*

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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.

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Report Of Direct Campaign Expenditures: Schedule ATX.1

(Previously Independent Expenditures not by a Candidate)

Office Use Only

1 INDIVIDUAL OR ORGANIZATION NAME <input type="checkbox"/> Filer is an individual	Committee or Organization Name* <input type="text"/>
2 INDIVIDUAL OR ORGANIZATION ADDRESS	Address/ PO Box* <input type="text"/> Apartment or Suite Number <input type="text"/> City* <input type="text"/> State* <input type="text"/> Zip Code* <input type="text"/>
3 COMMITTEE TREASURER NAME (if applicable)	Title <input type="text"/> First Name <input type="text"/> Middle Initial <input type="text"/> Last Name <input type="text"/> Suffix <input type="text"/>
4 COMMITTEE TREASURER ADDRESS (if applicable)	Address/ PO Box <input type="text"/> Apartment or Suite Number <input type="text"/> City <input type="text"/> State <input type="text"/> Zip Code <input type="text"/>
5 REPORT DATE	Date Filed (yyyymmdd)* <input type="text"/>

* Indicates a required field



Report Of Direct Campaign Expenditures: Schedule ATX.1

(Previously Independent Expenditures not by a Candidate)

6 AFFIDAVIT

I swear or affirm upon penalty of perjury that each direct campaign expenditure was made without prior consent, cooperation, strategic communication, consultation, or sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between an affected candidate, the candidate's campaign staff, the candidate's campaign committee, or an agent or employee of the candidate or the committee, and the person making the expenditure, or that person's agent or employee.

I further swear that this Report of Direct Campaign Expenditures filed herewith is in all things true and correct and fully shows all information required to be reported by me pursuant to City Code, Section 2-2-32.

DATE: _____

AFFIANT'S SIGNATURE

PRINT NAME

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged, sworn to and subscribed before me by

On the _____ day of _____, _____, to certify which witness my hand and official seal.

Notary Public in and for the State of Texas

Typed or Printed Name of Notary



Report Of Direct Campaign Expenditures: Schedule ATX.1

(Previously Independent Expenditures not by a Candidate)

Contribution

Effective September 1, 2016 information related to contributions must be reported if the individual or organization making a direct campaign expenditure has accepted a contribution.

For each contributor who made one or more contributions in an aggregate amount of \$500 or more after August 31, 2016, that have not previously been reported, the following information must be provided for each accepted contribution.

Itemize each contribution in Sections 1-3. For additional contributions, click "Add Another Contribution Page" below.

1 CONTRIBUTOR NAME <input checked="" type="checkbox"/> Contributor is an individual	Contributor Title Contributor First Name* <input type="text"/> <input type="text"/> Organization Name or Contributor Last Name, as applicable* Contributor Suffix <input type="text"/> <input type="text"/>
2 CONTRIBUTOR ADDRESS AND EMPLOYER	Contributor Address/ PO Box* Contributor Apartment or Suite Number <input type="text"/> <input type="text"/> Contributor City* Contributor State* Contributor Zip Code* <input type="text"/> <input type="text"/> <input type="text"/> Contributor Employer* Contributor Occupation* <input type="text"/> <input type="text"/>
3 CONTRIBUTION DETAILS	Contribution Date (yyyymmdd)* (\$) Contribution Amount* <input type="text"/> <input type="text"/>

Add Another Contribution Page



Report of Direct Campaign Expenditures: Schedule ATX.1

(Previously "Independent Expenditures not by a Candidate")

Instruction Guide

This report must be filed by persons (as defined in § 2-2-2(17) of the City Code, which includes corporations and political committees) **other than a candidate or a candidate's campaign committee**, who make one or more direct campaign expenditures in a City election that in the aggregate meet or exceed \$500.

A **direct campaign expenditure** is an expenditure for an electioneering communication or for express advocacy, as defined in City Code Section § 2-2-31, that is made:

1. independently of any candidate and any candidate's campaign committee;
2. without prior consent, cooperation, strategic communication, or consultation between:
 - (a) any candidate, any candidate's campaign staff, any candidate's campaign committee, or an agent or employee of any candidate or candidate's campaign committee; and
 - (b) the person or entity making the expenditure, or that person's agent or employee; and
3. without prior sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between:
 - (a) any candidate, any candidate's campaign staff, any candidate's campaign committee, or an agent or employee of any candidate or any candidate's campaign committee; and
 - (b) the person or entity making the expenditure, or that person's agent or employee.

An individual or organization must file this report with the Office of the City Clerk each time the aggregate \$500 expenditure threshold is met. The filing of one **Schedule ATX.1: Report of Direct Campaign Expenditures** does not excuse the filing of a subsequent report each time this threshold is met.

The deadlines for timely filing of this report are:

1. If the expenditure is made before the 60th day before the date of the election, no later than the fifth business day after the date of the expenditure.
2. If the expenditure is made on or after the 60th day before the date of the election and before the ninth day before the date of the election, no later than the second business day after the date of the expenditure.
3. If the expenditure is made on or after the ninth day before the date of the election, no later than 5 p.m. on the first business day after the date of the expenditure.

Note that the City of Austin's requirement for reporting direct campaign expenditures does not supersede, modify or replace any reporting requirements established by the Texas Ethics Commission (TEC). Individuals, committees, or corporations who file an **ATX.1: Report of Direct Campaign Expenditures** with the City may be subject to additional reporting requirements established by the TEC. It is incumbent upon the filer to be aware of and comply with all reporting requirements for direct campaign expenditures established by governing bodies external to the City.

Electronic Filing of Schedule ATX.1 Data

All direct campaign expenditures disclosed on the **ATX.1: Report of Direct Campaign Expenditures** must be reported electronically. The City Clerk's Office has created a fillable PDF form in which to record the required information. Fillable PDF forms must be received by the City Clerk in the provided format. Printed and scanned, or otherwise modified, copies of the fillable PDFs will render the data unreadable and the City Clerk will be required to reject the submitted data. The form should be delivered to the City Clerk's Office on a flash drive or other media; email submission of the fillable PDF is not permitted at this time.



Report of Direct Campaign Expenditures: Schedule ATX.1

(Previously "Independent Expenditures not by a Candidate")

Instruction Guide

Required fields are highlighted in **red** below. Failure to complete a required field will result in the data file being rejected by the City Clerk.

Per City Code § 2-2-26, the City Clerk will reject fillable PDF forms that do not comply with formatting and data requirements. Acceptance of a paper form does not indicate acceptance of the data file. For each report filed, a validation report will be generated and provided to the filer within one business day, indicating acceptance or rejection of the data file.

Page 1: Filer Information

1. **Individual or Organization Name:** The full name of the individual or name of the company, political committee, organization, or group who made the expenditure. For individuals, check the box next to "Filer is an individual". *The Individual or Organization Name is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Filer Employer and Occupation: If the filer is an individual, provide the filer's employer and occupation. *For Individuals filing an ATX.1, Filer Employer and Occupation are required. A blank value will result in an error that will cause the data file to be rejected.*

2. **Individual or Organization Address:** The mailing or street address of the individual, committee, or organization that made the direct campaign expenditure. *The Individual or Organization Address is required. A blank value in this field will result in an error that will cause the data file to be rejected.*
3. **Committee Treasurer Name:** For political committees, the full name of the committee's treasurer.
4. **Committee Treasurer Address:** For political committees, the mailing or street address of the committee's treasurer.
5. **Report Date:** The date the report was filed. Enter all dates in the format *yyyymmdd*. *This Report Date is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Page 2: Affidavit

6. **Affidavit:** This field requires a notary seal. If requested, the Office of the City Clerk will print and notarize a paper copy of the form.

Page 3: Expenditure Information

Provide the following information for each direct campaign expenditure.

1. **Payee Name:** The full name of the individual or name of the company, political committee, organization, or group to whom the expenditure was made. For individuals, check the box next to "Payee is an individual". *This Payee Name is required. A blank value in this field will result in an error that will cause the data file to be rejected.*
2. **Payee Address:** The payee's street or mailing address, including city, state and zip code. *This Payee Address is required. A blank value will result in an error that will cause the data file to be rejected.*



Report of Direct Campaign Expenditures: Schedule ATX.1

(Previously "Independent Expenditures not by a Candidate")

Instruction Guide

3. Expenditure Details

Category: The category code of goods, services, or other thing of value for which the expenditure was made. *This Expenditure Category is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Description: If the Category is "Other," a description of the goods, services, or other thing of value for which the expenditure was made.

Expenditure Amount: The amount of the expenditure. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Expenditure Date: The date on which the payment was made. Enter all dates in the format *yyyymmdd*. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

4. Candidates and/or ballot measures supported or opposed

Provide the following information for each candidate, officeholder, or ballot measure supported or opposed by each direct campaign expenditure. Filers must report at least one candidate/ballot measure supported or opposed.

Candidate's Last Name or Measure Name: For ballot measures supported or opposed, the name of each measure. For candidates or officeholders, the last name of each individual supported or opposed by the expenditure. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Candidate's First Name: The first name of each candidate or officeholder supported or opposed by the expenditure, if applicable.

Office Sought: The office sought by each candidate or officeholder supported or opposed by the expenditure, if applicable.

Office Held: The current office held by each officeholder supported or opposed by the expenditure, if applicable.

To add additional expenditures, click the "Add Another Expenditure Page" button on the lower left-hand side of the form.



Report of Direct Campaign Expenditures: Schedule ATX.1

(Previously "Independent Expenditures not by a Candidate")

Instruction Guide

Page 4: Contribution Information

Effective **September 1, 2016** information related to contributions must be reported if the individual or organization making a direct campaign expenditure has accepted a contribution during the current election reporting cycle.

Note: For the 2016 general election, individuals and organizations must only report contributions received after August 31, 2016.

For each contributor who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported, the following information must be provided for each accepted contribution.*

If the filer has no contributions to report, leave this page blank.

- Contributor Name:** The contributor's full name (for individuals) or the name of the company, political committee, organization, or group who made the contribution. For individuals, check the box next to "Contributor is an individual". *The Contributor Name is required. A blank value in this field will result in an error that will cause the data file to be rejected.*
- Contributor Address:** The contributor's street or mailing address, including city, state, and zip code. *The Contributor Address is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Contributor Employer and Occupation: If the contributor is an individual, provide the contributor's employer and occupation. *The Contributor Employer and Occupation are required. A blank value in these fields will result in an error that will cause the data file to be rejected.*

3. Contribution Details

Contribution Date: The date on which each contribution was accepted. Enter all dates in the format `yyyymmdd`. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Contribution Amount: The amount of each contribution. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

To add additional contributions, click the "Add Another Contribution Page" button on the lower left-hand side of the form.

* A person, as defined in City Code § 2-2-2(17), who pays for a direct campaign expenditure exclusively from a segregated bank account must only report information regarding contributions made to that segregated bank account. A segregated bank account is a bank account maintained by a person who makes one or more direct campaign expenditures, consisting of funds that were paid directly to that account by persons other than the person that controls it, and used by that person to make direct campaign expenditures. See [Ordinance 20160623-020](#) for additional details.



Form Instructions

Candidate Bundling Report: Schedule ATX.5

Attach to C/OH Coversheet

City Code, Section 2-2-22 requires a candidate for whom a bundler has bundled contributions **to file a separate report, attached to the candidate's Campaign Finance Report (C/OH)**, that discloses the following information:

1. The name and address of each bundler who has bundled for the candidate;
2. The bundler's occupation and the name of the bundler's employer;
3. The name, address, occupation and employer of each individual contributor whose contribution was bundled by the bundler;
4. The amount contributed by each individual contributor whose contribution was bundled by the bundler;
5. The total amount the bundler has bundled for the candidate during the reporting period; and
6. The name of each person registered or required to register under Chapter 4-8 (*Regulation of Lobbyist*) who is employed by, or compensated to lobby by:
 - a. The bundler;
 - b. A business association through which the bundler does business; or
 - c. The bundler's employer.

Page 1: Lobbyist Information

This section is to be completed for each person registered or required to register as a lobbyist under City Code, Chapter 4-8 (*Regulation of Lobbyists*). The information must include:

- The first and last name of the lobbyist
- The lobbyist's street address, city, state and zip code.

Page 2: Bundler Information

This section must to be completed for each person/bundler who has solicited and obtained campaign contributions on a candidate's behalf of \$200 or more per person from five (5) or more individuals during the reporting period. (This requirement does not apply to an individual who raises \$5,000 or less for a candidate through a fundraising event held at the individual's residence.) The information must include:

- The full name of the bundler, including title, and suffix, as applicable
- The bundler's street or mailing address including city, state and zip code
- The total amount of contributions bundled
- An itemized list of contributions bundled including the first and last name of each contributor, the amount of each contribution, the date on which the contribution was accepted, and the Candidate/Officeholder (TEC form C/OH) Schedule on which the contribution is reported.

A separate sheet is required for each bundler. To add an additional bundler, click on the "Add Another Bundler Page" located on the lower left-hand side of the form.

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Exemption Statement: Schedule ATX.6

Name of Candidate, or Officeholder running for re-election:

STATEMENT

I have not raised, and do not intend to raise, more than \$10,000 in contributions for the campaign period from November 6, 2017 through November 6, 2018 or, through the December, 2018 runoff election. Therefore, I will not provide to the City Clerk a structured data file containing the contents of each filed campaign finance report.

I acknowledge that if contributions raised do exceed \$10,000 then I shall provide to the City Clerk: (1) a data file for each subsequent campaign finance report that a candidate or officeholder is required to file; and (2) a data file for each prior campaign finance report that was due during the campaign period before the amount of contributions raised exceeded \$10,000, to be provided to the City Clerk no later than the next campaign finance report filing deadline after the contributions exceed \$10,000. I also acknowledge that an exemption from providing a data file associated with a required campaign finance report does not exempt me from filing the campaign finance report.

I acknowledge that each candidate who signs a campaign contract (as authorized by Section 2-2-11 of City Code) must comply with the requirement to provide to the City Clerk a structured data file associated with each campaign finance report filed with the City Clerk, regardless of the dollar amount of contributions the candidate has raised or intends to raise. Therefore, I acknowledge that a candidate who signs a campaign contract is not eligible to file this form, ATX.6. I acknowledge that filing an ATX.6 in error will not exempt me from the requirement to file a structured data file containing the contents of each campaign finance report with the City Clerk.

Date: _____

Candidate or Officeholder Signature

Print Name

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Pre-Election Report

Candidates and Officeholders

Form ATX.7COH

Use this form to report contributions received, expenditures made from personal funds, or loans made from personal funds between the 9th day before the election and the day before the election that have met the monetary thresholds identified in City Code 2-2-29. For detailed instructions on how to complete this form, see the **Pre-Election Report: Candidates and Officeholders Instruction Guide**

<p>1</p> <p>FILER NAME</p>	<p>Title First Name* Middle Initial</p> <p>_____</p> <p>Nickname Last Name* Suffix</p> <p>_____</p>
<p>2</p> <p>FILER ADDRESS</p>	<p>Address/ PO Box Apartment or Suite Number</p> <p>_____</p> <p>City State Zip Code</p> <p>_____</p>
<p>3</p> <p>CAMPAIGN TREASURER NAME</p>	<p>Title First Name Middle Initial</p> <p>_____</p> <p>Nickname Last Name Suffix</p> <p>_____</p>
<p>4</p> <p>CAMPAIGN TREASURER ADDRESS</p>	<p>Address/ PO Box Apartment or Suite Number</p> <p>_____</p> <p>City State Zip Code</p> <p>_____</p>
<p>5</p> <p>REPORTING PERIOD AND OFFICE INFORMATION</p>	<p>Start Date (yyyymmdd)* THROUGH End Date (yyyymmdd)*</p> <p>_____</p> <p>Office Sought Office Held, if applicable</p> <p>_____ Not Applicable</p>

* Indicates a required field



Pre-Election Report Candidates and Officeholders Form ATX.7COH

6

SCHEDULES

ATTACHED

*Check box for each form
attached*

- Schedule ATX.7A - Pre-Election Report of Contributions

- Schedule ATX.7E: Loans Made from Personal Funds

- Schedule ATX.7G: Expenditures Made from Personal Funds

AFFIDAVIT

By signature below, I certify that the preceding Pre-Election Report filed herewith is in all things true and correct and fully shows all information required to be reported by me pursuant to City Code, Section 2-2-29 for the reporting period indicated.

Signature of Affiant



Pre-Election Report of Contributions: Schedule ATX.7A

(Attach to Form ATX.7COH Coversheet)

Contribution

Itemize each contribution in Sections 1-3.

For additional contributions, click "Add Another Contribution Page" below.

* Indicates a required field

1 CONTRIBUTOR NAME <input checked="" type="checkbox"/> Contributor is an individual	Contributor Title Contributor First Name* <input type="text"/> <input type="text"/> Organization Name or Contributor Last Name, as applicable* Contributor Suffix <input type="text"/> <input type="text"/>
2 CONTRIBUTOR ADDRESS AND EMPLOYER	Contributor Address/ PO Box* Contributor Apartment or Suite Number <input type="text"/> <input type="text"/> Contributor City* Contributor State* Contributor Zip Code* <input type="text"/> TX <input type="text"/> Contributor Employer Contributor Occupation <input type="text"/> <input type="text"/> Per City Code 2-2-29(d), employer and occupation are required for individuals whose contribution is \$200 or more
3 CONTRIBUTION DETAILS	Contribution Date (yyyymmdd)* (\$) Contribution Amount* <input type="text"/> <input type="text"/> In-Kind Contribution Description, if applicable <input type="text"/>

Add Another Contribution Page



Pre-Election Report of Expenditures Made From Personal Funds: Schedule ATX.7G

(Attach to Form ATX.7COH Coversheet)

Expenditure

Itemize each expenditure made from personal funds in Sections 1-3.
For additional expenditures, click "Add Another Expenditure Page" below.

Note: To report a Direct Campaign Expenditure as defined in City Code 2-2-31, use form **ATX.1: Report of Direct Campaign Expenditures**

* Indicates a required field

1 PAYEE NAME <input type="checkbox"/> Payee is an individual	Organization Name or Payee Last Name, as applicable* <input type="text"/>
2 PAYEE ADDRESS	Payee Address/ PO Box* <input type="text"/> Payee Apartment or Suite Number <input type="text"/> Payee City* <input type="text"/> Payee State* <input type="text"/> Payee Zip Code* <input type="text"/>
3 EXPENDITURE DETAILS	Category* <input type="text"/> (\$) Expenditure Amount* <input type="text"/> Description (If Category is "Other") <input type="text"/> Expenditure Date* <input type="text"/>

Add Another Expenditure Page

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Form Instructions

Pre-Election Report - Candidates and Officeholders

Form ATX.7COH

The Pre-Election Report by Candidates and Officeholders must be completed by any candidate who accepts contributions that total more than \$10,000; makes loans from personal funds to the candidate's campaign totaling more than \$10,000; or makes expenditures from personal funds in support of the campaign totaling more than \$10,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election. The report must be filed with the City Clerk no later than 5 p.m. on the first business day after each date that one or more of the above reporting thresholds are met.

Electronic Filing of ATX.7COH Data

The Pre-Election Report must be filed electronically using the fillable PDF form provided by the City Clerk's Office. The form should be delivered to the City Clerk's Office electronically on a flash drive. Submitting the Pre-Election Report and associated schedules as instructed fulfills the requirement to provide a structured data file. Fillable PDF forms must be received by the City Clerk in the provided format. Printed and scanned, or otherwise modified, copies of the fillable PDFs will render the data unreadable and the City Clerk will be required to reject the submitted data. Email submission of the fillable PDFs is not permitted at this time.

Required fields are highlighted in **red** below. Failure to complete a required field will result in the data file being rejected by the City Clerk.

Per City Code Chapter 2-2-26, the City Clerk will reject data files that do not comply with formatting and data consistency requirements. Acceptance of a paper form does not indicate acceptance of the data file. For each submitted fillable PDF, a validation report will be generated and provided to the filer within one business day, indicating acceptance or rejection of the data file.

The Pre-Election Report by Candidates/Officeholders consists of a coversheet and three schedules:

- Schedule ATX.7E: Loans Made from Personal Funds
- Schedule ATX.7G: Expenditures Made from Personal Funds
- Schedule ATX.7A: Pre-Election Report of Contributions

Page 1: ATX.7COH Coversheet Filer Information

1. Filer Name: The filer's full name.

a. Title: The filer's title, if applicable.

b. First Name: The first name of the filer. *This field is required. A blank value in this field will result in an error that will cause the data file to be **rejected**.*

c. Middle Initial: The filer's middle initial, if applicable.

d. Nickname: The filer's nickname, if applicable.

e. Last Name: The filer's last name. *This field is required. A blank value in this field will result in an error that will cause the data file to be **rejected**.*

f. Suffix: The filer's suffix, if applicable.



Form Instructions

Pre-Election Report - Candidates and Officeholders

Form ATX.7COH

- 2. Filer Address:** The filer's full mailing or street address including city, state, and zip code.
 - 3. Campaign Treasurer Name:** The full name of the filer's campaign treasurer.
 - 4. Campaign Treasurer Address:** The mailing or street address of the filer's campaign treasurer, including city, state, and zip code.
 - 5. Reporting Period:** The date on which the reporting period for this report starts, and the date on which the reporting period for this report ends. Enter all dates in the format *yyyymmdd*. *These fields are required. A blank value in these fields will result in an error that will cause the data file to be **rejected**.*
- Office Information:** The office currently sought and/or the office currently held by the filer, as applicable.

Page 2: ATX.7COH Coversheet Affidavit

- 6. Schedules Attached:** Identifies the schedule type(s) attached to the coversheet. Check all boxes that apply.
- Affidavit:** Signature of filer. Upon receipt of the fillable PDF, the City Clerk will print a paper copy of the form for the filer to sign.

Page 3: Schedule ATX.7A Contribution Information

For each contribution accepted by the filer during the reporting period, the following information must be provided. If the filer has no contributions to report, leave this page blank.

- 1. Contributor Name:** The contributor's full name (for individuals) or the name of the company, political committee, organization, or group (for entities). For individuals, check the box next to "Contributor is an individual". *This field is required. A blank value in this field will result in an error that will cause the data file to be **rejected**.*
- 2. Contributor Address:** The contributor's street or mailing address, including city, state, and zip code. *These fields are required. A blank value in these fields will result in an error that will cause the data file to be **rejected**.*

Contributor Employer and Occupation: If the contributor is an individual, provide the contributor's employer and occupation. *If the contribution amount is \$200 or more, the Contributor Employer and Occupation field is required. A blank value in these fields will result in an error that will cause the data file to be **rejected**.*
- 3. Contribution Details:** For each contribution, the following information must be provided:
 - a. Contribution Date:** The date on which the contribution was accepted. Enter all dates in the format *yyyymmdd*. *This field is required. A blank value in this field will result in an error that will cause the data file to be **rejected**.*
 - b. Contribution Amount:** The amount of the contribution, or the market value of an in-kind contribution. *This field is required. A blank value in this field will result in an error that will cause the data file to be **rejected**.*
 - c. In-Kind contribution Description:** For an in-kind contribution, a description of the contribution.

To add additional contributions, click "Add Another Contribution Page" on the lower left-hand side of the form.



Form Instructions

Pre-Election Report - Candidates and Officeholders

Form ATX.7COH

Page 4: Schedule ATX.7E Loans from Personal Funds

For each loan made from personal funds by the filer to his or her campaign during the reporting period, the following information must be provided. If the filer has no loans to report, leave this page blank.

a. Loan Date: The date on which the loan was made. Enter all dates in the format *yyyymmdd*. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

b. Loan Amount: The principal amount of the loan. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Page 5: Schedule ATX.7G Expenditures Made from Personal Funds

For each expenditure from personal funds made by the filer during the reporting period, the following information must be provided. If the filer has no expenditures from personal funds to report, leave this page blank.

To report a Direct Campaign Expenditure as defined in City Code 2-2-31, use form ATX.1: Report of Direct Campaign Expenditures

1. Payee Name: The payee's full name (for individuals) or the name of the company, political committee, organization, or group (for entities). For Individuals, check the box next to "Payee is an individual". *The Payee Name field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

2. Payee Address: The payee's street or mailing address, including city, state, and zip code. *These fields are required. A blank value in these fields will result in an error that will cause the data file to be rejected.*

3. Expenditure Details: For each expenditure, the following information must be provided:

a. Category: The category code of goods, services, or other thing of value for which an expenditure is made. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

b. Description: If the category is "Other," a description of the category of goods, services, or other thing of value for which an expenditure is made.

c. Expenditure Amount: The amount of the payment. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

d. Expenditure Date: The date on which the payment was made. Enter all dates in the format *yyyymmdd*. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

To add additional expenditures, click "Add Another Expenditure Page" on the lower left-hand side of the form.

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Pre-Election Report Political Committees Form ATX.7PAC

Use this form to report contributions received and expenditures made between the 9th day before the Election and the day before the Election that have met the monetary thresholds identified in City Code 2-2-29. For detailed instructions on how to complete this form, see the **Pre-Election Report: Political Committees Instruction Guide**

1 COMMITTEE NAME	Committee Name* <input type="text"/>
2 COMMITTEE ADDRESS	Address/ PO Box <input type="text"/> Apartment or Suite Number <input type="text"/> City <input type="text"/> State <input type="text"/> Zip Code <input type="text"/>
3 COMMITTEE TREASURER NAME	Title <input type="text"/> First Name <input type="text"/> Middle Initial <input type="text"/> Nickname <input type="text"/> Last Name <input type="text"/> Suffix <input type="text"/>
4 COMMITTEE TREASURER ADDRESS	Address/ PO Box <input type="text"/> Apartment or Suite Number <input type="text"/> City <input type="text"/> State <input type="text"/> Zip Code <input type="text"/>
5 REPORTING PERIOD	Start Date (yyyymmdd)* <input type="text"/> THROUGH End Date (yyyymmdd)* <input type="text"/>

* Indicates a required field



Pre-Election Report Political Committees Form ATX.7PAC

<p>6</p> <p>SCHEDULES ATTACHED</p> <p><i>Check box for each form attached</i></p>	<p><input type="checkbox"/> Schedule ATX.7A - Pre-Election Report of Contributions</p> <p><input type="checkbox"/> Schedule ATX.7F - Pre-Election Report of Expenditures</p>
--	--

AFFIDAVIT

By signature below, I certify that the Pre-Election Report filed herewith is in all things true and correct and fully shows all information required to be reported by me pursuant to City Code, Section 2-2-29 for the reporting period indicated.

Signature of Affiant



Pre-Election Report of Contributions: Schedule ATX.7A

(Attach to Form ATX.7PAC Coversheet)

Itemize each contribution in Sections 1-3.

For additional contributions, click "Add Another Contribution Page" below.

* Indicates a required field

<p>1</p> <p>CONTRIBUTOR NAME</p> <p><input type="checkbox"/> Contributor is an individual</p>	<p>Contributor Title Contributor First Name*</p> <p><input type="text"/> <input type="text"/></p> <p>Organization Name or Contributor Last Name, as applicable* Contributor Suffix</p> <p><input type="text"/> <input type="text"/></p>
<p>2</p> <p>CONTRIBUTOR ADDRESS AND EMPLOYER</p>	<p>Contributor Address/ PO Box* Contributor Apartment or Suite Number</p> <p><input type="text"/> <input type="text"/></p> <p>Contributor City* Contributor State* Contributor Zip Code*</p> <p><input type="text"/> <input type="text"/> <input type="text"/></p> <p>Contributor Employer Contributor Occupation</p> <p><input type="text"/> <input type="text"/></p> <p>Per City Code 2-2-29(d), employer and occupation are required for individuals whose contribution is \$200 or more</p>
<p>3</p> <p>CONTRIBUTION DETAILS</p>	<p>Contribution Date (yyyymmdd)* (\$) Contribution Amount*</p> <p><input type="text"/> <input type="text"/></p> <p>In-Kind Contribution Description, if applicable</p> <p><input type="text"/></p>

Add Another Contribution Page



Pre-Election Report of Expenditures: Schedule ATX.7F

(Attach to Form ATX.7PAC Coversheet)

Expenditure

Itemize each expenditure in Sections 1-3.

For additional expenditures, click "Add Another Expenditure Page" below.

Note: To report a Direct Campaign Expenditure as defined in City Code 2-2-31, use form **ATX.1: Report of Direct Campaign Expenditures**

* Indicates a required field

1 PAYEE NAME <input type="checkbox"/> Payee is an individual	Organization Name or Payee Last Name, as applicable* <input type="text"/>
2 PAYEE ADDRESS	Payee Address/ PO Box* <input type="text"/> Payee Apartment or Suite Number <input type="text"/> Payee City* <input type="text"/> Payee State* <input type="text"/> Payee Zip Code* <input type="text"/>
3 EXPENDITURE DETAILS	Category* <input type="text"/> (\$) Expenditure Amount* <input type="text"/> Description (If Category is "Other") <input type="text"/> Expenditure Date* <input type="text"/>

Add Another Expenditure Page



Form Instructions

Pre-Election Report - Political Committees

Form ATX.7PAC

The Pre-Election Report by Political Committees must be completed by any political committee that accepts contributions that total more than \$2,500; or makes expenditures that total more than \$1,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election. The report must be filed with the City Clerk no later than 5 p.m. on the first business day after each date that one or both of the reporting thresholds are met.

Electronic Filing of ATX.7PAC Data

The Pre-Election Report must be filed electronically using the fillable PDF form provided by the City Clerk's Office. The form should be delivered to the City Clerk's Office electronically on a flash drive. Submitting the Pre-Election Report and associated schedules as instructed fulfills the requirement to provide a structured data file. Fillable PDF forms must be received by the City Clerk in the provided format. Printed and scanned, or otherwise modified, copies of the fillable PDFs will render the data unreadable and the City Clerk will be required to reject the submitted data. Email submission of the fillable PDFs is not permitted at this time.

Required fields are highlighted in red below. Failure to complete a required field will result in the data file being rejected by the City Clerk.

Per City Code Chapter 2-2-26, the City Clerk will reject data files that do not comply with formatting and data consistency requirements. Acceptance of a paper form does not indicate acceptance of the data file. For each submitted fillable PDF, a validation report will be generated and provided to the filer within one business day, indicating acceptance or rejection of the data file.

The Pre-Election Report by Political Committees consists of a coversheet and two Schedules:

- Schedule ATX.7A: Pre-Election Report of Contributions
- Schedule ATX.7F: Pre-Election Report of Expenditures

Page 1: ATX.7PAC Coversheet Committee Information

- 1. Committee Name:** The political committee's name. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*
- 2. Committee Address:** The committee's street or mailing address, including city, state, and zip code.
- 3. Committee Treasurer Name:** The full name of the committee's treasurer.
- 4. Committee Treasurer Address:** The mailing or street address, including city, state, and zip code, of the committee's treasurer.
- 5. Reporting Period:** The date on which the reporting period for this report starts, and the date on which the reporting period for this report ends. Enter all dates in the format *yyyymmdd*. *These fields are required. A blank value in these fields will result in an error that will cause the data file to be rejected.*



Form Instructions

Pre-Election Report - Political Committees

Form ATX.7PAC

Page 2: ATX.7PAC Coversheet Affidavit

6. Schedules Attached: Identifies the schedule type(s) attached to the coversheet. Check all boxes that apply.

Affidavit: Signature of filer. Upon receipt of the fillable PDF, the City Clerk will print a paper copy of the form for the filer to sign.

Page 3: Schedule ATX.7A Contribution Information

For each contribution accepted by the committee during the reporting period, the following information must be provided. If the committee has no contributions to report, leave this page blank.

1. Contributor Name: The contributor's full name (for individuals) or the name of the company, political committee, organization, or group (for entities). For Individuals, check the box next to "Contributor is an individual". *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

2. Contributor Address: The contributor's street or mailing address, including city, state, and zip code. *These fields are required. A blank value in these fields will result in an error that will cause the data file to be rejected.*

Contributor Employer and Occupation: If the contributor is an individual, provide the contributor's employer and occupation. *If the contribution amount is \$200 or more, the Contributor Employer and Occupation field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

3. Contribution Details: For each contribution, the following information must be provided:

a. Contribution Date: The date on which the contribution was accepted. Enter all dates in the format *yyyymmdd*. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

b. Contribution Amount: The amount of the contribution, or the market value of an in-kind contribution. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

c. In-Kind Contribution Description: For an in-kind contribution, a description of the contribution.

To add additional contributions, click the "Add Another Contribution Page" on the lower left-hand side of the form.



Form Instructions

Pre-Election Report - Political Committees

Form ATX.7PAC

Page 4: Schedule ATX.7F Expenditure Information

For each expenditure made by the committee during the reporting period, the following information must be provided. If the committee has no expenditures to report, leave this page blank.

To report a Direct Campaign Expenditures as defined in City Code 2-2-31, use form ATX.1: Report of Direct Campaign Expenditures.

- 1. Payee Name:** The payee's full name (for individuals) or the name of the company, political committee, organization, or group (for entities). For individuals, check the box next to "Payee is an individual". *The Payee Name field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*
- 2. Payee Address:** The payee's street or mailing address, including city, state and zip code. *These fields are required. A blank value in these fields will result in an error that will cause the data file to be rejected.*
- 3. Expenditure Details:** For each expenditure, the following information must be provided:
 - a. Category:** The category code of goods, services, or other thing of value for which an expenditure is made. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*
 - b. Expenditure Amount:** The amount of the payment. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*
 - c. Description:** If the category code is "Other," a description of the category of goods, services, or other thing of value for which an expenditure is made.
 - d. Expenditure Date:** The date on which the payment was made. Enter all dates in the format *yyyymmdd*. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

To add additional expenditures, click the "Add Another Expenditure Page" on the lower left-hand side of the form.

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REPORTS WITH SPECIFIC DEADLINES			
DUE DATE	REPORT/FORM NAME	PERIOD COVERED	NOTES
<p>Tuesday, January 16, 2018 5:00 p.m.</p> <p>Deadline is extended because of holiday.</p>	<p><u>January 15th - Semi-Annual Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>From: July 1, 2017, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.</p> <p>To: December 31, 2017</p>	<p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Must have filed an Appointment of a Campaign Treasurer By a Candidate Form CTA: https://www.ethics.state.tx.us/forms/cta.pdf Required by Tex. Election Code Sec. 254.063, Sec. 254.093 and Sec 1.006</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by Austin City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>
<p>Monday, April 30, 2018 4:45 p.m.</p> <p>Current Officeholders and Required Staff.</p>	<p><u>Statement of Financial Information (SFI) (City Form)</u></p> <p>Provided by the Office of the City Clerk.</p>	<p>From: January 1, 2017</p> <p>To: December 31, 2017</p>	<p>This form is due not later than April 30th of each year by 4:45 p.m.</p> <p>Required by City Code §§ 2-7-76, 2-7-72 (A)</p>

<p>Monday, April 30, 2018 5 p.m.</p> <p>Current Officeholders and Required Staff.</p>	<p><u>Personal Financial Statement (PFS)</u></p> <p>https://www.ethics.state.tx.us/e-forms/e_pfs-LOCAL18.pdf</p>	<p>From: January 1, 2017</p> <p>To: December 31, 2017</p>	<p>Form PFS – Instruction Guide: https://www.ethics.state.tx.us/forms/PFS_ins.pdf Required by Tex. Government Code, Sec. 572.021, Sec 572.026, Tex. Election Code Sec. 145.004(a)-(c), and Sec. 1.006.</p>
<p>Monday, July 16, 2018 5:00 p.m.</p> <p>Deadline is extended because of weekend.</p>	<p><u>January 15th - Semi-Annual Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>From: January 1, 2018, or the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.</p> <p>To: June 30, 2018</p>	<p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Must have filed an Appointment of a Campaign Treasurer By a Candidate Form CTA: https://www.ethics.state.tx.us/forms/cta.pdf Required by Tex. Election Code Sec. 254.093 and Sec. 1.006</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>
<p>Monday, July 23, 2018 – Monday, August 20, 2018</p>	<p><u>Application for place on the Ballot</u></p> <p>Provided by the Office of the City Clerk.</p>	<p>N/A</p>	<p>Deadline to submit the application is the 78th day prior to election day at 5:00 p.m.</p> <p>Please note the following: the deadline for filing the voluntary “campaign contract” delineated in City Code 2-2-11 is “the earlier of (1) 30 days after he or she becomes a candidate under the Texas Election Code [§§ 141.031, 141.040 and Chapter 143]; or (2) the date the candidate files for a place on the ballot.” For additional information, please refer to the Texas Election Code and the City Clerk’s document entitled “Candidate and Officeholder Brochure on Campaign</p>

			Finance.
Friday, July 31, 2018 4:45 p.m.	<u>Statement of Financial Information (SFI) (City Form)</u> Provided by the Office of the City Clerk.	From: January 1, 2018 To: June 30, 2018	This form is due not later than July 31 st of each year by 4:45 p.m. Required by City Code, 2-7-72 (A)
Current Mayor and Council, and spouses, Only			
Monday, August 27, 2018 4:45 p.m.	<u>Statement of Financial Information (SFI) (City Form)</u> Provided by the Office of the City Clerk.	From: January 1, 2017 To: December 31, 2017	This form is due not later than five working days after the deadline for filing for their respective offices. Incumbents are not required to file provided they filed the required report on April 30, 2018. Required by City Code, 2-7-74
Candidates only – Incumbents are not required to refile the report provided the required reports were filed in April.			
Monday, September 10, 2018 5:00 p.m.	<u>Personal Financial Statement (PFS)</u> https://www.ethics.state.tx.us/e-forms/e_pfs-LOCAL18.pdf	From: January 1, 2017 To: December 31, 2017	This form is due by the 20th day after the deadline for filing an application for a place on the ballot. The Deadline for filling an application is Aug 20, 2018. So the 20th day after the deadline will be, Sunday, September 9th, 2018. Required by Texas Government Code, Sec. 572.021 , Sec 572.026 , 572.029 ; Tex. Local Gov't Code Sec.145.004 (a)-(c) .
Deadline is extended because of weekend.			
Candidates only – Incumbents are not required to refile provided the required reports were filed in April.			

<p>Tuesday, October 9, 2018 5:00 p.m.</p> <p>Deadline is extended because of weekend and holiday.</p>	<p><u>30th Day Pre-Election Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>From: July 1, 2018, or</p> <p>the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.</p> <p>To: September 27, 2018</p> <p>The end date is the 40th day before the election.</p>	<p>Must be filed by “opposed” candidates if the candidate did not choose the modified reporting schedule or choose the modified reporting schedule but then exceeded the threshold before the 30th day before the election. Tex. Election Code § 254.064.</p> <p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Must have filed an Appointment of a Campaign Treasurer By a Candidate Form CTA: https://www.ethics.state.tx.us/forms/cta.pdf Required by Texas Government Code Sec. 254.093 and Sec. 1.006</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>

<p>Monday, October 29, 2018 5:00 p.m.</p>	<p><u>8th Day Pre-Election Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>From: September 28, 2018, <u>or</u></p> <p>the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.</p> <p>To: October 27, 2018</p> <p>The end date is the 10th day before the election.</p>	<p>Must be filed by “opposed” candidates if the candidate did not choose the modified reporting schedule or choose the modified reporting schedule but then exceeded the threshold before the 8th day before the election. Tex. Election Code § 254.064.</p> <p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Must have filed an Appointment of a Campaign Treasurer By a Candidate Form CTA: https://www.ethics.state.tx.us/forms/cta.pdf Required by Texas Government Code Sec. 254.093 and Sec. 1.006</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>
<p>Monday, October 29, 2018 thru Monday, November 6, 2018</p> <p>As required during the period of the 9th day before the election and 5 pm on the day before the election.</p>	<p><u>ATX- Pre-Election Report (ATX7) Candidates and Officeholders</u></p> <p>http://austintexas.gov/page/campaign-finance-forms</p>	<p>October 28, 2018 through November 5, 2018</p>	<p>Must be filed by any candidate who accepts contributions that total more than \$10,000; loans from personal funds that total more than \$10,000; expenditures from personal funds that total more than \$10,000 during the reporting period. Must be filed no later than 5 p.m. on the first business day after each date that one or more of the thresholds are met. City Code § 2-2-29(C).</p> <p>Must be filed in accordance with the filing instructions provided by the City Clerk’s Office.</p>

<p>Monday, October 29, 2018 thru Monday, November 5, 2018</p> <p>As required during the period of the 9th day before the election and 5 pm on the day before the election.</p>	<p><u>ATX- Pre-Election Report (ATX7) Political Action Committees</u></p> <p>http://austintexas.gov/page/campaign-finance-forms</p>	<p>October 28, 2018 through November 5, 2018.</p>	<p>Must be filed by any political action committee who accepts contributions that total more than \$2,500; or makes expenditures that total more than \$1,000 during the reporting period. Must be filed no later than 5 p.m. on the first business day after each date that one or more of the thresholds are met. City Code § 2-2-29(D).</p> <p>Must be filed in accordance with the filing instructions provided by the City Clerk’s Office.</p>
<p>Tuesday, January 15, 2019 5:00 p.m.</p>	<p><u>January 15th - Semi-Annual Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>From: July 1, 2018, or the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.</p> <p>To: December 31, 2018</p>	<p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Must have filed an Appointment of a Campaign Treasurer By a Candidate Form CTA: https://www.ethics.state.tx.us/forms/cta.pdf Required by Texas Government Code Sec. 254.093 and Sec. 1.006</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>

ADDITIONAL REPORTS THAT MAY BE REQUIRED			
DUE DATE	REPORT/FORM NAME	PERIOD COVERED	NOTES
<p>Requirement: file before accepting campaign contributions or authorizing campaign expenditures before submitting a filing. This form is also used if you are planning to change your Campaign Treasurer.</p> <p>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.</p>	<p><u>Appointment of a Campaign Treasurer (CTA)</u></p> <p>https://www.ethics.state.tx.us/forms/cta.pdf</p> <p><u>Amended Appointment of a Campaign Treasurer (ACTA)</u></p> <p>https://www.ethics.state.tx.us/forms/acta.pdf</p>	<p>Required before receiving contributions.</p> <p>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.</p> <p>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.</p>	<p>Note: 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.</p> <p>Please note the following: the deadline for filing the voluntary “campaign contract” delineated in City Code 2-2-11 is “the earlier of (1) 30 days after he or she becomes a candidate under the Texas Election Code [§§ 141.031, 141.040 and Chapter 143]; or (2) the date the candidate files for a place on the ballot.” For additional information, please refer to the Texas Election Code and the City Clerk’s document entitled “Candidate and Officeholder Brochure on Campaign Finance.”</p>
<p>Not tied to a specific date. Participation is optional</p> <p>Candidates only</p>	<p><u>Candidate Campaign Contract</u></p> <p>Provided by the Office of the City Clerk.</p>	<p>2018 Election</p>	<p>Please note the following: the deadline for filing the voluntary “campaign contract” delineated in City Code 2-2-11 is “the earlier of (1) 30 days after he or she becomes a candidate under the Texas Election Code [§§ 141.031, 141.040 and Chapter 143] or (2) the date the candidate files for a place on the ballot.” For additional information, please refer to the Texas Election Code and the City Clerk’s document entitled “Candidate and Officeholder Brochure on Campaign Finance.”</p>

<p>Due on the 15th day after a candidate files Form CTA. 5:00 p.m.</p> <p>Officeholders Only</p>	<p><u>15th Day after Campaign Treasurer Appointment Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>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.</p> <p>The end date is the day before the campaign treasurer appointment was filed.</p>	<p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>
<p>Due 48 hours after exceeding the \$500 limit</p>	<p><u>Exceeded \$500 Limit Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>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.</p> <p>The end date is the day you exceeded the \$500 limit for contributions or expenditures.</p>	<p>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.</p> <p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>

<p>There is not a fixed deadline for this report.</p> <p>Required when a Candidate/Officeholder does not expect to accept any further campaign contributions or to make any further campaign expenditures</p>	<p><u>Candidate/Officeholder Campaign Finance Report (Contribution and Expenditure Form): Final Report</u></p> <p>Candidate/Officeholder Campaign Finance Report - Form C/OH https://www.ethics.state.tx.us/forms/coh.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>The start date is the day after the last day covered by your last required report.</p> <p>The end date is the day the final report is filed</p>	<p>A Final Report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. It is required when a Candidate/Officeholder does not expect to accept any further campaign contributions; make any further campaign expenditures; or expects no reportable activity in connection with the candidacy. Tex. Election Code §254.065(a).</p> <p>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).</p> <p>Candidate/Officeholder Campaign Finance Report Form C/OH – Instruction Guide: https://www.ethics.state.tx.us/forms/COH_ins.pdf</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>
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<p>Due no later than the 30th day after the end of the six-year period</p>	<p><u>Candidate/Officeholder Report of Unexpended Contributions (Final Disposition)</u></p> <p>Candidate/Officeholder Report of Unexpended Contribution Report - Form C/OH-UC https://www.ethics.state.tx.us/forms/coh_uc.pdf</p> <p>City of Austin Electronic Data File: Data File Templates http://austintexas.gov/page/campaign-finance-forms</p> <p>If applicable: Schedule ATX 5: Candidate Bundling Report http://austintexas.gov/page/campaign-finance-forms</p>	<p>The start date is the day after the period covered by your most recent Unexpended Contributions - Annual report.</p> <p>The end date is the date you file the report.</p>	<p>You must file a report of the final disposition of your unexpended contributions or assets. Complete Form C/OH-UC and designate the report as an “Unexpended Contributions – Final” report by checking the “Final Disposition” box.</p> <p>Candidate/Officeholder Campaign Finance Report Form C/OH-UC – Instruction Guide: https://www.ethics.state.tx.us/forms/COHuc_ins.pdf</p> <p>Electronic Data File must also be submitted in accordance with the instructions provided by the City Clerk’s Office. Instructions are located at http://www.austintexas.gov/edims/document.cfm?id=246334 Required by City Code 2-2-26.</p> <p>ATX 5 must be filed for each person/bundler who has solicited and obtained campaign contributions on behalf of the filer of \$200 or more per person from five or more individuals during the reporting period. Required by City Code 2-2-22.</p>
<p>Due by 5 p.m.:</p> <p>1. If the expenditure is made before the 60th day before the date of the election, the report must be filed with the City Clerk no later than the fifth business day after the date of the expenditure.</p> <p>2. If the expenditure is made on or after the 60th day before the date of the election and before the 9th day before the date of the election, the report must be filed no later than the second business day after the date of the expenditure.</p>	<p><u>Report of Direct Campaign Expenditures: Schedule ATX.1</u></p> <p>This report is for persons (including corporations and political committees) other than candidates or campaign committees who made direct campaign expenditures exceeding \$500 in the aggregate for the purpose of promoting the election or defeat of any candidate or the passage or defeat of any ballot measure</p> <p>http://www.austintexas.gov/edims/document.cfm?id=252264</p>		<p>Report of Direct Campaign Expenditures: Schedule ATX.1 Instruction Guide: http://www.austintexas.gov/edims/document.cfm?id=252269 Required by City Code, Section 2-2-32(C)</p> <p>Must be filed in accordance with the filing instructions provided by the City Clerk’s Office.</p>

<p>3. If the expenditure is made on or after the 9th day before the date of the election, the report must be filed no later the first business day after the date of the expenditure.</p>			
<p>Due by 5 p.m.:</p> <p>1. If the transfer is made before the 60th day before the date of the election, the report must be filed with the City Clerk no later than the fifth business day after the date of the transfer.</p> <p>2. If the transfer is made on or after the 60th day before the date of the election and before the 9th day before the date of the election, the report must be filed no later than the second business day after the date of the transfer.</p> <p>3. If the transfer is made on or after the 9th day before the date of the election, the report must be filed no later the first business day after the date of the transfer.</p>	<p><u>Report of Covered Transfers Supporting Direct Campaign Expenditures: Schedule ATX.8</u></p> <p>http://www.austintexas.gov/edims/document.cfm?id=270612</p>		<p><u>Report of Covered Transfers Supporting Direct Campaign Expenditures: Schedule ATX.8 Instruction Guide:</u></p> <p>http://www.austintexas.gov/edims/document.cfm?id=270611</p> <p>Required by City Code, Section 2-2-34</p> <p>Must be filed in accordance with the filing instructions provided by the City Clerk’s Office.</p>
	<p><u>Exemption Statement: Schedule ATX.6</u></p> <p>Allows a candidate or officeholder running for re-election to be exempt from the structured data file requirement under certain conditions.</p> <p>http://www.austintexas.gov/edims/document.cfm?id=252265</p>		<p>Permitted under City Code, Section 2-2-26(G)(3)</p>

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MEMORANDUM

TO: Candidates for the 2018 City Council Election

FROM: Jannette Goodall, City Clerk

DATE: May 4, 2018

SUBJECT: City of Austin Campaign Finance:
Electronic Filing Reporting Requirements

Pursuant to City Code, a candidate, officeholder, political committee, entity, or person required by City Code or state law to file a campaign finance report with the City Clerk shall, in addition to the required report, also provide to the City Clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the City Clerk. The data file must be provided to the City Clerk no later than the date that the associated campaign finance report must be filed.

Section 2-2-26 of the City Code outlines the requirements related to electronic filing of campaign finance information. Specifically it states:

- (A) A candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed.
- (C) The clerk must upload a data file into the database exactly as the file is received, except that the city clerk may not upload a data file that does not comply with the clerk's technical specifications. A filer who provides a noncompliant data file to the clerk shall resubmit the data in the required format.

Section 2-2-32 of the City Code outlines the requirements related to reporting of direct campaign expenditures:

- (A) A person who makes one or more direct campaign expenditures in a City election that in the aggregate exceed \$500, shall report:
 - (1) the full name and address of the person to whom each expenditure is made;
 - (2) the date and amount of each expenditure;

- (3) the purpose and description of each expenditure;
 - (4) the name of each candidate, including the office held and office sought as applicable, whose election or defeat the expenditure advocates or each ballot measure the passage or defeat of which the expenditure advocates; and
 - (5) in the case of an expenditure for an electioneering communication, the name of each candidate, including the office held and office sought as applicable, to whom the communication referred or each ballot measure to which the communication referred.
- (E) A person making a report required by Subsection (A) shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the report. The data file must be provided to the city clerk no later than the date that the associated report must be filed.
- (F) The data file must comply with specifications and be on media determined by the city clerk. A filer who provides a non-compliant data file to the clerk shall resubmit the data in the required format.

To assist filers, the City Clerk's Office has created a set of data templates in Microsoft Excel workbook format (.xlsx) containing multiple worksheets/tabs. Each tab is intended to collect a specific type of data as described in this document. Where possible, the design of the templates is based on the technical specifications established by the Texas Ethics Commission (TEC) for uploading data into their electronic filing system.

Filers must not remove or change the column headers from the template's worksheets/tabs, change the order of the columns, or otherwise make adjustments to the formatting of the template.

Changes to the templates will result in rejection of the data file.

Filers who use a commercial software application to manage their campaign finances must submit a data file that complies with the design and technical specifications of the City of Austin templates as described in this document.

For campaign finance reports required by the City of Austin (ATX.1, ATX.7 and its attachments), the City Clerk's Office has created fillable PDF forms in which to record the required information. For these forms, submitting a correctly completed fillable PDF form to the City Clerk fulfills the requirement to provide a structured data file. Fillable PDF forms must be received by the City Clerk in the provided format. Printed and scanned, or otherwise modified, copies of the fillable PDFs will render the data unreadable and the City Clerk will be required to reject the submitted data.

After receipt, the data file is validated to ensure that the data file provided by the filer is properly formatted and meets the technical specifications established by the City Clerk and described in the guide. Data validation is not intended to verify or establish the accuracy of the data provided by the filer. The validation process produces a Validation Report itemizing any issues detected in a data file provided by the filer.

A candidate who files the "ATX.6 Exemption Statement," stating they have not raised, and do not intend to raise, more than \$10,000 in contributions for the candidate's campaign during the campaign period may be exempt from the electronic filing requirement. However, please note that:

- If contributions to a candidate who has signed the exemption statement exceed \$10,000, the candidate shall provide a data file for the first report that is due after the contributions to the candidate exceeds \$10,000 and the candidate shall provide a data file for each prior report that was due before the contributions to the candidate exceeded \$10,000.
- This exemption applies only to the filing of the structured data file and not the required report.
- A candidate who signs a campaign contract shall comply with the requirement to provide a data file associated with each report filed with the Clerk's Office regardless of the amount of contributions the candidate has raised or intends to raise.

Additional information and forms required to submit the structured data file can be found at: <http://austintexas.gov/page/campaign-finance-forms>.

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Electronic Filing of Campaign Finance Data: Informational Sheet

On August 6, 2015 the Austin City Council unanimously approved Ordinance 20150806-004, amending §2-2-26 of the City Code related to electronic filing of campaign finance information:

(A) A candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed.

[...]

(C) The clerk must upload a data file into the database exactly as the file is received, except that the city clerk may not upload a data file that does not comply with the clerk's technical specifications. A filer who provides a noncompliant data file to the clerk shall resubmit the data in the required format. A data file that must be resubmitted is timely filed if resubmitted no later than the next business day after the date that the clerk notifies the filer that the data file is non-compliant.

To assist filers, the City Clerk's Office has created a set of data templates in a Microsoft Excel workbook format (.xlsx) containing seven worksheets/tabs. Each tab is intended to collect a specific type of data as described in this document. Where possible, the design of the templates is based on the technical specifications established by the Texas Ethics Commission (TEC) for uploading data into their filing system.

If a filer has questions about completing the template, you may contact the Office of the City Clerk for assistance at 512-974-2210. **The forms and instruction guides will be updated in advance of the July 15, 2018 reporting deadline for the Candidate/Officeholder Campaign Finance Report. Please visit the websites listed below for the most current templates and guides.**

City Clerk Data File Template

To access the Excel File, please visit <http://austintexas.gov/page/campaign-finance-forms> and click on "City Clerk Data File Template". The completed Excel document must be filed electronically with the City Clerk's Office with the accompanying Campaign Finance Report.

Campaign Finance Data Forms

On August 6, 2015 the Austin City Council unanimously approved Ordinance 20150806-004, amending §2-2-26 of the City Code related to electronic filing of campaign finance information. Filers who are obligated to file a campaign finance report are also required to submit a structured data file containing the contents of the campaign finance report. The data file template as developed by the City Clerk, in addition to a specifications guide and Excel How-To, are linked below.

- [City Clerk's Data File Specification and Guide](#)
- [Excel Template How-To Guide](#)
- [City Clerk Data File Template](#)

Electronic Filing of Campaign Finance Data: Informational Sheet

Campaign Finance Data: Excel Template How-To Guide

This how-to guide provides detailed information on completing the Excel spreadsheets, submitting the data file to the Office of the City Clerk and importing the contributions and expenditures to the TEC Software. To access the guide, please click here [Excel Template How-To Guide](#).

Campaign Finance Data: Data File Specification and Guide

This guide defines the specifications and requirements of the data file to be filed with the City Clerk's Office. It provides detailed information on each field including issues that may result in the Clerk's Office rejecting the data file. To access the guide, please click here: [Data File Specification and Guide](#).



MEMORANDUM

TO: Candidates for the 2018 City Council Election

FROM: Jannette Goodall, City Clerk

DATE: May 4, 2018

SUBJECT: Candidacy Requirements for the City of Austin

City of Austin City Charter Article II, Section 2 and Texas Election Code, Section 141.001 outline the eligibility requirements for public office. *See also* Tex. Election Code § 141.003. To be eligible to be a candidate for, or elected or appointed to, a public elective office, a person must:

- 1) be a United States citizen;
- 2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- 3) have not been determined by a final judgment of a court exercising probate jurisdiction to be:
 - totally mentally incapacitated; or
 - partially mentally incapacitated without the right to vote;
- 4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;
- 5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the date of the regular filing deadline for a candidate's application for a place on the ballot; and
- 6) on the date described by the preceding item "5)", be registered to vote in the territory from which the office is elected.

The deadline for filing an application for a place on the ballot for the November 6, 2018 City of Austin General Election is Monday, August 20, 2018 at 5:00 p.m.

Any candidate filing for a place on the ballot must be registered to vote in the territory from which the office is elected (registered to vote within the City of Austin in the mayor's race or registered to vote within the council district boundaries for council member races). Voter registration is effective on the 30th day after the date the voter registration application is submitted to the voter registrar.

Any citizen interested in running for City Council who is not currently a registered voter in the district for which he or she is running must **submit a voter registration application** to the

appropriate County Voter Registrar's Office **at least 30 days prior to filing an application for place on the ballot.** Any candidate who is a registered voter is encouraged to confirm his or her voter registration information to ensure that the voter registration information is current and accurate. Information on becoming a registered voter can be located at:

Travis County: <https://tax-office.traviscountytexas.gov/voters/voter-registration>

Williamson County: <http://www.wilco.org/Departments/Elections/Voter-Registration>

Hays County: <http://www.co.hays.tx.us/voter-registration-ballot-by-mail.aspx>

ALL INFORMATION IS **REQUIRED** TO BE PROVIDED UNLESS INDICATED OPTIONAL

APPLICATION FOR A PLACE ON THE _____ GENERAL ELECTION BALLOT					
TO: City Secretary/Secretary of Board					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)				INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT ¹		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe the address at which you receive personal mail and location of residence.)			PUBLIC MAILING ADDRESS (Campaign mailing address, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (If available)		OCCUPATION (Do not leave blank)		DATE OF BIRTH / /	VOTER REGISTRATION VOID NUMBER (Optional) ²
TELEPHONE CONTACT INFORMATION (Optional) Home: Work: Cell:		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN			
		IN STATE ____ year (s) ____ month(s)		IN TERRITORY FROM WHICH THE OFFICE SOUGHT IS ELECTED ³ ____ year (s) ____ month(s)	
If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.					
Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says: "I, (name) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I further swear that the foregoing statements included in my application are in all things true and correct."					
X _____ SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me at _____, this the ____ day of _____, _____.					
SEAL					
_____ Signature of Officer Administering Oath ⁴			_____ Title of Officer Administering Oath		
TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD:					
(See Section 1.007)		_____ Date Received		_____ Signature of Secretary	
Voter Registration Status Verified <input type="checkbox"/>					

INSTRUCTIONS

An application to have the name of a candidate placed on the ballot for any general election may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void. All fields **must** be completed unless specifically marked optional.

The general election filing deadline is 5:00 p.m. 78 days prior to election day for any uniform election date.

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

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

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

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

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

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

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

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

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

FOOTNOTES

¹For rules concerning the form of a candidate's name or nickname on the ballot, see Subchapter B, Chapter 52 of the Texas Election Code.

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

³This refers to the length of residence inside the district or territory from which the office is elected. For example, length of residence in a school district, for a school trustee office elected at large. This field **MUST BE COMPLETED**.

⁴All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas.

PETITION FOR A PLACE ON THE CITY GENERAL ELECTION BALLOT
(PETICIÓN PARA QUE SU NOMBRE ESTE PUESTO EN LA BOLETA DE LA ELECCIÓN GENERAL DE LA CIUDAD)

Name of Circulator _____ Page ____ of ____

Signing the petition of more than one candidate for the same office in the same election is prohibited.
(Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LENE TODOS LOS ESPACIOS EN BLANCO.)

You are hereby requested to place the name indicated below on the ballot for the next general election for the City of _____ for the office indicated.
(Por la presente se la solicita que el nombre del individuo indicado abajo esté puesto en la boleta para la próxima elección general de la Ciudad de _____ para el puesto oficial indicado.)

Name <i>(Nombre)</i> ¹	Address <i>(Dirección)</i>	Office sought <i>(Puesto oficial solicitado)</i> ²
-----------------------------------	----------------------------	---

Date Signed <i>(Fecha de Firma)</i>	Signature <i>(Firma)</i>	Printed Name <i>(Nombre en letra de molde)</i>	Street Address (Including City, Texas, Zip) <i>(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))</i>	County <i>(Condado)</i>	Voter VUID Number ³ <i>(Núm. de VUID de Votante)</i>	Date of Birth ³ <i>(Fecha de Nacimiento)</i>

AFFIDAVIT OF CIRCULATOR *(DECLARACION JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICION)*

STATE OF TEXAS *(ESTADO DE TEJAS)* COUNTY OF *(CONDADO DE)* _____ BEFORE ME, the undersigned, on this ___/___/___ (date) personally appeared *(ANTE MI, el/la suscrito(a), en este (fecha) compareció)* _____, (name of person who circulated petition) – *(nombre de la persona que hizo circular la petición)* who being duly sworn, deposes and says: “I called each signer’s attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer’s registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct.” *(quien, habiendo prestado el juramento correspondiente, declaró y dijo: “Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.”)* SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE *(JURADO Y SUSCRITO ANTE MI, CON ESTA FECHA)*

(SEAL)

X _____ X _____ X _____
 Signature of circulator *(Firma de la persona que hizo circular la petición)* Signature of officer administering oath *(Firma del/de la funcionario(a) que le tomó juramento)* Title of officer administering oath *(Título oficial del/de la funcionario(a) que le tomó juramento)*

INSTRUCTIONS (Petition in City Election)

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

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

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

INSTRUCCIONES: (Petición para elección de la ciudad)

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

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

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

FOOTNOTES

¹ Insert Candidate's name.

² Insert office title, including any place number or other distinguishing number.

³ Either the voter registration certificate number or the date of birth is required.

⁴All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary, and the Secretary of State of Texas.

ANOTACIONES

¹ Indicar el nombre del candidate.

² Indicar el cargo oficial e incluir el número de su lugar en la boleta o cualquier otro número distintivo.

³ Su número de certificado de registro de votante o su fecha de nacimiento es necesario.

⁴ Todo juramento, testimonio o afirmación hecho dentro de este Estado se podrá administrar y se podrá dar un certificado del hecho por un juez, escribano, o comisionado de alguna corte de registro, un notario público, un juez de paz, secretario de la ciudad, y el Secretario del Estado de Texas.

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**INSTRUCTIONS FOR FILING A PETITION IN LIEU OF
THE FILING FEE FOR A PLACE ON THE BALLOT**

The City Charter, Article III, Section 4 requires a filing fee of \$500.00. Texas Election Code, Section 143.005(c) requires a city to provide candidates an alternative to the filing fee. Therefore, in lieu of the filing fee, the City of Austin provides that a candidate may file his/her application for a place on the ballot along with a petition. The petition must contain the appropriate number of valid signatures [*see below*]. For council districts, a valid signature is one from any qualified voter within that particular district. The required number of valid signatures is determined through reference to Texas Election Code, Section 143.005(d)(2).

Listed below are the numbers of signatures required for the November 6, 2018 Election:

Mayor: 876 signatures
District 1: 70 signatures
District 3: 56 signatures
District 5: 112 signatures
District 8: 112 signatures
District 9: 104 signatures

Texas Election Code, Section 141.066 states:

- Signing more than one petition is prohibited.
- The following statement must appear at the top of each page of a petition: "Signing the petition of more than one candidate for the same office in the same election is prohibited."
- A signature on a candidate's petition is invalid if the signer signed the petition subsequent to signing a petition of another candidate for the same office in the same election.

Completing the Petition

1. The name of the person circulating the petition must be listed in the section in the upper right-hand corner. Indicate the number of pages being submitted. The circulator may make as many copies as needed of the blank petition page and the continuation page.
2. The next section of the petition must contain the following information:
 - City: Austin
 - Name of the candidate
 - Address: Candidate's address
 - Office sought: Mayor or the specific Council District including District number.

3. The next section contains the signer's information. Please encourage signers to write as legibly as possible. The signature of the voter is required to be in the signer's own handwriting.

The following should be provided for each signer:

- Date the petition was signed.
- Signature of signer.
- Printed name of signer.
- Street address including the name of the city, state and zip code.
Ditto marks [“ ”] can be used if the city, state and zip code are the same as the line above. The name of the city should be written out at least on the first signature line.
- County (Hays, Travis or Williamson).
- Voter registration number.
- Date of birth.

(Either the voter registration number or date of birth must be provided. It is recommended that both be provided to ensure the correct signature is validated.)

4. At the bottom of the form, the Affidavit of Circulator must be completed and must be notarized by a Notary. The Affidavit of the Circulator must be attached to the petition pages circulated by that individual. **This section must be completed for each circulator. If the circulator has multiple pages of signatures, one affidavit for all of the pages is acceptable provided the signatures are collected prior to the date of the notarized affidavit.**

Verification of Signatures

Upon receipt of the petition, the City Clerk's office will verify the signatures to ensure the signatures are valid and the petition is sufficient. If the number of valid signatures is equal to or more than the amount required by state law, the petition is declared valid. If the number of valid signatures is less than the amount required by state law, the petition is declared invalid. It is recommended that a person collect more than the required number of signatures to ensure the petition is valid. Once the validation process has been completed, the candidate will be notified of the results.

If the petition is declared invalid and the deadline for a candidate to file an application for a place on the ballot has not passed, another application may be filed along with a payment of the \$500.00 filing fee or submission of a new petition.

STATEMENT OF FINANCIAL INFORMATION
Reference Section 2-7-72, Austin City Code

STATEMENT OF FINANCIAL INFORMATION
MAYOR, COUNCIL, CANDIDATES

This form should be filed by the following City officials -- **Mayor, City Council Members, and Candidates** -- for the period of January 1 through December 31, 20__.

Filing Deadlines:

- **Mayor & Council Members** must file the statement (covering the previous calendar year) not later than April 30 of each year.
 - Except that outgoing Mayor & Council Members who have not been re-elected must file the statement (covering the previous calendar year) not later than the 30th day after the end of their term in office.
- **Candidates** must file the statement (covering the previous calendar year) within five working days after the deadline for filing for their respective offices.
 - Except that incumbent Candidates are not required to refile if an identical statement covering the previous calendar year has already been filed.
- **For all filers:** Statements must be received by the City Clerk by 4:45 p.m. on the day stated above. When the deadline falls on a Saturday, Sunday, or City holiday, the deadline is extended to 4:45 p.m. on the next day which is not a Saturday, Sunday, or City holiday.

This statement must be signed under oath and notarized. This form may be copied if additional space for reporting is needed. In reporting information required by this form, a City official shall include the same information as it pertains to his or her spouse or domestic partner, by separate listing. However, a separate report for the City official's spouse or domestic partner is not required.

Where a monetary amount or value of income of an asset is required to be reported, the exact amount need not be reported. The statement may instead include the category of amount as follows:

Category I	At least \$1 but less than \$10,000;
Category II	At least \$10,000 but less than \$20,000;
Category III	At least \$20,000 but less than \$50,000;
Category IV	At least \$50,000 but less than \$75,000;
Category V	At least \$75,000 but less than \$100,000;
Category VI	\$100,000 or more, report to nearest \$100,000.

STATEMENT OF FINANCIAL INFORMATION
 Reference Section 2-7-72, Austin City Code

Name of City official: _____

Address: _____

Occupation: _____

Spouse or domestic partner's name: _____

Address: _____

Occupation: _____

The person completing this form must provide the information requested below for themselves and their spouse/domestic partner.

- List all sources of occupational income which exceeded 10% of your gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or non-professional services per source.

Name of employer or source of income	Business address	Nature of occupation or business	Category of amount

- If you are a self-employed solo practitioner or if you had at least 5% interest in a partnership, professional corporation or other entity through which you do business, list the names and addresses of clients or customers from whom you or this partnership, professional corporation, or entity received 10% or more of gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or non-professional services during the reporting period.

Name of client or customer	Address

STATEMENT OF FINANCIAL INFORMATION
 Reference Section 2-7-72, Austin City Code

3. List all sources of income which exceeded either \$5,000 or were in excess of 10% of your gross income received from interest, dividends, royalties, rents, trust disbursements or other non-occupational sources.

Name of source	Nature of income	Category of amount

4. Identify any source (person, business entity or other organization) of a gift of any money or other thing of value exceeding \$100, or identify any source who gave you a series of gifts the total value of which exceeds \$100. You need not report campaign contributions which are reported as required by other law and you need not report gifts received from the following relatives: Spouse, Children, Children-in-Law, Parents, Parents-in-Law, Grandchildren, Grandchildren-in-Law, Grandparents, Grandparents-in-Law, Brothers, Brothers-in-Law, Sisters, Sisters-in-Law, Uncles, Uncles-in-Law, Aunts, Aunts-in-Law, Nephews, Nephews-in-Law, Nieces, Nieces-in-Law, First Cousins, First Cousins-in-Law

Name of source of gift	Category amount

5. List the names of any corporation, partnership, limited partnership, or other entity in which you held, owned, acquired, or sold stock, or any other equity ownership having a value exceeding \$5,000 or equivalent to 5% or more of the stock or equity in the entity, at any time during the reporting period.

Name of company or entity:

6. List and describe all bonds, notes and other commercial paper which you held, owned, acquired or sold, at any time during the reporting period if the combined face value of the bonds, notes and commercial paper exceeded \$5,000.

Description of commercial paper	Category of amount

STATEMENT OF FINANCIAL INFORMATION
 Reference Section 2-7-72, Austin City Code

7. List all other income or revenue in excess of \$5,000 per source.

Name of source	Category of amount

8. List and describe all real property in which you hold any legal or beneficial interest, including real property for which you have entered into a contract for sale. The description should be sufficient to locate the property, and include the street address if any, and the present use of the property.

Street address of property	Description of property	Present use of property

9. List and describe all real property held, owned, acquired or sold, or under a contract for sale, by a corporation, partnership, limited partnership, professional corporation, or other entity in which you own or control at least a 5% interest. The description should be sufficient to locate the property and include a street address, if any, and the present use of the property.

Street address of property	Description of property	Present use of property

10. List all loans and extensions of credit in excess of \$5,000 on which you are the lender or creditor, including the name of the debtor and the rate of interest, if any.

Name of obligee	Rate of interest, if any	Category of amount

STATEMENT OF FINANCIAL INFORMATION
 Reference Section 2-7-72, Austin City Code

11. List all loans or transactions in excess of \$5,000 on which you are a guarantor or co-signer, including the names of the borrower and lender.

Name of obligee/lender	Rate of interest, if any	Category of amount

12. List all loans, debts, and other financial liabilities you have which are in excess of \$5,000 which are presently outstanding or which existed at any time during the reporting period.

Name of lender/creditor/obligee	Rate of interest, if any	Category of amount	Date obligation was incurred

List all loans, debts, and other financial liabilities in excess of \$5,000 of any corporation, partnership, limited partnership, professional corporation or other entity in which you own or control at least a 5% interest, which are presently outstanding or which existed at any time during the reporting period.

Name of lender/creditor/obligee	Rate of interest, if any	Category of amount	Date obligation was incurred

13. List all boards of directors of which you are a member and the offices or executive positions which you hold in corporations, partnerships, limited partnerships, professional corporations, or other entities, including non-business entities. (Do not include positions on corporations or other entities owned by the City of Austin or created by the City Council.)

Name of organization	Position held

STATEMENT OF FINANCIAL INFORMATION
Reference Section 2-7-72, Austin City Code

I do solemnly swear that the preceding Financial Statement is in all things true and correct and fully shows all information required to be reported pursuant to City Code Section 2-7-72 for the reporting period indicated.

Signature of City Official

Date: _____

Printed Name of City Official

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged, sworn to, and subscribed before me by

On the _____ day of _____, _____, to certify which witness my hand
and official seal.

Notary Public in and for the State of Texas

Typed or Printed Name of Notary Public

PERSONAL FINANCIAL STATEMENT

FORM PFS - LOCAL

COVER SHEET

PAGE 1

Filed in accordance with chapter 572 of the Government Code.
For filings required in 2018, covering calendar year ending December 31, 2017.
Use FORM PFS--INSTRUCTION GUIDE when completing this form.

TOTAL NUMBER OF PAGES FILED:

Filer ID

1 NAME

TITLE; FIRST; MI

NICKNAME; LAST; SUFFIX

OFFICE USE ONLY

Date Received

Date Hand-delivered or Date Postmarked

Receipt #

Amount \$

2 ADDRESS

ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE

3 TELEPHONE NUMBER

AREA CODE

PHONE NUMBER; EXTENSION

()

Date Processed

Date Imaged

4 REASON FOR FILING STATEMENT

CANDIDATE _____ (INDICATE OFFICE)

ELECTED OFFICER _____ (INDICATE OFFICE)

OTHER _____ (INDICATE POSITION)

5 Family members whose financial activity you are reporting (see instructions).

SPOUSE _____

DEPENDENT CHILD 1. _____

2. _____

3. _____

In Parts 1 through 18, you will disclose your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose not only your own financial activity, but also that of your spouse or a dependent child (see instructions).

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

On this page, indicate any Parts of Form PFS that are not applicable to you. If you do not place a check in a box, then pages for that Part must be included in the report. ***If you place a check in a box, do NOT include pages for that Part in the report.***

6 PARTS NOT APPLICABLE TO FILER

- N/A Part 1A - Sources of Occupational Income
- N/A Part 1B - Retainers
- N/A Part 2 - Stock
- N/A Part 3 - Bonds, Notes & Other Commercial Paper
- N/A Part 4 - Mutual Funds
- N/A Part 5 - Income from Interest, Dividends, Royalties & Rents
- N/A Part 6 - Personal Notes and Lease Agreements
- N/A Part 7A - Interests in Real Property
- N/A Part 7B - Interests in Business Entities
- N/A Part 8 - Gifts
- N/A Part 9 - Trust Income
- N/A Part 10A - Blind Trusts
- N/A Part 10B - Trustee Statement
- N/A Part 11A - Assets of Business Associations
- N/A Part 11B - Liabilities of Business Associations
- N/A Part 12 - Boards and Executive Positions
- N/A Part 13 - Expenses Accepted Under Honorarium Exception
- N/A Part 14 - Interest in Business in Common with Lobbyist
- N/A Part 15 - Fees Received for Services Rendered to a Lobbyist or Lobbyist's Employer
- N/A Part 16 - Representation by Legislator Before State Agency
- N/A Part 17 - Benefits Derived from Functions Honoring Public Servant
- N/A Part 18 - Legislative Continuances

RETAINERS

PART 1B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

This section concerns fees received as a retainer by you, your spouse, or a dependent child (or by a business in which you, your spouse, or a dependent child have a "substantial interest") for a claim on future services in case of need, rather than for services on a matter specified at the time of contracting for or receiving the fee. Report information here only if the value of the work actually performed during the calendar year did not equal or exceed the value of the retainer. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<p>1 FEE RECEIVED FROM</p>	<p>NAME AND ADDRESS</p>
<p>2 FEE RECEIVED BY</p>	<p>NAME OF BUSINESS</p> <p><input type="checkbox"/> FILER OR FILER'S BUSINESS _____</p> <p><input type="checkbox"/> SPOUSE OR SPOUSE'S BUSINESS _____</p> <p><input type="checkbox"/> DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____</p>
<p>3 FEE AMOUNT</p>	<p><input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE</p>

<p>FEE RECEIVED FROM</p>	<p>NAME AND ADDRESS</p>
<p>FEE RECEIVED BY</p>	<p>NAME OF BUSINESS</p> <p><input type="checkbox"/> FILER OR FILER'S BUSINESS _____</p> <p><input type="checkbox"/> SPOUSE OR SPOUSE'S BUSINESS _____</p> <p><input type="checkbox"/> DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____</p>
<p>FEE AMOUNT</p>	<p><input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE</p>

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

STOCK

PART 2

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each business entity in which you, your spouse, or a dependent child held or acquired stock during the calendar year and indicate the category of the number of shares held or acquired. If some or all of the stock was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ENTITY	NAME			
2 STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
3 NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
4 IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BONDS, NOTES & OTHER COMMERCIAL PAPER

PART 3

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List all bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child during the calendar year. If sold, indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 DESCRIPTION OF INSTRUMENT	
2 HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
3 IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

MUTUAL FUNDS

PART 4

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each mutual fund and the number of shares in that mutual fund that you, your spouse, or a dependent child held or acquired during the calendar year and indicate the category of the number of shares of mutual funds held or acquired. If some or all of the shares of a mutual fund were sold, also indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 MUTUAL FUND	NAME
2 SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
3 NUMBER OF SHARES OF MUTUAL FUND	<input type="checkbox"/> LESS THAN 100 <input type="checkbox"/> 100 TO 499 <input type="checkbox"/> 500 TO 999 <input type="checkbox"/> 1,000 TO 4,999 <input type="checkbox"/> 5,000 TO 9,999 <input type="checkbox"/> 10,000 OR MORE
4 IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

MUTUAL FUND	NAME
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
NUMBER OF SHARES OF MUTUAL FUND	<input type="checkbox"/> LESS THAN 100 <input type="checkbox"/> 100 TO 499 <input type="checkbox"/> 500 TO 999 <input type="checkbox"/> 1,000 TO 4,999 <input type="checkbox"/> 5,000 TO 9,999 <input type="checkbox"/> 10,000 OR MORE
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

MUTUAL FUND	NAME
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
NUMBER OF SHARES OF MUTUAL FUND	<input type="checkbox"/> LESS THAN 100 <input type="checkbox"/> 100 TO 499 <input type="checkbox"/> 500 TO 999 <input type="checkbox"/> 1,000 TO 4,999 <input type="checkbox"/> 5,000 TO 9,999 <input type="checkbox"/> 10,000 OR MORE
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INCOME FROM INTEREST, DIVIDENDS, ROYALTIES & RENTS

PART 5

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each source of income you, your spouse, or a dependent child received *in excess of \$500* that was derived from interest, dividends, royalties, and rents during the calendar year and indicate the category of the amount of the income. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 SOURCE OF INCOME <input type="checkbox"/> Publicly held corporation	NAME AND ADDRESS
2 RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
3 AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

SOURCE OF INCOME <input type="checkbox"/> Publicly held corporation	NAME AND ADDRESS
RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

SOURCE OF INCOME <input type="checkbox"/> Publicly held corporation	NAME AND ADDRESS
RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL NOTES AND LEASE AGREEMENTS

PART 6

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each guarantor of a loan and each person or financial institution to whom you, your spouse, or a dependent child had a total financial liability of *more than \$1,000* in the form of a personal note or notes or lease agreement at any time during the calendar year and indicate the category of the amount of the liability. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

¹ PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
² LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
³ GUARANTOR	
⁴ AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<hr/>	
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<hr/>	
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN REAL PROPERTY

PART 7A

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all beneficial interests in real property held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 HELD OR ACQUIRED BY <input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____	
2 STREET ADDRESS <input type="checkbox"/> NOT AVAILABLE	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
3 DESCRIPTION <input type="checkbox"/> LOTS <input type="checkbox"/> ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
4 NAMES OF PERSONS RETAINING AN INTEREST <input type="checkbox"/> NOT APPLICABLE (SEVERED MINERAL INTEREST)	
5 IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

HELD OR ACQUIRED BY <input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____	
STREET ADDRESS <input type="checkbox"/> NOT AVAILABLE	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
DESCRIPTION <input type="checkbox"/> LOTS <input type="checkbox"/> ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
NAMES OF PERSONS RETAINING AN INTEREST <input type="checkbox"/> NOT APPLICABLE (SEVERED MINERAL INTEREST)	
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN BUSINESS ENTITIES

PART 7B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all beneficial interests in business entities held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
2 DESCRIPTION	<small>NAME AND ADDRESS</small>
3 IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION	<small>NAME AND ADDRESS</small>
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION	<small>NAME AND ADDRESS</small>
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

GIFTS

PART 8

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify any person or organization that has given a gift *worth more than \$250* to you, your spouse, or a dependent child, and describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift. Do not include: 1) expenditures required to be reported by a person required to be registered as a lobbyist under chapter 305 of the Government Code; 2) political contributions reported as required by law; or 3) gifts given by a person related to the recipient within the second degree by consanguinity or affinity. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 DONOR	NAME AND ADDRESS
2 RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
3 DESCRIPTION OF GIFT	
<hr/>	
DONOR	NAME AND ADDRESS
RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION OF GIFT	
<hr/>	
DONOR	NAME AND ADDRESS
RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION OF GIFT	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

TRUST INCOME

PART 9

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each source of income received by you, your spouse, or a dependent child as beneficiary of a trust and indicate the category of the amount of income received. Also identify each asset of the trust from which the beneficiary received *more than \$500* in income, if the identity of the asset is known. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 SOURCE	NAME OF TRUST
2 BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
3 INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
4 ASSETS FROM WHICH OVER \$500 WAS RECEIVED <input type="checkbox"/> UNKNOWN	
SOURCE	NAME OF TRUST
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED <input type="checkbox"/> UNKNOWN	
SOURCE	NAME OF TRUST
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED <input type="checkbox"/> UNKNOWN	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BLIND TRUSTS

PART 10A

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each blind trust that complies with section 572.023(c) of the Government Code. See FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 NAME OF TRUST	
2 TRUSTEE	NAME AND ADDRESS
3 BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
4 FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
5 DATE CREATED	

NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DATE CREATED	

NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DATE CREATED	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

TRUSTEE STATEMENT

PART 10B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

An individual who is required to identify a blind trust on Part 10A of the Personal Financial Statement must submit a statement signed by the trustee of each blind trust listed on Part 10A. The portions of section 572.023 of the Government Code that relate to blind trusts are listed below.

1 NAME OF TRUST	
2 TRUSTEE NAME	
3 FILER ON WHOSE BEHALF STATEMENT IS BEING FILED	NAME
4 TRUSTEE STATEMENT	<p>I affirm, under penalty of perjury, that I have not revealed any information to the beneficiary of this trust except information that may be disclosed under section 572.023 (b)(8) of the Government Code and that to the best of my knowledge, the trust complies with section 572.023 of the Government Code.</p> <p>_____</p> <p>Trustee Signature</p>

§ 572.023. Contents of Financial Statement in General

(b) The account of financial activity consists of:

(8) identification of the source and the category of the amount of all income received as beneficiary of a trust, other than a blind trust that complies with Subsection (c), and identification of each trust asset, if known to the beneficiary, from which income was received by the beneficiary in excess of \$500;

(14) identification of each blind trust that complies with Subsection (c), including:

(A) the category of the fair market value of the trust;

(B) the date the trust was created;

(C) the name and address of the trustee; and

(D) a statement signed by the trustee, under penalty of perjury, stating that:

(i) the trustee has not revealed any information to the individual, except information that may be disclosed under Subdivision (8); and

(ii) to the best of the trustee's knowledge, the trust complies with this section.

(c) For purposes of Subsections (b)(8) and (14), a blind trust is a trust as to which:

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

(C) is not required to register as a lobbyist under Chapter 305;

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

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

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

(d) If a blind trust under Subsection (c) is revoked while the individual is subject to this subchapter, the individual must file an amendment to the individual's most recent financial statement, disclosing the date of revocation and the previously unreported value by category of each asset and the income derived from each asset.

ASSETS OF BUSINESS ASSOCIATIONS

PART 11A

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all assets of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the assets. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ASSOCIATION	NAME AND ADDRESS																																																	
2 BUSINESS TYPE																																																		
3 HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____																																															
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COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

LIABILITIES OF BUSINESS ASSOCIATIONS

PART 11B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all liabilities of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the liabilities. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ASSOCIATION	NAME AND ADDRESS	
2 BUSINESS TYPE		
3 HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE
4 LIABILITIES	DESCRIPTION	CATEGORY
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BOARDS AND EXECUTIVE POSITIONS

PART 12

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions you, your spouse, or a dependent child hold in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, other business associations, or proprietorships, stating the name of the organization and the position held. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

¹ ORGANIZATION	
² POSITION HELD	
³ POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
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POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

PART 13

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify any person who provided you with necessary transportation, meals, or lodging, as permitted under section 36.07(b) of the Penal Code, in connection with a conference or similar event in which you rendered services, such as addressing an audience or participating in a seminar, that were more than perfunctory. Also provide the amount of the expenditures on transportation, meals, or lodging. You are not required to include items you have already reported as political contributions on a campaign finance report, or expenditures required to be reported by a lobbyist under the lobby law (chapter 305 of the Government Code). For more information, see FORM PFS--INSTRUCTION GUIDE.

¹ PROVIDER	NAME AND ADDRESS
² AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTEREST IN BUSINESS IN COMMON WITH LOBBYIST

PART 14

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly-held corporation, in which you, your spouse, or a dependent child, and a person registered as a lobbyist under chapter 305 of the Government Code both have an interest. For more information, see FORM PFS--INSTRUCTION GUIDE.

1 BUSINESS ENTITY	NAME AND ADDRESS
2 INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS
INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS
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BUSINESS ENTITY	NAME AND ADDRESS
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BUSINESS ENTITY	NAME AND ADDRESS
INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST'S EMPLOYER

PART 15

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Report any fee you received for providing services to or on behalf of a person required to be registered as a lobbyist under chapter 305 of the Government Code, or for providing services to or on behalf of a person you actually know directly compensates or reimburses a person required to be registered as a lobbyist. Report the name of each person or entity for which the services were provided, and indicate the category of the amount of each fee. For more information, see FORM PFS--INSTRUCTION GUIDE.

1 PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
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2 FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
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FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
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FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
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FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
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FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
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FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
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COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

PART 16

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

This section applies only to members of the Texas Legislature. A member of the Texas Legislature who represents a person for compensation before a state agency in the executive branch must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. For more information, see FORM PFS--INSTRUCTION GUIDE.

Note: Beginning September 1, 2003, legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if: (1) the representation is pursuant to an attorney/client relationship in a criminal law matter; (2) the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or (3) the representation is in regard to a matter for which the legislator was hired before September 1, 2003.

¹ STATE AGENCY	
² PERSON REPRESENTED	
³ FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

PART 17

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Section 36.10 of the Penal Code provides that the gift prohibitions set out in section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under chapter 572 of the Government Code or title 15 of the Election Code if the benefit and the source of any benefit over \$50 in value are: 1) reported in the statement and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. For more information, see FORM PFS--INSTRUCTION GUIDE.

<p>1 SOURCE OF BENEFIT</p>	<p>NAME AND ADDRESS</p>
<p>2 BENEFIT</p>	
<p>SOURCE OF BENEFIT</p>	<p>NAME AND ADDRESS</p>
<p>BENEFIT</p>	
<p>SOURCE OF BENEFIT</p>	<p>NAME AND ADDRESS</p>
<p>BENEFIT</p>	
<p>SOURCE OF BENEFIT</p>	<p>NAME AND ADDRESS</p>
<p>BENEFIT</p>	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

LEGISLATIVE CONTINUANCES

PART 18

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

This section applies only to members of the Texas Legislature. Identify any legislative continuance that you have applied for or obtained under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant continuances on the grounds that an attorney for a party is a member or member-elect of the legislature.

1 NAME OF PARTY REPRESENTED	
2 DATE RETAINED	
3 STYLE, CAUSE NUMBER, COURT & JURISDICTION	
4 DATE OF CONTINUANCE APPLICATION	
5 WAS CONTINUANCE GRANTED?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<hr/>	
NAME OF PARTY REPRESENTED	
DATE RETAINED	
STYLE, CAUSE NUMBER, COURT, & JURISDICTION	
DATE OF CONTINUANCE APPLICATION	
WAS CONTINUANCE GRANTED?	<input type="checkbox"/> YES <input type="checkbox"/> NO

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires the personal financial statement to be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations. Without proper verification, the statement is not considered filed.

I swear, or affirm, under penalty of perjury, that this financial statement covers calendar year ending December 31, 2017, and is true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.

Signature of Filer

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

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TEXAS ETHICS COMMISSION

PERSONAL FINANCIAL STATEMENT

FORM PFS - INSTRUCTION GUIDE



Revised June 14, 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.

PERSONAL FINANCIAL STATEMENT

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GENERAL INSTRUCTIONS

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

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

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

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

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

WHO IS REQUIRED TO FILE?

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

- Appointed officers of executive branch state agencies;
- Executive heads of state agencies;
- Board members and executive heads of river authorities;
- Officeholders in and candidates for the following offices:

1. Member of the Texas Legislature;
 2. Statewide elected officer;
 3. Justice of a court of appeals;
 4. District judge;
 5. District or criminal district attorney; and
 6. Member of the State Board of Education;
- Former or retired judges sitting by assignment;¹ and
 - State chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

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

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

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

Section 11.0641, Education Code (Certain School Board Trustees). This applies to the board of trustees of an independent school district that is located in a county that is located on the international border and in which a municipality with a population of 600,000 or more is located. A personal financial statement required to be filed under this section must be filed with the board of trustees AND with the commissioners court of the county in which the school district's administrative office is located.

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

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

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

COMPLETING THE FORM

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

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

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

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

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

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

Complete Form PFS by using one of the following methods:

1. PFS Online Electronic Filing Application: Go to www.ethics.state.tx.us/whatsnew/elf_info_pfs.htm to file the PFS electronically with the Texas Ethics Commission; or
2. Blank Fillable Form PFS: Complete either Form PFS-TEC (for individuals who file with the Texas Ethics Commission) or Form PFS-LOCAL (for individuals who file with a local filling authority) on your computer by going to www.ethics.state.tx.us/filinginfo/e_pfsfrm.htm to access a fillable Form PFS without using the PFS filing application. Once you complete the applicable form, you must print it out, sign it, have it notarized, and deliver it to the proper filing authority; or
3. Paper Form PFS & Instructions: Go to www.ethics.state.tx.us/filinginfo/pfsforms_Paper.html to obtain the PFS Instruction Guide and the applicable paper form. You must print out either Form PFS-TEC (for individuals who file with the Texas Ethics Commission) or Form PFS-LOCAL (for individuals who file with a local filling authority), complete it, sign it, have it notarized, and deliver it to the proper filing authority.

WHAT NOT TO INCLUDE

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

PERIOD COVERED

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

New Appointees. An appointed salaried officer, appointee filling a vacancy in elective office, appointee of a major state agency, or the executive head of a state agency must file a personal financial statement during the first year of his or her appointment. For these newly

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

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

SUBSTITUTION OF FORMS

You may use photocopies of Texas Ethics Commission forms. You may also use your own computer-generated form if it provides for disclosure of all the information required on the commission's form and it is *substantially identical* in paper size, color, layout, and format. You must submit a substitute form for pre-approval by the executive director of the Texas Ethics Commission.

FILING DEADLINES

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

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

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

TIMELY FILINGS

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

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

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

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

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

EXTENSION OF THE APRIL 30TH DEADLINE

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

LATE FILING PENALTY

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

CHANGES IN INFORMATION

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

RECORDS RETENTION

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

COMPLETING FORM PFS

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

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

COVER SHEET PAGE 1

1. Name: List your name.

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

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

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

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

Form PFS-LOCAL:

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

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

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

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

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

Form PFS-TEC:

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

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

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

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

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

Note: "State agency" is defined as:

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

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

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

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

[Gov't Code § 572.002\(10\)](#).

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

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

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

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

5. Names of Family Members Whose Financial Activity You Are Reporting: In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#).

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

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

COVER SHEET PAGE 2

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

FINANCIAL ACTIVITY

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

information about a dependent child's activity in Parts 1 through 14, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet under item 5.

PART 1. SOURCES OF OCCUPATIONAL INCOME AND RETAINERS

PART 1A. SOURCES OF OCCUPATIONAL INCOME

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

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

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

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

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

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

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

PART 1B. RETAINERS

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

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

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

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

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

1. Fee Received From: Provide the name and address of the individual or entity from whom the fee was received.

2. Fee Received By: Check the appropriate box indicating whether the fee was received by you, your spouse, or a dependent child. If the fee was received by a business, provide the name of the business.

3. Fee Amount: Check the appropriate fee category for the amount received.

PART 2. STOCK

This section is for information about business entities in which you, your spouse, or a dependent child held or acquired stock. Complete a separate block for each entity in which stock was held or acquired. If stocks are held in a managed investment account for which the filer does not make investment decisions but where the filer retains ownership of the individual stocks in the account, the filer is still required to disclose the individual stocks held in the account. See Ethics [Advisory Opinion No. 326](#). However, if the stocks are held

in a fund, of which the filer owns shares of the fund, the filer is required to report only the ownership of the fund (see Part 4, Mutual Funds). *Id.* If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

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

PART 3. BONDS, NOTES, AND OTHER COMMERCIAL PAPER

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

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

- 1. Description of Instrument:** Briefly describe the instrument.
Commercial Paper. Commercial paper includes any type of negotiable instrument, such as certificates of deposit (CDs), money market certificates, treasury bills, or bills of exchange.
- 2. Held or Acquired By:** Check the appropriate box indicating whether the instrument was held or acquired by you, your spouse, or a dependent child.
- 3. If Sold:** Complete this section if you sold any of the instruments during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

PART 4. MUTUAL FUNDS

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

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

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

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

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

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

- 1. Source of Income:** Provide the name and address of the source of income. If the source of income is a publicly traded corporation, an address is not required (for Part 5 only). If the source of income is a publicly traded corporation, check the “Publicly held corporation” box,

and do not include the address. If the source of income is not a publicly traded corporation, you must include the address.

2. Received By: Check the appropriate box indicating whether the income was received by you, your spouse, or a dependent child.

3. Amount: Check the appropriate monetary category for the amount received.

PART 6. PERSONAL NOTES AND LEASE AGREEMENTS

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

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

1. Person or Institution Holding Note or Lease Agreement: Identify the person or institution (for example, "Zebu National Bank", "Echidna Mortgage Company") holding the personal note or lease agreement on which you, your spouse, or a dependent child owed the obligation.

2. Liability of: Check the appropriate box indicating whether the personal note or lease agreement is the liability of you, your spouse, or a dependent child.

3. Guarantor: If the obligation was a loan, identify the guarantor of the loan, if any.

4. Amount: Check the appropriate monetary category for the amount of the liability. If the amount of the liability fluctuated throughout the year, select the category that represents the highest balance at any point throughout the year.

PART 7. INTERESTS IN REAL PROPERTY AND BUSINESS ENTITIES

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

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

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

PART 7A. INTERESTS IN REAL PROPERTY

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

1. Held or Acquired By: Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.

2. Street Address: Enter the street address of the real property, if applicable, and include the city, county, and state where the real property is located.

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

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

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

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

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

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

PART 7B. INTERESTS IN BUSINESS ENTITIES

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

1. Held or Acquired By: Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.

2. Description: Provide the name and address of the business entity.

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

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

PART 8. GIFTS

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

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

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

1. Donor: Provide the name and address of the person or organization giving the gift.

2. Recipient: Check the appropriate box indicating whether the gift was given to you, your spouse, or a dependent child. *If the gift was given to more than one person, check as many boxes as apply.*

3. Description: Describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift.

PART 9. TRUST INCOME

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

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

- 1. Source:** Provide the name of the trust.
 - 2. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.
 - 3. Income:** Check the appropriate monetary category to indicate the amount of income received by the beneficiary.
 - 4. Assets:** Identify each asset of the trust from which more than \$500 in income was received, *if you know the identity of the asset*. Accordingly, you are not required to identify the assets of a blind trust.
-

PART 10. BLIND TRUSTS

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

PART 10A. BLIND TRUSTS

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

- (1) the trustee:
 - (A) is a disinterested party;
 - (B) is not the individual;

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

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

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

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

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

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

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

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

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

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

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

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

PART 10B. TRUSTEE STATEMENT

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

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

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

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

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

4. Trustee Statement: Signature of the trustee.

PART 11. ASSETS AND LIABILITIES OF BUSINESS ASSOCIATIONS

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

PART 11A. ASSETS OF BUSINESS ASSOCIATIONS

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

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

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

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

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

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

PART 11B. LIABILITIES OF BUSINESS ASSOCIATIONS

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

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

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

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

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

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

PART 12. BOARDS AND EXECUTIVE POSITIONS

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

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

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

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

1. Organization: Provide the name of the organization.

2. Position Held: Provide the position held in the organization.

3. Position Held By: Check the appropriate box to indicate whether the position is held by you, your spouse, or a dependent child.

PART 13. EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

Generally, [section 36.07](#) of the Penal Code prohibits a public servant from accepting an honorarium in consideration for providing services he or she would not have been asked to provide but for his or her official position. The provision does not, however, prohibit the acceptance of necessary transportation, lodging, or meals in connection with a conference or similar event at which the public servant renders services, such as addressing an audience or

participating in a seminar, that are more than merely perfunctory. If someone provided you with transportation, meals, or lodging under this provision, identify the donor and provide the amount of expenditures made. You may have to contact the donor to obtain the amount. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

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

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

2. Amount: Provide the amount of the expenditures.

PART 14. INTEREST IN BUSINESS IN COMMON WITH A LOBBYIST

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

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

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

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

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

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

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

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

Actual Knowledge. You "actually" know that someone directly compensates or reimburses a person required to be registered as a lobbyist if you personally know that the person does so or you could readily determine that fact by contacting the person or the Texas Ethics Commission. See [Ethics Advisory Opinion No. 333](#) (1996).

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

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

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

PART 16. REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

This section applies only to members of the Texas Legislature. If you represented a person for compensation before a state agency in the executive branch, you must provide the name of the agency, the name of the person represented, and the category of the amount of the fee

received for the representation. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

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

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

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

PART 17. BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

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

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

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

2. Benefit: Describe the benefit received.

PART 18. LEGISLATIVE CONTINUANCES

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

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

1. Name of Party Represented: Provide the name of the party on whose behalf you applied for or obtained a continuance.

2. Date Retained: Provide the date on which you were retained to represent the party.

3. Style, Cause Number, Court, and Jurisdiction: Provide the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought.

4. Date of Continuance Application: Provide the date on which you applied for a continuance.

5. Was Continuance Granted: Indicate whether the continuance was granted.

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

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

CORRECTED FINANCIAL STATEMENT

AND

GOOD-FAITH AFFIDAVIT

Note: A PFS filed with the Texas Ethics Commission must be filed electronically. The only exception is for individuals appointed to office. See the PFS Instruction Guide for more information.

Attach Any Part of Your Financial Statement Form Needed to Report and Explain Corrections

Filer Name (First, MI, Last)

Filer ID

Address (P.O. Box or Street Address, Apt. or Suite #)

(CHECK IF FILER'S HOME ADDRESS)

(City, State, Zip Code)

OFFICE USE ONLY

Date Received

Date Hand-delivered or Date Postmarked

Receipt #

Amount \$

Date Processed

Date Imaged

The correction(s) filed with this affidavit apply to my financial statement due in

2018 2017 2016 2015 2014 2013 Other _____

(Remember: The financial statement you file covers the preceding calendar year's activity. Thus a report due in 2018 covers information for calendar year 2017.)

Explanation of Correction

I swear, or affirm, under penalty of perjury, that this corrected report is true and correct.

Check ONLY if applicable:

I swear, or affirm, that I am filing this corrected report not later than the 14th business day after the date I learned that the report as originally filed is inaccurate or incomplete. I swear, or affirm, that any error or omission in the report as originally filed was made in good faith.

Signature of Filer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me by _____ this the _____ day of

_____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

**CORRECTED FINANCIAL STATEMENT
AND
GOOD-FAITH AFFIDAVIT**

All Reports: A filer who files a corrected financial statement must submit a correction affidavit. The affidavit must identify the information that has changed. Attach any part of your financial statement form needed to report and explain corrections.

Reports filed with Texas Ethics Commission: Under state law, a personal financial statement (PFS) filed with the Ethics Commission by an elected officeholder, a candidate for an elected office, or a state party chair must be filed electronically. All corrections to an electronically filed PFS must also be filed electronically. Under new state law effective May 29, 2017, a PFS filed with the Ethics Commission by an appointed officer may be filed electronically using the online filing application or on a paper Form PFS.

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

Local Filers: If you are filing a personal financial statement (PFS) with a local filing authority, you must ensure that the PFS is in the proper format required by the local filing authority. All corrections to a PFS must be filed in the same format as the original.

This correction affidavit can be used only for a personal financial statement (PFS) that is filed on paper. Do not use this correction affidavit for a PFS that is filed electronically with the Commission.

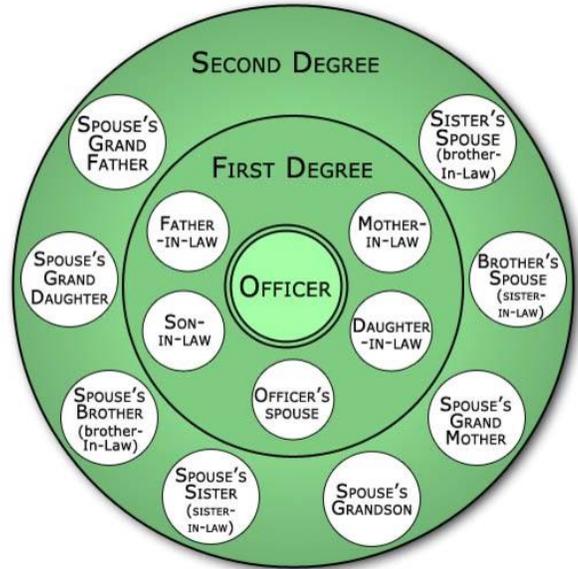
A corrected financial statement filed with the Ethics Commission after its due date is considered late for purposes of late-filing penalties unless: (1) any error or omission in the report as originally filed was made in good faith, and (2) the person filing the report files a corrected report and a good-faith affidavit not later than the 14th business day after the date the person learns that the report as originally filed is inaccurate or incomplete.

Attach additional pages as necessary.

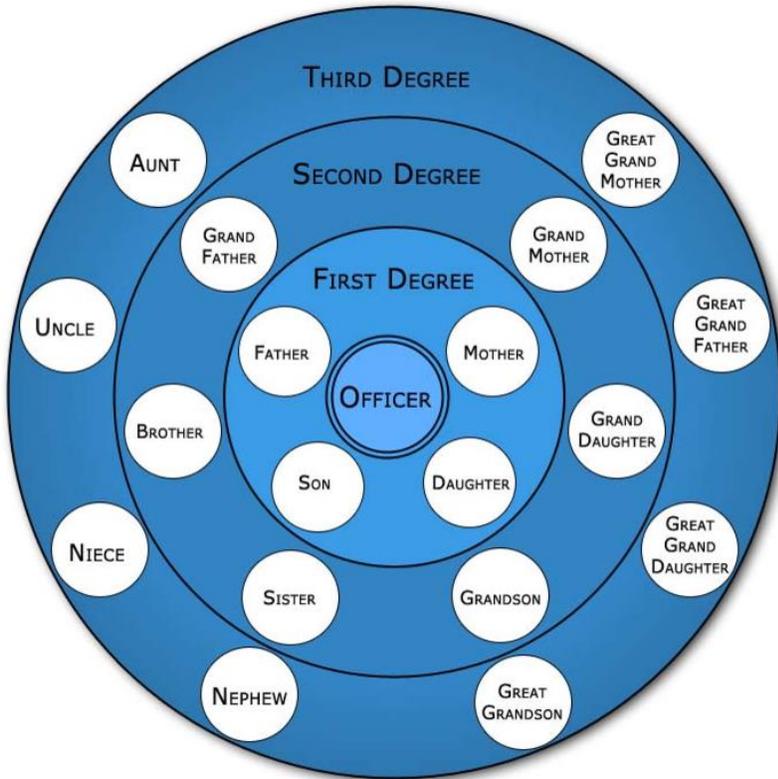
NEPOTISM CHART

The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting



AFFINITY KINSHIP
Relationship by Marriage



CONSANGUINITY KINSHIP
Relationship by Blood

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CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

**FORM C/OH-UC
COVER SHEET PG 1**

The C/OH-UC Instruction Guide explains how to complete this form.		1 Filer ID (Ethics Commission Filers)	
2 CANDIDATE / OFFICEHOLDER NAME	MS/MRS/MR	FIRST	MI
	NICKNAME	LAST	SUFFIX
3 CANDIDATE / OFFICEHOLDER ADDRESS <input type="checkbox"/> change of address	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE		
	Date Received		
4 REPORT TYPE <input type="checkbox"/> Annual <input type="checkbox"/> Final Disposition	Date Hand-delivered or Date Postmarked		
	Receipt #	Amount \$	
5 PERIOD COVERED	Month / Day / Year	THROUGH	Month / Day / Year
6 TOTALS	1. TOTAL AMOUNT OF UNEXPENDED POLITICAL CONTRIBUTIONS AS OF DECEMBER 31 OF THE PREVIOUS YEAR.		\$
	2. TOTAL AMOUNT OF INTEREST AND OTHER INCOME EARNED ON UNEXPENDED POLITICAL CONTRIBUTIONS DURING THE PREVIOUS YEAR.		\$

7 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

TEXAS ETHICS COMMISSION

**CANDIDATE/OFFICEHOLDER REPORT
OF UNEXPENDED CONTRIBUTIONS**

FORM C/OH-UC – INSTRUCTION GUIDE



Revised October 16, 2015

**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-UC: CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

These instructions are for candidates and officeholders using FORM C/OH-UC: CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS. Use Form C/OH-UC for filing either an annual report of unexpended contributions or a report of the final disposition of unexpended contributions.

GENERAL INSTRUCTIONS

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS. You must file this report if one of the following descriptions applies to you:

- (1) You filed a final report as a candidate at a time when you were not an officeholder and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you filed the final report; *or*
- (2) You ceased to be an officeholder at a time when you did not have a campaign treasurer on file, and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you ceased to be an officeholder.

You must file an Unexpended Contributions - Annual report not earlier than January 1 and not later than January 15 of the year after each year in which you maintained unexpended contributions or assets. You must complete Form C/OH-UC and designate the report as an annual report by checking the “Annual” box.

You must continue to file Unexpended Contributions - Annual reports until you have disposed of all your unexpended contributions or assets. Once you have disposed of all your contributions or assets, you must file an Unexpended Contributions - Final report.

You may not retain unexpended contributions or assets longer than six years after the date you filed your final report or ceased being an officeholder, as applicable. If you still maintain unexpended assets at the end of the six-year period, you must dispose of the assets in one of the following ways:

- (1) You may give them to the political party with which you were affiliated when your name was last on the ballot.
- (2) You may give them to a candidate or a political committee. If you do so, however, you must file a report on Form AS IF-SPAC as described below under “Extra Reporting for a Contribution to a Candidate or Political Committee.”
- (3) You may give them to the comptroller for deposit in the state treasury to be used to finance primary elections.
- (4) You may give them to one or more persons from whom you received political contributions, but the total returned to any person may not exceed the aggregate

amount accepted from that person during the last two years during which you were accepting political contributions.

- (5) You may give them to a recognized charitable organization formed for educational, religious, or scientific purposes that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986, and its subsequent amendments.
- (6) You may give them to a public or private post-secondary educational institution or an institution of higher education as defined by Section 61.003(8), Education Code, for the purpose of assisting or creating a scholarship program.

You may dispose of unexpended contributions or assets in this manner at any time during the six-year period.

EXTRA REPORTING FOR CONTRIBUTION TO CANDIDATE OR POLITICAL COMMITTEE. If you contribute unexpended contributions or assets to another candidate or political committee, you must report the contribution twice. You must include the contribution on your Annual Report and you must also report the contribution on a AS IF-SPECIFIC-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form AS IF-SPAC). You must file the AS IF-SPAC report with the filing authority with whom the candidate or political committee files reports by the date by which the candidate or political committee receiving the contribution must report the receipt of the contribution.

NOTE: If the candidate or political committee files with the Texas Ethics Commission (Commission), you will need a separate “AS IF-SPAC” filer ID to file the AS IF-SPAC report. Please contact the Commission for help in establishing an AS IF-SPAC filer ID.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT. You must file a report of the final disposition of your unexpended contributions or assets. Complete Form C/OH-UC and designate the report as an “Unexpended Contributions – Final” report by checking the “Final Disposition” box. The report is due no later than the 30th day after the end of the six-year period.

SPECIFIC INSTRUCTIONS

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

PAGE 1

- 1. FILER ID:** If you are filing with the Commission, you were assigned a filer identification (ID) number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your filer ID number. Enter this number wherever you see “Filer ID.” If you do not file with the Commission, you are not required to enter a filer ID number.
- 2. CANDIDATE/OFFICEHOLDER NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Your entry here should be the same as in your

APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). Enter your name in the same way wherever you see “C/OH NAME”.

3. **CANDIDATE/OFFICEHOLDER ADDRESS:** Enter your complete mailing address. Your entry here should be the same as the address in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). If your mailing address has changed since you last gave notice of your address, check the “Change of Address” box.
4. **REPORT TYPE:** Check the appropriate box.

“**Annual**” **Box:** Check this box if you are filing an Unexpended Contributions - Annual report.

“**Final Disposition**” **Box:** Check this box if you are filing an Unexpended Contributions - Final report.

5. **PERIOD COVERED:**

Annual Reports. For your first Unexpended Contributions - Annual report, the start date is the day after the day you filed your Final Report. The start date for all other Unexpended Contributions - Annual reports is January 1 of the previous year. The end date for all Unexpended Contributions - Annual reports is December 31 of the previous year.

Final Disposition Report. For an Unexpended Contributions – Final report, the start date is the day after the period covered by your most recent Unexpended Contributions - Annual report. The end date is the date you file the report.

6. **TOTALS:** Complete this section only if you are filing an Annual Report. If you are not filing an Annual Report, go to section 7.

Line 1. Enter the total amount of unexpended political contributions and assets that you maintained as of December 31 of the previous year. (Note: Unlike other reports, you are not required to also disclose the total amount of expenditures entered in this Unexpended Contributions report. You are only required to disclose your unexpended balance as of December 31.)

Line 2. Enter the total amount of interest and other income earned on unexpended political contributions and assets during the previous year ending December 31.

7. **AFFIDAVIT:** Complete this section only after you have completed all other appropriate sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. **ONLY THE CANDIDATE OR OFFICEHOLDER FILING THE REPORT MAY SIGN THE AFFIDAVIT.**

PAGE 2

8. **C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name as you did on Form C/OH-UC, Page 1.

9. FILER ID: If you are filing with the Commission, enter your filer ID number. If you do not file with the Commission, you are not required to enter a filer ID number.

10. DATE: Enter the date the expenditure was made.

Credit Card Expenditures: There is a special reporting rule for expenditures made by credit card. The date of a credit card expenditure is either the date of the charge or the date the credit card statement is received. *A filer can never go wrong by disclosing the date of the expenditure as the date of the charge.*

11. PAYEE NAME: Enter the full name of the payee. If the payee is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the payee is an entity, enter the full name of the entity.

12. PAYEE ADDRESS: Enter the complete address of the payee.

13. AMOUNT: Enter the amount of the expenditure payment.

14. PURPOSE OF EXPENDITURE: Enter a brief statement or description of the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific to make the reason for the expenditure clear.

Reporting Travel Outside of Texas: The law requires detailed information regarding in-kind contributions and political expenditures for travel outside of Texas. This information should be reported on Schedule T and attached to this form. Schedule T can be found on the Commission's website at https://www.ethics.state.tx.us/forms/Schedule_T.pdf.

15. IS THE EXPENDITURE A CONTRIBUTION TO A CANDIDATE, OFFICEHOLDER, OR POLITICAL COMMITTEE? If the expenditure was a contribution to a candidate, officeholder, or political committee, check the “Yes” box. The purpose of this box is to allow you to see that you must file an additional report for this expenditure on Form AS IF-SPAC. See the “**Extra Reporting For Contribution To Candidate Or Political Committee**” section in the General Instructions for this form.

If the expenditure was not a contribution to a candidate, officeholder, or political committee, check the “No” box.

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§ 2. - ELIGIBILITY OF COUNCIL MEMBERS.

- (A) A candidate for mayor must meet all eligibility requirements of state law and must have resided continuously in the state for 12 months and in the city for six months immediately preceding the regular filing deadline for a mayoral candidate's application for a place on the ballot. If the mayor ceases to reside in the city, the mayor automatically resigns.
- (B) A candidate for city council from a council district must meet all eligibility requirements of state law and must have resided continuously in the state for 12 months and in the council district from which the member is seeking election for six months immediately preceding the regular filing deadline for a council candidate's application for a place on the ballot. If a council member elected from a council district ceases to reside in the district as the boundaries of the district were drawn at the time of the council member's election, the council member automatically resigns.

Amendment note: Section 2 appears as added at the election of November 6, 2012. A former § 2 concerned the qualifications for Councilmembers; had previously been amended at the election of April 1, 1978; and was repealed at the election of November 6, 2012.

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§ 5. - TERM LIMITS.

- (A) Except as provided in Subsection (C), a person may not be elected to or serve in the office of Mayor for more than two consecutive terms, and a person who has held the office of Mayor for more than two years of a term to which some other person was elected Mayor may not be elected to the office of Mayor more than once in succession.
- (B) Except as provided in Subsection (C), a person may not shall be elected to or serve on the City Council in a position other than Mayor for more than two consecutive terms, and a person who has held a position other than Mayor for more than two years of a term to which some other person was elected to the position may not be elected to a position other than Mayor more than once in succession.
- (C) A person subject to a term limit with respect to an office may become a candidate for the office and serve if elected if the person's application to be a candidate for the office is accompanied by a petition requesting that the person be authorized to be a candidate and the petition is signed by at least five per cent of the qualified voters of the territory from which the office is elected.

Amendment note: Section 5 appears as amended at the election of November 6, 2012, and later renumbered by Ord. 20121213-004. As former § 3, this section was added at the election of May 7, 1994, and had previously been amended at the election of May 13, 2006. Former subsection (D) concerned city officials elected prior to April 30, 2006. and expired on the date that no one subject to its provisions continued to serve in the office of Mayor or Councilmember.

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§ 8. - LIMITS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

(A) Limits On Contributions To Candidates.

- (1) No candidate for Mayor or City Council and his or her campaign committee shall accept campaign contributions in excess of \$300 per contributor per election from any person, except for the candidate and small-donor political committees. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$50.00.
- (2) Each candidate may authorize, establish, administer, or control only one campaign committee at one time.
- (3) No candidate and his or her committee shall accept an aggregate contribution total of more than \$30,000 per election, and \$20,000 in the case of a runoff election, from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$1,000.00.

(B) Small-Donor Political Committees.

- (1) A small-donor political committee is a political committee which has accepted no more than \$25 from any contributor during any calendar year, has had at least 100 contributors during either the current or previous calendar year, has been in existence for at least six months, and has never been controlled by a candidate.
- (2) Such a committee shall not contribute more than \$1000 per candidate per election for the offices of Mayor and City Council.

(C) Coordinated Expenditures.

Any expenditure supporting the election of a candidate or opposing the election of an opponent made with the prior consent of the candidate or his or her committee, or with cooperation or strategic communication between the candidate or his or her committee and the person making the expenditure, is considered a contribution and an expenditure.

(D) Contributions Considered To Be From One Committee.

Contributions made by separate political committees established, administered, maintained, or controlled by the same person or persons, including any parent,

subsidiary, branch, division, department or local unit of the person, or by groups of those persons, shall be considered to be made by a single political committee.

(E) Responsibility Of Candidate To Prevent Violations.

The candidate, or his or her committee, shall determine whether accepting each contribution would violate this section before accepting the contribution.

(F) Time Restrictions On Candidate Fundraising; Officeholder Accounts.

- (1) In this section terms have the same meaning they have in Title 15 of the Texas Election Code. The term "officeholder account" means an account in which funds described by subsection (F)(4) must be kept. "Officeholder" means the mayor or a council member.
- (2) An officeholder, a candidate for mayor or city council, or an officeholder's or candidate's committee may not solicit or accept a political contribution except during the last 180 days before an election for mayor or council member or in which an officeholder faces recall.
- (3) Except as provided by subsection (F)(6), no later than the 90th day after an election, or if a candidate is in a runoff election no later than the 90th day after the runoff, a candidate or officeholder shall distribute the balance of funds received from political contributions in excess of any remaining expenses for the election: (a) to the candidate's or officeholder's contributors on a reasonable basis, (b) to a charitable organization, or (c) to the Austin Fair Campaign Fund.
- (4) An unsuccessful candidate who, after an election, has unpaid expenses remaining, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, may solicit and accept political contributions after the election until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed.
- (5) An officeholder who, after an election, has unpaid expenses remaining, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, may solicit and accept political contributions after leaving office until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed. An officeholder may also pay the unpaid expenses and reimburse the unreimbursed expenditures from political contributions received during a subsequent campaign.
- (6) An officeholder may retain up to \$20,000 of funds received from political contributions for the purposes of officeholder expenditures.
- (7) An officeholder shall keep funds retained under subsection (F)(6) in an account separate from any other funds including personal funds of the officeholder and any other political funds of the officeholder. The funds kept in an officeholder account may be used only for officeholder expenditures. The funds kept in an officeholder account may not be used for campaign expenditures. The funds kept in an officeholder account may not exceed \$20,000.00 at any time.

(8) When an officeholder leaves the Council the funds remaining in an officeholder account must be paid to the Austin Fair Campaign Fund.

(G) Applicability To Councilmembers.

Any incumbent mayor or councilmember is subject to the regulations applied to candidates for the office he or she holds.

(H) Criminal or Civil Litigation Fund.

Nothing in this article applies to the solicitation, acceptance, or 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.

(I) Enforcement.

The city council may by ordinance adopt penalties and enforcement procedures for violations of this Article.

(J) Severability.

If any provision of this section, or the application of that provision to any persons or circumstances, shall be held invalid, then the remainder of this section, to the extent that it can be given effect, and the application of that provision to persons or circumstances other than those to which it was held invalid, shall not be affected thereby, and to this extent the provisions of this section are severable.

Amendment note: Section 8 appears as amended at the election of May 13, 2006. This section was added at the election of November 4, 1997. It took effect on November 7, 1997, the date of the canvass.

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CHAPTER 2-2. - CAMPAIGN FINANCE.

ARTICLE 1. - GENERAL PROVISIONS.

§ 2-2-1 - DECLARATION OF POLICY AND LEGISLATIVE FINDINGS.

- (A) The short name of this chapter is the Austin Fair Campaign Chapter.
- (B) The proper operation of a representative democracy requires that elected public officials exercise independent judgment, act impartially, and remain responsible to the people.
- (C) The City election process and city government should be protected from potential undue influence by individuals and groups making large contributions to the election campaigns of candidates for mayor and city council.
- (D) The City election process and city government should be protected from even an appearance of undue influence by individuals or groups contributing to candidates for mayor and city council.
- (E) The public should have justified confidence in the integrity of its government.
- (F) Limitations on contributions of money, services, and materials by individuals or groups to candidates for City office will promote public confidence.
- (G) Citizen participation in the operation of City election campaigns will enhance a broad based electoral process accountable to all citizens rather than a privileged few.
- (H) The public should have timely access to accurate information regarding the sources of funding for direct campaign expenditures in City elections in order to enable voters to make informed decisions and give proper weight to different speakers and messages.
- (I) Enactment of this chapter is an appropriate exercise of the City's authority as a home rule municipality under Texas law, and that the benefits of this chapter will include a more efficient, less costly election process and more responsive, effective city government.
- (J) This chapter is enacted based on these findings, in furtherance of these policies, and is a narrowly tailored remedy to address the compelling government interests of preventing corruption or the appearance of corruption, preserving the individual citizen's confidence in government, and ensuring the integrity of the City's election system.

Source: Ord. 20080925-079; [Ord. No. 20160623-020, Pt. 1, 7-3-16.](#)

§ 2-2-2 - DEFINITIONS.

In this chapter:

- (1) CAMPAIGN or CAMPAIGN COMMITTEE means the principal, authorized political committee of a candidate for City office.
- (2) CAMPAIGN CONTRACT means a contract between a candidate for mayor or city council and the City as provided by this chapter.

- (3) CAMPAIGN FINANCE REPORT means a periodic report of contributions, loans, credits, interest, gains, reimbursements, and expenditures of a candidate, officeholder, or political committee required to be filed under Chapter 254, Texas Election Code, including any other matters and reports required to be disclosed under this chapter.
- (4) CAMPAIGN PERIOD means the time period allowed in City Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*) and Section 2-2-7 of this chapter.
- (5) CAMPAIGN TREASURER means the individual designated by a candidate, officeholder, or political committee under the Texas Election Code, including a candidate acting as his or her own campaign treasurer.
- (6) CANDIDATE means:
 - (a) a candidate for mayor or city council;
 - (b) a candidate's campaign committee; and
 - (c) related to Article 4 (*Direct Campaign Expenditures*), a person who has, or has had during an election or runoff election, authority to act on behalf of the candidate or candidate's campaign.
- (7) CONTRIBUTION means a direct or indirect transfer of money, goods, services, or any other thing of value, including a pledge or an agreement or other obligation incurred, whether legally enforceable or not, to make a transfer. The term does not include an expenditure required to be reported under Section 305.006(b), Texas Government Code. In-kind labor, as defined in this chapter, is not a contribution.
- (8) ELECTION or CITY ELECTION means the process by which an individual (whether opposed or unopposed) seeks election to City office, or an election for a ballot measure.
- (9) EXPENDITURE means a payment of money or other thing of value, including an agreement made or other obligation incurred, whether legally enforceable or not, to make a payment. The term includes political expenditures made from the personal funds of a candidate or officeholder.
- (10) INDIVIDUAL means a natural person, and cannot mean a corporation or other entity.
- (11) IN-KIND LABOR means the value of personal services provided without compensation by any individual who volunteers on behalf of a candidate or political committee.
- (12) LOAN means an agreement for the transfer of funds from a lender to a candidate, officeholder, or political committee with terms of repayment. The term includes the deposit of personal funds by a candidate or officeholder into an account in which political contributions are held.
- (13) LOBBY or LOBBYING has the same meaning set out in City Code Chapter 4-8 (*Regulation of Lobbyists*).
- (14) OFFICEHOLDER means an individual holding the office of mayor or City councilmember.

- (15) OFFICEHOLDER ACCOUNT means an account maintained by an officeholder as permitted by the Texas Election Code to make officeholder expenditures, whether or not maintained as a segregated fund.
- (16) OFFICEHOLDER EXPENDITURE means a payment made or obligation incurred by an officeholder when the payment or obligation is for officeholder purposes authorized by this chapter. The term includes political expenditures made from the personal funds of an officeholder.
- (17) PERSON means an individual, corporation, partnership, labor union, or labor organization, or any unincorporated association, firm, committee, club, or other organization or group of persons, including a political committee organized under the Texas Election Code, not limited to the definition in Section 1-1-2 (*General Definitions*) of the Code.
- (18) POLITICAL ADVERTISING has the meaning set out in the Texas Election Code.
- (19) POLITICAL COMMITTEE means a specific purpose political committee or general purpose political committee as defined in the Texas Election Code.
- (20) QUALIFYING CANDIDATE means a candidate who has signed a campaign contract under this chapter and who has met the requirements under this chapter to qualify for funds from the Austin Fair Campaign Finance Fund.
- (21) REPORTING PERIOD means a period established under Chapter 254, Texas Election Code, and this chapter, for filing of campaign finance reports.
- (22) RUNOFF ELECTION means an election following an election in which no candidate receives a majority of the votes cast.
- (23) STRATEGIC COMMUNICATION means a communication regarding advertising, campaign strategies, and voter groups between the candidate, candidate's campaign committee, or their agents or employees and any of the persons, agents, or employees of the entity making expenditures.

Source: Ord. 20080925-079; Ord. 20090618-048; Ord. 20120802-069; [Ord. No. 20160407-006, Pt. 1, 4-18-16](#); [Ord. No. 20160623-020, Pt. 2, 7-3-16](#); Ord. No. [20171005-029](#), Pt. 1, 10-16-17.

§ 2-2-3 - CONFORMITY WITH TEXAS ELECTION CODE.

- (A) Terms not defined in this chapter but defined in the Texas Election Code shall have the meanings assigned to them in the Texas Election Code.
- (B) The starting and ending dates of reporting periods and the due dates of contribution and expenditure reports for City elections shall continue to be governed by the Texas Election Code.
- (C) Under this chapter, candidates, officeholders, and political committees participating in City elections may be required to make additional disclosures, to file additional notices, and to comply with certain restrictions not set out in the Texas Election Code.

- (D) If there is a conflict between this chapter and the Texas Election Code or other state law, state law prevails. The requirements set out in this chapter are cumulative of those in the Texas Election Code, and nothing in this chapter shall be construed to limit obligations imposed by the Texas Election Code.

Source: Ord. 20080925-079.

§ 2-2-4 - CONFORMITY WITH CONSTITUTIONAL AND CHARTER PROVISIONS; SEVERABILITY.

- (A) This chapter shall comply in all respects with applicable provisions of the United States Constitution, the Texas Constitution, and the City Charter.
- (B) If any provision of this chapter is declared by a court of law to be illegal, void, invalid, unconstitutional, or in violation of the City Charter, the provisions of Code Section 1-1-12 (*Severability*) shall be given a liberal construction to maintain the effectiveness of all other provisions of this chapter.

Source: Ord. 20080925-079.

§ 2-2-5 - OFFENSES AND PENALTY.

- (A) Except as provided in Subsection (B), a person who knowingly violates this chapter or a provision of City Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*) commits a Class C misdemeanor punishable in accordance with Section 1-1-99 (*Offenses; General Penalty*) by a fine not to exceed \$500. Each expenditure, contribution, or other action in violation of this chapter constitutes a separate offense.
- (B) This section does not apply to Article 2 (*Voluntary Limitations on Contributions and Expenditures*), except as otherwise specifically provided in that article.
- (C) The remedies authorized under this chapter are cumulative of other remedies available under state and federal law.

Source: Ord. 20080925-079.

§ 2-2-6 - CANDIDATE GUIDE.

- (A) The city clerk shall prepare a candidate guide to current city election provisions, including:
- (1) the City Charter, Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*);
 - (2) City Code Chapter 2-2 (*Campaign Finance*);
 - (3) copies of reporting forms required by state law; and
 - (4) copies of reporting and disclosure forms required by this chapter.
- (B) The city clerk shall make the candidate guide available cost-free in hard copy at least six months before a City election. The city clerk may also make the guide available online in an electronic format that is readily reproducible.

- (C) The city clerk shall give each candidate filing a designation of campaign treasurer or for a place on the ballot and a prospective candidate a copy of the candidate guide.

Source: Ord. 20080925-079.

§ 2-2-7 - COMMENCEMENT OF CAMPAIGN PERIOD.

- (A) A general election, special election, and runoff election each have a separate campaign period for purposes of City Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*) and this chapter. The contribution limits set forth in City Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*) apply separately to each general election, runoff election, and special election.
- (B) The campaign period for a general election begins the 365th day before the date of the general election.
- (C) The campaign period for a runoff election begins the day after the date of an election at which no candidate receives the majority of the votes.
- (D) The campaign period for a special election, including a recall election, begins the day after the date the council calls the special election.
- (E) An unsuccessful candidate may only solicit or accept political contributions after an election to the extent authorized by City Charter, Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*), Subsection (F)(4).
- (F) An officeholder may only solicit or accept political contributions after an election to the extent authorized by City Charter, Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*), Subsection (F)(5).
- (G) A candidate may only raise funds for an election during an authorized campaign period.

Source: Ord. 20090618-048; Ord. No. [20171005-029](#), Pt. 2, 10-16-17.

§ 2-2-8 - TERMINATION OF INACTIVE CAMPAIGN TREASURER APPOINTMENT.

- (A) In this section, "inactive candidate" or "inactive political committee" means a candidate or political committee that:
 - (1) has not filed a required report under Texas Election Code, Chapter 254 (*Political Reporting*), for more than one year since the last reporting deadline;
 - (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 city clerk; and
 - (3) has not filed:
 - (a) a final report under Texas Election Code, Section 254.065 (*Final Report*) or 254.125 (*Final Report of Committee for Supporting or Opposing Candidate or Measure*); or

- (b) a dissolution report under Texas Election Code, Section 254.126 (*Dissolution Report of Committee for Assisting Officeholder*) or 254.159 (*Dissolution Report*).
- (B) The city clerk may terminate the campaign treasurer appointment of an inactive candidate or inactive political committee.
- (C) Before the city clerk may terminate a campaign treasurer appointment under this section, the city council must consider and approve the proposed termination in a regularly scheduled open meeting.
- (D) Before the city clerk may terminate a campaign treasurer appointment under this section the city clerk must provide written notice to the affected candidate or committee of:
 - (1) the proposed termination of the candidate's or committee's campaign treasurer appointment;
 - (2) the date, time, and place of the meeting at which the city council will consider the proposed termination; and
 - (3) the effect of termination of the candidate's or committee's campaign treasurer appointment.
- (E) 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 city council votes to terminate the appointment. Following that meeting, the city clerk 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.

Source: Ord. 20120308-003.

ARTICLE 2. - VOLUNTARY LIMITATIONS ON CONTRIBUTIONS AND EXPENDITURES.

§ 2-2-11 - VOLUNTARY CAMPAIGN CONTRACT.

- (A) A candidate for mayor or city council may sign a contract with the City agreeing to abide by limitations on that candidate's contributions and expenditures as specified in this article in exchange for benefits provided under this chapter.
- (B) A candidate must personally sign the campaign contract the earlier of:
 - (1) 30 days after he or she becomes a candidate under the Texas Election Code; or
 - (2) the date the candidate files for a place on the ballot.
- (C) Only a candidate who signs a campaign contract with the City will qualify for public funds from the Austin Fair Campaign Finance Fund under Article 7 of this chapter (*Austin Fair Campaign Finance Fund*).
- (D) A candidate who signs a campaign contract must report a contribution or expenditure during the first reporting period in which it is made and apply the contribution or expenditure to the candidate's voluntary limits. The candidate must file the campaign finance report's data as provided in Section 2-2-26 (*Filing of Campaign Finance Report Data*).

Source: Ord. 20080925-079; [Ord. No. 20160407-006, Pt. 2, 4-18-16](#).

§ 2-2-12 - CANDIDATES' EXPENDITURE LIMITATIONS.

- (A) A candidate who signs a campaign contract under this chapter shall not, during the campaign period, make expenditures exceeding the following limits:
- (1) candidates for mayor: expenditures of \$120,000 and an additional \$80,000 in a runoff election; and
 - (2) candidates for city council: expenditures of \$75,000 and an additional \$50,000 in a runoff election.
- (B) A candidate in a race for mayor or city council shall not make expenditures from his or her own funds that exceed five percent of the applicable voluntary expenditure limits in this section for an election or runoff election. An expenditure by a candidate is an expenditure by his or her campaign. A candidate shall report expenditures from personal funds consistent with state law and this chapter.
- (C) If a candidate has signed a campaign contract under this chapter, expenditures on behalf of the candidate other than direct campaign expenditures, as defined in Article 4 (*Direct Campaign Expenditures*), shall apply to the candidate's voluntary expenditure limits.
- (D) A candidate makes an expenditure subject to this article on the date that:
- (1) a payment is actually made; or
 - (2) an agreement requiring payment is entered into; or
 - (3) an obligation to make a payment is incurred.

Source: Ord. 20080925-079; [Ord. No. 20160407-006, Pt. 3, 4-18-16](#).

§ 2-2-13 - CANDIDATES' CONTRIBUTION LIMITS.

- (A) Except as provided in Subsection (B), a candidate who signs a campaign contract under this chapter shall not accept contributions from an individual or any political committee exceeding the following limits:
- (1) Candidates for mayor:
 - (a) aggregate contributions of more than the amount set by City Charter Article III, Section 8(A)(1) for both the campaign period for the election and the campaign period for a runoff election; and
 - (b) more than \$24,000 in contributions in a campaign period from political committees for a regular election or an additional \$16,000 for a runoff election.
 - (2) Candidates for city council:
 - (a) aggregate contributions of more than the amount set by City Charter Article III, Section 8(A)(3), for both the campaign period for the election and the campaign period for a runoff election; and

- (b) more than \$15,000 in contributions in a campaign period from political committees for a regular election or an additional \$10,000 for a runoff election.
- (B) A candidate for mayor or city council may spend personal funds on his or her own campaign up to the applicable five percent expenditure limits set out in Section 2-2-12 (*Candidates' Expenditure Limitations*). An expenditure from personal funds shall be reported in a manner consistent with state law and this chapter.
- (C) A candidate accepts a contribution subject to this Article on the date that:
 - (1) it is accepted under the Texas Election Code;
 - (2) an agreement is made to accept the contribution; or
 - (3) an obligation is incurred to accept a transfer.

Source: Ord. 20080925-079; [Ord. No. 20160407-006, Pt. 4, 4-18-16](#).

§ 2-2-14 - DISCLOSURE OF COMPLIANCE WITH CHAPTER.

- (A) A candidate who signs a campaign contract shall include the following notice in all political advertising: "This campaign has agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter."
- (B) Except to the extent prohibited by the Federal Communications Act, a candidate who chooses not to sign a campaign contract shall include the following notice in all political advertising: "This campaign has not agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter."
- (C) The disclosures required by this section shall be clear and conspicuous:
 - (1) On printed political advertising, the disclosure shall be printed in sufficient type and size to be clearly readable, in two highly contrasting colors such as dark text on a light background, but in no case smaller than eight point font;
 - (2) On other forms of political advertising, including internet advertisement, television, and radio, the disclosure shall provide the reader, viewer, or listener with actual notice of the disclosure; and
 - (3) A disclaimer is not clear and conspicuous if it is difficult to read or hear, or if the placement is easily overlooked.
- (D) The requirements of subsections (A) through (C) do not apply to bumper stickers, pins, buttons, pens, apparel, and similar small or impractical items upon which the notice cannot be conveniently printed.
- (E) A candidate or other campaign representative who authorizes the publication of political advertising without the notice required by this section commits an offense.

Source: Ord. 20080925-079; Ord. 20100819-034.

§ 2-2-15 - LIQUIDATED DAMAGES.

Each campaign contract shall provide for liquidated damages payable to the City and to other candidates for the same office who sign a campaign contract, in substantially the following form:

"The actual damages that may be sustained by the City and by another candidate by reason of a candidate's breach of a campaign contract are uncertain and would be difficult to determine. The parties stipulate that a reasonable and just compensation to each damaged party, including the City and another candidate, for a candidate's breach of the contribution or expenditure limits in a campaign contract would be three times the amount or value of the excessive expenditure made or contribution accepted. In addition, the City may recover as damages from a candidate who breaches a campaign contract of the amount paid to that candidate from the Austin Fair Campaign Finance Fund.

"A candidate who signs a campaign contract shall promise to pay, and the City and each other candidate for the same office who signs a campaign contract shall agree to accept, in lieu of other damages, the amounts set out in this section as liquidated damages, and not as a penalty, in the event of a breach of the campaign contract. The City and each candidate with standing to enforce the campaign contract shall recover reasonable attorney's fees from the breaching party in connection with a lawsuit for liquidated damages."

Source: Ord. 20080925-079.

§ 2-2-16 - OTHER ENFORCEMENT AND SANCTIONS.

- (A) A candidate who breaches the terms of a campaign contract shall not be considered as a provider of goods or services to the City under a contract for a period of four years following the date of the election in which the breach occurs, unless controlling state law requires that his or her bid or proposal be accepted by the City. The city council may waive this ineligibility by a unanimous vote.
- (B) This article is enforceable as a matter of contract law in the courts of the state of Texas. Except for a violation of the required notice provisions of Section 2-2-14 (*Disclosure of Compliance with Chapter*), this article is not intended to create criminal liability.

Source: Ord. 20080925-079.

§ 2-2-17 - WAIVER OF VOLUNTARY LIMITS.

- (A) A candidate who signs a campaign contract need not comply with the voluntary contribution and expenditure limits and may continue to use on campaign advertising the statement of compliance with the Austin Fair Campaign Chapter if:
 - (1) another candidate who signed a campaign contract has exceeded the voluntary contribution and expenditure limits at the time of filing a contribution and expenditure report;
 - (2) one or more candidates files for the same City office who by the filing deadline has not entered into a campaign contract or filed a notice of intent, under the Texas Election Code, to raise and spend less than \$500; or

- (3) direct campaign expenditures, as defined in Article 4 (*Direct Campaign Expenditures*), in a race for the same council office by one person exceed \$10,000 at any time before the election.
- (B) A candidate who signed a campaign contract may, up to the end of the filing period for a place on the ballot, elect to opt out of the contract if another candidate has filed a designation of campaign treasurer for that office and has not within 30 days signed a campaign contract or a notice of intent, under the Texas Election Code, to raise and spend less than \$500. If a candidate opts out of a contract, he or she may continue to use the disclaimer provided for in Section 2-2-14, but shall not be eligible to receive funds from the Austin Fair Campaign Finance Fund.

Source: Ord. 20080925-079; [Ord. No. 20160407-006, Pt. 5, 4-18-16](#).

ARTICLE 3. - DISCLOSURES AND FILING PROCEDURES FOR CONTRIBUTION AND EXPENDITURE REPORTS.

§ 2-2-21 - ADDITIONAL INFORMATION REQUIRED ON ALL CAMPAIGN FINANCE REPORTS FILED WITH THE CITY.

- (A) In addition to the information required under the Texas Election Code, a campaign finance report filed with the city clerk by a candidate, office holder, and political committee involved in a City election shall include the following information:
 - (1) for all individual contributions of \$200 or more in a reporting period, disclosure of the occupation of the contributor and the name of the contributor's employer; and
 - (2) in disclosing expenditures, the nature and purpose of any payment over \$50 to a consultant or contractor, including a general description of the goods or services provided to the campaign.
- (B) The requirements described in Subsection (A) also apply to the structured data file provided to the city clerk by a candidate, office holder, or political committee with each campaign finance report, as prescribed by Section 2-2-26 (*Filing of Campaign Finance Report Data*).

Source: Ord. 20080925-079; [Ord. No. 20160407-006, Pt. 6, 4-18-16](#).

§ 2-2-22 - FUNDRAISING AND BUNDLING BY INTERMEDIARIES.

- (A) In this section:
 - (1) BUNDLER means a person who bundles campaign contributions. The term does not apply to an individual whose only fundraising activity is a fundraising event held at the individual's residence if the event raises funds in an aggregate amount of less than \$5,000.
 - (2) BUNDLING means the soliciting and obtaining, during a campaign period, contributions on behalf of a candidate of \$200 or more per person from five or more persons.

- (B) For each reporting period in which a candidate for whom a bundler has bundled contributions must file a report of contributions and expenditures, the candidate must also file a separate report with the City Clerk disclosing:
- (1) the name and address of each bundler who has bundled for the candidate;
 - (2) the bundler's occupation and the name of the bundler's employer; and
 - (3) the name, address, occupation and employer of each individual contributor whose contribution was bundled by the bundler;
 - (4) the amount contributed by each individual contributor whose contribution was bundled by the bundler;
 - (5) the total amount the bundler has bundled for the candidate during the reporting period; and
 - (6) the name of each person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*) employed by, or compensated to lobby, by:
 - (a) the bundler;
 - (b) a business association through which the bundler does business; or
 - (c) the bundler's employer.
- (C) A candidate who receives bundled contributions shall notify each bundler of the requirements of this section. A bundler shall provide to each candidate, at the time the bundler delivers bundled contributions to the candidate, the information necessary for the candidate to report the information required by this section. The failure of a bundler to provide the information required by this subsection does not excuse any failure by a candidate to report the required information.
- (D) Except as may be further limited by Subsection (E), a person who is registered, who is required to register, or who is employed by a person who is registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*) may not bundle contributions totaling more than five times the contribution limit set by Article III, Section 8(A)(1) of the City Charter for any one candidate in a campaign period.
- (E) This subsection applies only to a business association that is registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), that is owned in whole or in part by a person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), that employs a person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), or that compensates another person to lobby on a municipal question of interest to the business association. Partners, shareholders, principals, employees, and persons who conduct business through the same business association, are considered to be a single bundler for the purpose of this subsection. The total amount bundled by all the partners, shareholders, principals, employees, and persons who conduct business through the same business association when added together may not exceed ten times the contribution limit set by Article III, Section 8(A)(1) of the City Charter for the entire business association for any one candidate in a campaign period.

Source: Ord. 20080925-079; Ord. 20100819-034; Ord. 20120426-088.

§ 2-2-23 - POLITICAL COMMITTEES.

- (A) A specific purpose committee that makes contributions or expenditures in connection with a City election must file a campaign finance report with the city clerk as prescribed by the Texas Election Code and this chapter. In addition to the required report, a specific purpose committee must file each campaign finance report's data as provided in Section 2-2-26 (*Filing of Campaign Finance Report Data*).
- (B) A general purpose committee that makes contributions or expenditures in connection with a City election must file with the city clerk a copy of each campaign finance report filed with the Texas Ethics Commission. This requirement shall apply to all reporting periods in which the general purpose committee makes 50 percent or more of its expenditures in connection with a City election, or makes an expenditure of \$2,500 or more in connection with a City election. The filing date for filing with the city clerk is the date established under the Texas Election Code for filing with the Texas Ethics Commission. In addition to a copy of each campaign finance report filed with the Texas Ethics Commission, a general purpose committee must file the campaign finance report's data as provided in Section 2-2-26 (*Filing of Campaign Finance Data*).
- (C) A general purpose political committee that makes more than 50 percent of its expenditures in a reporting period in connection with a City election, or makes an expenditure of \$2,500 or more in connection with a City election, or intends to do so, shall file with the city clerk as a notice of intent an original or a copy of its current "Appointment of a Campaign Treasurer" not later than the 60th day before making a contribution or expenditure in connection with a City election. At the written request of the general purpose political committee, the original filing with the city clerk of the "Appointment of a Campaign Treasurer" may serve as a notice of intent to participate in future City elections.

Source: Ord. 20080925-079; [Ord. No. 20160407-006, Pt. 7, 4-18-16](#).

§ 2-2-24 - RETURNED CONTRIBUTIONS.

A candidate, officeholder, or candidate's campaign committee returning a contribution shall comply with the following requirements:

- (A) after a contribution has been deposited in a financial institution account, a partial or full refund must be paid by cashier's check;
- (B) copies of returned checks, refund checks, and any related correspondence must be retained by the campaign treasurer in accordance with Section 2-2-28 (*Retention of Records*); and
- (C) any contribution received and accepted, but refunded to the contributor, must be disclosed as both a contribution and an expenditure on the applicable contribution and expenditure report.

Source: Ord. 20080925-079.

§ 2-2-25 - REPEALED.

Editor's note— [Ord. No. 20160407-006, Pt. 8, effective April 18, 2016](#), repealed § 2-2-25, which pertained to annual reconciliation filing by candidates and campaign committees. See Code Comparative Table for complete derivation.

§ 2-2-26 - FILING OF CAMPAIGN FINANCE REPORT DATA.

- (A) A candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed.
- (B) The city manager, in consultation with the city clerk, shall maintain for the use of the city clerk a Web site that allows public access to a searchable and downloadable database capable of executing queries.
- (C) The city clerk must upload a data file into the database exactly as the file is received, except that the city clerk may not upload a data file that does not comply with the city clerk's technical specifications. A filer who provides a non-compliant data file to the city clerk shall resubmit the data in the required format. A data file that must be resubmitted is timely filed if resubmitted no later than the next business day after the date that the city clerk notifies the filer that the data file is non-compliant.
- (D) The city clerk shall upload the data related to a campaign finance report to the database available from the City's Web site on the first business day after the date that the city clerk accepts the data file. The city clerk shall post a campaign finance report to the City's Web site on the first business day after the date that the city clerk receives the report.
- (E) This ordinance is cumulative of, and does not supersede, another requirement of law regarding the deadline, filing, form, signing, or acknowledgement of a campaign finance report. A person who must file a report under this chapter shall file the report with the city clerk.
- (F) A data file has the same records retention period as the associated campaign finance report.
- (G) The requirement under this section to provide to the city clerk a structured data file containing the contents of each campaign finance report does not apply to a candidate or officeholder running for re-election if:
 - (1) the due date for the campaign finance report falls within the campaign period;
 - (2) the candidate or officeholder running for re-election has not raised and does not intend to raise more than \$10,000 in contributions during the campaign period; and
 - (3) the candidate or officeholder running for re-election files a signed statement with the city clerk stating that the candidate or officeholder running for re-election has not raised

and does not intend to raise more than \$10,000 in contributions during a campaign period.

- (H) If contributions to a candidate or officeholder running for re-election who has signed an exemption statement under this subsection exceed \$10,000, the candidate or officeholder running for re-election shall provide to the city clerk:
- (1) a data file for each subsequent campaign finance report that the candidate or officeholder is required to file; and
 - (2) a data file for each prior campaign finance report that was due during the campaign period before the contributions to the candidate or officeholder exceeded \$10,000, to be provided to the city clerk no later than the next campaign finance report filing deadline after the contributions to the candidate or officeholder exceed \$10,000.
- (I) An exemption under this subsection from providing a data file associated with a required campaign finance report does not exempt the candidate from filing the campaign finance report.

Source: Ord. 20080925-079; Ord. 20090521-017; Ord. 20120426-087; [Ord. No. 20120927-091, Pt. 1, 10-8-12](#); [Ord. No. 20150806-004, Pt. 3, 8-17-15/2-1-16](#); [Ord. No. 20160407-006, Pt. 9, 4-18-16](#).

Editor's note— Section 2-2-26(B) takes effect on February 1, 2016.

§ 2-2-27 - RESERVED.

Editor's note— [Ord. No. 20160407-006, Pt. 10, effective April 18, 2016](#), repealed § 2-2-27, which pertained to disclosure of loans from a candidate or officeholder and expenditures from the funds of a candidate or officeholder. See Code Comparative Table for complete derivation.

§ 2-2-28 - RETENTION OF RECORDS.

A candidate or officeholder subject to this chapter must:

- (A) maintain copies of checks, bank statements, and deposit slips for a period of five years after the close of the reporting period to which the records are applicable;
- (B) make them available to the Ethics Review Commission, on request, within the five year retention period.

Source: Ord. 20080925-079.

§ 2-2-29 - PRE-ELECTION REPORTS.

(A) This section applies to:

- (1) a candidate who accepts contributions that total more than \$10,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election;

- (2) a candidate who loans personal funds to the candidate's campaign totaling \$10,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election;
 - (3) a candidate who makes expenditures from personal funds in support of the candidate's campaign totaling \$10,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election;
 - (4) a political committee that accepts contributions that total more than \$2,500 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election; and
 - (5) a political committee that makes expenditures that total more than \$1,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election.
- (B) A candidate or political committee described in Subsection (A) shall file a pre-election report with the city clerk no later than 5 p.m. on the first business day after each date that one or more of the reporting thresholds prescribed by Subsection (A) are met. The filing of one pre-election report does not excuse the filing of a subsequent report each time the reporting thresholds prescribed by Subsection (A) are met.
- (C) A candidate described in Subsection (A) shall file a pre-election report with the city clerk that includes the following information:
- (1) the name of the candidate;
 - (2) an itemization of contributions, including:
 - (a) the name and address of each contributor making a contribution of more than \$50;
 - (b) the amount of each contribution;
 - (c) the date each contribution was accepted;
 - (d) a description of any in-kind contribution; and
 - (e) for each contribution of \$200 or more, the occupation of the contributor and the name of the contributor's employer.
 - (3) an itemization of loans from personal funds, including:
 - (a) the amount of each loan; and
 - (b) the date each loan.
 - (4) an itemization of expenditures from personal funds, including:
 - (a) the full name and address of the payee to whom each expenditure was made;
 - (b) the date and amount of each expenditure; and
 - (c) the purpose and description of each expenditure.
- (D) A political committee described in Subsection (A) shall file a pre-election report with the city clerk that includes the following information:

- (1) the name of the political committee;
 - (2) an itemization of contributions, including:
 - (a) the name and address of each contributor making a contribution of more than \$50;
 - (b) the amount of each contribution;
 - (c) the date each contribution was accepted;
 - (d) a description of any in-kind contribution; and
 - (e) for each contribution of \$200 or more, the occupation of the contributor and the name of the contributor's employer.
 - (3) an itemization of expenditures, including:
 - (a) the amount of each expenditure over \$50;
 - (b) the full name and address of the payee to whom each expenditure was made;
 - (c) the date of each expenditure; and
 - (d) the purpose and description of each expenditure.
- (E) In addition to the pre-election report, a candidate or political committee described in Subsection (A) must file the pre-election report's data as required in Section 2-2-26 (*Filing of Campaign Finance Report Data*).
- (F) The city clerk shall post each pre-election report on the City's Web site no later than 5 p.m. on the first business day after the date that the city clerk receives the report and accepts the associated data file.
- (G) All information reported on a pre-election report must also be reported on the candidate's or political committee's subsequent campaign finance report.

Source: Ord. No. 20120524-078; [Ord. No. 20160407-006, Pt. 11, 4-18-16](#).

ARTICLE 4. - DIRECT CAMPAIGN EXPENDITURES.

§ 2-2-31 - DEFINITIONS.

In this article:

- (A) DIRECT CAMPAIGN EXPENDITURE means an expenditure for an electioneering communication or for express advocacy, as those terms are defined in this Article, that is made:
- (1) independently of any candidate and any candidate's campaign committee;
 - (2) without prior consent, cooperation, strategic communication, or consultation between:
 - (a) any candidate, any candidate's campaign staff, any candidate's campaign committee, or an agent or employee of any candidate or candidate's campaign committee; and

- (b) the person or entity making the expenditure, or that person's agent or employee; and
 - (3) without prior sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between:
 - (a) any candidate, any candidate's campaign staff, any candidate's campaign committee, or an agent or employee of any candidate or any candidate's campaign committee; and
 - (b) the person or entity making the expenditure, or that person's agent or employee.
- (B) ELECTIONEERING COMMUNICATION means a communication that:
- (1) costs, or is part of a series of communications that in the aggregate cost, \$500 or more;
 - (2) refers to:
 - (a) a clearly identified candidate by:
 - (i) containing the candidate's name, nickname, or image; or
 - (ii) making an unambiguous reference to the candidate or to the candidate's status as a candidate, challenger, or incumbent; or
 - (b) a clearly identified ballot measure, by containing:
 - (i) the measure's number;
 - (ii) a description of the measure; or
 - (iii) an unambiguous reference to the measure;
 - (3) is disseminated by publication, broadcast, Internet, a mass mailing, a telephone bank, or a billboard;
 - (4) is made later than the 61st day before the date of an election in which the candidate or the ballot measure appears on the ballot; and
 - (5) is capable of reaching at least:
 - (a) 5,000 people eligible to vote in the election; or
 - (b) two percent of the number of registered voters eligible to vote in the election.
- (C) ELECTION REPORTING CYCLE means the two-year period beginning on the date following the most recent City general election.
- (D) EXPRESS ADVOCACY means a communication, activity, goods, services, or any other thing of value that refers to a clearly identified candidate or ballot measure that:
- (1) expressly advocates the election or defeat of the candidate, or passage or defeat of the ballot measure, including using such language as "Vote for," "Re-elect," "Cast

your ballot against," "Cast your ballot for," "Defeat," "Vote Down," or "No More Funds for X;" or

- (2) is susceptible to no reasonable interpretation other than as an appeal to vote for or against a specific candidate or ballot measure.
- (E) SEGREGATED BANK ACCOUNT means a bank account maintained by a person who makes one or more direct campaign expenditures or covered transfers, consisting of funds that were paid directly to such account by persons other than the person that controls the account, used by that person to make direct campaign expenditures or covered transfers. A person who pays for direct campaign expenditures or covered transfers exclusively from a segregated bank account must only report information regarding contributions made to that account under Sections 2-2-32 (*Reporting of Direct Campaign Expenditures*), 2-2-33 (*Disclosure Statement Required*), and 2-2-34 (*Reporting of Covered Transfers*).

Source: Ord. 20120802-069; [Ord. No. 20160407-006, Pt. 13, 4-18-16](#); Ord. No. 201660623-020, Pt. 3, 7-3-16.

§ 2-2-32 - REPORTING OF DIRECT CAMPAIGN EXPENDITURES.

- (A) A person who makes one or more direct campaign expenditures in a City election that in the aggregate meet or exceed \$500 shall report:
 - (1) the full name and address of the person who makes the expenditure;
 - (2) if the person who makes the expenditure is an individual, the individual's occupation and employer;
 - (3) the full name and address of the person to whom each expenditure is made;
 - (4) the date and amount of each expenditure;
 - (5) the purpose and description of each expenditure;
 - (6) in the case of an expenditure for express advocacy, the name of each candidate, including the office held and office sought as applicable, whose election or defeat the expenditure advocates, or each ballot measure the passage or defeat of which the expenditure advocates;
 - (7) in the case of an expenditure for an electioneering communication, the name of each candidate, including the office held and office sought as applicable, to whom the communication refers or each ballot measure to which the communication refers; and
 - (8) except as provided in subsection (A)(8)(c), if the person making the expenditure has accepted a contribution from another person during the current election reporting cycle:
 - (a) in the case of an expenditure exclusively paid for by funds contained in a segregated bank account, for each contributor to the account who made

contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:

- (i) the full name and address of the contributor;
 - (ii) if the contributor is an individual, the individual's occupation and employer; and
 - (iii) the date and amount of each contribution received; or
- (b) in the case of an expenditure paid for by funds other than funds contained in a segregated bank account, for each contributor who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:
- (i) the full name and address of the contributor;
 - (ii) if the contributor is an individual, the individual's occupation and employer; and
 - (iii) the date and amount of each contribution received.
- (c) A person is not required to report a contribution under subsections (A)(8)(a) or (A)(8)(b) if:
- (i) the contributor specified in writing that the contribution was not to be used for political contributions or direct campaign expenditures at the time that the contribution was made to the person making the expenditure, and the person making the expenditure did not use the contribution for political contributions or direct campaign expenditures;
 - (ii) the person making the expenditure received the contribution in a commercial transaction in the ordinary course of any trade or business conducted by the person; or
 - (iii) the person making the expenditure received the contribution from investments made by the person.
- (B) A person making a report required by subsection (A) shall include in the report a sworn statement that each direct campaign expenditure was made without prior consent, cooperation, strategic communication, consultation, or sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between an affected candidate, the candidate's campaign staff, the candidate's campaign committee, or an agent or employee of the candidate or the committee, and the person making the expenditure, or that person's agent or employee.
- (C) The report required by subsection (A) shall be made:
- (1) if the expenditure is made before the 60th day before the date of the election, no later than the fifth business day after the date of the expenditure;

- (2) if the expenditure is made on or after the 60th day before the date of the election and before the ninth day before the date of the election, no later than the second business day after the date of the expenditure; or
 - (3) if the expenditure is made on or after the ninth day before the date of the election, no later than 5 p.m. on the first business day after the date of the expenditure.
- (D) A person making a report required by subsection (A) shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the report. The data file must be provided to the city clerk no later than the date that the associated report must be filed.
- (E) The data file must comply with specifications and be on media determined by the city clerk. A filer who provides a non-compliant data file to the clerk shall resubmit the data in the required format. A data file that must be resubmitted is timely filed if resubmitted no later than the next business day after the date that the clerk notifies the filer that the data file is non-compliant.
- (F) Information reported under this section by a political committee or a person subject to Section 254.261 (*Direct campaign expenditure exceeding \$100*) of the Texas Election Code must also be reported on the political committee's or person's next campaign finance report, if required by state law.

Source: Ord. 20120802-069; [Ord. No. 20160407-006, Pt. 14, 4-18-16](#); [Ord. No. 20160623-020, Pt. 4, 9-1-16](#).

Editor's note— This section is effective September 1, 2016. [Part 7 of Ordinance No. 20160623-020](#) states, "A person who makes one or more expenditures that are reportable under section 2-2-32 (Reporting of Direct Campaign Expenditures) must only report contributions received after August 31, 2016.

§ 2-2-33 - DISCLOSURE STATEMENT REQUIRED.

- (A) Except as provided by subsections (C) and (D), in addition to any other disclosure statement required by law, a person making the expenditure for a political advertisement, electioneering communication, or express advocacy, paid for in whole or in part by a direct campaign expenditure, using funds other than funds in a segregated bank account must conspicuously disclose on the communication the names of the five largest contributors who have each made contributions in an aggregate amount of \$500 or more to the person making the direct campaign expenditure during the current election reporting cycle.
- (B) Except as provided by subsections (C) and (D), in addition to any other disclosure statement required by law, a person making the expenditure for a political advertisement, electioneering communication, or express advocacy, paid for in whole or in part by a direct campaign expenditure, using exclusively funds in a segregated bank account must conspicuously disclose on the communication the names of the five largest contributors to the account who have each made contributions in an aggregate amount of \$500 or more to

the person making the direct campaign expenditure during the current election reporting cycle.

- (C) A contributor's name is not subject to disclosure under this section if:
 - (1) the contributor specified that the contribution was not to be used for political contributions or direct campaign expenditures at the time that the contributor made the contribution to the person making the expenditure, and the person making the expenditure did not use the contribution for political contributions or direct campaign expenditures;
 - (2) the person making the expenditure received the contribution in a commercial transaction in the ordinary course of any trade or business conducted by the person; or
 - (3) the person making the expenditure received the contribution from investments made by the person.
- (D) The disclosure requirements of this section do not apply to:
 - (1) bumper stickers, pins, buttons, pens, apparel, and similar small items upon which the names cannot be conveniently printed; or
 - (2) circulars or flyers that cost in the aggregate less than \$500 to publish and distribute.
- (E) The disclosure required by this section shall be clear and conspicuous:
 - (1) on printed material, the disclosure shall be printed in sufficient type and size to be clearly readable, in two highly contrasting colors such as dark text on a light background, but in no case smaller than eight point font; and
 - (2) on other forms of communication, including internet advertisement, television, and radio, the disclosure shall provide the reader, viewer, or listener with actual notice of the disclosure.
- (F) A disclosure is not clear and conspicuous if it is difficult to read, view, or hear, or if the placement is easily overlooked.

Source: Ord. 20120802-069; [Ord. No. 20160407-006, Pt. 15, 4-18-16](#); [Ord. No. 20160623-020, Pt. 5, 7-3-2016](#).

§ 2-2-34 - REPORTING OF COVERED TRANSFERS.

- (A) In this section, "covered transfer" means any contribution by a person to another person if the first person:
 - (1) designates, requests, or suggests that the contribution be used for:
 - (a) direct campaign expenditures; or
 - (b) making a transfer to another person for the purpose of making or paying for direct campaign expenditures;
 - (2) made the contribution in response to a solicitation or other request for a contribution for:

- (a) the making of or paying for direct campaign expenditures; or
 - (b) making a contribution to another person for the purpose of making or paying for direct campaign expenditures; or
- (3) engaged in discussions with the recipient of the contribution regarding:
- (a) the making of or paying for direct campaign expenditures; or
 - (b) making a contribution to another person for the purpose of making or paying for direct campaign expenditures.
- (B) The term "covered transfer" does not mean:
- (1) a contribution made by a person if that person prohibited, in writing, the use of that contribution for political contributions, direct campaign expenditures, or covered transfers, and if the person receiving the contribution did not use the contribution for political contributions, direct campaign expenditures, or covered transfers;
 - (2) a contribution made by a person in a commercial transaction in the ordinary course of any trade or business conducted by that person;
 - (3) a contribution made by a person in the form of an investment made by that person; or
 - (4) a contribution made by a person who has not received a contribution from another person during the current election reporting cycle.
- (C) A person who makes one or more covered transfers in a City election that in the aggregate meet or exceed \$500 shall report:
- (1) the full name and address of the person who makes the transfer;
 - (2) if the person who makes the transfer is an individual, the individual's occupation and employer;
 - (3) the full name and address of the person to whom each transfer is made;
 - (4) the date and amount of each transfer;
 - (5) the purpose and description of each transfer;
 - (6) in the case of a transfer made for a direct campaign expenditure for express advocacy, if known at the time that the transfer is reported, the name of each candidate, including the office held and office sought as applicable, whose election or defeat the expenditure advocates, or each ballot measure the passage or defeat of which the expenditure advocates;
 - (7) in the case of a transfer made for an electioneering communication, if known at the time that the transfer is reported, the name of each candidate, including the office held and office sought as applicable, to whom the communication refers or each ballot measure to which the communication refers; and

- (8) except as provided in subsection (C)(8)(c), when the person making the transfer has accepted a contribution from another person during the current election reporting cycle:
- (a) in the case of a transfer exclusively paid for by funds contained in a segregated bank account, for each contributor to the account who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:
 - (i) the full name and address of the contributor;
 - (ii) if the contributor is an individual, the individual's occupation and employer; and
 - (iii) the date and amount of each contribution received; or
 - (b) in the case of a transfer paid for by funds other than funds contained in a segregated bank account, for each contributor who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:
 - (i) the full name and address of the contributor;
 - (ii) if the contributor is an individual, the individual's occupation and employer; and
 - (iii) the date and amount of each contribution received.
 - (c) A person is not required to report a contribution under subsections (C)(8)(a) or (C)(8)(b) if:
 - (i) the contributor specified in writing that the contribution was not to be used for political contributions, direct campaign expenditures, or covered transfers at the time that the contribution was made to the person making the transfer, and the person making the transfer did not use the contribution for political contributions, direct campaign expenditures, or covered transfers;
 - (ii) the person making the transfer received the contribution in a commercial transaction in the ordinary course of any trade or business conducted by the person; or
 - (iii) the person making the transfer received the contribution from investments made by the person.
- (D) The report required by subsection (C) shall be made:
- (1) if the transfer is made before the 60th day before the date of the election, no later than the fifth business day after the date of the transfer;
 - (2) if the transfer is made on or after the 60th day before the date of the election and before the ninth day before the date of the election, no later than the second business day after the date of the transfer; or

- (3) if the transfer is made on or after the ninth day before the date of the election, no later than 5 p.m. on the first business day after the date of the transfer.
- (E) A person making a report required by subsection (C) shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the report. The data file must be provided to the city clerk no later than the date that the associated report must be filed.
- (F) The data file must comply with specifications and be on media determined by the city clerk. A filer who provides a non-compliant data file to the clerk shall resubmit the data in the required format. A data file that must be resubmitted is timely filed if resubmitted no later than the next business day after the date that the clerk notifies the filer that the data file is non-compliant.
- (G) Information reported under this section by a political committee or a person subject to Section 254.261 (*Direct campaign expenditure exceeding \$100*) of the Texas Election Code must also be reported on the political committee's or person's next campaign finance report, if required by state law.
- (H) It is an affirmative defense to prosecution pursuant to section 2-2-34(C) that the person who makes the transfer:
 - (1) prohibits, in writing, the use of that transfer for political contributions, direct campaign expenditures, or covered transfers if the person receiving the contribution did not use the contribution for political contributions, direct campaign expenditures, or covered transfers;
 - (2) makes the transfer in a commercial transaction in the ordinary course of any trade or business conducted by that person;
 - (3) is making an investment; or
 - (4) has not received a contribution from another person during the current election reporting cycle.

Source: [Ord. No. 20160623-020, Pt. 6, 2-1-17](#) .

Editor's note— This section is effective February 1, 2017. [Part 7 of Ordinance No. 20160623-020](#) states, "A person who makes one more transfers that are reportable under Section 2-2-34 (Reporting of Covered Transfers) must only report covered transfers made and contributions received after January 31, 2017.

§ 2-2-35 - RETENTION OF RECORDS.

A person subject to this article shall:

- (A) maintain copies of checks, bank statements, and deposit slips for a period of five years after:

- (1) the date of any report, made under Sections 2-2-32 (*Reporting of Direct Campaign Expenditures*) or 2-2-34 (*Reporting of Covered Transfers*), to which the records are applicable; or
 - (2) the date of any disclosure, made under Section 2-2-33 (*Disclosure Statement Required*), to which the records are applicable; and
- (B) make the records available to the Ethics Review Commission, on request, within the five-year retention period.

Source: [Ord. No. 20160623-020, Pt. 6, 7-3-16](#).

ARTICLE 5. - OFFICEHOLDER ACCOUNTS.

§ 2-2-41 - PERMITTED EXPENDITURES FROM OFFICEHOLDER ACCOUNTS.

A City officeholder may maintain an officeholder account in accordance with the Texas Election Code. In addition to any restrictions existing under the Texas Election Code, expenditures from an officeholder account are specifically limited to the following purposes: compensation of the officeholder's staff; office supplies; travel expenses related to City matters; meals; purchase and lease of office equipment; staff training, development and recruiting; newsletters; contributions to charitable organizations; membership dues; nonpolitical advertising; contributions to not-for-profit organizations; and expenditures for telephones and telephone services incurred by the officeholder in performing a duty or engaging in an activity in connection with the office. Nothing in this section shall be interpreted to restrict an officeholder's ability to make campaign contributions, as defined by the Texas Election Code, from an officeholder account.

Source: *Ord. 20080925-079*.

§ 2-2-42 - RESERVED.

Editor's note— [Ord. No. 20160407-006, Pt. 17, effective April 18, 2016](#), repealed § 2-2-42, which pertained to annual reconciliation of campaign debt. See Code Comparative Table for complete derivation.

§ 2-2-43 - RESERVED.

Editor's note— [Ord. No. 20160407-006, Pt. 18, effective April 18, 2016](#), repealed § 2-2-43, which pertained to existence of campaign debt. See Code Comparative Table for complete derivation.

ARTICLE 6. - RESTRICTIONS ON CONTRIBUTIONS.

§ 2-2-51 - RESTRICTIONS ON CASH CONTRIBUTIONS.

- (A) Except as provided in Subsection (B), a candidate or officeholder who accepts cash contributions in connection with a City election must maintain a receipt book for cash contributions, listing the date of any cash contribution and the contributor's name and

address. If a candidate or officeholder has not accepted cash contributions aggregating more than \$500 per reporting period, he or she must provide a receipt within five days of receiving the contribution to each cash contributor whose contribution exceeds \$50. Once a candidate or officeholder has accepted cash contributions aggregating more than \$500 per reporting period, he or she shall provide a receipt to each subsequent cash contributor within five days of the contribution.

- (B) This section does not apply to cash contributions received by a candidate or officeholder at one or more fundraising events having a stated ticket price of \$25 per person or less. Cash contributions received at the fundraising events may be aggregated for City reporting purposes, if the candidate or the officeholder, and the treasurer, file with the next contribution and expenditure report an affidavit stating the amount of cash proceeds received at the event and verifying that no individual made a cash contribution of more than \$50 in connection with the event.

Source: Ord. 20080925-079.

§ 2-2-52 - RESTRICTIONS ON CONTRIBUTIONS AT CITY-OWNED BUILDINGS.

- (A) Except as provided in Subsection (B), a person shall not make a contribution to a candidate or officeholder and a candidate or officeholder shall not solicit or accept a contribution at a City-owned building, except at a City-owned building that is available for rental to the general public and that is rented for a campaign related event at the time the contribution is made.
- (B) This section does not prohibit contributions mailed to a candidate or officeholder at a City mailing address.

Source: Ord. 20080925-079.

§ 2-2-53 - RESTRICTIONS ON CONTRIBUTIONS BY LOBBYISTS.

- (A) The city council finds that the practice of lobbying for compensation creates a unique relationship between candidates and officeholders on the one hand, and lobbyists on the other. To preserve public confidence in the electoral process, to diminish the appearance of impropriety and special influence, and to minimize the role of political contributions in the legislative and regulatory processes and the awarding of public contracts, it is appropriate to prohibit persons who lobby the city council from making contributions to candidates for mayor and city council and to officeholders. Accordingly, no person who is compensated to lobby the city council and who is required to register with the City as a lobbyist, and no spouse of the person, may contribute more than \$25 in a campaign period to an officeholder or candidate for mayor or city council, or to a specific purpose political committee involved in an election for mayor or city council.
- (B) A lobbyist may contribute to the Austin Fair Campaign Fund created under this chapter.

Source: Ord. 20080925-079.

§ 2-2-54 - RESTRICTIONS ON CONTRIBUTIONS TO AND EXPENDITURES BY SPECIFIC-PURPOSE POLITICAL COMMITTEE.

- (A) Except as provided in Subsection (C), a specific-purpose political committee supporting or opposing a candidate in a city election may not:
- (1) accept a contribution of more than the contribution limit established in City Charter Article III, Section 8(A)(1) (*Limits on Campaign Contributions and Expenditures*); or
 - (2) accept an aggregate contribution total of more than the amount set by City Charter Article III, Section 8(A)(3) (*Limits on Campaign Contributions and Expenditures*) from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits.
- (B) A specific-purpose political committee supporting or opposing a candidate in a City election that receives a contribution prohibited by Subsection (A) may not accept the contribution and must refuse and return the contribution not later than the end of the reporting period during which the contribution is received. If a specific-purpose political committee subject to this section has received an aggregate contribution total of more than the amount set by Subsection (A)(2), it may not make an expenditure in a City election until it has returned the contributions of more than the allowed amount.
- (C) This subsection does not limit a specific-purpose political committee's aggregate contribution total from natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits.

Source: Ord. 20080925-079.

§ 2-2-55 - RESTRICTIONS ON USE OF EXISTING FUNDS FROM POLITICAL COMMITTEES, CANDIDATES, AND OFFICEHOLDERS.

- (A) Except as provided in Subsection (B), a City election candidate may not use a political contribution to make a campaign expenditure for City office if the contribution was accepted while the candidate:
- (1) was a candidate for an office other than a City office; or
 - (2) held an office other than a City office, unless the person had become a candidate for city office.
- (B) This section does not apply to a contribution raised in compliance with the timing, dollar amount, and source restriction in this Chapter and City Charter, Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*), calculated on a last-in, first-out basis, which means that the last funds received are eligible for consideration for campaign expenditures.

Source: Ord. 20080925-079.

§ 2-2-56 - RESTRICTIONS ON CREATION OF CAMPAIGN COMMITTEE.

A candidate may only authorize one campaign committee.

Source: Ord. 20080925-079.

§ 2-2-57 - RESTRICTIONS ON EXPENDITURES BY AFFILIATED PERSON.

A person who is considered a candidate under Section 2-2-2(5)(c) (*Definitions*), shall not make an expenditure from funds that have not been lawfully accepted by a candidate or a candidate's campaign committee.

Source: Ord. 20080925-079.

ARTICLE 7. - AUSTIN FAIR CAMPAIGN FINANCE FUND.

§ 2-2-61 - ESTABLISHMENT.

This Article establishes a separate City account known as the Austin Fair Campaign Finance Fund. The fund provides partial public support for qualifying candidates. The fund shall also be used to offset the cost of administering the City's lobbying ordinance, the costs of handling disclosure filings, and the costs of administering the Austin Fair Campaign Chapter. To effect the purposes of this chapter, all funds in the separate account at the time of a City election are to be appropriated for distribution to qualifying candidates in any runoff elections. If there are no qualifying candidates in runoff elections, funds so appropriated shall be returned to the separate account.

Source: Ord. 20080925-079.

§ 2-2-62 - FUNDING FOR AUSTIN FAIR CAMPAIGN FINANCE FUND.

(A) The City staff shall maintain a plan setting out financing options for the funding of the Austin Fair Campaign Finance Fund. The staff is directed to include in the financing plan the following options for dedicated or appropriated funds:

- (1) the registration fee for persons required to register as compensated lobbyists under Chapter 4-8 (*Regulation of Lobbyists*) of the City Code;
- (2) donations from individuals and business entities;
- (3) liquidated damages and criminal fines collected for violations of campaign contracts or this chapter;
- (4) when technically feasible, a \$1 voluntary check-off on City utility bills; and
- (5) all filing fees paid to the City by candidates for mayor and city council.

Source: Ord. 20080925-079; [Ord. No. 20160922-005, Pt. 5, 6-1-17.](#)

Editor's note— [Ordinance No. 20160922-005](#) takes effect on June 1, 2017.

§ 2-2-63 - QUALIFYING CANDIDATES.

To become a qualifying candidate eligible to receive public funds from the Austin Fair Campaign Finance Fund, a candidate for mayor or city council must sign a campaign contract, and agree to participate in specified debates arranged by the City Ethics Review Commission.

Source: Ord. 20080925-079.

§ 2-2-64 - FUNDING FOR QUALIFYING CANDIDATES.

- (A) To the extent that funds are available from the Austin Fair Campaign Finance Fund, a qualifying candidate in a runoff election shall receive an equal distribution of the available funds in the Austin Fair Campaign Finance Fund. If no candidate in a runoff election is eligible, the funds will be reserved for future elections.
- (B) Funding from the Austin Fair Campaign Finance Fund shall be distributed to qualifying candidates in a runoff election under the following procedure and formula:
 - (1) on request, the city clerk shall state the available balance in the Austin Fair Campaign Finance Fund;
 - (2) funds for a city runoff election shall be made available as soon as practicable after the results of the city general election are certified; and
 - (3) the city clerk shall review the "30-day before election", "8-day before election" and "pre-election" campaign finance reports and any supporting materials filed by qualifying candidates seeking public funds to verify compliance with the expenditure limits of the candidate's campaign contract.
- (C) Funding from the Austin Fair Campaign Finance Fund shall not be made available to candidates in uncontested elections, recall elections, or elections to fill vacancies created by a recall election.

Source: Ord. 20080925-079; [Ord. No. 20160407-006, Pt. 19, 4-18-16](#).

§ 2-2-65 - OTHER CONSIDERATIONS FOR CAMPAIGN CONTRACT.

- (A) A candidate who signs a campaign contract must participate in a series of candidate forums, whether or not the candidate qualifies for funds.
- (B) The Ethics Review Commission shall produce not fewer than three forums for each contested race as follows:
 - (1) one forum must air on public access television; and
 - (2) other forums may be produced and made available to the public by radio, broadcast, publication on the Internet, or other means approved by the commission.
- (C) The City shall make recordings of audio or video forums available to the public at all branches of the City library.
- (D) The City may purchase advertising promoting the candidate forums.
- (E) The Ethics Review Commission shall establish equitable guidelines to coordinate and produce the candidate forums.

Source: Ord. 20080925-079.

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CHAPTER 2-7. - ETHICS AND FINANCIAL DISCLOSURE.

ARTICLE 1. - GENERAL PROVISIONS.

§ 2-7-1 - DECLARATION OF POLICY.

- (A) It is the policy of the City that the proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all City officials and employees is adopted.
- (B) This code has the following four purposes:
- (1) To encourage high ethical standards in official conduct by City officials and employees;
 - (2) To establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City;
 - (3) To require disclosure by such of official and employees of private financial or other interests in matters affecting the City; and
 - (4) To serve as a basis for disciplining those who refuse to abide by its terms.
- (C) The provisions of this chapter shall not apply to political contributions, loans, expenditures, reports or regulation of political campaigns or the conduct of candidates in such campaigns.

Source: 1992 Code Section 2-3-1; Ord. 031204-9; Ord. 031211-11.

§ 2-7-2 - DEFINITIONS.

In this chapter:

- (1) AFFECTED means in the case of a person, entity or property, means reasonably likely to be subject to a direct economic effect or consequence, either positive or negative, as a result of the vote or decision in question. For instance, a person or entity owning real property, entering into a contract with the City, or seeking a permit or franchise is "affected" by votes or decisions such as zoning of the property, approval of the contract, or granting of the permit. Affected does not include those persons or entities who are subject to an indirect or secondary effect from official action. Creditors, independent contractors, or guarantors of a person "affected" by a vote or decision are not also deemed to be "affected" by virtue of their relationship with the affected person. The vote or decision need not be the only producing cause of the economic effect or consequence reasonably likely to result. In determining whether a person, entity or property is or was "affected by" a vote or decision, it shall not be necessary to prove the actual existence or occurrence of an economic effect or consequence if such effect or consequence would be reasonably expected to exist or occur. Additionally, a vote or decision to place a matter on a ballot is deemed to affect a person, entity or property to

the same extent that the results of the election would effect the person, entity or property.

- (2) CITY EMPLOYEE or EMPLOYEE means any person employed by the City but does not include independent contractors hired by the City.
- (3) CITY OFFICIAL or OFFICIAL, unless otherwise expressly defined, means the mayor, members of the city council, municipal court judges (including substitute judges), city manager, assistant city managers, city clerk, deputy city clerks, city attorney, deputy city attorneys, all department heads or deputy department heads, whether such person is salaried, hired or elected, and all other persons holding positions designated by the City Charter, as it may be amended from time to time. City official, unless otherwise expressly defined, includes individuals appointed by the mayor and city council to all City commissions, committees, boards, task forces, or other City bodies unless specifically exempted from this chapter by the city council.
- (4) DECISION means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other City board or commission, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body. A decision of a City employee means any action in which the employee exercises discretionary authority, including but not limited to the issuance of permits, imposition or collection of fines or fees, authorizations for expenditures, and other non-ministerial acts.
- (5) DISCRETIONARY AUTHORITY means the power to exercise any judgment in a decision or action.
- (6) ENTITY means a sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted, but does not include a governmental body.
- (7) HARM means anything reasonably regarded as loss, disadvantage, or injury, including harm to another person in whose welfare the person affected has an interest.
- (8) INCIDENTAL INTEREST means an interest in a person, entity or property which is not a substantial interest and which has insignificant value, or which would be affected only in a de minimis fashion by a decision. This chapter does not establish dollar limits on the terms "insignificant value" and "de minimis," which shall have their usual meanings and be subject to interpretation on a case by case basis.
- (9) MINISTERIAL ACT means an act performed in a prescribed manner and not requiring the exercise of any judgment or discretion.
- (10) REMOTE INTEREST means an interest of a person or entity, including a City official or employee, who would be affected in the same way as the general public. The interest of a councilmember in the property tax rate, general City fees, City utility charges, or a comprehensive zoning ordinance or similar decisions is incidental to the extent that the councilmember would be affected in common with the general public.

- (11) SUBSTANTIAL INTEREST means an interest in another person or an entity if: the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000 or more of the equity or market value of the entity; or funds received by the person from the other person or entity either during the previous 12 months or the previous calendar year equaled or exceeded \$5,000 in salary, bonuses, commissions or professional fees or \$20,000 in payment for goods, products or nonprofessional services, or 10 percent of the person's gross income during that period, whichever is less; the person serves as a corporate officer or member of the board of directors or other governing board of the for-profit entity other than a corporate entity owned or created by the city council; or the person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000 or more except that a home mortgage loan for the person's homestead or a loan or lease of a personal automobile shall not be deemed a substantial interest in the creditor or guarantor if entered into at a market rate with a commercial lending institution before the previous 12 months.
- (12) SUBSTANTIAL INTEREST IN REAL PROPERTY means an interest in real property which is an equitable or legal ownership with a market value of \$5,000 or more.

Source: 1992 Code Section 2-3-2; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047; Ord. No. [20170209-005](#), Pt. 5, 2-20-17.

ARTICLE 2. - ETHICS REVIEW COMMISSION.

§ 2-7-26 - FUNCTIONS.

The Ethics Review Commission has jurisdiction over this chapter, Section 2-1-24 (*Conflict of Interest and Recusal*), Chapter 2-2 (*Campaign Finance*), Chapter 4-8 (*Regulation of Lobbyists*), and Article III, Section 8, of the City Charter (*Limits on Campaign Contributions and Expenditures*). The commission shall hear and rule on sworn complaints alleging violations of the provisions within the commission's jurisdiction. The city manager shall provide funding for all necessary and reasonable functions of the commission in fulfilling the commission's duties.

Source: 1992 Code Section 2-3-26; Ord. 031204-9; Ord. 031211-11; Ord. 20080214-012; Ord. 20120426-084; Ord. No. [20170209-005](#), Pt. 6, 2-20-17.

§ 2-7-27 - LIMIT ON THE COMMISSION'S JURISDICTION.

Notwithstanding any other provision of the City Code, the Ethics Review Commission may not hear or initiate a sworn complaint alleging a violation of Article 4 (*Code of Ethics*) against a member of the City's classified municipal civil service system or a member of a state civil service system.

Source: [Ord. No. 20150129-021, Pt. 1, 2-9-15](#).

§ 2-7-28 - (RESERVED)

§ 2-7-29 - REPORTS.

On an annual basis, the city manager shall provide a report to the commission of training regarding this chapter that is provided to newly appointed board and commission members and to newly employed City employees.

Source: Ord. No. [20170209-005](#), Pt. 7, 2-20-17.

Editor's note— Ord. No. [20170209-005](#), Pt. 7, adopted February 20, 2017, repealed the former § 2-7-29, and enacted a new § 2-27-29 as set out herein. The former § 2-7-29 pertained to reports; opinions. See Code Comparative Table for complete derivation.

§ 2-7-30 - DUTIES.

(A) The Ethics Review Commission shall, in addition to its other duties:

- (1) prescribe forms for reports, statements, notices, and other documents required by the provisions within the commission's jurisdiction;
- (2) prepare and publish materials explaining the duties of individuals subject to the provisions within the commission's jurisdiction;
- (3) accept and file any information voluntarily supplied that exceeds the requirements of the provisions within the commission's jurisdiction;
- (4) preserve statements and reports filed with the commission for a period of five years from the date of receipt;
- (5) review the provisions within the commission's jurisdiction and make appropriate recommendations to the city council concerning the provisions within the commission's jurisdiction, and perform an annual review and evaluation of the dollar limits established in Chapter 2-2 (*Campaign Finance*) and make recommendations to the city council as to those limits;
- (6) conduct hearings in accordance with the provisions of this chapter and the commission's rules on sworn complaints alleging violations of the provisions within the commission's jurisdiction; and
- (7) schedule and oversee the forums among candidates in City elections provided for in Chapter 2-2 (*Campaign Finance*).

(B) The commission may:

- (1) prepare reports and studies to advance the purposes of the provisions within the commission's jurisdiction;
- (2) request the city council and city manager to provide such assistance as it may require in the discharge of its duties; and
- (3) review statements and reports filed under provisions within the commission's jurisdiction in order to obtain compliance with the provisions.

Source: 1992 Code Section 2-3-30; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084; Ord. No. [20170209-005](#), Pt. 8, 2-20-17.

§ 2-7-31 - STAFFING.

- (A) The Ethics Review Commission shall be assigned staff by the city attorney to assist in its duties.
- (B) When complaints are filed related to the mayor, city councilmembers, city manager, city attorney, department heads and deputies, independent legal counsel shall be utilized to advise the commission and participate in hearings.
- (C)
 - (1) A City official or employee may request, and the city attorney shall thereupon promptly issue, a confidential written opinion concerning the meaning or effect of a section, word, or requirement of this chapter as it affects the official or employee, except that the city attorney will not issue a written opinion regarding a matter related to a complaint currently pending before the commission.
 - (2) If a complaint is subsequently filed with the commission about any specific action, omission, or alleged conflict of interest which has been the subject, whole or in part, of a city attorney's opinion, the independent legal counsel shall act as commission attorney on said complaints.
- (D) The city clerk shall make the reporting and complaint forms and information developed by the Commission available to the public and shall assist citizens in complying with filing procedures.

Source: 1992 Code Section 2-3-31; Ord. 031204-9; Ord. 031211-11; Ord. 20060209-003; Ord. No. [20170209-005](#), Pt. 9, 2-20-17.

§ 2-7-32 - RULES.

The Ethics Review Commission may adopt, amend, and rescind rules of procedure to carry out the provisions of this chapter. Such rules shall be consistent with this chapter and other applicable law.

Source: 1992 Code Section 2-3-32; Ord. 031204-9; Ord. 031211-11.

ARTICLE 3. - VIOLATIONS; COMPLAINT AND HEARING PROCEDURES.

§ 2-7-41 - COMPLAINTS.

- (A) In this article:
 - (1) COMPLAINANT means a person filing a sworn complaint.
 - (2) RESPONDENT means a person who is alleged in a sworn complaint to have violated a provision within the jurisdiction of the Ethics Review Commission:
 - (3) IDENTIFIED PERSON means a person, other than the respondent, who is identified by name in a sworn complaint as being involved in the alleged inappropriate conduct.

- (B) A complaint alleging a violation of a provision within the jurisdiction of the Ethics Review Commission shall specify each code section or charter provision alleged to have been violated. A complaint must state that the facts alleged are true and factual to the best knowledge of the person filing the complaint and be sworn to before a person authorized by law to administer an oath.
- (C) A complaint alleging a violation within the jurisdiction of the commission must be filed with the city clerk not later than the second anniversary of the date of the action alleged as a violation, and may not be filed afterward.
- (D) On the sworn complaint of any person filed with the city clerk's office or on the commission's own initiative, the commission shall consider possible violations of a provision within the jurisdiction of the commission by City officials and employees, former City officials and employees, candidates for election to City offices, and other persons subject to the provisions set forth in Section 2-7-26 (*Functions*). The commission may not consider complaints against its own members.
- (E) Not later than the fifth working day after the city clerk receives a sworn complaint, the city clerk shall acknowledge the receipt of the complaint to the complainant and provide a copy of the complaint to the city attorney, the chair of the commission, and the respondent. The city clerk shall also send a copy of the complaint to any identified person whose contact information is listed on the complaint form.
- (F) Not later than the fifth working day after receipt of a complaint from the city clerk, the chair of the commission shall make an initial determination as to whether the complaint is within the commission's jurisdiction.
 - (1) If the chair determines that a complaint is within the commission's jurisdiction, the chair shall set the complaint for a preliminary hearing not later than the 60th day after the chair's initial determination, unless agreed to by the parties or by a vote of the commission. The commission may overturn the chair's initial jurisdictional determination at the preliminary hearing.
 - (a) Not later than the 10th working day prior to the meeting, the chair shall cause a written notice of the date of the preliminary hearing to be sent to the complainant, the respondent, and any identified person whose contact information is listed on the complaint form or is reasonably ascertainable.
 - (b) For good cause, the chair may postpone a scheduled preliminary hearing on the request of the complainant, the respondent, or an identified person.
 - (2) If the chair determines that a complaint is not within the commission's jurisdiction, the commission shall review the chair's determination and may overturn the chair's determination.
 - (a) Not later than the fifth working day after the chair determines that a complaint is not within the commission's jurisdiction, the chair shall cause a written notification of the initial determination to be sent to the complainant, the respondent, and any

identified person whose contact information is listed on the complaint form or is reasonably ascertainable.

- (b) If the commission determines that a complaint is not within its jurisdiction, not later than the 10th working day after the commission's determination, the chair shall cause a written notification of the commission's final jurisdictional determination to be sent to the complainant, the respondent, and any identified person whose contact information is listed on the complaint form or is reasonably ascertainable.
 - (i) If the commission determines that a complaint is not within the commission's jurisdiction, the commission may refer the complaint to the city auditor for possible investigation.
 - (ii) If the commission refers a complaint to the city auditor under this subsection, the written notification required under subsection (F)(2)(b) shall state that the commission has referred the complaint to the city auditor for possible investigation.
 - (c) If the commission overturns the chair's initial determination and determines that a complaint is within the commission's jurisdiction, the chair shall set the complaint for a preliminary hearing not later than the 60th day after the commission's determination, unless agreed to by the parties or by a vote of the commission. Subsection (F)(1)(a) and (b) shall govern the sending of notices and granting of postponements.
- (G) The commission may consider a possible violation of a provision within the jurisdiction of the commission on the commission's own initiative. Not later than the 10th working day after the commission's decision to consider a possible violation, the commission shall draft a written complaint specifying each code section or charter provision alleged to have been violated, shall file a copy of the complaint with the city clerk, and shall provide a copy of the complaint to the city attorney, the respondent, and any identified person whose contact information is obtained by the commission. A complaint initiated by the commission need not be sworn.
- (1) The chair shall set the complaint for preliminary hearing not later than the 60th day after the complaint is filed with the city clerk, unless agreed to by the respondent or by a vote of the commission.
 - (2) Not later than the 10th working day prior to the meeting, the chair shall cause a written notice of the date of the preliminary hearing to be sent to the respondent and to any identified person whose contact information has been obtained by the commission.
 - (3) For good cause, the chair may postpone a scheduled preliminary hearing under this subsection on the request of the respondent or an identified person.
- (H) A member of the commission may not take any part in a deliberation, vote, or decision regarding a sworn complaint alleging a violation by the council member that nominated the commission member.

Source: 1992 Code Section 2-3-41; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084; [Ord. No. 20160922-005, Pt. 2, 6-1-17](#); Ord. No. [20170209-005](#), Pt. 10, 2-20-17; Ord. No. [20170209-005](#), Pt. 11, 6-1-17.

Ordinance No. [20170209-005](#), Pt. 11 which adds Subsection (H) takes effect June 1, 2017.

§ 2-7-42 - DEFENSE OF OFFICIAL OR EMPLOYEE BY CITY ATTORNEY.

In the event a complaint is filed with the Ethics Review Commission against any official or employee of the City, alleging a violation of Article 4 (*Code of Ethics*), if the official or employee reasonably believed the conduct charged was not prohibited by Article 4 (*Code of Ethics*) and acted in reasonable reliance upon a public opinion rendered by the city attorney, the city attorney shall be authorized to represent the official or employee before the commission, or to employ and pay private counsel to represent the official or employee before the commission.

Source: 1992 Code Section 2-3-42; Ord. 031204-9; Ord. 031211-11.

§ 2-7-43 - PROHIBITION OF EX PARTE COMMUNICATIONS.

After a complaint has been filed and during the pendency of a complaint before the Ethics Review Commission, a member of the commission may not communicate directly or indirectly with any party or person about any issue of fact or law regarding the complaint, except at a meeting of the commission.

Source: 1992 Code Section 2-3-43; Ord. 031204-9; Ord. 031211-11.

§ 2-7-44 - PRELIMINARY HEARING.

- (A) The issue at a preliminary hearing shall be the existence of reasonable grounds to believe that a violation of a provision within the jurisdiction of the Ethics Review Commission has occurred. The complainant, or the legal counsel for the Ethics Review Commission in cases considered on the commission's own initiative, shall state the alleged violation and shall describe in narrative form the testimony and other evidence which would be presented to prove the alleged violation as stated in the written complaint. Statements at a preliminary hearing shall be under oath, but there shall be no cross-examination or requests for persons or evidence issued for the hearing. Members of the commission may question the complainant, legal counsel for the commission, or the respondent.
- (B) The respondent shall have the opportunity to respond but is not required to attend or make any statement. The respondent may describe in narrative form the testimony and other evidence which would be presented to disprove the alleged violation. If the respondent agrees that a violation has occurred, the respondent may so state and the commission may consider the appropriate sanction or prosecution.
- (C) The complainant and the respondent shall have the right of representation by counsel.
- (D) At the conclusion of the preliminary hearing, the commission shall decide whether a final hearing should be held. If the commission determines that there are reasonable grounds to believe that a violation within the jurisdiction of the commission has occurred, the

commission shall schedule a final hearing. If the commission does not determine that there are reasonable grounds to believe that a violation has occurred, the complaint is dismissed. A decision to conduct a final hearing is not a finding that a violation has occurred.

- (E) The commission, at any time during the preliminary hearing, may also dismiss a complaint if the complaint does not allege conduct which would be a violation of a provision within the jurisdiction of the commission. Before a complaint is dismissed for failure to allege a violation, the complainant or the legal counsel for the commission shall be permitted one opportunity, within a period to be specified, to revise and resubmit the complaint.
- (F) The complainant, legal counsel for the commission, and the respondent may ask the commission at a preliminary hearing to request certain persons and evidence for a final hearing, if one is scheduled.

Source: 1992 Code Section 2-3-44; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084; Ord. No. [20170209-005](#), Pt. 12, 2-20-17.

§ 2-7-45 - FINAL HEARING.

- (A) Unless otherwise agreed to by the parties or by a vote of the commission, the final hearing shall be held not later than the 60th day after the determination by the commission that there are reasonable grounds to believe that a violation within the jurisdiction of the commission has occurred.
- (B) For good cause, the chair may postpone a scheduled final hearing on the request of the complainant, the respondent, or an identified person.
- (C) The complainant and respondent must attend a final hearing. If the respondent fails to attend, the commission may proceed with the final hearing at the commission's discretion.
- (D) The issue at a final hearing shall be whether a violation within the jurisdiction of the commission has occurred. The commission shall make its determination based on the preponderance of the credible evidence in the record. All parties and witnesses shall make their statements under oath.
- (E) If the commission determines that a violation has occurred, the commission shall state the commission's findings in writing, shall identify each code section or charter provision that has been violated, and, not later than the 10th working day after the final hearing, the chair shall cause a copy of the commission's findings to be sent to the complainant, if any, to the respondent, to any identified person whose contact information is listed on the complaint form or is reasonably ascertainable, and to the city clerk.

Source: 1992 Code Section 2-3-45; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084; Ord. No. [20170209-005](#), Pt. 13, 2-20-17.

§ 2-7-46 - OATHS AND REQUESTS FOR INFORMATION.

- (A) If a complaint proceeds to a final hearing, the commission may subpoena or request witnesses to attend and testify, administer oaths and affirmations, take evidence, and

subpoena or request the production of books, papers, records, or other evidence needed for the performance of the commission's duties or exercise of its powers, including its duties and powers of investigation.

- (B) The commission may request assistance from the city auditor with the investigation of allegations in a complaint.
- (C) The commission may consider the city auditor's investigation at a final hearing on a complaint.

Source: 1992 Code Section 2-3-46; Ord. 031204-9; Ord. 031211-11; Ord. No. [20170209-005](#), Pt. 14, 2-20-17.

§ 2-7-47 - PROSECUTION.

If the Ethics Review Commission determines that a violation of a provision subject to a criminal penalty has occurred, the commission shall deliver a copy of the commission's findings to the complainant, if any, the respondent, and the city attorney and may recommend prosecution or set forth requirements to be complied with in order that voluntary compliance may be had and final determination obtained.

Source: 1992 Code Section 2-3-47; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084; Ord. No. [20170209-005](#), Pt. 15, 2-20-17.

§ 2-7-48 - SANCTIONS.

- (A) This section applies only to violations other than violations of Chapter 2-2 (*Campaign Finance*) and Article III, Section 8, of the City Charter (*Limits on Campaign Contributions and Expenditures*).
- (B) If the Ethics Review Commission determines that a violation of Sections 2-7-62 (*Standards of Conduct*), 2-7-63 (*Prohibition on Conflict of Interest*), 2-7-64 (*Disclosure of Conflict of Interest*), and 2-7-65 (*Substantial Interest of Relative*) occurred, it shall proceed directly to determination of the appropriate sanction(s). A violation of Sections 2-7-62 (*Standards of Conduct*), 2-7-63 (*Prohibition on Conflict of Interest*), 2-7-64 (*Disclosure of Conflict of Interest*), and 2-7-65 (*Substantial Interest of Relative*) shall not be subject to criminal penalties under the City Code. The commission may receive additional testimony or statements before considering sanctions but is not required to do so. If the respondent acted in reliance upon a public written opinion of the city attorney, the commission shall consider that fact.
- (C) If the commission determines that a violation has occurred, the commission may impose or recommend the following sanctions:
 - (1) A letter of notification is the appropriate sanction when the violation is clearly unintentional, or when the respondent's conduct complained of was made in reliance on a public written opinion of the city attorney. A letter of notification must advise the respondent of any steps to be taken to avoid future violations. The commission may direct a letter of notification to any official or employee covered by this chapter.

- (2) A letter of admonition is the appropriate sanction if the commission finds that the violation is minor or may have been unintentional, but calls for a more substantial response than a letter of notification. The commission may admonish any official or employee covered by this chapter.
- (3) A reprimand is the appropriate sanction when the commission finds that a violation has been committed intentionally or through disregard of this chapter. The commission may reprimand any official or employee covered by this chapter. A reprimand directed to a City official shall also be sent to the city council. A reprimand directed to an employee shall be sent to the city manager and included in said employee's personnel file.
- (4) A recommendation of removal from office or a recommendation of suspension from office, including a recommendation for the length of a suspension, is the appropriate sanction when the commission finds that a serious or repeated violation of this chapter has been committed intentionally or through culpable disregard of this chapter. A recommendation regarding an unsalaried City official or a salaried official appointed by the city council shall be transmitted by the commission to the city council. The final authority to carry out a recommendation regarding an unsalaried City official or of a salaried official appointed by the city council is the city council. A recommendation regarding a City employee shall be directed by the commission to the city manager. The final authority to carry out a recommendation regarding a city employee is the city manager.
- (5) A letter of censure or a recommendation of recall is the appropriate sanction when the commission finds that a serious or repeated violation of this chapter has been committed intentionally or through culpable disregard of this chapter by an elected City official. A letter of censure or a recommendation of recall directed to an elected City official shall be transmitted by the commission to the city clerk, published by the city clerk in a local newspaper of the largest general circulation, and shall be sent by the commission to the city council.

Source: 1992 Code Section 2-3-48; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084.

§ 2-7-49 - CAMPAIGN VIOLATIONS.

- (A) This section applies to violations of Chapter 2-2 (*Campaign Finance*) and Article III, Section 8, of the City Charter (*Limits on Campaign Contributions and Expenditures*).
- (B) If the Ethics Review Commission determines that a violation of a provision to which this section applies has probably occurred:
 - (1) the commission may recommend that the city attorney prosecute the violation;
 - (2) request the appointment of a special prosecutor in cases where it finds this action necessary, with funding provided by the City; or

- (3) if the commission finds that the violation is minor, clerical, or may have been unintentional, the commission may recommend that the violation not be prosecuted or be prosecuted only if the violation is not corrected.
- (C) The commission may consider a violation's severity, frequency, or intentional nature.
- (D) If a respondent is an entity, the commission may find that an individual has violated a provision subject to the section.
- (E) This section does not require the commission to make a recommendation with respect to a complaint.
- (F) The commission may draft and publish a letter of notification, a letter of admonition, a reprimand, or a letter of censure to a respondent found to have violated a provision subject to this section. The Commission shall apply the criteria in Section 2-7-48 (*Sanctions*) to determine the appropriate sanction to impose.
- (G) This section does not limit the prosecutorial discretion of the city attorney.

Source: Ord. 20120426-084; [Ord. No. 20160922-005, § 3, 6-1-17](#); Ord. No. [20170209-005](#), Pt. 16, 2-20-17.

Editor's note— [Ordinance No. 20160922-005](#) takes effect on June 1, 2017. Ord. No. [20170209-005](#), Pt. 16 which amended subsection (F) takes effect February 20, 2017.

§ 2-7-50 - LOBBYING VIOLATIONS.

- (A) This section applies to violations of Chapter 4-8 (*Regulation of Lobbyists*).
- (B) For an allegation in a complaint relating to a violation of Chapter 4-8, the commission shall hold only a preliminary hearing, and shall not hold a final hearing.
- (C) The commission shall refer an allegation for which the commission finds a reasonable basis to believe that there may be a violation to the city attorney for prosecution.
- (D) This section does not limit the prosecutorial discretion of the city attorney.

Source: [Ord. No. 20160922-005, Pt. 4, 6-1-17](#) .

Editor's note— [Ordinance No. 20160922-005](#) takes effect on June 1, 2017.

ARTICLE 4. - CODE OF ETHICS.

§ 2-7-61 - CONDUCTING BUSINESS THROUGH PARTNERSHIPS, PROFESSIONAL CORPORATIONS, AND OTHER ENTITIES.

If a City official or employee is a member of a partnership or professional corporation, or conducts business through another entity, a substantial interest of the partnership, professional corporation, or entity shall be deemed to be a substantial interest of the City official or employee if:

- (A) the partnership or professional corporation has fewer than 20 partners or shareholders;

- (B) regardless of the number of partners or shareholders, the official or employee has an equity interest, share, or draw equal to or greater than five percent of the capital or revenues of the partnership, professional corporation, or other entity; or
- (C) with regard to the partnership, professional corporation, or other entity's substantial interest in a client, the official has personally acted within the preceding 24 months in a professional or fiduciary capacity for that client.

Source: 1992 Code Section 2-3-61; Ord. 031204-9; Ord. 031211-11.

§ 2-7-62 - STANDARDS OF CONDUCT.

- (A) No City official or employee shall transact any business in his official capacity with any entity in which he has a substantial interest.
- (B) No City official or employee shall formally appear before the body of which the official or employee is a member while acting as an advocate for himself or any other person, group, or entity.
- (C) No salaried City official or employee shall represent, for compensation, any other person, group or entity before any department, commission, board or committee of the City.
- (D) No salaried City official or employee shall represent, directly or indirectly, any other person, group or entity in any action or proceeding against the interests of the City, or in any litigation in which the City or any department, commission, or board or committee thereof is a party; provided, however, that nothing herein shall limit the authority of the city attorney and his staff to represent the City, its boards, commissions, committees and officers and particularly the Human Rights Commission in the discharge of their duties, including equal employment opportunity cases.
- (E) No salaried City official or employee shall represent, directly or indirectly, any person, group or entity in any action or proceeding in the municipal courts of the City which was instituted by a City official or employee in the course of official duties.
- (F) No City official shall represent any person, group or entity in any action or proceeding in the municipal courts of the City which was instituted by or arising from a decision of a board, commission, committee, task force or other body on which the official serves.
- (G) No City official or employee shall accept or solicit any gift or favor, that might reasonably tend to influence that individual in the discharge of official duties or that the official or employee knows or should know has been offered with the intent to influence or reward official conduct
- (H)
 - (1) No City official or employee shall solicit or accept other employment to be performed or compensation to be received while still a City official or employee, if the employment or compensation could reasonably be expected to impair independence in judgment or performance of City duties.
 - (2) If a City official or employee accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property

which would be affected by any decision upon which the official or employee might reasonably be expected to act, investigate, advise, or make a recommendation, the official or employee shall disclose that fact to the board or commission on which he serves or to his supervisor and shall take no further action on matters regarding the potential future employer.

- (I) A salaried City official or employee may not use the official's or the employee's official position to secure a special privilege or exemption for the official or the employee, to secure a special privilege or exemption for another person, to harm another person, or to secure confidential information for a purpose other than official responsibilities.
- (J) No City official or employee shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.
- (K) No City official or employee shall accept remuneration, directly or indirectly, for campaign work relating to an item placed on the ballot if that individual served on the body which exercised discretionary authority in the development of the ballot item and participated in the discussion or voted on the item.
- (L) No salaried City official and certain City employees to include the mayor, councilmembers, the city manager, assistant city managers, the city clerk, deputy city clerks, council aides, municipal court clerk, deputy municipal court clerks, municipal judges (including substitute judges), the city auditor, assistants to the city auditor, the city attorney, deputy city attorneys, assistant city attorneys, purchasing agents and those employees with the authority to purchase or contract for the City, all department heads, deputy department heads, and the spouse of each of the above, shall solicit nor propose on a contract, enter into a contract or receive any pecuniary benefit from any contract with the City. This prohibition does not include any employment contract which may be authorized for the official, a contract of sale for real property or a contract for services which are available to all citizens.
- (M) For a period of two years after leaving office, a former mayor or councilmember may not solicit or propose on a contract with the City or enter into a contract with the City for the sale to the City of any goods or services other than real estate. This subsection does not apply to a former mayor or councilmember who had a business relationship with the City in the six months immediately preceding taking the office of mayor or councilmember if the solicitation or proposal is on behalf of the same business.
- (N) For a period of two years after leaving office, a former mayor or councilmember, members of their family, or anyone acting on their behalf, may not sell or lease any real estate to the City unless the city council has designated the property for acquisition and would otherwise have to acquire the property through its power of eminent domain.
- (O) A City official or employee may not engage in fraud or abuse, as defined in City Code Chapter 2-3 (*City Auditor*).

Source: 1992 Code Section 2-3-62; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047; Ord. No. [20170209-005](#), Pts. 17, 18, 2-20-17.

§ 2-7-63 - PROHIBITION ON CONFLICT OF INTEREST.

- (A) A City official or employee may not participate in a vote or decision on a matter affecting a natural person, entity, or property in which the official or employee has a substantial interest; provided, however, that this provision shall not prohibit any member of the city council from participating in a discussion relating to a petition certified to the city council by the city clerk which petition seeks the recall of said member of the city council.
- (B) A City official or employee who serves as a corporate officer or member of the board of directors of a nonprofit entity may not participate in a vote or decision regarding funding by or through the City for the entity. This subsection does not apply to a City official or employee who:
 - (1) serves as a corporate officer or member of the board of directors of a nonprofit entity that is owned by the City or created by the city council; or
 - (2) as a duty of office or as a job assignment, serves as a corporate officer or member of the board of directors of a nonprofit entity as a representative of the City.
- (C) Where the interest of a City official or employee in the subject matter of a vote or decision is remote or incidental, the City official or employee may participate in the vote or decision and need not disclose the interest.
- (D) Nothing in this chapter shall prohibit the city council from participating in a vote or decision relating to salaries, terms of office or travel budgets of city councilmembers.
- (E) If a member of the city council participates in a vote or decision on a contract for the purchase by the City of any goods or services from a person or entity in which the member has a substantial interest, the contract is voidable by the City.
- (F) A document prepared by the City that solicits bids or proposals from vendors, service providers, or other persons shall provide notice of the provisions of this section.

Source: 1992 Code Section 2-3-63; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.

§ 2-7-64 - DISCLOSURE OF CONFLICT OF INTEREST.

- (A) A City official shall disclose the existence of any substantial interest he may have in a natural person, entity or property which would be affected by a vote or decision of the body of which the City official is a member or that he serves as a corporate officer or member of the board of directors of a nonprofit entity for which a vote or decision regarding funding by or through the City is being considered.
- (B) To comply with this section, a councilmember or unsalaried City official, prior to the vote or decision, either shall file an affidavit as required by Chapter 171 (*Regulation of Conflicts of Interest of Officers of Municipalities, Counties, and Certain Other Local Governments*) of the Local Government Code or, if not so required, shall publicly disclose in the official records of the body the nature and extent of such interest.
- (C) To comply with this section, a City employee shall notify in writing his supervisor of any substantial interest he may have in a natural person, entity or property which would be

affected by an exercise of discretionary authority by the City employee and a supervisor shall reassign the matter.

Source: 1992 Code Section 2-3-64; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.

§ 2-7-65 - SUBSTANTIAL INTEREST OF RELATIVE.

- (A) A substantial interest of a spouse of a City official or employee shall be deemed to apply to that official or employee for the purposes of Sections 2-7-63 (*Prohibition on Conflict of Interest*) and 2-7-64 (*Disclosure of Conflict of Interest*) concerning disclosure and recusal or reassignment.
- (B) If the spouse of a City official or employee does business through a partnership or other entity, the substantial interests of that partnership or entity shall not be deemed under Section 2-7-61 (*Conducting Business Through Partnerships, Professional Corporations, and Other Entities*) to apply to the City official or employee.
- (C) A City official or a City employee may not participate in a vote or decision affecting a substantial interest of a person to whom the official or employee is related in the first or second degree of consanguinity or affinity. This subsection does not apply to a substantial interest of a relative based on the relative's employment by a governmental body.
- (D) For the purposes of Subsection (C): A relative other than a spouse has a substantial interest if:
 - (1) the person owns 10 percent or more of the voting stock or shares of the entity or owns either 10 percent or more or \$15,000 or more of the fair market value of the entity; or
 - (2) funds received by the person from the entity exceed 10 percent of the person's gross income for the previous year; or
 - (3) the person has a substantial interest in real property if the interest is an equitable or legal ownership in real property with a fair market value of \$2,500 or more.

Source: 1992 Code Section 2-3-65; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.

§ 2-7-66 - MISUSE OF OFFICIAL INFORMATION.

No former City official or former employee shall use any confidential information to which he had access by virtue of his official capacity and which has not been made public concerning the property, operations, policies, or affairs of the City, to advance any personal financial interest.

Source: 1992 Code Section 2-3-66; Ord. 031204-9; Ord. 031211-11.

§ 2-7-67 - RESTRICTIONS ON PROVIDING REPRESENTATION OF OTHERS.

- (A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
 - (1) BEFORE THE CITY means before the city council, a board or commission, or a City official or employee.

- (2) CASE, PROJECT OR MATTER means to refer to specific cases, projects or regulatory matters, rather than generic policies, procedures or legislation of general application. For instance, the zoning process or site plan review process is not a "case, project or matter" within the meaning of this section; however, a specific zoning case or site plan would constitute a "case, project or matter" subject to the restrictions imposed in this section. It is not the intent of this chapter, and this chapter shall not be construed, to proscribe the practice of any profession or occupation by former City officials and employees.
- (3) REPRESENT means all communications with and appearances before the City in which the City is asked to make a decision, as that term is defined in this chapter. The term represent does not include communications and appearances involving only ministerial action on the part of the City.
- (B) A City employee in a position which involves significant decision-making, advisory, or supervisory responsibility, or a City official who leaves the service or employment of the City shall not, within 12 months after leaving that employment or service, represent any other person or entity in any formal or informal appearance, if the City official or employee has received or shall receive remuneration from the person, entity or members of the entity being represented:
- (1) before the City concerning a case, project or matter over which the person exercised discretionary authority as a City employee or official; or
 - (2) before any other agency on a case, project or matter over which the person exercised discretionary authority as a City employee or official.
- (C) A former City employee or official who is subject to the requirements of Subsection (B) shall, during the 24 months after leaving the service or employment of the City, disclose his previous position and responsibilities with the City and the work performed, if any, as a City employee or official regarding the matter for which he is appearing before the City whenever he represents any other person or entity in any formal or informal appearance before the City.
- (D) In any formal or informal appearance before the City, a person representing a person or entity which employs a former City official or employee who had discretionary authority over the project or matter for which the person or entity is appearing before the City shall disclose any former involvement of such former City official or employee in the project or matter. This disclosure requirement shall be in effect for 24 months after the former City official or City employee leaves City service or employment.
- (E) This section shall become effective from and after February 1, 1987. This section shall not apply to persons who left the service or employment of the City prior to February 1, 1987.

Source: 1992 Code Section 2-3-67; Ord. 031204-9; Ord. 031211-11.

ARTICLE 5. - FINANCIAL DISCLOSURE.
§ 2-7-71 - DEFINITIONS.

In this article:

- (1) CITY OFFICIAL means the mayor, members of the city council and their aides, Municipal Court Judges (including Substitute Judges), city manager, Assistant city managers, city clerk, Deputy city clerks, city attorney, Deputy city attorneys, Treasurer, Comptroller, City Auditor, Purchasing Officer, the initial and subsequent commissioners of the Conventions and Visitors Commission, all department heads, deputy department heads, and where no deputy department head serves, the first principal assistant of such department, and spouses of each, and spouses of and the members of the City boards and commissions described in Section 2-7-72(C) (*Reports*). City appointees to other governmental bodies may be required to file financial information statements without being deemed City officials under Section 2-7-2 (*Definitions*).
- (2) SPOUSE of a City official includes a domestic partner, which means an individual who lives in the same household and shares common resources of life in a close, personal, intimate relationship with the City official if under Texas law the individual would not be prevented from marrying the City official on account of age, consanguinity, or prior undissolved marriage to another. A domestic partner may be of the same, or opposite, gender as the City official.

Source: 1992 Code Section 2-3-71; Ord. 031204-9; Ord. 031211-11; Ord. 20071129-011.

§ 2-7-72 - REPORTS.

- (A) Not later than April 30 of each year, each City official shall file with the city clerk a public statement of financial information covering January 1 through December 31 of the previous calendar year. Not later than July 31 of each year, the mayor and members of the city council and spouses shall also file with the city clerk an updated statement of financial information which shall cover January 1 through June 30 of the current calendar year. The updated statement shall only include any change in a "substantial interest" or "substantial interest in real property" as defined in Section 2-7-2 (*Definitions*) since the last filed statement. For an outgoing mayor or council member who has not been re-elected, not later than the 30th day after the end of a mayor's or council member's term, the mayor or council member shall file with the city clerk a statement of financial information covering January 1 through December 31 of the previous calendar year.
- (B) Any non-elective City officials covered by Section 2-7-71 (*Definitions*) who are appointed or hired shall file an initial statement of financial information for the previous calendar year within 30 days of being hired or appointed. Thereafter, such person shall, within the time limits provided by this article, file a statement of financial information for the full appropriate reporting period. However, any salaried City official who resigns or is terminated for any reason shall file with the city clerk a public statement of financial information which shall cover the current year to the date of resignation or termination on or before his last day as a salaried employee. In such event, a salaried employee shall not be required to file a public statement of financial information for the year in which the resignation or termination occurred. He shall, at that time, also file a statement of financial information for the previous year if one has not been submitted prior to the employee's termination date.

- (C) The members of the following boards and commissions shall report the information required by Subsection (E):
- (1) Arts Commission;
 - (2) Board of Adjustment;
 - (3) Environmental Board;
 - (4) Historic Landmark Commission;
 - (5) Housing Authority of the City of Austin;
 - (6) Parks and Recreation Board;
 - (7) Planning Commission;
 - (8) Public Safety Commission;
 - (9) Zero Waste Advisory Commission;
 - (10) Water and Wastewater Commission;
 - (11) Waterfront Planning Advisory Board;
 - (12) Urban Renewal Agency; and
 - (13) Zoning and Platting Commission.
- (D) In addition to other required information, the mayor and members of the city council shall report the amount or category of information as designated in Section 2-7-73 (*Categories*), for any item reported under Subsection (E)(1), (3), (4), (6), (7), (10), (11) or (12).
- (E) A City official shall include the following information by separate listing in the required statement of financial information, such information to include the source of income or assets and liabilities of their spouses but shall not require a separate report by such official's spouse:
- (1) All sources of occupational income which exceed 10 percent of the official's gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or nonprofessional services, excluding the amount but including the name and address of the employer or source of income, and the nature of the occupation or business of each source.
 - (2) If the official is a self-employed solo practitioner, or if the official owns or controls at least a five percent interest in a partnership, professional corporation or other entity through which the official does business, the official shall report the names and addresses of the clients or customers from whom the official, partnership, professional corporation, or other entity received at least 10 percent of its gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or nonprofessional services of gross income during the reporting period.
 - (3) An itemized list of all sources of income from interest, dividends, royalties, rents, trust disbursements, or other non-occupational sources, excluding the amount, but

identifying the source, for each such source exceeding either 10 percent of the official's gross income or \$5,000.

- (4) The identification of any person, business entity or other organization from whom the City official reporting has received a gift or favor of any money or other thing of value in excess of \$100, or a series of gifts from the same source during the reporting period the total value of which exceeds \$100, excluding the value of the gift, but including the identification of the source. Excluded from this requirement are campaign contributions which are reported as required by state statute and gifts received from the following relatives:
- (a) spouse;
 - (b) children;
 - (c) parents;
 - (d) grandchildren;
 - (e) grandparents;
 - (f) brothers;
 - (g) sisters;
 - (h) uncles;
 - (i) aunts;
 - (j) nephews;
 - (k) nieces;
 - (l) first cousins;
 - (m) children-in-law;
 - (n) parents in-law;
 - (o) grandchildren-in-law;
 - (p) grandparents-in-law;
 - (q) brothers-in-law;
 - (r) sisters-in-law;
 - (s) uncles-in-law;
 - (t) aunts-in-law;
 - (u) nephews-in-law;
 - (v) nieces-in-law; and
 - (w) first cousins-in-law.

- (5) The name of any corporation, partnership, limited partnership, or other entity in which the official held, owned, acquired, or sold stock or other equity ownership having a value exceeding \$5,000 or equivalent to five percent or more of the stock or equity in the entity.
- (6) A description, excluding the face amount, of all bonds, notes and other commercial paper which the official held, owned, acquired, or sold at any time during the reporting period if the combined face value of the bond, notes and commercial paper exceeds \$5,000.
- (7) Any other income or revenue of the official in excess of \$5,000, including a description of sources, but excluding amounts.
- (8) An itemized list of all real property in which the official holds any legal or beneficial interest, including real property for which the official has entered into a contract for sale, and including a description sufficient to locate the property, stating the state address, if any, and the present use of the property.
- (9) An itemized list of all real property held, owned, acquired, sold or under contract for sale by a corporation, partnership, limited partnership, professional corporation, or other entity in which the official owns or controls at least a five percent interest, including a description sufficient to locate the property, stating the street address, if any, and the present use of the property.
- (10) All loans and extensions of credit exceeding \$5,000 on which the official is lender or creditor, excluding the amount of the loan or extension of credit but including the name of the debtor and the rate of interest, if any.
- (11) All loans or transactions exceeding \$5,000 on which the official is a guarantor or co-signor, excluding the amount of the loan or guarantee, but including the names of the borrower and lender.
- (12) All loans to, debts of, and other financial liabilities of the official which are in excess of \$5,000 and all loans to, debts of and other financial liabilities of any corporation, partnership, limited partnership, professional corporation or other entity in which the official owns or controls at least five percent interest, which liabilities exceed \$5,000. For all debts, loans and liabilities presently outstanding or which existed at any time during the reporting period, the official shall state when the liability was incurred, the rate of interest being charged, if any, and the name of the lender, creditor or obligee, but not the amount of the liability.
- (13) All boards of directors of which the official is a member and the offices or executive positions which the official holds in corporations, partnerships, limited partnerships, professional corporations or other entities, including non-business entities, stating for each the name of the entity and the position held. There shall be excluded from this item positions on corporations or other entities owned by the City or created by the city council.

(F) If, during a reporting period, the mayor or member of the city council has accepted the offer of any trip or excursion from a person or entity other than the City, then he shall report the following to the city clerk before embarking on such a trip or excursion:

- (1) the name of the sponsor;
- (2) the place or places to be visited;
- (3) the purpose of such a trip or excursion; and
- (4) the date and duration of any such trip or excursion.

Within 15 days of return from such a trip or excursion, the mayor or Councilmember shall report to the city clerk the approximate value of such a trip or excursion.

(G) If any City official or City employee has accepted any item by way of gift or loan on behalf of the City, such gift or loan must be promptly reported to the city manager or his designee who shall have the gift or loan inventoried as City property in the case of a gift, or as a loan to the City in the case of a loan.

Source: 1992 Code Section 2-3-72; Ord. 031204-9; Ord. 031211-11; Ord. 20071129-011; Ord. 20090618-047; 20090723-097; Ord. 20090827-021; 20120126-049; [Ord. No. 20141211-204, Pt. 25, 7-1-15](#); Ord. No. [20170209-005](#), Pt. 19, 2-20-17.

§ 2-7-73 - CATEGORIES.

Where a monetary amount or value of income of an asset is required to be reported by the mayor or members of the city council, the exact amount need not be reported. The statement may instead include the category of amount as follows:

- (A) Category I: \$1 to less than \$10,000;
- (B) Category II: At least \$10,000 but less than \$20,000;
- (C) Category III: At least \$20,000 but less than \$50,000;
- (D) Category IV: At least \$50,000 but less than \$75,000;
- (E) Category V: At least \$75,000 but less than \$100,000; and
- (F) Category VI: \$100,000 or more, report to nearest \$100,000.

Source: 1992 Code Section 2-3-73; Ord. 031204-9; Ord. 031211-11.

§ 2-7-74 - FINANCIAL DISCLOSURE BY CANDIDATES.

(A) Non-incumbent candidates for election to City offices shall file a public statement of financial information for the previous year with the city clerk within five working days after the deadline for filing for their respective offices. Incumbent candidates for election to City offices shall file a public statement of financial information for the previous year with the city clerk within five working days after the deadline for filing for their respective offices; provided that if such financial statement for the appropriate reporting period has already

been filed pursuant to this article, such incumbent candidate shall not be required to refile an identical statement.

- (B) Incumbent and non-incumbent candidates for election to City offices shall file the same information as is required by the mayor and members of the city council under this article.

Source: 1992 Code Section 2-3-74; Ord. 031204-9; Ord. 031211-11.

§ 2-7-75 - SWORN FINANCIAL DISCLOSURE STATEMENTS.

- (A) All public statements of financial information required by this article shall be sworn to and shall constitute public records.
- (B) A statement of financial information may be filed electronically under procedures to be determined by the city clerk. By filing electronically a person required to file a statement of financial information states on oath before the city clerk that the facts stated in the statement of financial information are true to the best of the person's knowledge or belief.
- (C) A statement of financial information that is filed with the city clerk is considered to be under oath by the person required to file the statement regardless of the absence of or defect in the affidavit of verification, including a signature. This subsection applies to a statement of financial information that is filed electronically or otherwise.

Source: 1992 Code Section 2-3-75; Ord. 031204-9; Ord. 031211-11; Ord. 20060608-013.

§ 2-7-76 - FILING DATES FOR STATEMENTS.

Statements required by this article shall be received by the city clerk by 4:45 p.m. on the last day required. When the last day falls on a Saturday or Sunday, or on an official City holiday as established by city council, the deadline for receipt by the city clerk is extended to 4:45 p.m. of the next day which is not a Saturday or Sunday or official City holiday.

Source: 1992 Code Section 2-3-76; Ord. 031204-9; Ord. 031211-11; Ord. No. [20170209-005](#), Pt. 20, 2-20-17.

§ 2-7-77 - FAILURE TO FILE FINANCIAL DISCLOSURE REPORTS.

For provisions concerning the removal of certain City officials for failure to file financial disclosure reports, see Section 2-1-21 (*Eligibility Requirements and Removal*).

Source: 1992 Code Section 2-3-77; Ord. 031204-9; Ord. 031211-11.

§ 2-7-99 - OFFENSES; PENALTY.

- (A) A person commits an offense if the person fails to comply with a subpoena under Section 2-7-46 (*Oaths and Requests for Information*).
- (B) A person commits an offense if the person violates Section 2-7-66 (*Misuse of Official Information*), Section 2-7-67 (*Restrictions on Providing Representation of Others*), or Article 5 (*Financial Disclosure*) of this Chapter.

- (C) An offense under this section is punishable as a Class C misdemeanor as provided in Section 1-1-99 (*Offenses; General Penalty*).
- (D) A culpable mental state is not required, and need not be proved, for an offense under this section.

Source: 1992 Code Section 2-3-999; Ord. 031204-9; Ord. 031211-11; Ord. 20111110-052; Ord. No. [20170209-005](#), Pt. 21, 2-20-17.

ARTICLE 6. - ANTI-LOBBYING AND PROCUREMENT.

§ 2-7-101 - DEFINITIONS.

In this article:

- (1) AGENT means a person authorized by a respondent to act for or in place of respondent, including a person acting at the request of respondent, a person acting with the knowledge and consent of a respondent, or a person acting with any arrangement, coordination, or direction between the person and the respondent.
- (2) AUTHORIZED CONTACT PERSON means the person identified in a City solicitation as the contact regarding the solicitation, or the authorized contact person's designee during the course of the no-contact period.
- (3) CITY EMPLOYEE in this article means a person employed by the City.
- (4) CITY OFFICIAL is defined in Section 2-7-2 (*Definitions*).
- (5) DIRECTOR means the director of a department to which the purchasing officer has delegated authority for enforcing this Chapter.
- (6) NO-CONTACT PERIOD means the period of time from the date of issuance of the solicitation until a contract is executed. If the City withdraws the solicitation or rejects all responses with the stated intention to reissue the same or similar solicitation for the same or similar project, the no-contact period continues during the time period between the withdrawal and reissue.
- (7) RESPONSE means a response to a solicitation.
- (8) RESPONDENT means a person responding to a City solicitation including a bidder, a quoter, responder, or a proposer. The term "respondent" also includes:
 - (a) an owner, board member, officer, employee, contractor, subsidiary, joint enterprise, partnership, agent, lobbyist, or other representative of a respondent;
 - (b) a person or representative of a person that is involved in a joint venture with the respondent, or a subcontractor in connection with the respondent's response; and
 - (c) a respondent who has withdrawn a response or who has had a response rejected or disqualified by the City.
- (9) REPRESENTATION means a communication related to a response to a council member, official, employee, or City representative that is intended to or that is reasonably likely to:

- (a) provide information about the response;
 - (b) advance the interests of the respondent;
 - (c) discredit the response of any other respondent;
 - (d) encourage the City to withdraw the solicitation;
 - (e) encourage the City to reject all of the responses;
 - (f) convey a complaint about a particular solicitation; or
 - (g) directly or indirectly ask, influence, or persuade any City official, City employee, or body to favor or oppose, recommend or not recommend, vote for or against, consider or not consider, or take action or refrain from taking action on any vote, decision, or agenda item regarding the solicitation.
- (10) SOLICITATION means an opportunity to compete to conduct business with the City that requires City Council approval under City Charter Article VII Section 15 (*Purchase Procedure*).

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-102 - FINDINGS; PURPOSE; APPLICABILITY.

- (A) The Council finds that persons who enter a competitive process for a city contract voluntarily agree to abide by the terms of the competitive process, including the provisions of this Chapter.
- (B) The Council finds that it is in the City's interest:
 - (1) to provide the most fair, equitable, and competitive process possible for selection among potential vendors in order to acquire the best and most competitive goods and services; and
 - (2) to further compliance with State law procurement requirements.
- (C) The Council intends that:
 - (1) each response is considered on the same basis as all others; and
 - (2) respondents have equal access to information regarding a solicitation, and the same opportunity to present information regarding the solicitation for consideration by the City.
- (D) A solicitation includes, without limitation, an invitation for bids, a request for proposals, a request for quotations, a request for qualifications, and a notice of funding availability.
- (E) Unless this Article is invoked by Council, this article does not apply to an opportunity to compete for City social service funding; City cultural arts funding; federal, state and City block grant funding; and the sale or rental of real property.
- (F) A representation excludes communication between a City of Austin attorney and a respondent's attorney.

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-103 - RESTRICTION ON CONTACTS.

- (A) During a no-contact period, a respondent shall make a representation only through the authorized contact person.
- (B) During the no-contact period, a respondent may not make a representation to a City official or to a City employee other than to the authorized contact person. This prohibition also applies to a vendor that makes a representation and then becomes a respondent.
- (C) The prohibition of a representation during the no-contact period applies to a representation initiated by a respondent, and to a representation made in response to a communication initiated by a City official or a City employee other than the authorized contact person.
- (D) If the City withdraws a solicitation or rejects all responses with a stated intention to reissue the same or similar solicitation for the same or similar project, the no-contact period shall expire after the ninetieth day after the date the solicitation is withdrawn or all responses are rejected if the solicitation has not been reissued during the ninety day period.
- (E) For a single vendor award, the no-contact period shall expire when the first of the following occurs: contract is executed or solicitation is cancelled.
- (F) For a multiple vendor award, the no-contact period shall expire when the last of the following occurs: all contracts are executed, negotiations have been fully terminated, or the ninetieth day after the solicitation is cancelled.
- (G) The purchasing officer or the director may allow respondents to make representations to city employees or city representatives in addition to the authorized contact person for a solicitation that the purchasing officer or the director finds must be conducted in an expedited manner; an expedited solicitation is one conducted for reasons of health or safety under the shortest schedule possible with no extensions. The purchasing officer's or director's finding and additional city employees or city representatives who may be contacted must be included in the solicitation documents.
- (H) Representations to an independent contractor hired by the City to conduct or assist with a solicitation will be treated as representations to a City employee.
- (I) A current employee, director, officer, or member of a respondent, or a person related within the first degree of consanguinity or affinity to a current employee, director, officer or member of a respondent, is presumed to be an agent of the respondent for purposes of making a representation. This presumption is rebuttable by a preponderance of the evidence as determined by the purchasing officer or director.
- (J) A respondent's representative is a person or entity acting on a respondent's behalf with the respondent's request and consent. For example, a respondent may email their membership list and ask members to contact council members on the respondent's behalf. The members are then acting per respondent's request and with their consent, and the members have become respondent representatives.

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-104 - PERMITTED REPRESENTATIONS.

- (A) If City seeks additional information from respondent, the respondent shall submit the representation in writing only to the authorized contact person. The authorized contact person shall distribute the written representation in accordance with the terms of the particular solicitation. This subsection does not permit a respondent to amend or add information to a response after the response deadline.
- (B) If respondent wishes to send a complaint to the City, the respondent shall submit the complaint in writing only to the authorized contact person. The authorized contact person shall distribute a complaint regarding the process to members of the City council or members of the City board, to the director of the department that issued the solicitation, and to all respondents of the particular solicitation. However, the director or purchasing officer shall not permit distribution of any complaint that promotes or disparages the qualifications of a respondent, or that amends or adds information to a response. A determination of what constitutes promoting or disparaging the qualifications of a respondent or constitutes amending or adding information is at the director's or purchasing officer's sole discretion. Bid protests are not subject to this subsection. Documents related to a bid protest may not be forwarded to council under this subsection.
- (C) If a respondent makes a written inquiry regarding a solicitation, the authorized contact person shall provide a written answer to the inquiry and distribute the inquiry and answer to all respondents of the particular solicitation.
- (D) If a respondent is unable to obtain a response from the authorized contact person, the respondent may contact the director or purchasing officer as appropriate.
- (E) A respondent may ask a purely procedural question, for example a question regarding the time or location of an event, or where information may be obtained, of a City employee other than the authorized contact person. This section does not permit a respondent to make suggestions or complaints about the contract process that constitute a representation to a City employee other than the authorized contact person. Notwithstanding this subsection, a respondent may not ask a procedural question of a councilmember, a councilmember's aide, or of a City board member except in a meeting held under the Texas Government Code, Chapter 551 (*Open Meetings Act*).
- (F) This Article allows representations:
 - (1) made at a meeting convened by the authorized contact person, including meetings to evaluate responses or negotiate a contract;
 - (2) required by Financial Services Department protest procedures for vendors;
 - (3) made at a Financial Services Department protest hearing;
 - (4) provided to the Small & Minority Business Resources Department in order to obtain compliance with Chapter 2-9A-D (*the Minority-Owned and Women-Owned Business Enterprise Procurement Program*);

- (5) made to the City Risk Management coordinator about insurance requirements for a solicitation;
 - (6) made in public at a meeting held under Texas Government Code, Chapter 551 (*Open Meetings Act*); or
 - (7) made from a respondent's attorney to an attorney in the Law Department in compliance with Texas Disciplinary Rules of Professional Conduct.
- (G) Nothing in this article prohibits communication regarding the solicitation between or among City officials or City employees acting in their official capacity.
- (H) A contribution or expenditure as defined in Chapter 2-2 (*Campaign Finance*) is not a representation.

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-105 - NOTICE.

- (A) An employee preparing a solicitation shall include a notice in the solicitation that advises respondents of the requirements of this article, including a notice that if any City official or City employee, other than the authorized contact person, approaches a respondent for response or solicitation information during the no-contact period, the respondent is at jeopardy if he or she makes any representation in response.
- (B) The authorized contact person for that solicitation shall notify council members in writing that the no-contact period for that solicitation is in effect.
- (C) When a solicitation is issued that will be reviewed by a City board, the authorized contact person for that solicitation shall notify in writing each member of the board that the no-contact period for that solicitation is in effect.

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-106 - DISCLOSURE OF PROHIBITED REPRESENTATION.

- (A) If a City official or City employee receives a representation during the no-contact period for a solicitation, the official or employee shall notify in writing the authorized contact person for that solicitation as soon as practicable.
- (B) During the no-contact period, a City official or City employee, except for the authorized contact person, shall not solicit a representation from a respondent.

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-107 - ENFORCEMENT.

- (A) A respondent that makes a prohibited representation violates this article. If the authorized contact person for a solicitation is informed, or receives information, that a respondent has made a prohibited representation during the no-contact period, the authorized contact

person shall document the representation and notify the director or purchasing officer immediately.

- (B) If the director or purchasing officer finds that a respondent has violated this article, the respondent is disqualified.
- (C) If a respondent is disqualified for a solicitation and the solicitation is withdrawn or if all responses are rejected, the respondent is disqualified for a reissue of the same or similar solicitation for the same or similar project. Section 2-7-103(D) does not limit the duration of the disqualification. The director or purchasing officer may determine what constitutes a "same or similar" project for purposes of this subsection.
- (D) The Financial Services Department and a department to which the purchasing officer has delegated purchasing authority shall adopt rules to administer and enforce this article. The rules must include the provision of written notice of disqualification to the respondent and a process to protest a disqualification.
- (E) This article is not subject to enforcement by the Ethics Review Commission.

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-108 - CONTRACT VOIDABLE.

If a contract is awarded to a respondent who has violated this article, the contract is voidable by the City.

Source: Ord. 20071206-045.

§ 2-7-109 - DEBARMENT.

- (A) If a respondent has been disqualified under this article more than two times in a sixty month period, the purchasing officer shall debar a respondent from the sale of goods or services to the City for a period not to exceed three years, provided the respondent is given written notice and a hearing in advance of the debarment.
- (B) The Financial Services Department and any department to which the purchasing officer has delegated authority for enforcing this article shall adopt rules to administer and enforce this section. The rules must include a hearing process with written notice to the respondent.

Source: Ord. 20071206-045; Ord. 20111110-052.

§ 2-7-110 - NO CRIMINAL PENALTY.

Section 1-1-99 does not apply to this article.

Source: Ord. 20071206-045.

§ 2-7-111 - DIRECTOR DISCRETION.

A director has the discretion to apply this Article to any other competitive process not covered by this Article.

Source: Ord. 20111110-052.

§ 25-10-104 - SIGNS PROHIBITED IN PUBLIC EASEMENTS AND RIGHT-OF-WAY.

- (A) A person may not cause or authorize a sign to be installed, used, or maintained on or over public right-of-way or other public property, including any public easement or other public encumbrance over private property, except as authorized by this chapter.
- (B) The primary beneficiary of any sign installed in violation of this section is presumed to have authorized or caused the installation, use, or maintenance of the sign in violation of this section and commits an offense.
- (C) Proof of a culpable mental state is not required for conviction of an offense under this section.
- (D) An offense under this section is punishable by a fine of not less than:
 - (1) \$ 50 for a first conviction;
 - (2) \$ 200 for a second conviction within any 24-month period; and
 - (3) \$ 400 for a third or subsequent conviction within any 24-month period.
- (E) To determine the minimum fine under Subsection (D), one or more fines assessed during a 24-hour period beginning at midnight and ending at 11:59 p.m. constitute a single conviction.
- (F) A person who commits an offense under Subsection (A) shall remove the object. In addition to other enforcement remedies, a person who fails to remove an object within 48 hours after being notified of the offense in writing by an authorized City representative is subject to a civil penalty of \$200 per day for every day or part of a day the object is in place.
- (G) The city manager may remove a sign or other advertising device installed, used, or maintained on or over any public property or public right-of-way in violation of this chapter. Notice is not required to be given to the owner or beneficiary of a sign removed under this section, either before the removal or before the disposition or destruction of the sign.
- (H) This section does not prohibit the installation, use, or maintenance in the right-of-way of:
 - (1) a sidewalk sign;
 - (2) a projecting sign in the downtown sign district;
 - (3) a street banner;
 - (4) a wall sign that is mounted flat against the building and extends not more than 18 inches from the facade of a building and into right-of-way; or
 - (5) a sign installed by a governmental agency for a governmental purpose.
- (I) A sign installed, used, or maintained on or over public property or public right-of-way is presumed to be abandoned, unless the sign is authorized by this chapter. Chapter 9-1 (*Abandoned Property And Vehicles*) does not apply to a sign abandoned under this section.
- (J) The remedies authorized under this section are cumulative. If the City files a civil or criminal action, it is not precluded from pursuing any other action or remedy.

Source: Section 13-2-864; Ord. 990225-70; Ord. 031030-11; Ord. 031211-11; Ord. 040422-49;
Ord. 20100610-064; Ord. No. [20170817-072](#), Pt. 6, 8-28-17.