

CITY OF SHOREACRES

MAY 8, 2010

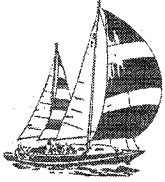
CANDIDATE'S PACKET

For: Mayor
(2) Alderman at Large Positions
All for Two (2) Year Terms

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City of Shoreacres

601 Shoreacres Boulevard, Shoreacres, Texas 77571-7262
281.471.2244 • Fax 281.471.8955 • www.CityofShoreacres.us

Jayo Washington
Mayor

David K. Stall, CFM
Administrator

February 1, 2010

Dear Candidate:

The City Secretary's office has prepared the attached "Candidate's Packet" in an endeavor to acquaint you with the regulations and legal requirements of the State of Texas pertaining to campaign contributions and expenditures. I have also enclosed a calendar of dates that will be important to you. I encourage you to initially take time and thoroughly read the enclosed information. All forms and reports are to be filed with the city secretary's office.

The "Application for a Place on the Ballot" and the form "Appointment of a Campaign Treasurer by a Candidate" are to be completed by the candidate. To expedite the review process of your application, **we ask that you please bring your voter registration card with you at the time of filing.** A copy of your card will be attached to your application. Please remember that the **final filing date for declared candidates is Monday, March 8, 2010 by 5:00 p.m.** No applications can be accepted after this time. The deadline for application for write-in candidates is Monday, March 15, 2010 at 5:00 p.m.

All candidates must appoint a campaign treasurer before accepting a campaign contribution or making or authorizing any campaign expenditures including any expenditure from the candidate's own personal funds. State law does not impose any minimum qualifications, residency requirements or obligations on a candidate's campaign treasurer. You may appoint yourself or a family member as campaign treasurer. Should you have any questions regarding reporting procedures, please call the Texas Ethics Commission at 1-800-325-8506 for assistance.

It is the duty of the candidate to become familiar with the laws applicable to campaigns for office. While candidates may certainly expect the city secretary to be able to advise them when reports are due, the duty of the city secretary is limited to accepting and filing the various applications, affidavits and statements. I cannot comment upon the timeliness or sufficiency of the reports filed. These reports are open records and are open to inspection by any person.

Please note on your calendar that the drawing for positions on the ballot (order in which the names are listed on the ballot) will be held on Monday, March 8, 2010 at 5:15 p.m. in the City Hall Council Chambers. If you are unable to attend the drawing, you may designate someone else to draw for you. If no one attends to draw for you, your name and position will be drawn by a city hall staff member.

We appreciate your interest in the City of Shoreacres. If I can be of service to you, please let me know.

Sincerely,



David Stall, CFM
City Secretary

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CITY OF SHOREACRES' ELECTION CALENDAR - MAY 8, 2010

Positions Open: Mayor and Two (2) Council Positions-at-Large
Incumbents: Mayor Jayo Washington; Aldermen Robert Plant and Gerry Victor.

(Saturday, February 6, 2010) or
Monday, February 8, 2010.

First date to apply for a place on the ballot for both declared candidates and write-in candidates. (It is recommended that you file the form "Appointment of a Campaign Treasurer" when you file for a place on the ballot.)

NOTE: (1) Since a person may not file earlier than the 30th day before the deadline, and the deadline is extended to the 61st day, the 91st day rather than the 92nd day becomes the first day for both of these actions. (2) The City Secretary's Office is not required to be open on Saturday or Sunday for either of these activities.

Monday, March 8, 2010

Last date to file for place on ballot for declared candidates. Applications must be received by 5:00 p.m.

Drawing at City Hall for placement on the ballot at 5:15 p.m.

Tuesday, March 9, 2010

First date to accept applications for voting by mail ballot.

Monday, March 15, 2010

Last day for a write-in candidate to declare candidacy. Applications must be received by 5:00 p.m.

Tuesday, March 16, 2010

Last day for a candidate to withdraw.

Thursday, April 8, 2010

Last date for filing "Appointment of a Campaign Treasurer" and first "Campaign Finance Report". Reports must be filed with City Secretary no later than 5:00 p.m.

Last date to register to vote in city election. Must register with Harris County Registrar's Office in person or by mail.

Monday, April 26, 2010

First date to vote early by personal appearance.

Friday, April 30, 2010

Last date to receive application in person for a ballot to be voted by mail. Must be received by 5:30 p.m.

Due date to file the second "Campaign Finance Report" with City Secretary by 12:00 noon. Must be filed by all candidates who have not elected modified reporting.

Last date to receive application by mail for ballot to be voted by mail.

Tuesday, May 4, 2010

Early voting by personal appearance ends.

Saturday, May 8, 2010

ELECTION DAY, VOTING TAKES PLACE IN CITY HALL COUNCIL CHAMBERS FROM 7:00 A.M. UNTIL 7:00 P.M.

Monday, May 17, 2010

Canvass of Election at City Council Meeting in City Hall Council Chambers at 7:00 p.m.

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All information is required to be provided unless indicated as optional. (Se requiere toda la información, a menos que haya alguna indicación que no es obligatoria.)

APPLICATION FOR A PLACE ON THE CITY OF _____			GENERAL ELECTION BALLOT		
<i>(APLICACION PARA UN LUGAR EN LA BOLETA DE LA CIUDAD DE _____)</i>			<i>ELECCION GENERAL)</i>		
TO: City Secretary (A: Secretario(a) de la Ciudad)					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below. (Solicito que mi nombre esté puesto en la arriba nombrada boleta como candidato para puesto oficial indicado abajo.)					
OFFICE SOUGHT (PUESTO OFICIAL SOLICITADO) Include any place number or other distinguishing number, if any. (Incluya cualquier número de lugar u otro número que hace el puesto oficial diferente a otros, si hay alguno.)			INDICATE FULL OR UNEXPIRED TERM (INDIQUE SI EL TERMINO DEL PUESTO OFICIAL ES TERMINO COMPLETO O NO COMPLETADO)		
FULL NAME (First, Middle, Last) (NOMBRE COMPLETO) (Nombre de Pila, Segundo Nombre, Apellido)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT (ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA)		
PERMANENT RESIDENCE ADDRESS (Street address and apartment number. If none, describe location of residence. Do not include P.O. Box or Rural Rt.) (DIRECCION DE RESIDENCIA PERMANENTE: Calle y Número de Departamento: si no tiene, describa la localidad de su residencia. No incluya su caja postal o ruta rural.)			MAILING ADDRESS (If different from residence address) (DIRECCION POSTAL (Si es diferente a su dirección de residencia))		
CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)	CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)
OCCUPATION (Do not leave blank) (EMPLEO) (No lo deje en blanco)		DATE OF BIRTH (FECHA DE NACIMIENTO)		COUNTY OF RESIDENCE (CONDADO DE RESIDENCIA)	
TELEPHONE NUMBER (Include area code) (Optional) (NUMERO DE TELEFONO-Incluya el código de la área) (Facultativo)		Length of Continuous Residence as of Date Application Sworn (Tiempo en que ha Residido en un Solo Lugar en la Fecha en que Prestó Juramento Sobre la Solicitud)			
OFFICE: (DE SU OFICINA:)		IN STATE (EN EL ESTADO)	IN COUNTY (EN EL CONDADO)	IN DISTRICT OR PRECINCT (EN EL DISTRITO O PRECINTO)	
HOME: (DE SU DOMICILIO:)		__yr(s) __mos (año(s) (mes(es)))	__yr(s) __mos (año(s) (mes(es)))	__yr(s) __mos (año(s) (mes(es)))	
<p>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. <i>Para poder incluir un apodo como parte de su nombre completo el la papeleta, Ud.debera firmar la siguiente constancia: Ademas, juro que se me ha conocido por este apodo por mas de tres años. Ademas, juro que el apodo no es un lema político ni una indicacion de mis creencias o afiliaciones políticas, economicas, sociales, o religiosas.</i></p>					
<p>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.</p> <p>I further swear that the foregoing statements included in my application are in all things true and correct."</p> <p><i>(Ante mí, la autoridad, suscrita apareció en persona _____, quien habiendo aquí y ahora prestado juramento debido, bajo juramento dice: "Yo, _____, del condado de _____, Texas, siendo candidato para el puesto oficial de _____ solemnemente juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal puesto oficial bajo la Constitución y las leyes de este Estado. No me han determinado por un juicio final de una corte de la legalización de un testamento, ser totalmente incapacitado mentalmente o parcialmente incapacitado sin el derecho de votar, ni he sido probado culpable finalmente de una felonía por la cual no he sido perdonado o por la cual no se me han restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. Yo tengo conocimiento de la ley sobre el nepotismo según el capítulo 573 de Código Gobierno.</i></p> <p><i>Además juro que las precedents declaraciones que incluyo en mi solicitud son verdaderas y están correctas en todos sentidos."</i></p>					
			<p style="font-size: 2em; margin: 0;">X</p> <p style="margin: 0;">SIGNATURE OF CANDIDATE (FIRMA DEL CANDIDATO)</p>		
Sworn to and subscribed before me at _____, this the _____ day of _____.					
<i>(Jurado y suscrito ante mi en _____, este día _____ de _____.)</i>					
			<p style="margin: 0;">SEAL</p> <p style="margin: 0;">(SELLO)</p>		
Signature of Officer administering oath ¹ (Firma del oficial administrando el juramento)			Title of Officer administering oath (título del oficial administrando el juramento)		
TO BE COMPLETED BY CITY SECRETARY:					
(See Section 1.007)					
			Date Received		Signature of City Secretary

INSTRUCTIONS

An application to have the name of a candidate placed on the ballot for any 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.

The filing deadline is 5:00 p.m. 62 days prior to the election day.

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.

INSTRUCCIONES

Una aplicación para que le nombre de un candidato aparezca en la boleta para cualquier elección no deberá registrarse antes de 30 días antes del último día para registrar la aplicación como prescribe este código. Una aplicación registrada antes de ese día se declarará inválida.

El último día para registrarse el 5:00 p.m. a lo menos 62 días antes del día de la elección.

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

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

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

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

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

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

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

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

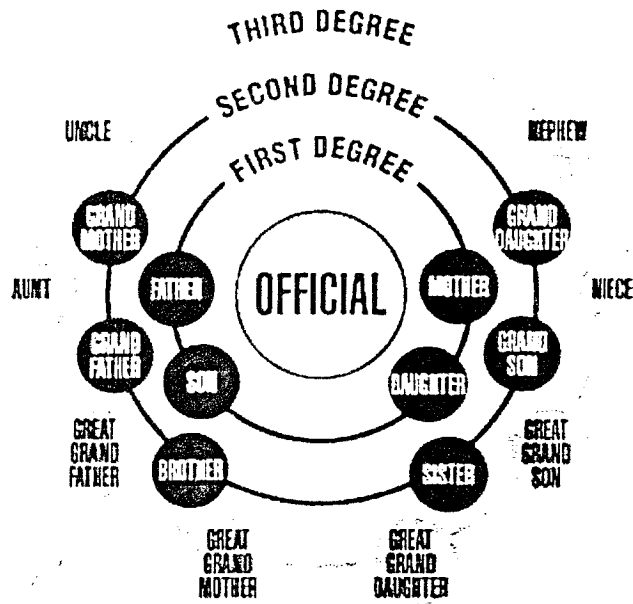
Las personas que están emparentadas por afinidad (matrimonio) están incluyen los esposos o esposas de parientes que están emparentados por consanguinidad, y, si casados, el esposo o esposa y los parientes del esposo o esposa por consanguinidad. No todos estos ejemplos son inclusivos.

FOOTNOTE

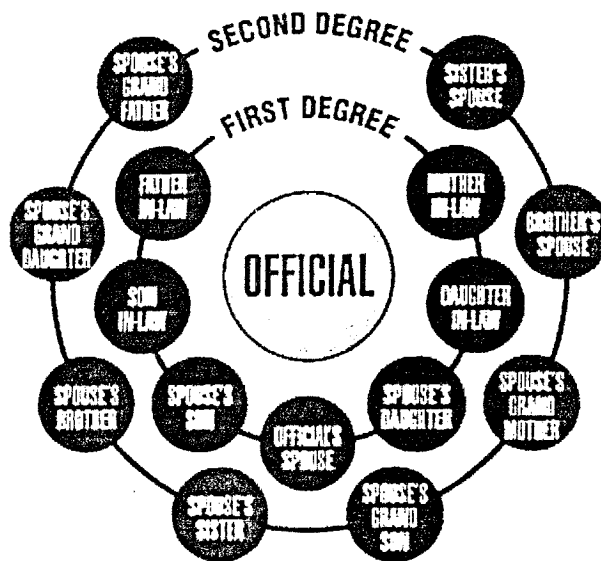
¹All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary, and the Secretary of State of Texas.

NOTA AL PIE DE LA PAGINA

¹Todo 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.



CONSANGUINITY



AFFINITY

4

DECLARATION OF WRITE-IN CANDIDACY FOR _____

(DECLARACION DE SER UN CANDIDATO ELEGIBLE PARA RECIBIR VOTOS FOR INSERCIÓN ESCRITA _____)

TO: Filing Officer
(A: Oficial encargado)

I declare that I am a write-in candidate for the office indicated below.
(Por la presente declaro soy un candidato para recibir votos por inserción escrita para el puesto oficial indicado abajo.)

OFFICE SOUGHT (PUESTO OFICIAL SOLICITADO) Include any place number or other distinguishing number, if any. (Incluya cualquier número de lugar u otro número que hace el puesto oficial diferente a otros, si hay alguno.)	INDICATE FULL OR UNEXPIRED TERM (INDIQUE SI EL TERMINO DEL PUESTO OFICIAL ES TERMINO COMPLETO O NO COMPLETADO)
--	--

FULL NAME (First, Middle, Last) (NOMBRE COMPLETO) (Nombre de Pila, Segundo Nombre, Apellido)	PRINT NAME AS YOU WANT IT TO APPEAR ON THE LIST OF DECLARED WRITE-IN CANDIDATES (ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA LISTA DE CANDIDATOS DECLARADOS PARA INSERCIÓN POR MANO)
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PERMANENT RESIDENCE ADDRESS (Street address and apartment number. If none, describe location of residence. Do not include P.O. Box or Rural Rt.) (DIRECCION DE RESIDENCIA PERMANENTE: Calle y Número de Departamento: si no tiene, describa la localidad de su residencia. No incluya su caja postal o ruta rural.)	MAILING ADDRESS (If different from residence address) (DIRECCION POSTAL (Si es diferente a su dirección de residencia))
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CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)	CITY (CIUDAD)	STATE (ESTADO)	ZIP (ZONA POSTAL)
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OCCUPATION (Do not leave blank) (EMPLEO) (No lo deje en blanco)	DATE OF BIRTH (FECHA DE NACIMIENTO)	COUNTY OF RESIDENCE (CONDADO DE RESIDENCIA)
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TELEPHONE NUMBER (Include area code) (Optional) (NUMERO DE TELEFONO-Incluya el código de la areá) (Facultativo)	Length of Continuous Residence as of Date Application Sworn (Tiempo en que ha Residido en un Solo Lugar en la Fecha en que Prestó Juramento Sobre la Solicitud)		
OFFICE: (DE SU OFICINA:)	IN STATE (EN EL ESTADO)	IN COUNTY (EN EL CONDADO)	IN DISTRICT OR PRECINCT (EN EL DISTRITO O PRECINTO)
HOME: (DE SU DOMICILIO:)	___yr(s) ___mos (año(s) (mes(es)))	___yr(s) ___mos (año(s) (mes(es)))	___yr(s) ___mos (año(s) (mes(es)))

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. Para poder incluir un apodo como parte de su nombre completo el la papeleta, Ud.debera firmar la siguiente constancia: Ademas, juro que se me ha conocido por este apodo por mas de tres años. Ademas, juro que el apodo no es un lema politico ni una indicacion de mis creencias o afiliaciones politicas, economicas, sociales, o religiosas.

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."

(Ante mí, la autoridad, suscrita apareció en persona _____, quien habiendo aquí y ahora prestado juramento debido, bajo juramento dice: "Yo, _____, del condado de _____, Texas, siendo candidato para el puesto oficial de _____ solemnemente juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal puesto oficial bajo la Constitución y las leyes de este Estado. No me han determinado por un juicio final de una corte de la legalización de un testamento, ser totalmente incapacitado mentalmente o parcialmente incapacitado sin el derecho de votar, ni he sido probado culpable finalmente de una felonía por la cual no he sido perdonado o por la cual no se me han restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. Yo tengo conocimiento de la ley sobre el nepotismo según el capítulo 573 de Código Gobierno.

Además juro que las precedents declaraciones que incluyo en mi solicitud son verdaderas y están correctas en todos sentidos."

X

SIGNATURE OF CANDIDATE (FIRMA DEL CANDIDATO)

Sworn to and subscribed before me at _____, this the _____ day of _____.
(Jurado y suscrito ante mí en _____, este día _____ de _____.)

SEAL
(SELLO)

Signature of Officer administering oath'
(Firma del oficial administrando el juramento)

Title of Officer administering oath
(título del oficial administrando el juramento)

TO BE COMPLETED BY FILING OFFICER:

(See Section 1.007)

Date Received

Signature of Filing Officer

INSTRUCTIONS

1. The declaration of write-in candidacy is filed with the City Secretary, Secretary of Board of Trustees, or Secretary of Board of Directors for a Water District.
2. The declaration must be received by the filing officer not later than 5:00 p.m. of the 5th day after the date an application for a place on the ballot is required to be filed. Mailing without a delivery by the deadline is not sufficient. The declaration may not be filed earlier than 30 days before the deadline for filing the application. A declaration filed before that day is void.

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.

INSTRUCCIONES

1. *La declaración de un candidato para estar elegible para recibir votos por inserción escrita se registra con el Secretario(a) de la ciudad, Secretario(a) de la Junta de Regentes, o Secretario(a) de la Junta de Directores para undistrato de aguas.*
2. *La declaración que todo candidato está obligado a presentar ante el funcionario quien recibe los avisos de candidatura deberá estar en manos del mismo para las 5:00 p.m. del 5° día después de la fecha límite para la presentación de los avisos de aquellos candidatos quienes desean aparecer en la papeleta electoral. No es suficiente enviarla sin entregarse el último día para registrarse. La declaración no deberá registrarse antes de 30 días antes del último día para registrar la aplicación. Una declaración registrada antes de ese día se declarará inválida.*

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

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

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

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

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

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

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

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

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

FOOTNOTE

¹For school board elections, no person may be elected unless he or she is a qualified voter (registered voter) of the school district.

²All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary, and the Secretary of State of Texas.

NOTA AL PIE DE LA PAGINA

¹Para elecciones en el distrito escolar, ninguna persona puede ser elegido a menos que sea una votante registrada en el distrito escolar.

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

5

CERTIFICATE OF WITHDRAWAL
CONSTANCIA DE RETIRO DE CANDIDATURA

I, _____, a candidate for the office of _____, hereby withdraw my candidacy from the _____ election. The election is being conducted by _____ and is to be held on _____.

(political subdivision)

(date)

Yo, _____, candidato /a al cargo de _____, por este medio retiro mi candidatura de la elección _____. Dicha elección estará a cargo de _____ y se celebrará el _____.

(subdivisión política)

(fecha)

Signature of Candidate (*Firma del/de la Candidato /a*)

"The State of (*El estado de*) _____,

"County of (*Condado de*) _____,

"This instrument was acknowledged before me on _____ by _____
(date)

(withdrawing candidate)

"El presente instrumento fue reconocido ante mí el _____ por _____
(fecha)

(persona que retira su candidatura)

(Signature of officer)
(Firma del/de la Oficial)

(Seal)

(Title of officer)
(Título del/de la Oficial)

My commission expires: _____"
(Mi cargo se vence el)

6

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised January 23, 2006

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 1-800-325-8506 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 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 this form.

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 district attorney.
- A single-county district judge.* (Note: Candidates for single-county district judge file *reports* with both the Ethics Commission and the county filing authority.)
- 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 and candidates for county chair of a political party.

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

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

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$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.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1	Total pages filed:
2	CANDIDATE NAME	MS / MRS / MR FIRST MI	OFFICE USE ONLY
		NICKNAME LAST SUFFIX	
Acct. #			
3	CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Date Received
4	CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION	HD/PM
		()	Date Processed
5	OFFICE HELD (if any)		Date Imaged
6	OFFICE SOUGHT (if known)		
7	CAMPAIGN TREASURER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX	
8	CAMPAIGN TREASURER STREET ADDRESS (Residence or business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE	
9	CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION	
		()	
10	CANDIDATE SIGNATURE	I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.	
		I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.	
		I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.	
		_____	_____
		Signature of Candidate	Date Signed

GO TO PAGE 2



CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

<p>11 CANDIDATE NAME</p>	
<p>12 MODIFIED REPORTING DECLARATION</p>	<p style="text-align: center;">COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING.</p> <p style="text-align: center;">•• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. ••</p> <p style="text-align: center;">•• 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.)</p> <p style="text-align: center;">•• Candidates for the office of state chair of a political party and candidates for county chair of a political party may <u>NOT</u> choose modified reporting. ••</p> <p>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.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Year of election(s) or election cycle to which declaration applies</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Signature of Candidate</p>

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



TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA--INSTRUCTION GUIDE



Revised September 1, 2005

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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 (ACTA) to report the changes. Do not use the APPOINTMENT 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 (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 or if you wish to renew your previous selection to report under the modified reporting schedule. 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.

**AMENDMENT: APPOINTMENT OF A
CAMPAIGN TREASURER BY A CANDIDATE**

**FORM ACTA
PG 1**

1 CANDIDATE NAME	2 ACCOUNT #	3 Total pages filed:
See ACTA INSTRUCTION GUIDE for detailed instructions. Use this form for changes to existing information <i>only</i>. Do not provide information previously disclosed.		
4 CANDIDATE NAME	<input type="checkbox"/> NEW MS / MRS / MR FIRST MI <hr style="border-top: 1px dotted black;"/> NICKNAME LAST SUFFIX	OFFICE USE ONLY Date Received Date Hand-delivered or Date Postmarked Date Processed Date Imaged
5 CANDIDATE MAILING ADDRESS	<input type="checkbox"/> NEW ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	
6 CANDIDATE PHONE	<input type="checkbox"/> NEW AREA CODE PHONE NUMBER EXTENSION ()	
7 OFFICE HELD (if any)	<input type="checkbox"/> NEW	
8 OFFICE SOUGHT (if known)	<input type="checkbox"/> NEW	
9 CAMPAIGN TREASURER NAME	<input type="checkbox"/> NEW MS / MRS / MR FIRST MI NICKNAME LAST SUFFIX	
10 CAMPAIGN TREASURER STREET ADDRESS (Residence or business)	<input type="checkbox"/> NEW STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE	
11 CAMPAIGN TREASURER PHONE	<input type="checkbox"/> NEW AREA CODE PHONE NUMBER EXTENSION ()	
12 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p style="text-align: center;"> _____ Signature of Candidate </p> <p style="text-align: right;"> _____ Date Signed </p>	
GO TO PAGE 2		

AMENDMENT:
CANDIDATE MODIFIED REPORTING DECLARATION

FORM ACTA
PG 2

13 CANDIDATE NAME			
14 MODIFIED REPORTING DECLARATION	<table border="1"> <tr> <td data-bbox="363 338 428 369">NEW</td> <td data-bbox="428 338 1518 1331"> <p align="center">COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING.</p> <ul style="list-style-type: none"> •• 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. •• <small>(An election cycle includes a primary election, a general election, and any related runoffs.)</small> <p>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.</p> <p align="center"> _____ Date of election(s) or election cycle to which declaration applies </p> <p align="center"> _____ Signature of Candidate </p> </td> </tr> </table>	NEW	<p align="center">COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING.</p> <ul style="list-style-type: none"> •• 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. •• <small>(An election cycle includes a primary election, a general election, and any related runoffs.)</small> <p>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.</p> <p align="center"> _____ Date of election(s) or election cycle to which declaration applies </p> <p align="center"> _____ Signature of Candidate </p>
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This appointment is effective on the date it is filed with the appropriate filing authority.



7

ORDINANCE NO. 2001-01

POLICY ORDINANCE OF THE CITY OF SHOREACRES ESTABLISHING THE NORMS OF OPERATION AND RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS.

WHEREAS, it is critical to the successful operation of any public or private organization and agency, that rules, standards, or norms be established to define the roles, responsibilities and expectations of the governing board and staff in the operation of the organization; and

WHEREAS, the establishment of rules, standards or norms by the City Council and Mayor will promote understanding and trust among members of the City Council, Mayor, and City Staff concerning their roles, responsibilities, and expectations for the operation of the City; and

WHEREAS, periodic review will assist each member of the City Council and Mayor to better understand their responsibility and role.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shoreacres, State of Texas that policy pertaining to the Norms of Operation and Rules of Order and Procedure for City Council Meetings is hereby established as follows:

Table of Contents:

- Part 1. The Mayor, Council Members and Staff
- Part 2. Norms of Operation
- Part 3. Rules of Order and Procedure for Council Meetings
- Part 4. Policies Regarding the Preparation for Council Meetings
- Part 5. Policies Regarding the Conduct of Council Meetings
- Part 6. Policies Regarding the Conclusion of Council Meetings
- Part 7. Workshops and Public Hearings

Part 1. The Mayor, Council Members and Staff

Section 1. THE MAYOR

The Mayor presides over the City Council and provides leadership. The Mayor shares legislative responsibilities with the council in:

- A. Identifying the needs of the City
- B. Setting policy goals
- C. Adopting rules, regulations and ordinances
- D. Evaluating the extent to which municipal policy meets the goals
- E. Operating the City and directing the employees
- F. Enforcing the laws of the City
- G. Preparing the annual budget
- H. Appointing the officers and employees

Section 2. THE COUNCIL MEMBER

The primary duty of the council members is that of policy making, a role shared with the Mayor. This role requires:

- A. Identifying the needs of the City
- B. Formulating programs and services to meet the City's needs within the resources available
- C. Adopting ordinances, resolutions, contracts, rules, policies and regulations
- D. Providing the resources required to support the programs and services
- E. Evaluating and measuring the effectiveness of the programs and services
- F. Taking the responsibility to promote the health and safety of the citizens
- G. Establishing the City's annual program of service by adopting the budget, which directs the expenditure of funds

As an individual, the Council Member may not direct employees, determine priorities, make assignments, or make decisions for the City, but sitting as a member of Council, he/she jointly with the Council as a whole, is totally responsible for the operation of the City.

Section 3. THE STAFF

The staff and employees of the City perform key roles.

The central point of authority is the City Manager, the City Administrator, or in the absence of these positions, the Mayor. The Mayor, City Manager or City Administrator may delegate the administrative role to the City Clerk, Director of Public Works, and Police Chief for the employees within their respective departments.

Part 2. Norms of Operation

Section 1. OPERATION OF CITY COUNCIL MEETINGS

- A. Any item in need of being placed on the agenda shall be submitted to the City Clerk pursuant to agenda deadlines.
- B. The Mayor or Mayor Pro Tem will conduct an orderly meeting.
- C. Comments by the public will be limited to five minutes. The City Clerk will monitor the time for each speaker with a timer that will sound after five-minutes.
- D. Any changes to, or proposed City ordinances shall be scheduled on an agenda.
- E. Closed sessions of the City Council meeting will be included in the business portion of the Council meeting. After such closed session, Council will reconvene to that scheduled meeting and take action on the closed portion of the meeting.

- F. Members of Council shall not enter into a debate with a member of the public or staff at council meetings.
- G. Any concerns by a member of Council over the behavior or work of a City employee during a council meeting should be directed to the Mayor in private or closed session to ensure the concern is resolved.
- H. City Council agenda items that are continued from one meeting to another shall have preference on the agenda under the same agenda category.
- I. It is not necessary for all Council Members to speak or give their viewpoints on every issue. On critical or significant issues, however, Council Members are encouraged to make a statement about their vote if they vote outside the majority.
- J. Any correspondence or other materials received at a Council meeting shall be submitted to the Clerk and be documented with a receipt date and time.
- K. The Mayor shall state each proposed motion in its final form for the City Council, prior to Council taking action on the agenda item.

Section 2. MAYOR AND CITY COUNCIL RELATIONS WITH CITY STAFF

- A. The City Staff, the Mayor and Council Members shall show mutual respect to one another.
- B. City Staff shall acknowledge the Mayor, and Council as the policy makers and the Mayor and City Council shall acknowledge Staff as the administrator of the Council's policies.
- C. All requests for information or questions by the City Council to Staff shall be directed to the City Clerk or Department Supervisors. All complaints should be submitted to the City Clerk or Mayor.
- D. All written informational material requested by individual Council Members shall be distributed by Staff to all Council Members with the notation indicating which Council Member requested the information.
- E. The Mayor and Council shall not individually attempt to coerce or influence Staff in the making of appointments, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of City licenses or permits.
- F. A Council Member shall not attempt to change or interfere with the operating policies and practices of any City department.
- G. Mail that is addressed to the Mayor or City Council shall be circulated by the City Clerk to the Mayor and City Council. The Mayor's response to

mail received shall be distributed to City Council for their information and Council Members shall distribute their responses of a mailed item to the Mayor for his/her information.

- H. The City Clerk shall not open mail addressed to an individual Council Member or Mayor unless authorized to do so.

Section 3. CITY COUNCIL RELATIONSHIP WITH CITY COMMISSIONS AND COMMITTEES

- A. Members of Council should not attempt to influence or publicly criticize city commissions or committee recommendations or to influence or lobby individual city commission or committee members on any item under consideration.
- B. Individual Council Members shall have the right to attend meetings but shall not speak or become involved in the meeting's discussion, except on matters affecting a Council Member as a private citizen or property owner.

Section 4. COUNCIL MEMBER REPRESENTATION TO OTHER AGENCIES AND GROUPS

- A. If a member of City Council appears before another governmental agency or organization to give a statement on an issue affecting the City, the Council Member should first indicate the majority position or opinion of the Council, if one exists.
- B. Personal opinions and comments may be expressed if the Council Member clarifies that these statements do not represent the position of the City Council.

Section 5. CITY COUNCIL HANDLING OF LITIGATION AND OTHER CONFIDENTIAL INFORMATION

- A. The Mayor or City Council shall keep all written materials and verbal information provided to them on matters that are confidential under State Law in complete confidence to insure the City's position is not compromised. No disclosure or mention of information in these materials shall be made to anyone other than the Mayor, Council Members, the City Attorney, or City Clerk.
- B. If a City Council in closed session has provided direction to City Staff on proposed terms and conditions for any type of negotiations whether it be related to property acquisition or disposal, a proposed or pending claim or litigation, and/or employee negotiations, all contact with the other party and/or attorney shall be limited to, and made by, the designated City Staff representative handling the negotiations, claim or litigation. Except as provided in subsection C below, no Council Member shall have any contact or discussion with the other party or its representative involved with the negotiation, claim or litigation at this time, nor shall any Council

Member communicate or disclose any discussion conducted or information received in closed sessions. All public statements, information, and press releases shall be handled exclusively by the designated Staff spokesperson.

- C. Notwithstanding the prohibition set forth in subsection B above, an individual Council Member, prior to attending a closed session or receiving confidential information concerning litigation or a claim, may have contact and/or discussion with a party or the party's representative with the respect to a claim for damages or litigation against the City, provided that the Council Member first satisfies each of the following requirements:
- (1) The Council Member must not have attended a closed session or received any confidential information concerning the party's claim or litigation;
 - (2) Prior to initiating or allowing such contact, the Council Member shall provide the party and/or attorney, the Mayor, the City Clerk and the City Attorney with a written declaration and agreement, signed under penalty of perjury, and in the format acceptable to the City Attorney, that the Council Member: (a) fully excuses him/herself from, and waives all right to (i) any and all future participation in any decision which in any manner involves the party's/representative's claim and/or litigation, and (ii) that Council Members right to receive confidential information and to attend closed sessions of the Council; (b) does not and shall not purport to make such contact or any representation on behalf, or in his/her capacity as a member, of the Council; and
 - (3) has not received or been privy to, and shall not in any manner disclose any confidential information concerning the party's/representative's claim and/or litigation.
- D. The exception set forth in subsection C above shall be limited and strictly construed, shall not be construed as authorizing any contact not expressly authorized by its express language, and shall not under any circumstances be construed as authorizing any disclosure of any confidential information.

Part 3. Rules of Order and Procedure for Council Meetings

Section 1. TIME OF MEETINGS/CLOSED SESSIONS

Regular meetings of the City Council shall be held on the 2nd and the 4th Monday of each month in the Council Chambers, City Hall commencing at 7:00 p.m. except when agreed on by majority vote of council to another time/date. The order of business shall be described in Section 2 (Order of Business).

Closed sessions will be scheduled as needed on the regular agenda.

The Council shall not consider any resolution, motion, or matter that does not affect the conduct of the business of the City of Shoreacres or its corporate powers or duties as a municipal corporation. The Council shall not consider any resolution or motion supporting or disapproving any legislation or action pending in the Legislature of the State of Texas, the Congress of the United States, or before any officer or agency of said State or nation unless such proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers and duties of the City of Shoreacres or its officers or employees as such. Communications that do not directly relate to the conduct of business for the City of Shoreacres shall be provided to Council on an information only basis. Such communications may be submitted on a Council agenda upon request of a Council Member.

Section 2. ORDER OF BUSINESS

The agenda for regular council meetings shall be taken up for consideration in substantially the following order. The Mayor or a Member of Council may at any time by majority consent, change the order of the agenda items. City Council agenda items that are continued from one meeting to another shall have preference on the agenda. If items are scheduled for a specific time, the Council will attempt to address those issues at the specific time.

7:00 p.m. Call to Order
 Roll Call
 Pledge of Allegiance (at the discretion of the
 presiding officer)
 Special Presentations
 Public Comments
 Approval of Minutes
 Council Reports / General Discussion
 Administrative Reports
 Old Business
 Closed Session (if desired)
 New Business
 Adjourn

Section 3. THE FOLLOWING IS A GENERAL POLICY STATEMENT DISCUSSING THE PROCESS AND/OR POLICY RELATED TO THE ORDER OF BUSINESS (Section 2):

- A. Call to Order
The Presiding Officer will call the meeting to order at the posted time.

- B. Roll Call
The City Clerk will call roll as the first order of business at each meeting.

- C. Pledge of Allegiance
The Presiding Officer will lead in the Pledge of Allegiance as the second order of business at each meeting, if desired.

- D. Special Presentations
Special Presentations in recognition of persons or groups, or for the promotion of an event or service shall be scheduled by the Mayor and City Clerk. Requests for special presentations must be submitted to the City Clerk in writing pursuant to the agenda deadlines.

- E. Public Comments
Time shall be reserved on each regular meeting agenda to provide an opportunity for members of the public to directly address the council. Each person shall be subject to the provisions of this ordinance. Any item of interest not appearing on the agenda but that is presented by a member of the public under "Citizen's Comments" may be added to the current sessions agenda only if the Council determines by at least two-thirds vote (or if less than two-thirds of the members are present, then by a unanimous vote of the members present) that the need to take action arose after the agenda was posted and the Council believes it is necessary to take immediate action. Otherwise, the item is referred to the City Clerk, Mayor, or a Member of Council for investigation and placement on a future agenda if desired.

All citizens must observe the following rules with respect to comment and testimony:

- (1) FIVE MINUTE LIMIT. Comment and testimony shall be limited to five minutes for each member of the public who wishes to speak. "Applicants" or "Appellants" are not held to this time limit. (see Hearings and Appeals). All comments and testimony shall be from the podium or other approved Council location; no comment shall be shouted from the audience. The City Clerk shall set the timer for five minutes and comments will conclude at the end of the five-minute limit. Questions for staff or the applicant shall be made through the presiding officer. Any such questions are part of the five-minute limit.

- (2) ADDITIONAL TIME. If additional time is needed for public commentary, citizens must ask for this at the outset of the comment period and have it approved by the City Council.

- (3) LESS TIME. The Council may limit the total amount of time devoted to public comment, the amount of time offered to each speaker, or the number of speakers to be heard on an issue, or may make such other modifications as the Council deem appropriate. To the extent practicable, the Council and/or City Clerk shall include notice of such modification or limit in published notice of the meeting.

- (4) **SPEAK ONLY ONCE.** Second opportunities for a member of the public to speak on the same issue or agenda item will not be permitted unless mandated by law. No member of the public may give all or part of their time to speak to another member of the public.
- (5) **ADDRESSING THE COUNCIL.** Comments and testimony are to be directed to the City Council. Dialogue between and inquiries from citizens and members of the staff or the seated audience is not permitted. Unless otherwise authorized by motion and vote of the Council, inquiries which require staff response shall be referred to staff for response at a later time.
- (6) **DISRUPTIVE COMMENTS OR CONDUCT.** No person who addresses Council shall make any belligerent, personal, impertinent, redundant, slanderous, loud, threatening, abusive or disparaging remark, statement or commentary toward the council, staff or other individuals in a manner which disrupts, disturbs, or otherwise impedes the orderly conduct of the council meeting. Nor shall any person engage in any other disorderly conduct which so disrupts, disturbs or impedes the orderly conduct of the meeting. Council shall be held to the same standards. Nothing in this section shall prohibit or discourage orderly criticism of any City decision or policy within the limits of these rules. Any violation of this rule shall be grounds for terminating the citizen's comment period. Continued inappropriate behavior or comments, after having been directed to discontinue, shall be grounds for removal from the meeting.

F. Approval of Minutes

Minutes of the City Council meetings shall be submitted to the Council for approval and/or correction in draft form at a subsequent regular meeting. Only Members of the Council and the City Clerk have the authority to make revisions to the minutes, subject to a majority vote of the City Council.

G. Council Reports / General Discussion

Each regular meeting agenda will provide for "Council Comments and General Discussion". This is the opportunity for the Council Members to ask questions for clarification, provide information to Staff or other Members of Council, request Staff to report back on a matter, or to direct Staff to place a matter on a subsequent agenda.

H. Administrative Reports

Administrative reports are reports and recommendations from Administrative Staff intended for Council discussion or to inform Council of items of interest.

Staff reports and related background material regarding these agenda items should be received by the City Clerk by noon, four (4) days prior to the meeting.

- I. Old Business
If an item was continued from a previous agenda where it was listed as New Business, it will be then listed as Old Business.

- J. New Business
All new items of business, such as contracts, agreements, ordinances, and resolutions that require action to be addressed by Council should be presented under New Business.

- K. Closed Session (if applicable)
Closed sessions will be carried out according to Texas Laws, or as defined by law.

- L. Adjournment
Generally, Council meetings should adjourn by 10:00 p.m.

Any items not completed at the conclusion of a meeting shall be continued at the next regular meeting and shall be considered before any new items within their category.

Part 4. Polices Regarding the Preparation for Council Meetings

- A. Closing of Agenda Regular Meetings:
The Agenda of business to come before the Council at any regular meeting shall be closed as of 12:00 p.m. three (3) days preceding said meeting.

- B. Public Requests
Public requests are written requests from the general public (including outside agencies/organizations) for Council discussion and/or action. These such requests must be addressed to the Honorable Mayor and Members of the City Council and submitted to the City Clerk.

The communication will be distributed to Council and Administrative Staff. The Mayor and City Clerk shall determine when and if the item will be scheduled before Council based upon Staff's ability to provide any necessary background information and recommendation; unless otherwise directed by Council.

At the minimum, requests from the public must be submitted by the deadline to submit Agenda items (See Closing of Agenda- Part 4 (A), above). Communications from the public requesting discussion/action pertaining to items not directly affecting the conduct of business of the City of Shoreacres and communications/requests addressed to the Council pertaining to general policy issues shall be submitted to Council on an "informational only" basis. Said communications will only be placed for consideration on an agenda if so desired by an individual Council Member.

Exception: Communications of this nature may be placed on a Council Agenda for direction if the need is determined by the City Clerk and Mayor.

C. Resolutions and Ordinances

Resolutions are generally used to set policy and confirm City Council action.

Ordinances are the laws of a municipality. City Council is given authority to pass local laws (ordinances) pursuant to the Government Code as long as those Ordinances are not in conflict with the laws of the Constitution of the United States or the State of Texas. An Ordinance is the most binding form of action that can be taken by City Council, the violation of which is a misdemeanor.

Resolutions become effective immediately upon adoption by City Council unless otherwise stated in the body of the resolution.

The resolution title should effectively summarize the resolution purpose. If a resolution amends or rescinds another, it must so state in the title and specifically identify the amended or rescinded resolution number.

The Ordinance title and any introductory language appearing before the ordaining clause has no legal effect. If the title states it repeals (or amends or adds) certain provisions, but the language after the ordaining clause does not state so, the intended real, amendment or addition has not taken place. When drafting an amending or repealing an Ordinance, it is important to identify within the Ordinance the effected Municipal Code section.

The Mayor and City Clerk's signature must appear together on the same page, as the City Clerk attests to the Mayor's signature. At least one paragraph of the resolution or ordinance text must also appear on this page.

Following adoption of a resolution or ordinance, the City Clerk will assign the next consecutive number, circulates for signatures, and distribute copies as requested.

An original resolution or ordinance is considered a vital record and is kept on permanent file in the City Clerk's Office. Resolutions and ordinances are available for public review at the City Clerk's office.

Under the direction of the City Clerk, ordinances are codified by a publisher into a Municipal Code which is an exact recitation of the City's ordinances currently in effect as local laws.

D. Posting of Agenda:

The City Clerk is required to post agendas of City Council meetings and to comply with all requirements of the Texas Government Code. The City Clerk or a designee shall post the agenda for each meeting on the bulletin

board or a designated place agreed upon by council. The posting location should be freely accessible to all members of the public.

The City Council may take action on items of business not appearing on the posted Agenda under any of the following conditions: (1) upon a determination by a majority vote that an emergency situation exists; (2) upon a determination by at least a two-thirds vote or if less than two-thirds of the Council members present a unanimous vote of those members present that there is a need to take immediate action and that the need to take action came to the attention of the City subsequent to the Agenda being posted; or (3) the item was posted for a prior meeting of the Council occurring not more than five (5) calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

- E. Backup Material for Agenda Items (Agenda Summary Reports):
Support documents and Staff reports (agenda summary reports) will be included in the agenda packets to each council member for each agenda item as appropriate. Any item listed on the agenda for which an agenda summary report has not been included in the agenda packet, will be postponed to the next regular meeting, unless action on the item is desired as determined by a majority vote of Council.

The final agenda and the agenda reports with attached backup material are numbered and put in order.

Agenda Summary Reports will be provided to the public as requested pursuant to State law.

- F. Distribution of agenda Packets:
Agenda packets are prepared by the City Clerk's department and distributed to the City Council, Mayor, City Attorney (by request), Department Heads (by request), and news media (upon request). Additional packets are available at the City Clerk's Office upon request on a 48-hour loan basis.

Agenda packets shall be delivered to Council Members no later than Friday, prior to the Monday meeting.

Council members are encouraged to ask preliminary questions of staff prior to the meeting.

- G. Duties of City Clerk in Preparing for Meetings
A properly conducted meeting serves citizens through reasonable actions taken on the agenda item affecting the community. The City Clerk should see that a professional meeting is conducted. Experienced Presiding Officers assist greatly in the efficiency and orderly conduct of Public Meetings. However, it is the City Clerk's role and responsibility to educate the officers, allowing all parties to perceive they have been served or contributed to government in a responsible manner.

Prior to a meeting, the City Clerk's should:

- (1) Prepare the Agenda. The agenda must be prepared concisely, accurately, logically and, generally, must present to the reader a clear picture of what business will be considered.

The content of the agenda must include the following:

Type of Meeting (regular, special, workshop)

Name of Body

Date, Place and Time of Meeting

Topics of Business

Roll Call

Adjournment

Posting Statement

- (2) Post the Agenda in accordance with law.
- (3) Study the Agenda's business to be prepared for these items when they are discussed for consideration and action.
- (4) Make sure key staff and Council members are in attendance for date so the matter will not have to be continued. Or if certain community members are attending the meeting, notify them in advance.
- (5) Order any items required such as plaques or certificates.
- (6) Prepare the meeting room.

H. Council Seating Order

Council seating order shall be at the discretion of the Mayor.

Part 5. Policies Regarding the Conduct of Council Meetings

If at any time during a meeting a Council Member departs from the chamber and leaves the City Council without a quorum, it is the duty of the City Clerk to call this fact to the attention of the Mayor.

A. Manner of Addressing Council - Time Limit:

Each person addressing the Council shall stand up, give their name and address in an audible tone of voice for record, and unless further time is granted by concurrence of the Council, shall limit their address to five (5) minutes. This time shall not apply to the applicant or appellant (See Hearings and Appeals) or Mayor and City Council.

Whenever any group of persons wishes to address the Council on the same subject matter, the Mayor may request that a spokesperson be chosen to address the Council. The Mayor may also request that only new information be presented by the speakers in order to avoid unnecessary repetition.

B. Personal Privilege

The right of any council member to address the Council on a question of personal privilege shall be limited to cases in which his/her integrity,

character or motives are questioned, or to where the welfare of the Council is concerned.

C. Processing of Motions

1. All motions shall require a second before discussion and debate. A motion that fails to obtain a second shall die.
2. When a motion is made and seconded, it shall be stated clearly and concisely by its mover. After a motion is made, it shall be stated by the Presiding Officer or City Clerk before debate. A motion may be withdrawn by the mover without consent of Council Members.
3. If the question contains two or more divisional propositions, the Presiding Officer may, and upon request of a Council Member shall, divide the same.
4. Following discussion, the vote shall be requested by the Mayor or any Member of Council. All motions shall require a vote.
5. If Members of Council are present and decline to vote, their vote is not counted in determining the outcome.

D. Precedence of Motions

When a motion is before the Council, no other motion shall be entertained except: (precedence in order indicated)

- (a) to adjourn
 - (b) to fix hour of adjournment
 - (c) to lay on the table
 - (d) for the previous question
 - (e) to postpone to a certain day
 - (f) to refer
 - (g) to amend
 - (h) to postpone indefinitely
1. A motion to adjourn shall be in order at any time, except as follows:
 - (a) when repeated without intervening business or discussion
 - (b) when made as an interruption of a member while speaking
 - (c) when the previous question has been ordered
 - (d) while a vote is being taken
 2. A motion to adjourn "to another time is debatable only as to the time to which the meeting is adjourned.
 3. A motion to table or lay on the table is undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" only by adding it to the Agenda of the next regular meeting, to be discussed at the following regular meeting.

4. A motion for previous question shall close debate on the main motion and shall be undebatable. The statement by a Council member of "question" does not accomplish to same purpose. If motion fails, debate is reopened; if motion passes, then vote shall be taken on the main motion.
5. A motion to postpone to a definite time shall be amendable and debatable as to propriety of postponement and time set.
6. A motion to refer shall not be debatable except for the propriety of referring.
7. A motion to amend shall be in order and is debatable only as to the amendment. A motion to amend an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable and amendments are to be voted first, then the main motion as amended.
8. A motion to postpone indefinitely shall be fully debatable and if the same is adopted the principal motion shall be declared lost. A motion to postpone to a definite time shall be amendable and debatable as to propriety of postponement and time set.

Part 6. Policies Regarding the Conclusion of Council Meeting

- A. Following a Council Meeting it is the City Clerk's responsibility to:

Prepare accurate minutes of the official record of the meeting. Minutes need to be clear, concise, precise, and unambiguous. Minutes need to show exactly what actions were taken and what decisions were made at the meeting but not necessarily everything that was said. The facts contained in the minutes are treated as evidence in a court of law.

The Minutes must include:

- Type of Meeting
- Name of body
- Location, Date and Time of Meeting
- Officials Present/Absent
- Topics of Business
- Actions Taken on Topics of Business
- Record of Motions
- Record of Voting
- Time of Adjournment
- Signature blocks for presiding officer and clerk.

The Mayor or Presiding Officer and City Clerk's signature must appear together on the same page, as the City Clerk attests to the Mayor's signature. At least one paragraph of the minutes must also appear on this page.

Final minutes are usually prepared within two to three weeks following the meeting. The City Clerk reviews the final draft, then places on an upcoming agenda for Council approval.

Minutes are kept in accordance to law in the City Clerk's Department.

B. Administrative Mandamus

Persons who are dissatisfied with a decision of the City Council may have the right to seek review of that decision by a court. In addition, the City has adopted Section 1094.6 of the Code of Civil Procedure which generally limits to ninety (90) days time limit within which the decision of City boards and agencies may be judicially challenged.

C. Appeals and Continuances

Appeals shall be filed with the City Clerk (unless otherwise provided by Code) pursuant to applicable State and local regulations. Appeals not filed pursuant to the provisions of local regulations shall not be submitted to the City Council until same complies with local provisions.

D. Reconsideration and Rescission:

(1) Except for votes regarding matters which are quasi judicial, involve the adoption of an ordinance, or where reconsideration is governed by a specific law, ordinance or resolution, any Member of the Council voting in a majority on any action of the Council may, at the same meeting, or at a regular Council meeting held within thirty five (35) days after such action, move to reconsider such action. In the latter case, a request for reconsideration shall be submitted to the City Clerk at least four (4) days prior to such meeting and shall be placed on the agenda. A written request for reconsideration submitted to Council shall be provided to all Council Members on an informational basis. A vote reconsider must be seconded and requires the affirmative vote of a majority of the Council for passage. A vote to reconsider may be continued to a date certain. The Council may adopt specific rules governing reconsideration of designated types of actions or matters.

(2) A written request for council reconsideration of a quasi judicial decision by any interested party shall be filed with the City Clerk within ten (10) days of the decision. A copy of the request for reconsideration shall be provided to all Council Members. After a request has been filed with the City clerk, any Council Member may instruct the City Clerk to place such request on the next regular Council agenda. A Council Member may also directly request reconsideration of a quasi judicial decision by instructing the City Clerk to place such request on the next Council agenda. Unless the City Clerk is so instructed by a Council Member within thirty-five (35) days of a decision, any request for reconsideration shall be deemed denied and no further requests for reconsideration shall be entertained. In such case, the Clerk shall so

notify the party requesting reconsideration as well as the applicant or subject of the decision, if different. If reconsideration is placed on the Council Agenda, voting shall follow (1) above.

(3) The council may rescind, repeal or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements unless otherwise specified by law.

Part 7. Workshops and Public Hearings:

The Council may meet on another designated date after proper posting of the agenda for the purpose of public hearings, study sessions, reviewing specific issues or projects, joint meetings with other boards or agencies, or completion of unfinished business.

Agenda Summary Reports shall be submitted to the City Clerk by 12:00 noon, 3 days prior to the meeting.

Study sessions or workshops are open to the public; however, generally no action is taken by City Council. Following the study session, the issue may be scheduled on a regular agenda at which time formal action may be taken.

A Public Hearing is necessary any time the zoning or General Plan is changed or when certain sections of the Municipal Code, including the zoning ordinance, are amended, created, or deleted. Other required Public Hearings are called out in the Government Code.

Hearings are generally scheduled for which public input is either desired or required. Public Hearings are open to everyone, however, actual notices are delivered to people within effected areas only, or who have filed a written request with the City Clerk's office. A legal hearing notification is published in the newspaper of general circulation.

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly adopted by the City Council of Shoreacres at a regular meeting thereof held on 8th day of January, 2001.

Wayne Gamble, Mayor

ATTEST:

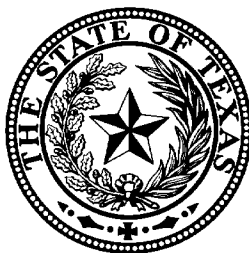
Shari Tait, City Secretary

8

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE



Revised December 20, 2007

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 1-800-325-8506 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 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 two-sided cover sheet and Schedules A, B, E, F, G, H, I, K, and T. 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 are required to file those reports electronically unless the person is eligible 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 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 Ethics 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 or toll-free at 1-800-325-8506.

ETHICS COMMISSION GUIDES

The Ethics 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 Ethics Commission forms. For example, if the space provided on Schedule A is insufficient, you may make copies of a blank Schedule A 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 Ethics 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: A, B, E, F, G, H, I, K, and T.

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 whom 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 will 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. (*See instructions for FORM C/OH - UC.*)

To file a final report, you must complete the form called “C/OH CAMPAIGN FINANCE REPORT (C/OH),” check the “final” box in Section 9 on the Cover Sheet, and complete and attach the form called “C/OH REPORT: DESIGNATION OF FINAL REPORT (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. 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.

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 “Address Change” box.

Sections 5 - 7 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.

5. CANDIDATE/OFFICEHOLDER PHONE: Enter your phone number including the area code, and your extension, if applicable.

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.

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.

30th Day Before Election Report: Opposed candidates who are not filing under the modified reporting schedule must file this pre-election report. The report is due no later than 30 days before the election and must be *received* by the appropriate filing authority no later than the report due date.

8th Day Before Election Report: Opposed candidates who are not filing under the modified reporting schedule must file this pre-election report. The report is due no later than 8 days before the election and must be *received* by the appropriate filing authority no later than the report due date.

Runoff Report: Candidates who are participating in a runoff election must file this report, which is due no later than 8 days before the runoff election and must be *received* by the appropriate filing authority no later than the report due date. This report is not required for candidates who are filing under the modified reporting schedule.

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 expenditures in connection with the election must file this report within 48 hours after exceeding the \$500 limit.

15th Day After Campaign Treasurer Appointment Report: An officeholder must file this report if he or she appoints a campaign treasurer after a period of not having a campaign treasurer appointment on file. This report is due no later than the 15th day after an officeholder files the appointment of campaign treasurer. It is not required of officeholders who are merely changing their campaign treasurers. Candidates who are

not officeholders do not file this report. (This report is not required of an officeholder who files locally if the officeholder did not exceed \$500 in either contributions or expenditures during the period to be covered by the report.)

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

10. PERIOD COVERED: A reporting period includes the beginning date and the ending date. The *due date* for filing will be *after* the end of the period. Generally, a report picks up where the last report left off. Special pre-election reports (formerly known as telegram reports) and special session reports do create overlaps.

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 was filed or the date you took office.

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

January 15 (Semiannual) Report: The beginning 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 ending date is December 31 of the previous year.

July 15 (Semiannual) Report: The beginning 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 ending date is June 30.

30th Day Before Election Report: The beginning 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 ending 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 beginning date is the 39th day before the election if you were required to file a 30th Day Before Election Report. If you were not required to file the 30th Day Before Election Report, the day after the last day covered by your last required report is the beginning date. If this is the first report you have filed, please see the “First Reports” section above. The ending 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 beginning date is the 9th day before the main election if you filed an 8th Day Before Election Report. Otherwise, the beginning 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 ending 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 beginning 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 ending date is the day you exceeded the \$500 limit for contributions or expenditures.

15th Day After Campaign Treasurer Appointment Report (officeholders only): The beginning 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 ending 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 beginning date is the day after the last day covered by your last required report. The ending 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, you may skip Section 11.

11. ELECTION: If you are a candidate in an upcoming election, provide the following information concerning the upcoming election in which you intend to participate.

Election Date: Enter the month, day, and year of the election in which you intend to participate that most immediately follows the deadline for this report.

Election Type: Check the box next to the type of election that most accurately describes the upcoming election.

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.

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. Include the district, precinct, or other designation for the office, if applicable.

14. DIRECT CAMPAIGN EXPENDITURE BY OTHER INDIVIDUALS: A direct campaign expenditure is a campaign expenditure that someone else made on your behalf and without your prior consent or approval. You might not even have known about the expenditure until after it was made. This is in contrast to a political contribution, which you have the opportunity to accept or reject.

Example: If someone buys a newspaper ad in support of your campaign after first asking for and getting your approval, she will have made an in-kind contribution. However, if someone buys a newspaper ad in support of your campaign without first getting your approval, she will have made a direct campaign expenditure.

An individual who makes a direct campaign expenditure on your behalf during a reporting period is required to give you notice of that fact by the end of the period. Such a notice must include the individual's name and address, but is not required to include a description of the direct campaign expenditure. If the notice describes the direct campaign expenditure, do not include the description in the report. You must include the information from the notice in the report for the period in which you receive the notice, even if the notice is for a direct campaign expenditure made in a prior reporting period. If you have not received such notice, you may skip this section. If you have received such notice from a political committee, you will report that information in Section 17 and not in this section.

“Additional Pages” Box: If you received notice from more than one individual, check this box and attach an additional page listing the names and addresses of the other individuals.

Name: Enter the full name of the person as given in the notice.

Address: Enter the complete address as given in the notice.

PAGE 2

15. C/OH (CANDIDATE/OFFICEHOLDER) NAME: Enter your full name.

16. ACCOUNT #: See the instructions for box number 1.

17. NOTICE FROM POLITICAL COMMITTEE(S): Complete this section if you have received notice from a political committee that it accepted political contributions or made political expenditures on your behalf during the period. 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 - Check the “GENERAL” box if the notice is from a general-purpose committee.

Specific - Check the “SPECIFIC” 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.

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

Line 1. 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 Schedule A.

On Schedule A, you were required to itemize political contributions that totaled more than \$50 from one person. (Remember: If you received contributions *totaling* more than \$50 from one person during the reporting period, you were required to itemize all of those contributions, even if individual contributions were \$50 or less.) 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. Add the total contributions listed on Schedule A to the amount you entered on Line 1. Enter that total on Line 2.

Line 3. Enter the total of all unitemized political expenditures of \$50 or less. Do not include any expenditures itemized on Schedules F, G, or H.

On Schedule F, you were required to itemize political expenditures that totaled more than \$50 to one payee. (Remember: If you made expenditures *totaling* more than \$50 to one person during the reporting period, you were required to itemize all of those expenditures, even if individual expenditures were \$50 or less.) You also had the option of itemizing expenditures totaling \$50 or less to one payee. Do not include any expenditures itemized on Schedule F 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. Add the following:

- (a) the total expenditures listed on Schedule F;
- (b) the total expenditures listed on Schedule G;
- (c) the total expenditures listed on Schedule H; and
- (d) the amount you entered on Line 3.

Enter that total on Line 4.

Line 5. 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.

Line 6. Enter the aggregate outstanding principal amount of all loans accepted for campaign or officeholder purposes as of the last day of the reporting period. This is different from the information reported on Schedule E. It must include outstanding principal of loans made in this reporting period as well as outstanding principal of loans made previously.

19. 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.**

SCHEDULE A: POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS

These instructions are for candidates and officeholders using SCHEDULE A: POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS. Enter on this schedule only information about campaign and officeholder contributions accepted during the reporting period. You are not required to include contributions of an individual's personal services or travel. Do not enter on this schedule information on pledges, loans, or guarantees of loans. (Report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

You must enter 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 C/OH Cover Sheet, Page 2, Section 18, Line 1.

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

- 1. TOTAL PAGES SCHEDULE A:** After you have completed Schedule A, count the total number of pages. A “page” is one side of a two-sided form.
- 2. FILER NAME:** Enter your full name.
- 3. ACCOUNT #:** If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.
- 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.

“Out-of-State PAC” box: 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 Federal Election Commission (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 Federal Election Commission (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 (OPTIONAL): You may include the committee’s Federal Election Commission registration number.

Note: See the Campaign Finance Guide for detailed information on accepting and reporting contributions from out-of-state political committees.

6. CONTRIBUTOR ADDRESS: Enter the complete address of the contributor.

7. AMOUNT OF CONTRIBUTION: Enter the amount of the contribution or the fair market value of an in-kind contribution, as applicable.

8. IN-KIND CONTRIBUTION DESCRIPTION: Enter a description of the contribution, if it was an in-kind contribution. The description should be sufficiently detailed to allow a person reviewing your report to understand what was contributed.

In-kind Contribution For Out-of-State Travel: The description of an in-kind contribution for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

9. 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.

10. 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 B: PLEDGED CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE B: PLEDGED CONTRIBUTIONS. Enter on this schedule only 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. Do not enter on this schedule information on contributions actually received, loans, or guarantees of loans. (Report contributions actually received on Schedule A; 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.

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. A “page” is one side of a two-sided form.

2. FILER NAME: Enter your full name.

3. ACCOUNT #: If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.

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.

Sections 5 - 11 pertain to itemized pledges. 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.

5. DATE: Enter the date you **accepted** 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 A, box 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.

In-kind Contribution For Out-of-State Travel: The description of an in-kind contribution for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

10. PRINCIPAL OCCUPATION OR JOB TITLE: See the instructions for Schedule A, box 9.

11. EMPLOYER: See the instructions for Schedule A, box 10.

You Do Not Need Schedules C 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. Enter on this schedule only information about loans, and guarantees of loans, accepted during the reporting period for campaign or officeholder purposes.

You must itemize loans 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.

Note: A candidate or officeholder may report political expenditures from personal funds as a loan and may reimburse his or her personal funds from political contributions. If a candidate or officeholder chooses not to report political expenditures from personal funds as a loan, he or she must report such expenditures on Schedule G.

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. A “page” is one side of a two-sided form.
- 2. FILER NAME:** Enter your full name.
- 3. ACCOUNT #:** If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.
- 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, do not enter a total amount here.

Complete Sections 5 - 18 for each loan you are itemizing.

- 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. Remember that a loan from a corporation is an illegal corporate contribution unless it is from a corporation that is a financial institution that has been legally engaged in the business of making loans for more than one year.
- 7. NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan.

“Out-of-State PAC” box. See instructions for Schedule A, box 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. This requirement applies to loans from individuals that are accepted on or after January 1, 2004.

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. This requirement applies to loans from individuals that are accepted on or after January 1, 2004.

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 # 13. If there is collateral for the loan, enter a description of the collateral for the loan.

15. 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.

Note: A person who guarantees all or part of a loan makes a reportable contribution in the amount of the guarantee. You must report such a contribution on this schedule, and not on Schedule A.

16. NAME OF GUARANTOR: Enter the full name of the guarantor.

17. GUARANTOR ADDRESS: Enter the complete address of the guarantor.

18. AMOUNT GUARANTEED: Enter the dollar amount of the loan that the guarantor has agreed to guarantee.

19. PRINCIPAL OCCUPATION: Enter the principal occupation of the guarantor.

20. EMPLOYER: Enter the employer of the guarantor.

SCHEDULE F: POLITICAL EXPENDITURES

These instructions are for candidates and officeholders using SCHEDULE F: POLITICAL EXPENDITURES. Enter on this schedule only information about political expenditures that were made or authorized during the reporting period. Do not enter on this schedule political expenditures made from personal funds. (Report such expenditures on either Schedule G or Schedule E.) Do not enter on this schedule payments from political contributions made to a business that you own or control. (Report those payments on Schedule H.)

See the CAMPAIGN FINANCE GUIDE for important restrictions regarding the use of political funds to rent or purchase real property.

You must enter expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$50 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$50, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$50 in the period on this schedule. If you choose not to itemize expenditures of \$50 and less on this schedule, you must total all unitemized expenditures and report them on the C/OH Cover Sheet, Page 2, Section 18, Line 3.

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

1. TOTAL PAGES SCHEDULE F: After you have completed Schedule F, count the total number of pages. A “page” is one side of a two-sided form.

2. FILER NAME: Enter your full name.

3. ACCOUNT #: If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.

4. DATE: Enter the date the expenditure was made. The date of an expenditure is not necessarily the date goods or services are received. It is the date on which the obligation to make a payment is incurred, as long as the amount of the payment is “readily determinable.” Generally, the amount of an expenditure is known (and therefore readily determinable) when the obligation is incurred, but in some cases the amount is not known until the receipt of a bill. For example, filers will generally not know the cost of a long-distance telephone call until receipt of a monthly bill. In that case, the date of the expenditure for the telephone call would be the date the bill was received.

Credit card expenditures. There is a special reporting rule for expenditures made by credit card. For reports due 30 days and 8 days before an election, the date of a credit card expenditure is the date the charge is made. For other reports, the date of a credit card expenditure is the date the credit card statement is received or the date the charge is made. In other words, it is always permissible to report the “date the charge is made” as the date of the expenditure.

5. PAYEE NAME: Enter the full name of the person to whom the expenditure was made.

Note: If the expenditure was by credit card, enter the name of the vendor who sold you the goods or services, not the name of the credit card issuer.

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 Payment.”

6. PAYEE ADDRESS: Enter the complete address of the person to whom the expenditure was made.

7. AMOUNT: Enter the exact amount of the expenditure.

8. PURPOSE OF PAYMENT: If your expenditure was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report would know what goods or services were purchased or leased. If your expenditure was a contribution to another candidate or officeholder, or to a committee, enter “political contribution” and identify the recipient.

Purpose of Expenditure For Out-of-State Travel: 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.

9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE OR 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**.

If you make one or more direct campaign expenditures to benefit another candidate *that total more than \$100*, you must provide written notice to the candidate, officeholder, or committee who benefits from your direct campaign expenditure(s). The notice must inform the person that you have made one or more direct campaign expenditures on his or her behalf, and it must include your full name and complete address (street address or P.O. Box, city, state, and ZIP Code). The notice must be given before the end of the reporting period during which you made the direct campaign expenditure(s).

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for candidates and officeholders using SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS. Enter on this schedule only information about political expenditures from personal funds that were made or authorized during the reporting period. (A candidate or officeholder may report political expenditures from personal funds on Schedule E as a loan to himself or herself. Expenditures reported as a loan to the candidate or officeholder need not be reported on Schedule G.)

See the CAMPAIGN FINANCE GUIDE for important restrictions regarding the use of political funds to rent or purchase real property.

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 as a loan to yourself on Schedule E or itemize the expenditure on this schedule and check the box in Section 8 to indicate that you intend to seek reimbursement from political contributions. *You may not correct a report to allow reimbursement.*

If you choose to report political expenditures from personal funds on this schedule, make sure you read the following:

Even if you do not intend to seek reimbursement from political contributions for a political expenditure made out of personal funds, you must nonetheless itemize the political expenditure on this schedule if the expenditure exceeds \$50 or if the expenditure along with other expenditures to the same person exceeds \$50. (Exception: You are not required to report *officeholder* expenditures from personal funds if you do not intend to seek reimbursement from political contributions.) Although you are not required to do so, you may also report political expenditures from personal funds totaling \$50 or less to a single person on this schedule, even if you do not intend to seek reimbursement. You must total all political expenditures from personal funds that you do not itemize on this schedule (except for officeholder expenditures for which you do not intend to seek reimbursement from political funds) and include them in the total of unitemized expenditures reported on the C/OH Cover Sheet.

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. A “page” is one side of a two-sided form.
- 2. FILER NAME:** Enter your full name.
- 3. ACCOUNT #:** If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.
- 4. DATE:** Enter the date the expenditure was made. See the instructions for Schedule F, box 4.
- 5. PAYEE NAME:** Enter the full name of the person to whom the expenditure was made.

Note: If the expenditure was by credit card, enter the name of the vendor who sold you the goods or services, not the name of the credit card issuer.

Note: If you make an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of 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 7, “Purpose of Expenditure.”

6. PAYEE ADDRESS: Enter the complete address of the person to whom the expenditure was made.

7. PURPOSE OF EXPENDITURE: If your expenditure was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report could know what goods or services were purchased or leased.

Purpose of Expenditure For Out-of-State Travel: 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.

8. 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.)

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. Enter on this schedule only 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 authorized during the reporting period.

See the CAMPAIGN FINANCE GUIDE 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;
- 3) a position as an officer of the business.

Report such payments on this schedule and not on Schedule F.

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. A “page” is one side of a two-sided form.

2. FILER NAME: Enter your full name.

3. ACCOUNT #: If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.

4. DATE: Enter the date you made or authorized the payment. See the instructions for Schedule F, box 4.

5. BUSINESS NAME: Enter the full name of the business to which you made the payment.

6. BUSINESS ADDRESS: Enter the complete address of the business to which you made the payment.

7. AMOUNT: Enter the dollar amount of the payment.

8. PURPOSE OF PAYMENT: Describe the purpose for which you made the payment. If your payment was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report could know what goods or services were purchased or leased.

Purpose of Expenditure For Out-of-State Travel: 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.

9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE OR OFFICEHOLDER:

If the payment was 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 payment 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**.

If you make one or more direct campaign expenditures to benefit another candidate *that total more than \$100*, you must provide written notice to the candidate, officeholder, or committee who benefits from your direct campaign expenditure(s). The notice must inform the person that you have made one or more direct campaign expenditures on his or her behalf, and it must include your full name and complete address. Include your street address or P.O. Box, city, state, and ZIP Code. The notice must be given before the end of the reporting period during which you made the direct campaign expenditure(s).

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. Enter on this schedule only information about non-political expenditures from political contributions made or authorized during the reporting period. Do not enter political expenditures on this schedule. (Report political expenditures on Schedule F. Report political expenditures made from personal funds on either Schedule G or Schedule E.)

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. Remember that 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. A “page” is one side of a two-sided form.
- 2. FILER NAME:** Enter your full name.
- 3. ACCOUNT #:** If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.
- 4. DATE:** Enter the date the expenditure was made. See the instructions for Schedule F, box 4.
- 5. PAYEE NAME:** Enter the full name of the person to whom the expenditure was made.
- 6. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
- 7. PURPOSE OF EXPENDITURE:** Enter the nature of the goods or services or other thing of value for which the expenditure was made so that a person reviewing your report would know what goods or services or other thing of value were purchased or leased.
- 8. AMOUNT:** Enter the exact amount of the expenditure.

***You Do Not Need Schedule J.** This schedule is for political committees to report contributions that were returned to the committee. Candidates and officeholders are not required to report returned contributions, although you may report returned contributions on Schedule K.*

SCHEDULE K: CREDITS

THIS SCHEDULE IS OPTIONAL

This schedule provides a way to report rebates, deposit returns, and credits or refunds. There is no legal requirement to report such items. Examples of things that could be reported on this schedule include:

- a return of a security deposit for utility service or rentals;
- a refund of the unused amount paid towards a printing contract that was completed for less than the amount you paid; and
- a contribution that you made to someone that was returned to you.

Please do not include these types of credits in your contributions totals or on any other 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. A “page” is one side of a two-sided form.
- 2. FILER NAME:** Enter your full name.
- 3. ACCOUNT #:** If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.
- 4. DATE:** Enter the date the credit was received.
- 5. PAYOR NAME:** Enter the name of the person or business who paid the credit.
- 6. PAYOR ADDRESS:** Enter the complete address of the person or business who paid the credit.
- 7. REASON FOR CREDIT:** Enter the reason for the credit (for example, “phone service deposit return” or “rebate”).
- 8. AMOUNT:** Enter the exact dollar amount of the credit.

SCHEDULE T: IN-KIND CONTRIBUTION OR POLITICAL EXPENDITURE FOR TRAVEL OUTSIDE OF TEXAS

These instructions are for candidates, officeholders, committees, or political parties using SCHEDULE T: IN-KIND CONTRIBUTION OR POLITICAL EXPENDITURE FOR TRAVEL OUTSIDE OF TEXAS. Enter on this schedule only 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.

NOTE: 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. A “page” is one side of a two-sided form.
- 2. FILER NAME:** Enter the full name of the candidate, committee, or party on whose report you are including this schedule.
- 3. ACCOUNT #:** If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics 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 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 (i.e. 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 (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 A, B, E, F, 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.

If you are an officeholder at the time of 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 are not an officeholder at the time of filing a final report, you will no longer be required to file reports *unless you retain political contributions, or assets purchased with political contributions, 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. At the end of the six-year period, you must dispose of unexpended contributions, or assets purchased with political contributions or interest or other income from political contributions 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 SPAC as described in the instructions for the CANDIDATE/OFFICEHOLDER REPORT: UNEXPENDED CONTRIBUTIONS form (C/OH-UC).

- 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 in any of those ways at any time during the six-year period.

Once you have disposed of all your contributions and assets, you must file your final disposition of unexpended contributions report. Use FORM C/OH-UC, but select “Final Disposition” instead of “Annual” in Section 4. You may file this report any time after you have disposed of all campaign or officeholder contributions and assets. (A report of the disposition of unexpended contributions must be filed by the 30th day after the date the six-year period ends.)

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. **ACCOUNT #:** If you are filing with the Ethics Commission, enter your account number. If you do not file with the Ethics Commission, you are not required to enter an account number.
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.

CANDIDATE / OFFICEHOLDER REPORT: SUPPORT & TOTALS

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

15 C/OH NAME	16 ACCOUNT # (Ethics Commission Filers)
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17 NOTICE FROM POLITICAL COMMITTEE(S) <input type="checkbox"/> additional pages	** This box is for notice of political expenditures by political committees to support the candidate / officeholder. <i>These expenditures may have been made without the candidate's or officeholder's knowledge or consent.</i> Candidates and officeholders are required to report this information only if they receive notice of such expenditures. **	
	COMMITTEE TYPE <input type="checkbox"/> GENERAL <input type="checkbox"/> SPECIFIC	COMMITTEE NAME
		COMMITTEE ADDRESS
		COMMITTEE CAMPAIGN TREASURER NAME
		COMMITTEE CAMPAIGN TREASURER ADDRESS

18 CONTRIBUTION TOTALS	1. TOTAL POLITICAL CONTRIBUTIONS OF \$50 OR LESS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS), UNLESS ITEMIZED	\$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	\$
EXPENDITURE TOTALS	3. TOTAL POLITICAL EXPENDITURES OF \$50 OR LESS, UNLESS ITEMIZED	\$
	4. TOTAL POLITICAL EXPENDITURES	\$
CONTRIBUTION BALANCE	5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	\$
OUTSTANDING LOAN TOTALS	6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	\$

19 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

POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS

SCHEDULE A

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A:	
2 FILER NAME		3 ACCOUNT # (Ethics Commission filers)	
4 Date	5 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) 6 Contributor address; City; State; Zip Code	7 Amount of contribution (\$)	8 In-kind contribution description (if applicable)
(If travel outside of Texas, complete Schedule T)			
9 Principal occupation / Job title (See Instructions)		10 Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
(If travel outside of Texas, complete Schedule T)			
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
(If travel outside of Texas, complete Schedule T)			
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
(If travel outside of Texas, complete Schedule T)			
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)	In-kind contribution description (if applicable)
(If travel outside of Texas, complete Schedule T)			
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

ATTACH ADDITIONAL COPIES OF THIS FORM 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 this Schedule B:
--	---------------------------------------

2 FILER NAME	3 ACCOUNT # (Ethics Commission filers)
---------------------	---

4 TOTAL OF UNITEMIZED PLEDGES: ⇒ ⇒ ⇒ ⇒ ⇒ ⇒	\$
---	----

5 Date	6 Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	8 Amount of pledge (\$)	9 In-kind description (if applicable)
	7 Pledgor address; City; State; Zip Code		
<i>(If travel outside of Texas, complete Schedule T)</i>			

10 Principal occupation / Job title (See Instructions)	11 Employer (See Instructions)
---	---------------------------------------

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of pledge (\$)	In-kind description (if applicable)
	Pledgor address; City; State; Zip Code		
<i>(If travel outside of Texas, complete Schedule T)</i>			

Principal occupation / Job title (See Instructions)	Employer (See Instructions)
---	-----------------------------

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of pledge (\$)	In-kind description (if applicable)
	Pledgor address; City; State; Zip Code		
<i>(If travel outside of Texas, complete Schedule T)</i>			

Principal occupation / Job title (See Instructions)	Employer (See Instructions)
---	-----------------------------

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of pledge (\$)	In-kind description (if applicable)
	Pledgor address; City; State; Zip Code		
<i>(If travel outside of Texas, complete Schedule T)</i>			

Principal occupation / Job title (See Instructions)	Employer (See Instructions)
---	-----------------------------

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of pledge (\$)	In-kind description (if applicable)
	Pledgor address; City; State; Zip Code		
<i>(If travel outside of Texas, complete Schedule T)</i>			

Principal occupation / Job title (See Instructions)	Employer (See Instructions)
---	-----------------------------

ATTACH ADDITIONAL COPIES OF THIS FORM 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 ACCOUNT # (Ethics Commission filers)	
4 TOTAL OF UNITEMIZED LOANS: ⇨ ⇨ ⇨ ⇨ ⇨ ⇨			\$
5 Date of loan	7 Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	9 Loan Amount (\$)	
6 Is lender a financial Institution? Y N	8 Lender address; City; State; Zip Code	10 Interest rate	
		11 Maturity date	
12 Principal occupation / Job title (See Instructions)		13 Employer (See Instructions)	
14 Description of Collateral <input type="checkbox"/> none			
15 GUARANTOR INFORMATION <input type="checkbox"/> not applicable	16 Name of guarantor		18 Amount Guaranteed (\$)
	17 Guarantor address; City; State; Zip Code		
19 Principal Occupation		20 Employer	
Date of loan	Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	Loan Amount (\$)	
Is lender a financial Institution? Y N	Lender address; City; State; Zip Code	Interest rate	
		Maturity date	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Description of Collateral <input type="checkbox"/> none			
GUARANTOR INFORMATION <input type="checkbox"/> not applicable	Name of guarantor		Amount Guaranteed (\$)
	Guarantor address; City; State; Zip Code		
Principal Occupation		Employer	

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

POLITICAL EXPENDITURES

SCHEDULE F

The Instruction Guide explains how to complete this form.	1 Total pages Schedule F:
2 FILER NAME	3 ACCOUNT # (Ethics Commission filers)

4 Date	5 Payee name 6 Payee address; City; State; Zip Code	7 Amount (\$)
---------------	--	----------------------

8 Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	9 .. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
---	--

Date	Payee name Payee address; City; State; Zip Code	Amount (\$)
------	--	-------------

Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	.. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
--	---

Date	Payee name Payee address; City; State; Zip Code	Amount (\$)
------	--	-------------

Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	.. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
--	---

Date	Payee name Payee address; City; State; Zip Code	Amount (\$)
------	--	-------------

Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	.. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
--	---

ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

The Instruction Guide explains how to complete this form.	1 Total pages Schedule G:
2 FILER NAME	3 ACCOUNT # (Ethics Commission filers)

4 Date	5 Payee name 6 Payee address; City; State; Zip Code 7 Purpose of expenditure (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	8 Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended
---------------	---	--

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended
------	--	---

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended
------	--	---

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended
------	--	---

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)	Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended
------	--	---

ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

SCHEDULE H

The Instruction Guide explains how to complete this form.		1 Total pages Schedule H:
2 FILER NAME		3 ACCOUNT # (Ethics Commission filers)
4 Date	5 Business name 6 Business address; City; State; Zip Code	7 Amount (\$)
8 Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)		9 .. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
Date	Business name Business address; City; State; Zip Code	Amount (\$)
Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)		.. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
Date	Business name Business address; City; State; Zip Code	Amount (\$)
Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)		.. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
Date	Business name Business address; City; State; Zip Code	Amount (\$)
Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)		.. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held
Date	Business name Business address; City; State; Zip Code	Amount (\$)
Purpose of payment (See instructions regarding type of information required.) (If travel outside of Texas, complete Schedule T)		.. Complete if direct expenditure to benefit C/OH .. Candidate / Officeholder name Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS FORM 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 ACCOUNT # (Ethics Commission filers)

4 Date	5 Payee name 6 Payee address; City; State; Zip Code 7 Purpose of expenditure (See instructions regarding type of information required.)	8 Amount (\$)
---------------	---	----------------------

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.)	Amount (\$)
------	--	-------------

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.)	Amount (\$)
------	--	-------------

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.)	Amount (\$)
------	--	-------------

Date	Payee name Payee address; City; State; Zip Code Purpose of expenditure (See instructions regarding type of information required.)	Amount (\$)
------	--	-------------

ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

CREDITS (optional)

SCHEDULE K

The Instruction Guide explains how to complete this form.	1 Total pages Schedule K:
2 FILER NAME	3 ACCOUNT # (Ethics Commission filers)

4 Date	5 Payor name 6 Payor address; City; State; Zip Code 7 Reason for credit	8 Amount (\$)
---------------	---	----------------------

Date	Payor name Payor address; City; State; Zip Code Reason for credit	Amount (\$)
------	--	-------------

Date	Payor name Payor address; City; State; Zip Code Reason for credit	Amount (\$)
------	--	-------------

Date	Payor name Payor address; City; State; Zip Code Reason for credit	Amount (\$)
------	--	-------------

Date	Payor name Payor address; City; State; Zip Code Reason for credit	Amount (\$)
------	--	-------------

ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

IN-KIND CONTRIBUTION OR POLITICAL EXPENDITURE 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 ACCOUNT # (Ethics Commission filers)
4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
5 Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule C <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule N <input type="checkbox"/> COH-UC <input type="checkbox"/> COH-T <input type="checkbox"/> PAC-C <input type="checkbox"/> PAC-E		
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 A <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule C <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule N <input type="checkbox"/> COH-UC <input type="checkbox"/> COH-T <input type="checkbox"/> PAC-C <input type="checkbox"/> PAC-E		
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 A <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule C <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule N <input type="checkbox"/> COH-UC <input type="checkbox"/> COH-T <input type="checkbox"/> PAC-C <input type="checkbox"/> PAC-E		
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 FORM 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 ACCOUNT # (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, at the time I cease holding office, I retain assets purchased with political contributions or interest or other income from political contributions.

Signature of Officeholder

10

TEXAS ETHICS COMMISSION

GUIDE TO A LOCAL FILING AUTHORITY'S DUTIES UNDER THE CAMPAIGN FINANCE LAW



This guide is intended for campaign finance filing authorities in cities,
school districts, and other political subdivisions other than counties.

Revised September 1, 2007

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800 1-800-325-8506 FAX (512) 463-5777 TDD 1-800-735-2989

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

AN EQUAL OPPORTUNITY EMPLOYER

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

**GUIDE TO A LOCAL FILING AUTHORITY’S DUTIES
UNDER THE CAMPAIGN FINANCE LAW**

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GUIDE TO A LOCAL FILING AUTHORITY'S DUTIES UNDER THE CAMPAIGN FINANCE LAW

This guide explains the responsibilities of local filing authorities (other than county filing authorities) under the Texas campaign finance law, which is set out in title 15 of the Election Code. The Texas Ethics Commission is responsible for interpreting title 15. Under title 15, the campaign finance filing authority for a political subdivision other than a county is the clerk or secretary of the political subdivision's governing body. If the political subdivision does not have a clerk or secretary, the filing authority is the presiding officer of the political subdivision's governing body. You may direct questions about title 15 to the Ethics Commission at (512) 463-5800 or (800) 325-8506. You should direct other questions about election law to the Secretary of State at (512) 463-5650 or (800) 252-8683.

Local filing authorities are not expected to be title 15 experts. The Ethics Commission has prepared two filing guides for local filing authorities to distribute to filers: a CAMPAIGN FINANCE GUIDE FOR LOCAL CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES and a CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES. For questions not answered in those guides or in the instructions to forms, filers should call the Ethics Commission. (If you are an elected officeholder, you need to understand your obligations as a *filer* in addition to your obligations as a filing authority.)

PART I. THE ROLE OF THE FILING AUTHORITY

WHAT IS TITLE 15 ABOUT?

The campaign finance law, title 15 of the Election Code, regulates the acceptance of, expenditure of, and reports regarding money in political campaigns by candidates, officeholders, and political committees. There are civil and criminal penalties for violations of title 15. **Title 15 has nothing to do with ballot access.** A violation of title 15 will not keep a person off the ballot nor will it invalidate an election.

WHAT ARE MY RESPONSIBILITIES UNDER THE CAMPAIGN FINANCE LAW?

Forms: You may print the various forms listed in this guide and the accompanying instructions from the Ethics Commission's website at <http://www.ethics.state.tx.us> on the Internet.

You are responsible for copying forms and making them available to filers. You may not charge filers for forms.

Filings: You are responsible for accepting documents that candidates, officeholders, and political committees file under title 15. Always remember to date-stamp a filing and to save postmarks and receipt marks on envelopes.

Code of Fair Campaign Practices: Under chapter 258 of the Election Code, which is known as the Fair Campaign Practices Act, you must provide the following documents to each candidate or political committee that files a campaign treasurer appointment with you: (1) a copy of the Fair

Campaign Practices Act and (2) a form on which the candidate or treasurer of the committee may subscribe to the Code of Fair Campaign Practices (FORM CFCP). The Ethics Commission makes these documents available. See “Forms” above. A candidate or committee treasurer may complete Form CFCP and file it with you.

No Filing Fees: Section 251.003 of the Election Code states that you may not charge a filing fee for filings required by title 15.

Notices: You are not required to send filers notices to file.

Penalties: You have no responsibility for making sure that candidates, officeholders, or political committees file the required documents; nor do you have authority to penalize a filer for failure to submit a required filing. Filers should be aware, however, that there are penalties for violating title 15. See “Part V. Penalties” in this guide.

Public Access: Forms filed under title 15 are public records and must be made available for public inspection during regular business hours.

Retention: You must keep a campaign treasurer appointment for two years *after the campaign treasurer appointment is terminated*. Also, if a candidate or committee treasurer files a form subscribing to the Code of Fair Campaign Practices, you must keep the form for the same period for which you keep the candidate’s or committee treasurer’s campaign treasurer appointment. You must keep other title 15 records for at least two years after filing. If a criminal investigation or proceeding is pending in regard to the election to which title 15 records pertain, you must keep the records until the investigation or proceeding is over. The Texas State Library and Archives Commission can provide general information about records retention and destruction. You may write the Library and Archives Commission at P.O. Box 12927, Austin, Texas 78711-2927. You may call the commission at (512) 463-5460.

Questions from Filers: You are not expected to be a title 15 expert. Filers will find answers to most of their questions either in the instructions to the forms or in the applicable Ethics Commission campaign finance guide. For further information filers may call the Ethics Commission.

WHO FILES WITH ME?

The following individuals and committees file with the filing authority for a political subdivision:

1. Candidates for and officeholders of elective offices of the political subdivision;
2. Specific-purpose committees supporting or opposing candidates for and officeholders of elective offices of the political subdivision; and
3. Specific-purpose committees supporting or opposing a measure to be submitted at an election ordered by an authority of the political subdivision. See “Part IV. Specific-Purpose Political Committees” in this guide.

NOTE: A specific-purpose committee that would be required to file with more than one local filing authority may instead file with the Ethics Commission.

WHAT FORMS DO I NEED TO MAKE AVAILABLE?

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

1. FORM CTA *and* FORM CTA Instruction Guide (Appointment of a Campaign Treasurer by a Candidate)

A person who takes action to gain nomination or election to a public office must file FORM CTA. Before a candidate may raise or spend money for his or her candidacy, the candidate must appoint a campaign treasurer by filing FORM CTA with the appropriate filing authority. For example, a candidate must file a campaign treasurer appointment before paying a filing fee.

2. FORM ACTA *and* FORM ACTA Instruction Guide (Amendment: Appointment of a Campaign Treasurer by a Candidate)

A candidate uses FORM ACTA to show changes in information on a campaign treasurer appointment.

3. FORM C/OH *and* FORM C/OH Instruction Guide (Candidate/Officeholder Campaign Finance Report)

Candidates and officeholders use FORM C/OH to file periodic reports of contributions and expenditures. A person who is both a candidate and an officeholder reports all activity on the same FORM C/OH.

4. FORM C/OH-FR *and* FORM C/OH Instruction Guide (C/OH Report: Designation of Final Report)

A candidate uses FORM C/OH-FR to file a final report when he or she does not intend to accept further campaign contributions or make further campaign expenditures. The Ethics Commission makes FORM C/OH-FR available as the last page of FORM C/OH; thus the instructions for FORM C/OH-FR are included in the FORM C/OH Instruction Guide.

5. FORM C/OH-UC *and* FORM C/OH-UC Instruction Guide (Candidate/Officeholder Report of Unexpended Contributions)

Former candidates and officeholders use this form to report the disposition of unexpended contributions.

6. FORM STA *and* FORM STA Instruction Guide (Appointment of a Campaign Treasurer by a Specific-Purpose Committee)

A specific-purpose political committee uses FORM STA to appoint a campaign treasurer. Before a political committee may accept more than \$500 in political contributions or spend more than \$500 in political expenditures, the committee must appoint a campaign treasurer.

7. FORM ASTA *and* FORM ASTA Instruction Guide (Amendment: Appointment of a Campaign Treasurer by a Specific-Purpose Committee)

A specific-purpose political committee uses this form to show changes in information provided on a campaign treasurer appointment.

8. FORM SPAC *and* FORM SPAC Instruction Guide (Specific-Purpose Committee Campaign Finance Report)

The treasurer of a specific-purpose political committee uses this form to file periodic reports of contributions and expenditures.

9. FORM PAC-DR *and* FORM SPAC Instruction Guide (Political Committee Affidavit of Dissolution)

The treasurer of a political committee files FORM PAC-DR, along with a FORM SPAC designated as a dissolution report, to dissolve the committee. The Ethics Commission makes FORM PAC-DR available as the last page of FORM SPAC; thus the instructions for FORM PAC-DR are included in the FORM SPAC Instruction Guide.

10. FORM CFCP and copy of the Fair Campaign Practices Act

You must provide a copy of FORM CFCP and a copy of the Fair Campaign Practices Act (Election Code chapter 258) to each candidate or political committee that files a campaign treasurer appointment with you.

11. FORM PFS (Personal Financial Disclosure Statement)

Beginning in 2005, certain local officials will be required to file personal financial disclosure statements with local filing authorities. *See* Local Gov't. Code chs. 145, 335; Educ. Code § 11.064; Water Code ch. 60, subch. O.

WHY IS IT SO IMPORTANT TO PROVIDE THE INSTRUCTIONS WITH THE FORMS?

The forms consist mainly of blank spaces. The instructions explain the reporting requirements in detail.

IS THERE OTHER INFORMATION I CAN MAKE AVAILABLE TO FILERS?

The Ethics Commission makes the following guides available for filing authorities to provide to filers.

1. Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities.
2. Campaign Finance Guide for Political Committees.

3. Campaign Finance Guide for Judicial Candidates and Officeholders.
4. Schedules of Filing Dates.
5. A Guide to Political Advertising: What You Need To Know.
6. A Guide To The Prohibition Against Using Political Subdivision Resources for Political Advertising.

HOW DO I KNOW THE FILING DEADLINES?

Title 15 of the Election Code prescribes the filing deadlines for candidates, officeholders, and treasurers of political committees. Filing schedules are also posted on the Ethics Commission's website at <http://www.ethics.state.tx.us> on the Internet. The filing schedules set out the filing deadlines for semiannual reports and pre-election reports for elections held on uniform election dates. Some elections ordered by a political subdivision may be held on dates other than uniform election dates. The Ethics Commission cannot know in advance the dates of all possible elections called by political subdivisions. If an election arises that is not covered on the schedule, please call the Ethics Commission for assistance in calculating the due dates for pre-election reports.

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

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

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

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

WHY SHOULD I DATE-STAMP FILINGS AND SAVE POSTMARKS?

Reports are due by certain deadlines, and members of the public or a prosecutor may be interested in knowing whether a particular report was filed on time. A file stamp will show whether a hand-delivery was on time. For other filings, a postmark or receipt mark will show whether the filings were timely.

MAY FILERS USE COMPUTER PROGRAMS TO CREATE REPORTS?

The Ethics Commission makes available computer software for candidates and committee treasurers to use in generating reports required under title 15. Local filers may use the software to generate a report *on paper*, but must add the affidavit required to be used on reports filed on paper and must sign the affidavit. Local filers who have questions about the software should call the Ethics Commission directly.

PART II. CANDIDATES

WHAT MAKES SOMEONE A CANDIDATE?

Any action a person takes to seek nomination or election to public office makes the person a candidate for title 15 filing purposes. A candidate must file a campaign treasurer appointment. Once a person has filed a campaign treasurer appointment, he or she must file periodic reports of contributions and expenditures as a candidate. The obligation to file reports as a candidate lasts until the person files a final report.

A person may not accept a campaign contribution or make a campaign expenditure (even from personal funds) without a campaign treasurer appointment on file.

HOW DOES A CANDIDATE APPOINT A CAMPAIGN TREASURER?

To appoint a campaign treasurer, a candidate files FORM CTA with the appropriate filing authority.

Qualifications of Campaign Treasurer. A candidate may appoint himself, a relative, a friend, or anyone else as campaign treasurer. Under a law that took effect on September 1, 2003, a person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee and has outstanding filing obligations.

Duties of a Candidate's Campaign Treasurer. A candidate's campaign treasurer has no official duties. The candidate, not the campaign treasurer, is required to sign reports. (The treasurer of a political committee is required to file reports for the committee.)

Effective Date of Appointment. If delivered by hand, a campaign treasurer appointment takes effect on the date of delivery. If delivered by mail or common carrier, a campaign treasurer appointment takes effect on the date of the postmark or receipt mark.

Transferring a Campaign Treasurer Appointment. A person who has a campaign treasurer appointment on file with you may wish to begin raising or spending money in connection with a campaign for an office that requires filing with a different filing authority. In that case, the candidate transfers his or her campaign treasurer appointment by filing a new FORM CTA with the new filing authority. The candidate must also attach a certified copy of the old campaign treasurer appointment. This procedure can affect you in two ways: (1) You may receive a FORM CTA with a certified copy of an old campaign treasurer appointment attached, or (2) you may be asked to provide a certified copy of a campaign treasurer appointment on file with you.

Candidate who Files a Campaign Treasurer Appointment with a New Filing Authority. A candidate who has been filing with you may file a campaign treasurer appointment with a different filing authority. The candidate will need to file a certified copy of his or her political subdivision campaign treasurer appointment with the new filing authority. This ends the person's obligation to file with you *even if he or she continues to hold an office of your political subdivision.*

Example: Jane Doe, a city council member with a campaign treasurer appointment on file with the city secretary, decides to run for the state legislature. She files a campaign treasurer appointment with the Ethics Commission along with a certified copy of her city campaign treasurer appointment. She is no longer required to file title 15 reports with the city secretary. Nonetheless, she may wish to file duplicate copies of reports with the city secretary as long as she holds a city office.

Termination of a Campaign Treasurer Appointment. It is important for you to know the termination date of a campaign treasurer appointment because you must keep a campaign treasurer appointment for two years *after it is terminated*. A campaign treasurer appointment may be terminated by the candidate in three different ways: (1) the candidate files a final report; (2) the candidate appoints a new campaign treasurer; or (3) the campaign treasurer or the candidate notifies you that the appointment is terminated.

An “inactive” campaign treasurer appointment may be terminated by you if the governing body of your political subdivision adopts a process by ordinance or order allowing such termination. A candidate is inactive if the candidate: (1) has never filed or has ceased to file any required campaign finance reports, (2) has not been elected to an office which requires filing a campaign treasurer appointment with you, and (3) has not filed a final report. Before a campaign treasurer appointment may be terminated, the governing body of the political subdivision must consider the proposed termination in a regularly scheduled open meeting.

WHEN DOES A CANDIDATE HAVE TO FILE REPORTS?

Officeholder who Files a Campaign Treasurer Appointment. An officeholder who files a campaign treasurer appointment *and who did not already have a campaign treasurer appointment on file* must file a report no later than 15 days after filing the campaign treasurer appointment. This requirement does not apply when an officeholder simply *changes* campaign treasurers. After filing a campaign treasurer appointment and the “15-day” report, the candidate/officeholder files according to the filing schedule for candidates.

Exception. The “15-day” reporting requirement does not apply if the candidate/officeholder had no more than \$500 in contributions or expenditures during the period covered by the report.

Semiannual Reports. A candidate is required to file semiannual reports on January 15 and July 15 of each year on FORM C/OH. A person who is both a candidate and an officeholder (that is, an officeholder who has a campaign treasurer appointment on file) is not required to file two separate reports. Nor is a person required to distinguish between candidate activity and officeholder activity on the report.

No Exception. A person who has a campaign treasurer appointment on file must file semiannual reports, even for reporting periods during which there is no reportable activity and even if the person chose modified reporting.¹

Pre-Election Reports. An opposed candidate in an upcoming election must file pre-election reports. Pre-election reports are due 30 days and 8 days before an election.² A pre-election report must be *received* by the appropriate filing authority no later than the report due date.

An “opposed candidate” is a candidate who has an opponent whose name is printed on the ballot. Pre-election reports are not required if a candidate’s only opposition is a write-in candidate.³

Modified Reporting. An opposed candidate who selects “modified reporting” is not required to file pre-election reports (or runoff reports). **(The selection of modified reporting does not affect a candidate’s obligation to file semiannual reports.)** A candidate is eligible to select modified reporting if he or she does not intend to exceed \$500 in contributions or expenditures in connection with an election. (A candidate has separate \$500 thresholds for a primary, a runoff, and a general election.) A candidate selects modified reporting by signing the appropriate blank on FORM CTA or FORM ACTA.

A “modified filer” who exceeds one of the \$500 thresholds in connection with an election is subject to the regular filing requirements for opposed candidates. If a modified filer exceeds one of the thresholds before the due date for the “30-day” pre-election report, the filer is not required to give special notice; the filer is simply required to file the pre-election reports by the scheduled due dates. A modified filer who exceeds one of the thresholds after the due date for the “30-day” pre-election report must file a report within 48 hours of exceeding the threshold. If the candidate files the “48-hour” report before the due date for the “8-day” pre-election report, he or she must also file an “8-day” pre-election report by the regular due date for that report.

Many filers at the local level select modified reporting. To understand the rules that apply to modified filing, candidates should consult the Ethics Commission’s CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES.

Runoff Reports. A candidate in a runoff must file a runoff report. A runoff report is due no later than the eighth day before the runoff election and must be *received* by the appropriate filing authority no later than the report due date.

Modified Reporting. A candidate who has selected modified reporting and who remains eligible for modified reporting is not required to file a runoff report. (The selection of modified reporting does not affect a candidate’s obligation to file semiannual reports.)

A candidate who has selected modified reporting has \$500 thresholds in connection with the main election and new \$500 thresholds in connection with a runoff.

Annual Reports of Unexpended Contributions. A person who files a final report is no longer a candidate for title 15 purposes. If the person has surplus funds or assets (and is not an officeholder), he or she must file annual reports of unexpended contributions.

Annual reports are due not earlier than January 1 and not later than January 15 of each year on FORM C/OH-UC. The obligation to file annual reports ends when the former candidate files a report of final disposition of unexpended contributions. Final disposition must be made within six years of filing a final report or leaving office, whichever is later.

Report of Final Disposition of Unexpended Contributions. After a former candidate disposes of all surplus funds and assets, he or she must file a report of final disposition of unexpended contributions, also on FORM C/OH-UC. The former candidate may file this report at any time during the year.

WHEN MAY A CANDIDATE STOP FILING TITLE 15 REPORTS?

Filing a final report⁴ ends a person's obligation to file title 15 reports unless (1) the filer has not yet filed past-due reports, (2) the person is an officeholder, or (3) the person has surplus funds at the time of filing a final report. An officeholder may be required to file title 15 reports as an officeholder. See "Part III. Officeholders. When Does An Officeholder Have To File Reports?" in this guide. A former candidate who is not an officeholder but who has surplus campaign funds must file annual reports of contributions and expenditures. See "Part II. Candidates. Annual Reports of Unexpended Contributions" above.

PART III. OFFICEHOLDERS

This section only applies to an officeholder who does not have a campaign treasurer appointment on file. Once an officeholder files a campaign treasurer appointment, he or she becomes a candidate for purposes of the title 15 filing requirements and must comply with the title 15 requirements applicable to candidates rather than the requirements applicable to officeholders. Note that only a person who has a campaign treasurer appointment on file may accept a campaign contribution or make a campaign expenditure (even from personal funds).⁵

WHAT DOES TITLE 15 HAVE TO DO WITH OFFICEHOLDERS?

Although title 15 is commonly referred to as the *campaign* finance law, it also requires officeholders who are not candidates (in other words, who do not have a campaign treasurer appointment on file) to file reports of officeholder contributions and expenditures.

WHEN DOES AN OFFICEHOLDER HAVE TO FILE REPORTS?

Semiannual Reports. An officeholder is required to file semiannual reports of officeholder contributions and expenditures on January 15 and July 15 of each year. For this report officeholders use FORM C/OH.

Exception for Certain Local Officeholders. There is an exception to the requirement to file semiannual reports for a local officeholder (who does not have a campaign treasurer appointment on file) who did not exceed \$500 in either contributions or expenditures during the reporting period. An officeholder who has a campaign treasurer appointment on file must file semiannual reports even if there is no reportable activity during the reporting period.

Report Required after Appointment of Campaign Treasurer. An officeholder who files an appointment of campaign treasurer (and who did not already have a campaign treasurer appointment on file) must file a report of contributions and expenditures no later than 15 days after filing the appointment, using FORM C/OH. After filing the campaign treasurer appointment and the "15-day" report, the officeholder is subject to the filing requirements applicable to candidates.

Exception. The “15-day” reporting requirement does not apply if the candidate/officer had no more than \$500 in contributions or expenditures during the period covered by the report.

Annual Report of Unexpended Contributions. A former officeholder who did not have a campaign treasurer appointment on file at the time of leaving office may be required to file annual reports of unexpended contributions. This requirement applies if the former officeholder retained surplus political funds or assets at the time of filing his or her last required report of contributions and expenditures. The former officeholder may not retain surplus political funds or assets for more than 6 years after leaving office.

Annual reports of unexpended contributions are due not earlier than January 1 and not later than January 15 of each year. The reports, on FORM C/OH-UC, cover the preceding calendar year. A report is due regardless of whether there is any reportable activity. The obligation to file annual reports ends when the former officeholder files a report of final disposition of unexpended contributions.

Report of Final Disposition of Unexpended Contributions. Once a former officeholder disposes of surplus funds and assets, he or she must file a report of final disposition of unexpended contributions. A former officeholder may file this report at any time during the year. For this report former officeholders use FORM C/OH-UC.

Officeholder who Files a Campaign Treasurer Appointment with a Different Filing Authority. An officeholder (who does not have a campaign treasurer appointment on file) may file a campaign treasurer appointment with a different filing authority. This ends the officeholder’s obligation to file with you *even if he or she continues to hold an office of the political subdivision.*

PART IV. SPECIFIC-PURPOSE POLITICAL COMMITTEES

WHAT IS A POLITICAL COMMITTEE?

A political committee, commonly referred to as a “PAC,” is any group that accepts political contributions or makes political expenditures. Although the term “PAC” may suggest a powerful “special interest” group, a political committee may also be a small group such as two people who get together to raise funds for an old friend who is a candidate for school board.

WHAT IS A SPECIFIC-PURPOSE POLITICAL COMMITTEE?

There are two main types of political committees: general-purpose political committees and specific-purpose political committees. In essence, a general-purpose political committee exists to support or promote a particular political point-of-view or the interests of a certain group, whereas a specific-purpose committee exists to support or oppose specific candidates, officeholders, or ballot measures. It is the filer’s responsibility, not your responsibility, to determine whether a committee is a general-purpose committee or a specific-purpose committee. The Ethics Commission’s Campaign Finance Guide for Political Committees explains the differences in detail.

WHAT POLITICAL COMMITTEES FILE WITH POLITICAL SUBDIVISIONS?

A specific-purpose committee files with the clerk, secretary, or presiding officer of a political subdivision other than a county if the committee supports or opposes either individual candidates or officeholders who file with the political subdivision or ballot measures on elections called by the political subdivision.⁶ All general-purpose political committees file with the Ethics Commission. It is the filer's responsibility to determine where a political committee files campaign finance reports. The Ethics Commission's Campaign Finance Guide for Political Committees will help filers make this determination.

WHEN MUST A POLITICAL COMMITTEE FILE A CAMPAIGN TREASURER APPOINTMENT?

\$500 Thresholds. A specific-purpose committee must file a campaign treasurer appointment, on FORM STA, before it exceeds \$500 in either political contributions or political expenditures. Once the committee has filed a campaign treasurer appointment, the treasurer must file periodic reports of contributions and expenditures.

Effective Date. If delivered by hand, a committee's campaign treasurer appointment takes effect on the day of delivery. If delivered by mail or common carrier, the appointment takes effect on the date of the postmark or receipt mark.

Termination of a Committee's Campaign Treasurer Appointment. It is important for you to know the termination date of a committee's campaign treasurer appointment because you must keep a campaign treasurer appointment for two years *after it is terminated*. A committee's campaign treasurer appointment may be terminated by the committee in three different ways: (1) the committee files a dissolution report; (2) the committee appoints a new campaign treasurer; or (3) you receive notification from the committee or the campaign treasurer that the appointment is terminated.

An "inactive" campaign treasurer appointment may be terminated by you if the governing body of your political subdivision adopts a process by ordinance or order allowing such termination. A political committee is inactive if the committee: (1) has never filed or has ceased to file any required campaign finance reports, and (2) has not filed a dissolution report. Before a campaign treasurer appointment may be terminated, the governing body of the political subdivision must consider the proposed termination in a regularly scheduled open meeting.

WHAT ARE THE RESPONSIBILITIES OF A COMMITTEE'S CAMPAIGN TREASURER?

The treasurer of a political committee is responsible for filing the committee's reports of contributions and expenditures. (In contrast, a candidate, not his or her campaign treasurer, is responsible for filing candidate and officeholder reports of contributions and expenditures.)

HOW DOES A COMMITTEE CHANGE TREASURER?

A specific-purpose committee changes treasurers by filing an amended appointment of campaign treasurer on FORM ASTA. The new appointment terminates the old appointment. The outgoing treasurer is required to file a termination report on FORM SPAC not later than 10 days after the termination. (A separate termination report is not required if the termination occurs on the last day of a reporting period and the proper report for that period is filed.)

WHAT IF A SPECIFIC-PURPOSE COMMITTEE BECOMES A GENERAL-PURPOSE COMMITTEE?

A change in political activity may mean that a political committee that has been filing with a local filing authority has become a general-purpose committee. This change will require the committee to file a new campaign treasurer appointment with the Ethics Commission. In addition to filing a new campaign treasurer appointment with the Ethics Commission, the committee is required to give notice to the local filing authority of the change in status. The committee should review the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES to become familiar with the contribution and expenditure limits that arise in connection with the transition.

WHEN DOES THE TREASURER OF A SPECIFIC-PURPOSE COMMITTEE HAVE TO FILE REPORTS?

Semiannual Reports. The treasurer of a specific-purpose committee is required to file semiannual reports by January 15 and July 15 of each year. The treasurer must file semiannual reports even if there is no reportable activity.

Pre-Election Reports. A specific-purpose committee supporting or opposing an opposed candidate in an upcoming election must file pre-election reports. A specific-purpose committee supporting or opposing a ballot measure must also file pre-election reports. Filers use FORM SPAC for pre-election reports, which are due 30 days and 8 days before an election.⁷ A pre-election report must be *received* by the appropriate filing authority no later than the report due date.

For purposes of filing pre-election reports, supporting or opposing a candidate or measure means accepting political contributions or making political expenditures to support or oppose the candidate or measure.

Modified Reporting. The treasurer of a specific-purpose committee that selects "modified reporting" is not required to file pre-election reports (or runoff reports). **(The selection of modified reporting does not affect the treasurer's obligation to file semiannual reports.)**

A committee may select modified reporting if the committee does not intend to exceed \$500 in contributions or expenditures in connection with an election. (A committee has separate \$500 thresholds for a primary, a runoff, and a general election.) A committee selects modified reporting by signing the appropriate blank on FORM STA or FORM ASTA.

A committee that has selected modified reporting must file pre-election reports if the committee exceeds one of the \$500 thresholds. If the committee exceeds one of the thresholds before the due date for a "30-day" pre-election report, the committee is not

required to give special notice of that fact; the treasurer is simply required to file the pre-election reports by the scheduled due dates. If the committee exceeds one of the thresholds after the due date for the “30-day” pre-election report, the treasurer must file a report within 48 hours of exceeding the threshold (on FORM SPAC) and then file any pre-election or runoff reports that come due.

Runoff Reports. A specific-purpose committee that supports or opposes a candidate in an election and in an ensuing runoff election must file a runoff report on FORM SPAC. A runoff report is due no later than the 8th day before the runoff and must be *received* by the appropriate filing authority no later than the report due date.

Modified Reporting. A specific-purpose committee that has selected modified reporting and remains eligible for modified reporting is not required to file a runoff report.

A committee that has selected modified reporting has \$500 thresholds in connection with the main election and additional \$500 thresholds in connection with a runoff.

Termination Report. After the treasurer of a political committee resigns or is replaced, the outgoing treasurer is required to file a termination report on FORM SPAC not later than 10 days after the termination. (A separate termination report is not required if the termination occurs on the last day of a reporting period and the proper report for that period is filed.)

Dissolution Report. A political committee that expects to receive no further political contributions or make no further political expenditures may file a dissolution report on FORM SPAC with FORM PAC-DR attached.

The dissolution report terminates the committee’s campaign treasurer appointment and relieves the campaign treasurer of the duty to file additional reports. (In this case, the dissolution report serves as the treasurer’s termination report.)

PART V. PENALTIES

As a local filing authority, you have no authority to penalize filers in any way for violations of title 15. Any individual may file a criminal complaint regarding a violation of title 15 with the appropriate county or district attorney. Also, any citizen may file a sworn complaint with the Ethics Commission alleging a violation of title 15.

PART VI. FREQUENT QUESTIONS

If you have questions about your responsibilities as a filing authority, call the Ethics Commission. The following list contains questions that local filing authorities frequently ask.

Q. What title 15 documents should I give to a person who says he is interested in running for an office of my political subdivision?

A. In addition to information you provide about getting on the ballot, you should give the person a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES, FORM CTA and the FORM CTA Instruction Guide.

Q. What should I give to a person who files a campaign treasurer appointment?

A. The person, who is now a candidate for purposes of title 15, will need FORM C/OH and the FORM C/OH Instruction Guide and a Filing Schedule. You are required to give the person a copy of the 1997 Fair Campaign Practices Act, Chapter 258 of the Election Code, and a copy of FORM CFCP. You should also make sure that the person has a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES.

Q. What should I give someone who is interested in forming a political committee?

A. A group that intends to accept political contributions or make political expenditures should get a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES, FORM STA and the FORM STA Instruction Guide. The group should read the filing guide to determine whether it is a specific-purpose or general-purpose committee.

Q. What should I give to someone who files a campaign treasurer appointment for a political committee?

A. The treasurer of the political committee will need FORM SPAC and the FORM SPAC Instruction Guide. You are required to give the committee a copy of the 1997 Fair Campaign Practices Act, Chapter 258 of the Election Code, and a copy of FORM CFCP. The treasurer should also have a copy of the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES.

Q. What should I tell a write-in candidate who asks about title 15?

A. A person who declares himself or herself to be a write-in candidate must file a campaign treasurer appointment and reports of contributions and expenditures.

Q. What do I tell a candidate who says he isn't going to file a campaign treasurer appointment because he is not going to accept campaign contributions?

A. All candidates must file a campaign treasurer appointment. Also, the fact that a candidate doesn't accept campaign contributions does not mean that the candidate will have nothing to report. The candidate must report campaign expenditures from personal funds.

A candidate who does not plan to *spend* over \$500 or *accept* more than \$500 in *total contributions* in connection with an election should take the following steps:

1. The candidate should complete FORM CTA and sign the back for modified filing.

2. If a July 15 or January 15 deadline occurs before the election, the candidate must file a report of contributions and expenditures, on Form C/OH.
3. After the election, if the candidate does not intend to accept any further campaign contributions or make any further campaign expenditures (including payment of campaign debts), the candidate should file a report of contributions and expenditures on FORM C/OH and mark it as a Final Report in Box 9, page 1. The candidate should also complete FORM C/OH-FR and submit it along with FORM C/OH. The final report terminates the candidate's appointment of campaign treasurer and ends the person's obligation to file as a candidate. (If the person won the election, he or she will be subject to the filing requirements applicable to officeholders.)

Q. May a candidate refuse to list the office or seat sought on a campaign treasurer appointment?

- A. Yes. A person may decide to start raising money to run for office before the person decides which office to run for.

Q. What do I do if someone files a report after the filing deadline?

- A. You should accept the filing.

Q. What do I do if someone files a corrected or amended filing?

- A. You should accept the filing. A filer may also wish to file an Ethics Commission Affidavit of Good Faith with the amendment or correction. Filers should call the Ethics Commission if they have questions about corrected reports.

Q. What should I tell a candidate who asks about disclosures on political advertising?

- A. Give the filer a copy of the Ethics Commission's GUIDE TO POLITICAL ADVERTISING: WHAT YOU NEED TO KNOW, and A GUIDE TO THE PROHIBITION AGAINST USING POLITICAL SUBDIVISION RESOURCES FOR POLITICAL ADVERTISING.

Q. May I enter into a contract to perform the title 15 functions of another entity?

- A. No. An elections services contract may not change the authority with whom title 15 documents are filed.

Q. If a candidate forms a specific-purpose committee, must the candidate continue to file reports on FORM C/OH?

- A. Yes. The candidate and the committee are subject to separate reporting requirements.

ENDNOTES

1. See also Part III: Officeholders (Certain officeholders who do not have campaign treasurer appointment on file are excepted from filing semiannual reports).
2. An opposed candidate in a runoff election is only required to file a pre-election report 8 days before a *runoff* election; there is no “30-day” pre-election report due before a runoff.
3. A write-in candidate must file a campaign treasurer appointment before accepting campaign contributions or making campaign expenditures. Furthermore, a person who declares himself or herself to be a write-in candidate *is* required to file pre-election reports as long as the write-in candidate has an opponent whose name appears on the ballot.
4. A person terminates a campaign treasurer appointment by filing a final report on FORM C/OH with FORM C/OH-FR attached.
5. Once an officeholder files a campaign treasurer appointment, he or she may use contributions received as an officeholder to make campaign expenditures.
6. A specific-purpose political committee that supports candidates, officeholders, or measures at the political subdivision level may file with the Ethics Commission if it also supports candidates, officeholders, or measures in a jurisdiction other than the political subdivision. For example, a specific-purpose committee that supports a particular candidate for county commissioner and a particular candidate for the city council of a city within the county has two choices of where to file campaign finance reports: (1) The committee may file both with the county election official and with the appropriate city filing authority, or (2) the committee may file with the Ethics Commission only.
7. A political committee is only required to file a report 8 days before a *runoff* election; there is no “30-day” pre-election report required before a runoff.