City of Bedford
Municipal Election
May 11, 2013

Candidate Packet

Instructions, Information, Forms and Guidelines

For the purpose of electing the Municipal Court Judge

City of Bedford
2013 General Election
May 11, 2013
Candidate Packet for Municipal Court Judge

Table of Contents

1. Letter From the City Secretary

2. Listing of Important Dates (summarized)

3. Memo Regarding Financial Reporting

4. Secretary of State Election Law Calendar

5. Form for Application for a Place on the Ballot

6. Texas Ethics Commission Campaign Guidelines, Forms and Instructions

- **a.** JCTA & JCTA Guidelines – Appointment of Campaign Treasurer
- **b.** JC/OH & JC/OH Guidelines – Campaign Finance Report
- **c.** Code of Fair Campaign Practices & The Fair Campaign Practices Act
- **d.** Finance Guide for Candidates & Officeholders Who File With Local Filing Authorities
- **e.** Guide to Local Filing Authority's Duties Under the Campaign Finance Law
- **f.** Political Advertising – "What you Need to Know"

7. Bedford's Political Sign Requirements

8. City of Bedford Charter

If you should need additional forms of any kind, the Secretary of State and the Texas Ethics Commission provide them on their websites for download at: http://www.sos.state.tx.us/elections/forms/index.shtml or http://www.ethics.state.tx.us.

Please do not hesitate to contact me if I may be of assistance to you. All questions regarding the Texas Ethics Commission reports should be directed to the Texas Ethics Commission at 512.463.5800 or by reviewing their website.

If you have filed for office in the past, please note that many of the forms have been revised.

CITY OF BEDFORD TEXAS

January 14, 2013

Dear Prospective Candidate:

Thank you for taking the first step in consideration of a position for public office with the City of Bedford. Your candidacy entails the obligation to comply with certain applicable state statutes, charter provisions and local ordinances. In an effort to assist you with these statutes, provisions and ordinances, I have prepared this "Candidate Packet" with necessary forms, pertinent information and basic instructions. You are encouraged to read this letter and the enclosed material carefully prior to filling out any forms or filing for office.

The election on May 11, 2013 will be for the offices of Places 3 and 5 of the City Council and the Municipal Court Judge. The elected officials shall hold their office for a period of three (3) years from May 2013 to May 2016 and all officials are elected at large. Qualifications to run for the office of the Municipal Court Judge are consistent with the provision as set forth within the City of Bedford Charter as follows:

Sec. 8.02 – Municipal Judge –Designation. The municipal judge shall be a qualified voter of the city, who has been a resident of the city for at least one (1) year, a competent practicing lawyer, and shall hold no other public office except for those allowed by the Texas Constitution or state law.

It is the candidate's responsibility to become familiar with the laws applicable to campaigning for office. This office will advise you of upcoming filing dates upon request; however, the role of the City Secretary is limited to accepting and filing the various forms, applications, affidavits, and/or statements, and noting the date and time of the filing thereon. This office should not be expected to comment upon the timeliness or sufficiency of reports filed. Should you have any questions regarding reporting procedures, contributions, or expenditures, please call the Texas Ethics Commission at 512.463.5800, or go online at www.ethics.state.tx.us. Additionally, all complaints, concerns and violations regarding campaign practices should be reported to the Texas Ethics Commission, and not your local municipality. Signage in violation of municipal ordinances may be reported to the Bedford Code Enforcement Division, Code Inspections Manager, Tommy Peterson, at 817.952.2142.

You may direct questions about election laws to the Secretary of State at 800.252.8683 or 512.463.5650, or go online at www.sos.state.tx.us.

The filing period for a place on the May 11, 2013 ballot begins Wednesday, January 30, 2013 and will continue through Friday, March 1, 2013 at 5:00 p.m. The City Secretary's regular office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Please accept this letter as notification that the drawing for the order of names to be placed on the ballot will be held on Tuesday, March 5, 2013 at 5:00 p.m. in the Council Chambers at

Bedford City Hall located at 2000 Forest Ridge Drive. As a candidate, you are invited and encouraged to attend this drawing.

Additionally, a candidate's tour will be scheduled for the later part of March or the early part of April. The City Manager generally conducts this tour and introduces the candidates to the senior staff as well as tours them around municipal facilities. Candidates will be contacted via e-mail regarding the specific date.

Forms and information for the 2013 City of Bedford General Election for City Officials are enclosed. Below, I have listed and provided a brief explanation of each form contained within the candidate packet.

******Please note that the two forms you must submit when you file for office are:***

1) **The application for a place on the City of Bedford Ballot; *and***
2) **The Form JCTA – Appointment of a Campaign Treasurer by a Candidate.**

Following are explanations of the forms as indicated in the Table of Contents:

1) ***Application for a Place on the General Election Ballot (bilingual)* –** Each candidate must file this form with the Office of the City Secretary in order to have their name placed on the ballot. The loyalty oath is included on this application and must be notarized. This form must be filed no earlier than 8:00 a.m., Wednesday, January 30, 2013, and no later than 5:00 p.m., Friday, March 1, 2013. The form may not be dropped off and left at the office; it must be physically received and stamped received by the City Secretary or the City Secretary's designee. There is no filing fee. Each application will be reviewed to determine whether it complies with the Election Code requirements as to content. Please file your application as soon as practicable to allow sufficient time for review. *Forms filed which contain errors or are incomplete will be returned to the candidate and considered insufficient until corrected or re-filed. Please proof-read all documents before submitting them to the City Secretary's Office for review and allow at least one business day following the date of filing for sufficient review of the application.*

2) ***Appointment of a Campaign Treasurer by a Candidate (Form JCTA) & Form JCTA Instruction Guide*** – The Form CTA should be filed with the City Secretary *at the same time as you file the application for a place on the ballot* and before you make any expenditures or accept any contributions. Please note the statement that must be signed regarding the nepotism law. A summary of the nepotism law is in the CTA Instruction Guide that has been provided in this packet.

3) ***Candidate/Officeholder Campaign Finance Report (Form JC/OH) & Form JC/OH Instruction Guide*** – Please refer to the memo regarding financial reporting. This information is extremely important.

4) ***Code of Fair Campaign Practices Form (CFCP) and CFCP Act* –** By signing this form you are signifying your intentions to run a fair, ethical and honest campaign. This form is voluntary; however, it is highly recommended that you sign it and file it with the City Secretary at the same time your application for a place on the ballot and the Form CTA are filed.

5) ***Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities*** – This is a general instructional guide; however, each candidate is responsible for the information contained within it.

6) ***Guide to Local Filing Authority's Duties Under the Campaign Finance Law*** – This is a general instructional guide; however, each candidate is responsible for the information contained within it.

7) ***Political Advertising –*** Please note, requirements relating to disclosure statements and internet websites as used for political advertising have been updated. Please review this informational guideline.

8) ***A copy of Bedford's Political Sign Requirements from the City of Bedford Sign Code as they relate to campaign advertisement*** – Please contact the Code Enforcement Office at 817.952.2142 regarding questions or complaints about placement of political signage.

9) ***Bedford City Charter –*** The City Charter will provide each candidate with an overview of the roles and responsibilities provided to the elected and appointed officials of the City of Bedford, as well as powers allotted to the citizens of Bedford.

Please be aware that Section 254.036(a) of the Election Code requires that all forms pertaining to financial reporting be written in black ink or typed with black typewriter ribbon, unless the report is a computer printout. If the report is a computer printout, the printout must conform to the same format and paper size as the form prescribed by the commission. I would also like to emphasize the importance of adhering to the financial reporting procedures. Campaign reports are considered open records; therefore, they are subject to the Public Information Act and will be made available for review by the general public, reporters and opponents alike, upon request.

The City Secretary's Office is open to help you and will assist you as best as possible with your questions and needs. Your interest in municipal government is appreciated, and I hope that this will be a positive and exciting experience for you. If you have any concerns or if I may be of assistance to you, please do not hesitate to contact me at 817.952.2104, via e-mail at mwells@bedfordtx.gov, or come by my office at City Hall. Good luck to you all!

Best Regards,

Michael Wells
City Secretary

Table of Contents

Important Dates for Candidates
City of Bedford
General Election – May 11, 2013

Wed., January 30, 2013	First day to file an application for a place on the ballot.
Fri., March 1, 2013	Deadline to file an application for a place on the ballot **(Must be received in the City Secretary's Office by 5:00 p.m.)**
Mon., March 4, 2013	Last day for a candidate to withdraw application for a place on the ballot. **(Withdrawal of candidacy form must be received in the City Secretary's Office by 5:00 p.m.)**
Tues., March 5, 2013	Drawing for place on the ballot at 5:00 p.m. in City Hall, Council Chambers **(Date subject to change – all candidates will be notified if change is made)**
Thurs., April 11, 2013	Last day to register to vote in order to be able to vote in May 11, 2013 election.
	1st report of candidate/officeholder campaign finance report due. **(This is the 30-day prior to Election Day report.)**
Mon., April 29, 2013	Early voting by personal appearance begins.
Fri., May 3, 2013	Last day to receive applications for early voting ballots to be voted by mail.
	2nd report of candidate/officeholder campaign finance report due. **(This is the 8-day prior to Election Day report.)**
Tues., May 7, 2013	Last day to vote early by personal appearance.
Sat., May 13, 2013	*****ELECTION DAY*** 7:00 a.m. to 7:00 p.m. (Vote at Pat May Center ONLY)**
May 14-22, 2013	Official dates within which to canvass election returns and administer oaths of office for newly elected officials; unless runoff election is necessary. **(Candidates will be notified of specific canvassing date following Election Day.)**
June 3– July 8, 2013	**Possible Period for Runoff Election** **(Eligible candidates will be notified of specific dates for runoff election)**
July 15, 2013 & January 15, 2014	Last day for timely filing of semi-annual report of contributions and expenditures from campaigns.

~CITY SECRETARY'S OFFICE~
CITY OF BEDFORD
MEMORANDUM

TO: PROSPECTIVE CANDIDATES FOR CITY OFFICE

FROM: MICHAEL WELLS, CITY SECRETARY

DATE: JANUARY 14, 2013

SUBJECT: FINANCIAL REPORTING FOR THE MAY 11, 2013 GENERAL ELECTION

The candidate and/or the candidate's campaign treasurer must complete financial reports. All financial reports are filed with the City Secretary. It cannot be emphasized enough the importance of adhering to the financial reporting procedures. Campaign reports are considered open records and subject to review by the general public, reporters and opponents alike.

Included in this packet are blank forms for submission of your campaign treasurer and campaign finance and contribution reports. These forms may be photocopied if additional copies are needed, or you may locate them online at http://www.ethics.state.tx.us under forms by filer type, Judicial Candidate/Officeholder, Form JC/OH. You may want to maintain a copy of each report submitted for your records.

Form JC/OH is to be completed by the candidate or the candidate's campaign treasurer (but signed only by the candidate). This is to be filed in the City Secretary's Office on the dates specified on the form and on the election calendar.

Form JC/OH-FR, Campaign/Officeholder Report: Designation of Final Report is the last page attached to form JC/OH. This form is to be filed when you are no longer receiving or spending political contributions. A complete form JC/OH (Candidate/Officeholder Campaign Finance Report) must be filed when you file the Designation of Final Report. The instructions on how to file the Final Report are in the Instruction Guide for form JC/OH.

Listed below are due dates for various reports:

1) First Report due – (if applicable, please see instructions on form JCTA, bottom of page 5)	15 days after appointment of a Campaign Treasurer
2) First Report of JC/OH due	30th day before election – Thursday, April 11, 2013
3) Second Report of JC/OH due	8th day before election – Friday, May 3, 2013
4) Semiannual report due	Monday, July 15, 2013
5) Semiannual report #2 due	Wednesday, January 15, 2014

All questions regarding reporting procedures, contributions, or expenditures should be referred to the Texas Ethics Commission at 512.463.5800.

Modified Election Calendar without Voter ID

For a City's General Election on

May 11, 2013

This calendar indicates the dates for actions necessary in a general election of city officers to be held on May 11, 2013. It includes all major actions for which the Election Code prescribes a specific date or deadline for performance, but it does not include all actions (e.g., preparation of ballot boxes and other election equipment and of sets of precinct election forms) for which the beginning date for performance can vary from one city to another depending on local factors. Each city secretary should use the chart in M §9.02 of the *Texas Municipal Election Law Manual* in conjunction with this calendar to fill in those dates on the city secretary's personal election calendar created in accordance with local conditions [see M §9.03]. The city secretary's personal calendar should also reflect dates that the city secretary prefers in place of the discretionary dates recommended in this calendar.

Column 5 indicates the time interval between the date of the action and election day. For example, the notation 50th in the entry for March 22 means that the day for beginning mandatory office hours is the 50th day before election day; the notation "+5" in the entry for May 16 means that the last day for receiving a ballot from outside the United States is the 5th day after election day.

When there is a statutory provision prescribing the **last day** for the performance of an act, the number in Column 5 reflects that day. If the statutory day must be moved because of a Saturday, Sunday, or state or national holiday, the resulting date is designated in Columns 1 and 2 and Column 5 indicates, in parentheses and italics, the actual number of days measured from election day.

In preparing a personal calendar, the city secretary should remember the rule in EC §1.006 that if the last day for performance of an action falls on a Saturday, Sunday, or a state or national holiday, the deadline date is usually extended to the next regular business day whether the day is a city holiday or not [see M §2.16(a)]. When a deadline is extended for this reason, the extended date is used for determining other dates that are calculated in relation to the event of the extended date. Exceptions are noted in this calendar.

Major steps are in ALL CAPS. Steps for early voting are in *ITALICS*.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Dec 31	LAST DAY to begin posting on bulletin board the notice of the dates of the filing period for the general election. The 30th day before first day to file application for a place on the ballot is Mon, Dec 31. SOS has ruled that notice must contain location where applications will be received.	City Secretary	11.05(f)	131st
Jan 7	Obtain a supply of the following forms: candidate's application for place on ballot; appointment of campaign treasurer (candidate and specific-purpose committee); report of contributions and expenditures (candidate-officeholder and specific-purpose committee); application for mail ballot, and a set of administrative forms if ordered from a supply house. (Set up schedule for ordering precinct sets and other forms if they are to be ordered later.)	City Secretary	7.11 et seq. 18.10	*124th
Jan 7- Feb 1	Review recommendation for following steps listed in M §9.02 for possible needed or desired action and submis-sion for preclearance under federal Voting Rights Act: Steps 1 through 5 (revising election precincts; designating polling places; changing method of voting if equipment is available but not adopted for use or if acquisition of equipment by city is desired); Step 12 (establishing or changing terms of election judges); also, any other action already taken by council for which preclearance is required but not yet submitted, including new single-member districts.	City Secretary and City Council	9.02 20.06 14.03	*124th thru *99th

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Jan 15	Last day for timely filing of semi-annual report of contributions and expenditures.	City Secretary	18.05	Jan 15
Jan 28-Feb 12	Recommended period for CALLING ELECTION AND POSTING NOTICE OF ELECTION on bulletin board.	Mayor [1]	10.03 10.12	*103rd to *88th
Jan 28-Feb 15	Recommended period to submit requests for PRECLEARANCE for any required matters.	City Secretary	20.06	*103rd to *85th
Jan 30	FIRST DAY FOR FILING APPLICATION for place on ballot. 30th day before filing deadline is Wed, Jan 30.	City Secretary	11.05	101st
Jan 30	FIRST DAY FOR FILING DECLARATION OF WRITE-IN CANDIDACY.	City Secretary	11.10	101st
Feb 11	LAST DAY for small city in small county to provide secretary of state notice of intent to use exception to accessibility requirements or show undue burden, if required. 90th day is on Sun. This action is extended to Mon, Feb 11 (89th day).	City Secretary	7.07(d),(e), (f)	90th *(89th)*
Feb 12	Recommended LAST DAY FOR ORDER DESIGNATING ELECTION PRECINCTS AND POLLING PLACES. (Preclearance may be needed.)	City Council	3.07	*88th
Feb 25	Recommended beginning date for preliminary work on appointment of election judges.	City Secretary	4.08	*75th
Feb 26	Remove candidate's name from ballot if the candidate dies on or before Feb 26 (day before the 2nd day before filing deadline).	City Secretary	11.25	74th
Mar 1	STATUTORY LAST DAY FOR ORDERING ELECTION.[2]	Mayor[1]	10.03	71st
Mar 1	LAST DAY FOR FILING APPLICATION FOR PLACE ON BALLOT (must be received by 5 p.m.). City Secretary's office should stay open until 5 p.m.	City Secretary	11.05 11.06	71st
Mar 1	LAST DAY FOR A WRITE-IN CANDIDATE to declare candidacy in the **GENERAL** and **SPECIAL** election.	City Secretary	11.10	71st
Mar 2	LAST DAY to order a **SPECIAL ELECTION** to fill a vacancy so that the filing deadline will be the 62nd day before election day. This date remains on Sat because it is not the last day to order a special election.	City Council City Secretary	13.06	70th
Mar 4	Recommended last day to POST 72 HOUR NOTICE OF DRAWING for order of names on ballot.	City Secretary	8.06	*68th
Mar 4	LAST DAY for candidate in **general** election to withdraw (withdrawal request must be received by 5 p.m.). LAST DAY that a declaration of ineligibility causes omission of candidate's name from ballot. (These deadlines occur on the 3rd day after the filing deadline.) City secretary's office should stay open until 5 p.m.	City Secretary	8.05 11.22 11.23 11.24	68th

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mar 5	LAST DAY for a write-in candidate to withdraw in **general** election and have name removed from write-in list. The statute does not state a time, so the deadline is midnight.	City Secretary	11.22	67th
Mar 8-11	Recommended period to CONDUCT DRAWING FOR ORDER OF NAMES ON BALLOT. Prepare ballot format and send it to printer.	City Secretary	8.06	*64th thru *61st
Mar 11	If a **SPECIAL ELECTION** to fill a vacancy is held in conjunction with the general election, and the **SPECIAL ELECTION** was called on or before the 70th day before the election, **this is the LAST DAY FOR FILING AN APPLICATION for a place on the ballot in the SPECIAL ELECTION.** 62nd day is on Sunday. This action is extended to Mon, Mar 11.	City Secretary	13.06	62nd *(61st)*
Mar 12	LAST DAY TO DELIVER NOTICE TO THE COUNTY CLERK AND VOTER REGISTRAR of each county in which the election will be held.	City Council (City Secretary)	10.16	60th
Mar 12	FIRST DAY TO ACCEPT APPLICATIONS FOR VOTING BY MAIL BALLOT.	City Secretary	16.51 et seq. 17.02 17.03	60th
Mar 12	First day of the period Texas Ethics Commission will defer investigation until after election (or runoff) if an allegation is filed.	City Secretary/ Texas Ethics Commission	18.01	60th
Mar 15	Extended deadline to file for a place on the ballot in a city office having a 4-year term if no one has filed by 5 p.m. on Mar 1 (must be received by 5 p.m.).	City Secretary	11.05	57th
Mar 18-29	Recommended period for APPOINTING ELECTION JUDGES.[2] (Schedule for first council meeting after period if no meeting during period.) See M §10.15 on giving notice to election judges.	City Council[1]	4.03 4.04 4.05	*54th thru *43rd
Mar 19	If a **SPECIAL ELECTION** to fill a vacancy is held in conjunction with the general election, and the **SPECIAL ELECTION** was called on or before the 70th day before the election, **this is the LAST DAY** for candidate in the **special** election to withdraw (withdrawal request must be received by 5 p.m.). **LAST DAY** that a declaration of ineligibility causes omission of candidate's name from ballot.	City Secretary	8.05 11.22 11.24	53rd
Mar 21	RECOMMENDED DATE TO PRINT BALLOTS which have been prepared earlier.	City Secretary	8.16	*51st
Mar 22	Beginning date of period for mandatory office hours.	City Secretary	2.15	50th
Mar 27	*FIRST DAY TO MAIL EARLY BALLOTS, IF AVAILABLE. Note the roster of persons mailed ballots is not available to the public until the first business day after election day [See M §16.56(g)].*	City Secretary	16.57	45th
Apr 3	*Last day to mail balloting materials for early voting by mail, to persons who applied 8 days or more before the 45th day.*	City Secretary	16.57	38th
Apr 5	Last day to order a special election to fill a vacancy so that the filing deadline is Apr 10.	City Council	13.06(a)	36th

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Apr 10	If a **SPECIAL ELECTION** to fill a vacancy is held in conjunction with the general election, under most circumstances (election ordered after 70th day and not later than 36th day), this is the LAST DAY FOR FILING AN APPLICATION for a place on the ballot in the **SPECIAL ELECTION**.	City Secretary	13.06	31st
Apr 11	Due date for filing first report of campaign contributions and expenditures by opposed candidates and specific-purpose committees supporting or opposing opposed candidates by 5 p.m. or midnight if filed electronically. City secretary's office should stay open until 5 p.m.	City Secretary	18.06	30th
Apr 11	Last day to order a **SPECIAL ELECTION** to fill a vacancy except under special circumstances.	Mayor [1]	13.04(f)	30th
Apr 11	Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory.	Registrar	6.23(g) 6.25(b)	30th
Apr 11	Recommended last day to notify presiding judges of duty to hold election.	Mayor	10.15	*30th
Apr 11	Minimum 10th day to begin posting continuous notice if signature verification committee meets Apr 21.	City Secretary	16.72	30th
Apr 11	Recommended last day to request voter registrar to prepare lists of registered voters and furnish statement of residence forms to be used in conducting the election.	City Secretary	6.32 6.35 7.42	*30th
Apr 11-May 1	PERIOD FOR PUBLISHING NOTICE OF ELECTION. Must be published at least once in a newspaper during this period.	Mayor [1]	10.12 20.04	30th thru 10th
Apr 13	Last day ballot candidate in **SPECIAL ELECTION** may withdraw and have name removed from ballot if the election was ordered after the 70th day and on or before the 36th day before election day. This deadline occurs on the 3rd day after the filing deadline and remains on Sat.	City Secretary	11.22	28th
Apr 19	Recommended last day to request waiver of partial manual recount of electronically counted ballots if the secretary of state has not already issued a waiver.	City Secretary	9.45	*22nd
Apr 19-May 2	*Possible period for posting notice amending notice of branch early voting polling places.*	City Secretary	16.22(k)	22nd thru 9th
Apr 20 (Apr 19 Recom-mended)	LAST DAY for POSTING NOTICE OF ELECTION on bulletin board for posting notices of city council meetings. The 21st day is on Sat. Technically, the notice can be delayed until Mon, Apr 22, but it is better practice to post no later than Fri, Apr 19, which is the 22nd day before the election.	City Secretary [1]	10.12(c)	21st
Apr 21	*First day a signature verification committee may begin work.*	City Secretary	16.72	20th
Apr 21	*First day jail authority can deliver ballots in person.*	City Secretary	16.51(a)	20th

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Apr 22	Last day for unregistered applicant to submit a federal postcard application. (The 20th day before the election is Sun, Apr 21. The deadline is extended so that if the application is placed in the mail by Mon, Apr 22, it is timely.)	City Secretary	17.02(a) & (d)	20th *(19th)*
Apr 23	*Last day for publication of notice of the test of automatic tabulating equipment to be used in early voting if the test is on Apr 26. (48 hours before date of test.)*	City Secretary	7.40	18th
Apr 24	*Last day to begin posting continuous notice of schedule for branch early voting polling places.*	City Secretary	16.22(k)	17th
Apr 26	*Last day to receive application from voter in person for a ballot to be voted by mail (by close of business). This is the last business day before the beginning of early voting by personal appearance.*	City Secretary	16.51(c)	15th
Apr 26	*Last day for conducting first test of automatic tabulating equipment to be used for early voting (at least 48 hours before it is used).*	City Secretary	7.40(c) & (d)	15th
Apr 26	STATUTORY DEADLINE FOR NOTIFYING JUDGES OF DUTY TO HOLD THE ELECTION.	Mayor	10.15(a)	15th
Apr 26	Last day to challenge write-in candidate for compliance.	City Secretary	11.10(i)	15th
Apr 29	*FIRST DAY FOR EARLY VOTING BY PERSONAL APPEARANCE. If voting will be conducted on Sat or Sun, May 4 or 5, notice of schedule must be posted at least 72 hours before first hour of the weekend voting. (The city council must designate 2 weekdays that early voting will be conducted for 12 hours.)*	City Secretary	16.21 16.22(d) & (i)	12th
Apr 29	*Last day early voting clerk, upon receipt of defective early voting application, must mail 2nd application with explanation of defects and instructions.*	City Secretary	16.53(c)(3) & (4)	12th
May 1	LAST DAY FOR PUBLICATION OF NOTICE OF ELECTION.	Mayor [1]	10.12	10th
May 2	*First day for new illness or disability allowing late application for late (emergency) early voting.*	Voter	17.16	9th
May 3	Due date for filing second report of campaign contributions and expenditures by 5 p.m. or midnight if filed electronically.	City Secretary	18.06(c) 18.08(a) & (c)	8th
May 3	*First day cities holding joint election with county having population of 100,000 or more may convene the early voting ballot board to process and count mail ballots. 24-hour notice must be posted for each delivery of voting materials made before election day.*	City Secretary	16.74(a)	8th
May 3	*Last day to receive application by mail for a ballot to be voted by mail, by 12 noon or close of business, whichever is later. 7th day is on a Sat. Move date to Fri, May 3 (**8th** day) (exception to general rule).*	135	16.51(b) 16.55(b)	7th *(8th)*

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
May 5	Last day for publication of notice of first test of automatic tabulating equipment to be used at a polling place if the first test is on May 8. (48 hours before date of test.)	City Secretary	7.40(d)	6th
May 6	*First day for death in family to qualify for late (emergency) early voting.*	City Secretary	17.31	5th
May 6	Last day for publication of notice of first test of automatic tabulating equipment to be used at a central counting station if the first test is on May 9. (48 hours before date of test.)	City Secretary	7.40(b) & (d)	5th
May 7	*LAST DAY OF REGULAR EARLY VOTING BY PERSONAL APPEARANCE.*	City Secretary	16.21(c)	4th
May 7-11	As soon as early voting is over, and until 7:00 p.m. May 11, early voting materials may be delivered to the early voting ballot board if notice requirements have been followed. The board may process the materials but may not count the ballots until polls open on election day; unless the election is held jointly with a county with population of 100,000 or more, in which case, ballots may be counted.	City Secretary	16.74(a) & (c)	4th thru close of polls
May 8	*Last day to receive an application to cancel mail ballot.*	City Secretary	16.59(a)	3rd
May 8	Last day for conducting first test of automatic tabulating equipment to be used at a polling place (at least 48 hours before used for counting on election day). To assure 48 hours before 7 a.m. of election day, test must be by 3rd day. Notice must be published at least 48 hours before date of test.	City Secretary	7.40(c) & (d)	3rd
May 8-10	*Period to apply for late (emergency) early voting because of death in family May 6 or later.*	City Secretary	17.33	3rd thru 1st
May 8-10	*Prepare list of registered voters for early voting ballot board if more than one early voting polling place.*	City Secretary	16.76	*3rd thru 1st
May 8-11	*Period to apply for late (emergency) early voting because of illness or disability originating on or after May 2.*	City Secretary	17.17	3rd thru Election Day, 5 p.m.
May 9	Last day for first test of automatic tabulating equipment to be used at a central counting station. Notice must be published at least 48 hours before date of test.	Presiding Judge	7.40(b)	2nd
May 10	*Last day to deliver precinct early voting lists to presiding judges and recommended date for delivery of supplies to presiding judges.*	City Secretary	7.47 16.83(j)	1st
May 10	Recommended date for delivery of equipment to polling places (statutory deadline is 6 a.m. on election day).	City Secretary	7.48	*1st
May 10	RECOMMENDED DAY TO POST NOTICE OF COUNCIL MEETING to canvass the returns if canvass will be on 3rd day after election. Notice must be posted at least 72 hours before time of meeting.	City Secretary	9.42	*1st

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
May 10	*Last day to submit an application (by close of business) for and vote a ballot by personal appearance due to death in immediate family that occurred May 6 or later.*	City Secretary	17.33(b)	1st
May 11	**ELECTION DAY.** Polls are open 7 a.m. to 7 p.m. Voting by sick or disabled voters at main early voting place, 7 a.m. to 7 p.m., where electronic voting systems are used at precinct polling place.	City Secretary	17.41	E Day
May 11	*7 a.m. to 7 p.m. early voting clerk's office must remain open for early voting activities.*	City Secretary	9.23	E Day
May 11	*5 p.m. deadline for late applications for ballots from voters who became ill or disabled May 2 or later.*	City Secretary	17.16 17.17	E Day
May 11	*Deliver early voting ballots, etc., to early voting ballot board. Second key to ballot box is delivered by chief of police or marshal.*	City Secretary	16.73(a)	E Day
May 11	7 pm deadline for receiving ballots from voters who became ill or disabled May 3 or later.	City Secretary	17.17	E Day
May 11	*7 pm deadline for receiving early voting mail ballots. After regular mail delivery, check mail box for early voting mail ballots.*	City Secretary	9.23(b) 16.58(a)	E Day
May 11	Receive precinct records, voted ballots, etc. (Chief of police or marshal receives keys to ballot boxes containing voted ballots.)	City Secretary Mayor	9.33(d) 9.34	E Day
May 11	UNOFFICIAL TABULATION OF RESULTS.	City Secretary	9.35	E Day
May 13	*First day for public access to early voting roster and applications and for mailed early voting ballot materials.*	City Secretary	9.49(d) 16.56(g)	+2
May 13	*Last day to deliver provisional ballots to Voter Registrar of each county in which city is located.*	City Secretary	9.41(a)	+2
May 14	Provide Official STATEMENT OF ELECTED OFFICER NOT APPOINTED BY THE GOVERNOR and OATH OF OFFICE to candidates who appear to have won, or may win. **These are now Secretary of State Forms 2201 and 2204.**	City Secretary	12.32(d)	*+3
May 14-16	*Period during which early voting ballot board may meet to count ballots received from outside the United States if the early voting clerk certifies that all ballots mailed from outside the United States have been received.*	Early Voting Ballot Board	16.74(f)(1)	+3 thru +5
May 14-22	PERIOD FOR OFFICIAL CANVASS. Mayor sets exact day and hour. City secretary records results in election register as soon as practicable after canvass. [Canvass may occur before 11th day only if all FPCA ballots have been received and the ballot board has completed the count of provisional ballots.]	City Council/ City Secretary	9.42(b) 9.44	+3 thru +11
May 14-22	*Completion before canvass of report of early votes cast for each candidate or measure, by election precinct.*	City Secretary	16.87	+3 thru +11

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
May 14-22	AFTER CANVASS, ISSUE CERTIFICATE OF ELECTION.	Mayor	12.23	+3 thru +11
May 14-Jun 3	Partial manual count of electronically counted ballots if waiver not obtained from secretary of state, must begin not later than 72 hours after polls close and be completed by the 21st day. +21st day is Sat. The date is extended to Mon, Jun 3 (+**23**rd day).	City Secretary	9.45	+3 thru +21 *(+23)*
May 15	Last day for voter registrar to complete review of provisional ballots and for early voting clerk to retrieve provisional ballots. [This time period is applicable if Voter ID law is **not** in effect.]	City Secretary	9.41(c) Before 2011 Supplement	+4 (3rd Business day after election)
May 16	*Last day for receiving a ballot from outside the United States.*	City Secretary	16.58(b)	+5
May 17	*Early voting ballot board meets to count ballots received from outside the United States, if the early voting clerk did not certify that all ballots mailed from outside the United States had been received earlier. (Provisional ballots may be processed at this time.)*	Early Voting Ballot Board	16.74(e)	+6
May 17	Type A elected officials may qualify and assume duties of office [LGC §22.006]. The statute states 5th day after election, excluding Sundays. The resulting day is the 6th day after. Officials may not take office until the canvass is complete unless the election was cancelled.	Candidate with City Secretary	12.34	+6
May 19-28	ORDERING OF RUNOFF ELECTION, if necessary, not later than 5th day after canvass. May 27 is Memorial Day. If May 27 is the 5th day after canvass, the date is extended to Tue, May 28.	City Council or Mayor [1]	14.04	+8 thru +16 *(+17)*
May 20	*Last day for early voting ballot board to verify and count provisional ballots. (The 7th day after the election is Sat, May 18. The date is moved to Mon, May 20) The secretary of state recommends counting provisional ballots on the 6th day after the election, Fri, May 17, if possible.*	Early Voting Ballot Board	9.41 16.77 Before 2011 Supplement	+7 *(9th)*
May 21	Last day for presiding judge of EVBB to mail notices of rejected mail ballots to voters.	Presiding Judge of EVBB	16.78	+10
May 22	LAST DAY for conducting the official canvass of the election.	City Council	9.42(b)	+11
May 24-Jun 3	Period during which notice of disposition of provisional ballots must be mailed to voters. If 10th day is Sat, Sun, or Memorial Day (May 25-27), last day is Tue, May 28. If 10th day is Sat, Jun 1, last day is Mon, Jun 3.	Presiding Judge of EVBB	16.77	By 10th day after canvass
Jun 3-Jul 8	POSSIBLE PERIOD FOR RUNOFF ELECTION, depending on date of official canvass, unless a charter provides for a later date. If 45th day is Thur, Jul 4, a holiday, move to Fri, Jul 5. If 45th day is Sat, Jul 6, move to Mon, Jul 8.	City Secretary/ City Council	14.03	20th-45th day after canvass
Jun 3	Last day for mailing results of manual count to secretary of state, if no waiver is obtained. +21st day is Sat. The deadline is extended to Mon, Jun 3 (+23rd day).	City Secretary	9.45	+21 *(+23)*
Jun 10	Last day to transmit election results by city precinct in electronic form to secretary of state.	Mayor (Presiding Officer of the Canvassing Committee)	9.44	+30

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Jun 20	LAST DAY OF MANDATORY OFFICE HOURS.	City Secretary	2.15	+40
July 11	First day for transfer of voted ballots from the locked ballot box to another secure container.	City Secretary	9.50	+61
July 15	Last day for timely filing of semiannual report of contributions and expenditures.	City Secretary	18.05	July 15
Nov 11, 2013	Last day of preservation period for ballots and other precinct election records of city election.	City Secretary	9.50(g)	+6 months

Endnotes

[1] Follow home-rule city's charter provision, if any.

[2] The city's governing body may choose to conduct a mock student election under EC §276.007. The major steps taken for a general election should be taken for a student election. The student election may be held on the first day before the election, but results must not be published until after the polls close on election day.

NOTE ON CALENDAR FOR SPECIAL OR RUNOFF ELECTION

To prepare a calendar for a special election to fill a vacancy in office, see M §13.02; for a special election on a measure, see M §15.02; for a runoff election, see M §14.03.

NOTE ON CONTEXT

When reading a section of the Election Code, remember to read the chapter and subchapter titles to determine if the section you are reading applies to cities.

*An asterisk in Column 5 indicates the time stated is not required by statute.

Table of Contents

AW2-15, 7/2011
Prescribed by Secretary of State
Sections 141.031, 143.004, 143.006, Texas Election Code

All information is required to be provided unless indicated as optional.

APPLICATION FOR A PLACE ON THE CITY OF _____ GENERAL ELECTION BALLOT

TO: City Secretary

I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.

OFFICE SOUGHT Include any place number or other distinguishing number, if any.	INDICATE TERM ☐ FULL ☐ UNEXPIRED

FULL NAME (First, Middle, Last)	PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT
PERMANENT RESIDENCE ADDRESS (Street address and apartment number. If none, describe location of residence. Do not include P.O. Box or Rural Rt.)	MAILING ADDRESS (If different from residence address)

CITY	STATE	ZIP	CITY	STATE	ZIP

EMAIL ADDRESS (Optional)	OCCUPATION (Do not leave blank)	DATE OF BIRTH	VOTER REGISTRATION VUID NUMBER (if applicable)
		/ /	

TELEPHONE NUMBER (Include area code) (Optional)	Length of Continuous Residence as of Date Application Sworn		
	IN STATE	IN CITY	IN DISTRICT OR PRECINCT[1]
OFFICE:	___ yr(s)	___ yr(s)	___ yr(s)
HOME:	___ mos	___ mos	___ mos

If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.

Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says: "I, (name)_____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the Constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.

I further swear that the foregoing statements included in my application are in all things true and correct."

X_____
SIGNATURE OF CANDIDATE

Sworn to and subscribed before me at _____, this the _____ day of _____, _____.

SEAL

_____ _____
Signature of Officer administering oath[2] Title of Officer administering oath

TO BE COMPLETED BY CITY SECRETARY:

(See Section 1.007)

_____
Date Received Signature of City Secretary

AW2-15
7/2011

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. 71 days prior to the election day if the election is held in May or November of an odd-numbered year, except in cases where the law specifies the contrary.

The filing deadline is 5:00 p.m. 78 days prior to the election day if the election is held in November of an even-numbered year.

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.

FOOTNOTE

[1]If the territory for which the office is elected is citywide (at large) the length of residence in district/precinct is not required.

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

Table of Contents

AW2-15, 7/2011
Prescribed by Secretary of State
Sections 141.031, 143.004, 143.006, Texas Election Code

Se requiere toda la información, a menos que haya alguna indicación que no es obligatoria.

APLICACION PARA UN LUGAR EN LA BOLETA DE LA CIUDAD DE _____ ELECCIÓN GENERAL

A: Secretario(a) de la Ciudad

Solicito que mi nombre esté puesto en la arriba nombrada boleta como candidato para puesto oficial indicado abajo.

PUESTO OFICIAL SOLICITADO Incluya cualquier número de lugar u otro número que hace el puesto oficial diferente a otros, si hay alguno.	INDIQUE TÉRMINO ☐ TÉRMINO COMPLETO ☐ NO COMPLETADO

NOMBRE COMPLETO (Nombre de Pila, Segundo Nombre, Apellido)	ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA
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.	DIRECCIÓN POSTAL (Si es diferente a su dirección de residencia)

CIUDAD	ESTADO	ZONA POSTAL	CIUDAD	ESTADO	ZONA POSTAL

CORREO ELECTRÓNICO (Optativo)	EMPLEO (No lo deje en blanco)	FECHA DE NACIMIENTO / /	NUM. DE VUID DE VOTANTE (si aplica)

NÚMERO DE TELEFONO – Incluya el código de área (Optativo) DE SU OFICINA: DE SU DOMICILIO:	TIEMPO EN QUE HA RESIDIDO EN UN SOLO LUGAR EN LA FECHA EN QUE PRESTÓ JURAMENTO SOBRE LA SOLICITUD		
	EN EL ESTADO	EN LA CIUDAD	EN EL DISTRITO O PRECINTO[1]
	____ (año(s) ____ (mes(es))	____ (año(s) ____ (mes(es))	____ (año(s) ____ (mes(es))

Para poder incluir un apodo como parte de su nombre completo el la papeleta, Ud. deberá firmar la siguiente constancia: Además, juro que se me ha conocido por este apodo por más de tres años. Además, juro que el apodo no es un lema político ni una indicación de mis creencias o afiliaciones políticas, económicas, sociales, o religiosas.

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 capitulo 573 de Código Gobierno.

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

X_____
FIRMA DEL CANDIDATO

Jurado y suscrito ante mi en _____, este día _____ de _____, _____.

SELLO

_____ _____
Firma del oficial administrando el juramento [2] Título del oficial administrando el juramento

TO BE COMPLETED BY CITY SECRETARY:

(See Section 1.007)

_____
Date Received Signature of City Secretary

AW2-15
7/2011

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 ultimo día para registrar la aplicación como prescribe este código. Una aplicación registrada antes de ese día se declara inválida.

El último día para registrarse es a las 5 de la tarde 71 días antes del día de elección, si la elección es administrada en mayo o en noviembre de los años nones menos en casos donde la ley especifique lo contrario.

El último día para registrarse es a las 5 de la tarde 78 días antes del día de elección si la elección es administrada en noviembre de los años pares.

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 continuadamente 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.

NOTA

[1]Si el territorio del puesto que se elige abarca la ciudad entera (plurinominal), no se requiere la duración de residencia en el distrito/precinto.

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

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

APPOINTMENT OF A CAMPAIGN TREASURER BY A JUDICIAL CANDIDATE

FORM JCTA
PG 1

See JCTA Instruction Guide for detailed instructions.

1 Total pages filed:

OFFICE USE ONLY

Acct. #

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

2 JUDICIAL CANDIDATE NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX
3 JUDICIAL CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE
4 JUDICIAL CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION ( )
5 OFFICE HELD (if any)	
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

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

JUDICIAL DECLARATION OF INTENT REGARDING EXPENDITURE LIMITS

11 JUDICIAL CANDIDATE NAME

12 JUDICIAL DECLARATION OF INTENT REGARDING EXPENDITURE LIMITS

STATEMENT OF JUDICIAL CANDIDATE'S INTENT TO COMPLY OR NOT COMPLY WITH THE EXPENDITURE LIMITS PRESCRIBED BY THE JUDICIAL CAMPAIGN FAIRNESS ACT.

•• This declaration must be filed before a judicial candidate may accept campaign contributions or make campaign expenditures. Elec. Code § 253.164. ••

Please check the appropriate box.

☐ I swear or affirm that **I will voluntarily comply** with the limits on expenditures prescribed by the Judicial Campaign Fairness Act.

☐ I hereby affirm that **I do not intend to comply** with the limits on expenditures prescribed by the Judicial Campaign Fairness Act.

_____ Date

_____ Signature of Candidate

AFFIX NOTARY STAMP/SEAL ABOVE

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

_____
Signature of officer administering oath | Print name of officer administering oath | Title of officer administering oath

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

JUDICIAL CANDIDATE MODIFIED REPORTING DECLARATION

13 JUDICIAL CANDIDATE NAME

14 MODIFIED REPORTING DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING. PLEASE READ THE EXPLANATION OF MODIFIED REPORTING IN THE INSTRUCTIONS TO THIS FORM.

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

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

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.

I understand that I am required to file semiannual reports, telegram reports, and special-session reports, if applicable, regardless of the amount of the contributions I accept or the expenditures I make.

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

Signature of Candidate

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A JUDICIAL CANDIDATE

FORM JCTA–INSTRUCTION GUIDE

Revised May 12, 2010

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

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

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

FORM JCTA–INSTRUCTION GUIDE

TABLE OF CONTENTS

GENERAL INSTRUCTIONS

Who Should Use Form JCTA 1
Judicial Campaign Fairness Act 1
Duties of a Candidate 1
Qualifications of Campaign Treasurer 1
Duties of a Campaign Treasurer 1
When To File This Form 2
Where to File a Campaign Treasurer Appointment 3
Effective Date 3
Filing With a Different Authority 3
Political Committees 3
Changing a Campaign Treasurer 4
Amending a Campaign Treasurer Appointment 4
Reporting Requirement for Certain Officeholders 4
Terminating a Campaign Treasurer Appointment 4
Periodic Reports 4
Filing a Final Report 4
Electronic Filing 5

SPECIFIC INSTRUCTIONS

Page 1 5
Page 2 6
Page 3 7

APPOINTMENT OF A CAMPAIGN TREASURER BY A JUDICIAL CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A JUDICIAL CANDIDATE (Form JCTA). Use the AMENDMENT (Form AJCTA) for changing information previously reported on Form JCTA or for renewing your choice to report under the modified schedule.

WHO SHOULD USE FORM JCTA. Candidates for the following offices should use FORM JCTA to appoint a campaign treasurer:

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

Candidates for other offices should use FORM CTA.

JUDICIAL CAMPAIGN FAIRNESS ACT. The judicial candidates and officeholders listed above are subject to a number of campaign finance restrictions that do not apply to candidates for and holders of other offices. The Ethics Commission's *Campaign Finance Guide for Judicial Candidates and Officeholders* contains detailed information about these restrictions. The guide is available from the Ethics Commission and on our website at *http://www.ethics.state.tx.us* on the Internet.

DUTIES OF A CANDIDATE. As a candidate, you alone are responsible for filing this form and all candidate/officeholder reports of contributions and expenditures. 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.

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

WHEN TO FILE THIS FORM. If you plan to run for a public judicial office in Texas (except for a federal office), you must file this form with the proper filing authority when you become a judicial candidate even if you do not intend to accept campaign contributions or make campaign expenditures. A "candidate" is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:

(A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;

(B) the filing of an application for a place on the ballot;

(C) the filing of an application for nomination by convention;

(D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;

(E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;

(F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;

(G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and

(H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

Additionally, a judicial candidate may not accept a campaign contribution or make a campaign expenditure (including a campaign expenditure from personal funds) without first filing a campaign treasurer appointment and a judicial declaration of intent to comply or not to comply with expenditure limits. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment and a judicial declaration of intent to comply or not to comply with expenditure limits. (Also, a judicial candidate or officeholder may not accept any campaign or officeholder contributions outside of the period set out in Election Code section 253.153.)

If you are an officeholder, you may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. (Remember, a judicial officeholder may not accept officeholder contributions outside of the period set out in Election Code section 253.153.) 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.

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

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

In most counties, the county clerk is the county filing authority. In some counties there is a county elections administrator, and in those counties the county election administrator is the county filing authority for campaign finance documents. In a few counties, the county tax assessor-collector is the county filing authority for campaign finance documents.

EFFECTIVE DATE. A campaign treasurer appointment takes effect on the date it is filed. A hand-delivered document takes effect on the date of delivery. A document that is mailed or sent by common carrier takes effect on the date of the post office cancellation mark or common carrier receipt mark.

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.

POLITICAL COMMITTEES. As a judicial candidate, you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A JUDICIAL CANDIDATE (FORM JCTA). You may also form a specific-purpose political 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 JCTA) and the related reports.

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

CHANGING A CAMPAIGN TREASURER. If you wish to change your campaign treasurer, simply file an amended campaign treasurer appointment (FORM AJCTA). 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 JCTA) changes, file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A JUDICIAL CANDIDATE (FORM AJCTA) 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.

PERIODIC REPORTS. As long as you have a campaign treasurer appointment on file you must file periodic reports of contributions and expenditures. The instructions for FORM JC/OH (the reporting form) explain the filing deadlines. Officeholders who do not have a campaign treasurer on file are also subject to reporting requirements.

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 JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (FORM JC/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 eligible to claim an exemption. Please check the Ethics Commission's website at *http://www.ethics.state.tx.us* for more detailed information about electronic filing.

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. **JUDICIAL CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (eg., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, and on Page 3, Section 13, of this form.

3. **JUDICIAL 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. **JUDICIAL 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. **JUDICIAL CANDIDATE SIGNATURE:** Enter your signature after reading the following summary. Your signature here indicates that you are aware of your responsibility to file timely reports, that you have read the following summary of the nepotism law, 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.

<u>PAGE 2</u>

11. **JUDICIAL CANDIDATE NAME**: Enter your name as you did on Page 1.

12. JUDICIAL DECLARATION OF INTENT REGARDING EXPENDITURE LIMITS: Before a candidate for statewide judicial office, court of appeals, district court, statutory county court at law, or statutory probate court may accept political contributions or make political expenditures in connection with an election, the candidate must file either a sworn declaration of compliance with the expenditure limits of the Judicial Campaign Fairness Act or a declaration of intent to exceed those limits. Elec. Code § 253.164.

EXPENDITURE LIMITS

The following expenditure limits are applicable for each election in which the candidate is involved. Elec. Code § 253.168.

1.	Statewide Judicial Office	$2 million
2.	Court of Appeals	
	a. judicial district population over one million	$500,000
	b. judicial district population one million or less	$350,000
3.	Other Judicial Office	
	a. judicial district population over one million	$350,000
	b. judicial district population 250,000 to one million	$200,000
	c. judicial district population less than 250,000	$100,000

If a candidate files a declaration stating an intent to exceed the expenditure limits, or fails to file a declaration at all, the candidate is a "noncomplying" candidate. As a consequence, the Texas Ethics Commission must order the suspension of the limits on contributions, reimbursement of personal funds, and expenditures for all "complying" candidates for the office. Elec. Code § 253.165. Additionally, all political advertising by a candidate who files a declaration of intent to exceed the limits on expenditures or a specific-purpose political committee for supporting such a candidate must include this statement:

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

Elec. Code §255.008.

PAGE 3

13. JUDICIAL CANDIDATE NAME: Enter your name as you did on Page 1.

14. MODIFIED REPORTING DECLARATION: Sign this option if you wish 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. 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 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 AJCTA) 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 Filing Guide For Judicial Candidates and Officeholders.

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

JUDICIAL CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM JC/OH
COVER SHEET PG 1

The JC/OH Instruction Guide explains how to complete this form.

1 ACCOUNT # (Ethics Commission Filers)

2 Total pages filed:

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Receipt # | Amount

Date Processed

Date Imaged

3 CANDIDATE / OFFICEHOLDER NAME

MS / MRS / MR | FIRST | MI

NICKNAME | LAST | SUFFIX

4 CANDIDATE / OFFICEHOLDER MAILING ADDRESS

☐ change of address

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

5 CANDIDATE/ OFFICEHOLDER PHONE

AREA CODE ( ) | PHONE NUMBER | EXTENSION

6 CAMPAIGN TREASURER NAME

MS / MRS / MR | FIRST | MI

NICKNAME | LAST | SUFFIX

7 CAMPAIGN TREASURER ADDRESS (residence or business)

STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE

8 CAMPAIGN TREASURER PHONE

AREA CODE ( ) | PHONE NUMBER | EXTENSION

9 REPORT TYPE

☐ January 15 ☐ 30th day before election ☐ Runoff ☐ 15th day after campaign treasurer appointment (officeholder only)

☐ July 15 ☐ 8th day before election ☐ Exceeded $500 limit ☐ Final report (Attach C/OH - FR)

10 PERIOD COVERED

Month / Day / Year THROUGH Month / Day / Year

11 ELECTION

ELECTION DATE Month / Day / Year

ELECTION TYPE

☐ Primary ☐ Runoff ☐ General ☐ Special

12 OFFICE

OFFICE HELD (if any)

13 OFFICE SOUGHT (if known)

GO TO PAGE 2

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

JUDICIAL CANDIDATE / OFFICEHOLDER REPORT: SUPPORT & TOTALS

FORM JC/OH
COVER SHEET PG 2

14 C/OH NAME

15 ACCOUNT # (Ethics Commission Filers)

16 NOTICE FROM POLITICAL COMMITTEE(S)

THIS BOX IS FOR NOTICE OF POLITICAL CONTRIBUTIONS ACCEPTED OR POLITICAL EXPENDITURES MADE BY POLITICAL COMMITTEES TO SUPPORT THE CANDIDATE / OFFICEHOLDER. *THESE EXPENDITURES MAY HAVE BEEN MADE WITHOUT THE CANDIDATE'S OR OFFICEHOLDER'S KNOWLEDGE OR CONSENT.* CANDIDATES AND OFFICEHOLDERS ARE REQUIRED TO REPORT THIS INFORMATION ONLY IF THEY RECEIVE NOTICE OF SUCH EXPENDITURES.

COMMITTEE TYPE

☐ GENERAL

☐ SPECIFIC

COMMITTEE NAME

COMMITTEE ADDRESS

COMMITTEE CAMPAIGN TREASURER NAME

COMMITTEE CAMPAIGN TREASURER ADDRESS

☐ additional pages

17 CONTRIBUTION TOTALS

1.	TOTAL POLITICAL CONTRIBUTIONS OF $50 OR LESS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS), UNLESS ITEMIZED	$
2.	**TOTAL POLITICAL CONTRIBUTIONS** (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	$

EXPENDITURE TOTALS

3.	TOTAL POLITICAL EXPENDITURES OF $100 OR LESS, UNLESS ITEMIZED	$
4.	**TOTAL POLITICAL EXPENDITURES**	$

CONTRIBUTION BALANCE

5.	TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF THE REPORTING PERIOD	$

OUTSTANDING LOAN TOTALS

6.	TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	$

18 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.

_____
Signature of Candidate or Officeholder

AFFIX NOTARY STAMP / SEAL ABOVE

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

_____
Signature of officer administering oath | Print name of officer administering oath | Title of officer administering oath

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

POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS (JUDICIAL)

SCHEDULE A (J)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule A(J):

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

4 Date

5 Full name of contributor ☐ out-of-state PAC (ID#:_____)

6 Contributor address; City; State; Zip Code

7 Amount of contribution ($)

8 In-kind contribution description(if applicable)

(If travel outside of Texas, complete Schedule T)

9 Contributor's principal occupation

10 Contributor's job title

11 Contributor's employer/law firm

12 Law firm of contributor's spouse (if any)

13 If contributor is a child, law firm of parent(s) (if any)

Date

Full name of contributor ☐ 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)

Contributor's principal occupation

Contributor's job title

Contributor's employer/law firm

Law firm of contributor's spouse (if any)

If contributor is a child, law firm of parent(s) (if any)

Date

Full name of contributor ☐ 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)

Contributor's principal occupation

Contributor's job title

Contributor's employer/law firm

Law firm of contributor's spouse (if any)

If contributor is a child, law firm of parent(s) (if any)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

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

PLEDGED CONTRIBUTIONS (JUDICIAL)

SCHEDULE B (J)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule B(J):

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

4 TOTAL OF UNITEMIZED PLEDGES: ⇨ ⇨ ⇨ ⇨ ⇨ ⇨ $

5 Date	6 Full name of pledgor ☐ out-of-state PAC (ID#:_____) 7 Pledgor address; City; State; Zip Code	8 Amount of pledge ($)	9 In-kind description (if applicable)
			(If travel outside of Texas, complete Schedule T)

10 Pledgor's principal occupation	11 Pledgor's job title
12 Pledgor's employer/law firm	13 Law firm of pledgor's spouse (if any)
14 If pledgor is a child, law firm of parent(s) (if any)	

Date	Full name of pledgor ☐ out-of-state PAC (ID#:_____) Pledgor address; City; State; Zip Code	Amount of pledge ($)	In-kind description (if applicable)
			(If travel outside of Texas, complete Schedule T)

Pledgor's principal occupation	Pledgor's job title
Pledgor's employer/law firm	Law firm of pledgor's spouse (if any)
If pledgor is a child, law firm of parent(s) (if any)	

Date	Full name of pledgor ☐ out-of-state PAC (ID#:_____) Pledgor address; City; State; Zip Code	Amount of pledge ($)	In-kind description (if applicable)
			(If travel outside of Texas, complete Schedule T)

Pledgor's principal occupation	Pledgor's job title
Pledgor's employer/law firm	Law firm of pledgor's spouse (if any)
If pledgor is a child, law firm of parent(s) (if any)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

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

LOANS (JUDICIAL)

SCHEDULE E (J)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule E(J):

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

4 TOTAL OF UNITEMIZED LOANS: ⇨ ⇨ ⇨ ⇨ ⇨ ⇨ $

5 Date of loan

6 Is lender a financial Institution? Y N

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

8 Lender address; City; State; Zip Code

9 Loan Amount ($)

10 Interest rate

11 Maturity date

12 Lender's Principal Occupation

13 Lender's Job Title

14 Lender's Employer/Law Firm

15 Law Firm of lender's spouse (if any)

16 If lender is child, law firm of parent(s) (if any)

17 Description of Collateral

☐ none

18 Check if personal funds were deposited into political account

☐

19 GUARANTOR INFORMATION

☐ not applicable

20 Name of guarantor

21 Guarantor address; City; State; Zip Code

22 Amount Guaranteed ($)

23 Guarantor's Principal Occupation

24 Guarantor's Job Title

25 Guarantor's Employer/Law Firm

26 Law Firm of guarantor's spouse (if any)

27 If guarantor is child, law firm of parent(s) (if any)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

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

POLITICAL EXPENDITURES

SCHEDULE F

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

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 Amount ($)	**7** Payee address; City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	**(a)** Category (See categories listed at the top of this schedule)	**(b)** Description (If travel outside of Texas, complete Schedule T)
9 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

Date	Payee name	
Amount ($)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

Date	Payee name	
Amount ($)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

Date	Payee name	
Amount ($)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule G:	**2** FILER NAME	**3** ACCOUNT # (Ethics Commission Filers)
4 Date	**5** Payee name	
6 Amount ($) ☐ Reimbursement from political contributions intended	**7** Payee address; City; State; Zip Code	
8 **PURPOSE OF EXPENDITURE**	**(a)** Category (See categories listed at the top of this schedule)	**(b)** Description (If travel outside of Texas, complete Schedule T)
Date	Payee name	
Amount ($) ☐ Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Date	Payee name	
Amount ($) ☐ Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Date	Payee name	
Amount ($) ☐ Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

SCHEDULE H

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

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 Amount ($)	**7** Business address; City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	**(a)** Category (See categories listed at the top of this schedule)	**(b)** Description (If travel outside of Texas, complete Schedule T)
9 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

Date	Business name	
Amount ($)	Business address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

Date	Business name	
Amount ($)	Business address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

Date	Business name	
Amount ($)	Business address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

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 Amount ($)	**7** Payee address; City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	**(a)** Category (See categories listed at the top of this schedule)	**(b)** Description (See instructions regarding type of information required.)
Date	Payee name	
Amount ($)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount ($)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount ($)	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (See instructions regarding type of information required.)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

INTEREST EARNED, OTHER CREDITS/GAINS/ REFUNDS, AND PURCHASE OF INVESTMENTS

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 Name of person from whom amount is received

6 Address of person from whom amount is received; City; State; Zip Code

7 Purpose for which amount is received

8 Amount ($)

Date

Name of person from whom amount is received

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

Amount ($)

Date

Name of person from whom amount is received

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

Amount ($)

Date

Name of person from whom amount is received

Address of person from whom amount is received; City; State; Zip Code

Purpose for which amount is received

Amount ($)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

OUTSTANDING LOANS

SCHEDULE L

The Instruction Guide explains how to complete this form.

1 Total pages Schedule L:

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

LENDER INFORMATION	4 Name of lender 5 Lender address; City; State; Zip Code
GUARANTOR INFORMATION ☐ not applicable	6 Name of guarantor 7 Guarantor address; City; State; Zip Code
LENDER INFORMATION	Name of lender Lender address; City; State; Zip Code
GUARANTOR INFORMATION ☐ not applicable	Name of guarantor Guarantor address; City; State; Zip Code
LENDER INFORMATION	Name of lender Lender address; City; State; Zip Code
GUARANTOR INFORMATION ☐ not applicable	Name of guarantor Guarantor address; City; State; Zip Code
LENDER INFORMATION	Name of lender Lender address; City; State; Zip Code
GUARANTOR INFORMATION ☐ not applicable	Name of guarantor Guarantor address; City; State; Zip Code

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

ASSETS VALUED AT $500 OR MORE

SCHEDULE M

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

4 Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

Description of Asset

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

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:

☐ Schedule A ☐ Schedule B ☐ Schedule C ☐ Schedule D ☐ Schedule F ☐ Schedule G
☐ Schedule H ☐ Schedule N ☐ COH-UC ☐ COH-T ☐ PAC-C ☐ 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:

☐ Schedule A ☐ Schedule B ☐ Schedule C ☐ Schedule D ☐ Schedule F ☐ Schedule G
☐ Schedule H ☐ Schedule N ☐ COH-UC ☐ COH-T ☐ PAC-C ☐ 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:

☐ Schedule A ☐ Schedule B ☐ Schedule C ☐ Schedule D ☐ Schedule F ☐ Schedule G
☐ Schedule H ☐ Schedule N ☐ COH-UC ☐ COH-T ☐ PAC-C ☐ 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 SCHEDULE AS NEEDED

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

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, after filing the last required report as an officeholder, I retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.

Signature of Officeholder

Table of Contents

TEXAS ETHICS COMMISSION

JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM JC/OH – INSTRUCTION GUIDE

Revised September 28, 2011

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

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

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

FORM JC/OH – INSTRUCTION GUIDE

TABLE OF CONTENTS

These instructions are for the JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form JC/OH) and all Schedules that are filed with it. Form JC/OH includes a two-sided cover sheet and Schedules A(J), B(J), E(J), F, G, H, I, K, L, M, and T. All filers must submit the cover sheet, but only the schedules on which there is information to report need to be included.

GENERAL INSTRUCTIONS

Electronic Filing....1
Filling Out The Forms....1
Ethics Commission Guides....1
Photocopies Of Forms....1
Filing Date....1

FORM JC/OH: JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

General Information....3
Completing The Cover Sheet....4
SCHEDULE A(J): Political Contributions Other Than Pledges or Loans (Judicial)....11
SCHEDULE B(J): Pledged Contributions (Judicial)....14
SCHEDULE E(J): Loans (Judicial)....16
SCHEDULE F: Political Expenditures....19
SCHEDULE G: Political Expenditures Made From Personal Funds....22
SCHEDULE H: Payment From Political Contributions To A Business of C/OH....25
SCHEDULE I: Non-Political Expenditures From Political Contributions....28
SCHEDULE K: Interest Earned, Other Credits/Gains/Refunds, and Purchase of Investments....30
SCHEDULE L: Outstanding Loans....31
SCHEDULE M: Assets Valued At $500 Or More....32
SCHEDULE T: In-Kind Contribution or Political Expenditure for Travel Outside of Texas....33

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

General Information....34
Completing the Form....35

EXAMPLES OF EXPENDITURES

Examples....36

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 more detailed information about electronic filing.

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 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.

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 E. 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 JC/OH: JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

These instructions are for the JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (FORM JC/OH). A complete report includes the FORM JC/OH Cover Sheet, and any of the following schedules on which there is information to report: A(J), B(J), E(J), F, G, H, I, K, L, M, and T.

GENERAL INFORMATION

Use Form JC/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.

CAMPAIGN FINANCE RESTRICTIONS

The Judicial Campaign Fairness Act imposes filing requirements and restrictions on judges and judicial candidates and limits on contributions and expenditures that are different from the filing requirements and restrictions applicable to other candidates and officeholders. For detailed information, see the Ethics Commission's *Campaign Finance Guide For Judicial Candidates And Officeholders*.

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 JCTA). If you are an officeholder who does not have a campaign treasurer appointment on file, file your reports with the same authority with which a candidate for your office must file the campaign treasurer appointment.

FILING A FINAL REPORT

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

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

To file a final report, you must complete the "JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT" (Form JC/OH), check the "final" box in Section 9 on the cover sheet, and complete and attach the "C/OH REPORT: DESIGNATION OF FINAL REPORT" (Form C/OH- FR).

COMPLETING THE COVER SHEET

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

PAGE 1

1. **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 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.

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

Sections 6 - 8 pertain to a candidate's campaign treasurer. If you are an officeholder without a campaign treasurer appointment on file, skip these sections.

6. **CAMPAIGN TREASURER NAME**: Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.

7. **CAMPAIGN TREASURER ADDRESS**: Enter the complete address of your campaign treasurer.

8. **CAMPAIGN TREASURER PHONE**: Enter the phone number of your campaign treasurer, including the area code and, if applicable, the extension.

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.

PAGE 2

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

15. ACCOUNT #: See the instructions for box 1.

16. 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.

17. 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(J). Enter a "0" if you did not receive any unitemized contributions during the period covered.

On Schedule A(J), 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(J) to the amount you entered on Line 1. Enter that total on Line 2. Enter a "0" if you did not receive any contributions during the period covered.

Line 3. Enter the total of all unitemized political expenditures of $100 or less. Do not include any expenditures itemized on Schedules F, G, or H. Enter a "0" if you did not make any unitemized expenditures during the period covered.

On Schedule F, you were required to itemize political expenditures that totaled more than $100 to one payee. (Remember: If you made expenditures *totaling* more than $100 to one person during the reporting period, you were required to itemize all of those expenditures, even if individual expenditures were $100 or less.) You also had the option of itemizing expenditures totaling $100 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.

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

Line 5. Enter the total amount of political contributions, including interest or other income earned on political 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 earned on those contributions, as of the last day of the reporting period. This is different from the total contributions reported on Line 2, where only contributions accepted in the reporting period are included. This total must include contributions maintained as of the last day of the reporting period, regardless of when they were received.

The law requires you to disclose the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period. The "total amount of political contributions maintained" includes: the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions and the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.

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

Line 6. 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(J). It must include outstanding principal of loans accepted in this reporting period as well as outstanding principal of loans accepted previously. Enter a "0" if you did not accept any loans during the period covered and have no outstanding loans.

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

SCHEDULE A(J): POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS (JUDICIAL)

These instructions are for judicial candidates and officeholders using SCHEDULE A(J): POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS (JUDICIAL). 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(J); report loans and guarantees of loans on Schedule E(J).)

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 JC/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(J)**: After you have completed Schedule A(J), 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, check the 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. If you are filing your report electronically, you may either use the "memo" field to enter this information on your electronic report or timely file a paper copy of the information at the time you file your electronic report; ***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 you are filing your report electronically, you may either use the "ID #" field to enter the out-of-state committee's FEC identification number on your electronic report or timely file a certified paper copy of the out-of-state committee's FEC statement of organization at the time you file your electronic report.

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. If you are filing your report electronically, you may either use the "ID #" field to enter the out-of-state committee's FEC identification number on your electronic report or timely file a certified paper copy of the out-of-state committee's FEC statement of organization at the time you file your electronic report; ***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. If you are filing your report electronically, you may either use the "memo" field to enter this information on your electronic report or timely file a paper copy of the information at the time you file your electronic report.

"ID #" Line (Electronic Filing Only): If you are filing your report electronically, you may enter in this field the out-of-state committee's Federal Election Commission (FEC) identification number.

Note: See the *Campaign Finance Guide Judicial Candidates and Officeholders* 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. **CONTRIBUTOR'S PRINCIPAL OCCUPATION**: Enter the principal occupation of the contributor.

10. **CONTRIBUTOR'S JOB TITLE**: Enter the job title of the contributor.

11. **CONTRIBUTOR'S EMPLOYER/LAW FIRM**: Enter the name of the contributor's employer, or if the contributor is a "member" of a law firm as defined below, enter the name of the law firm.

    Note: "Members" of a law firm include any partner, associate, shareholder, or employee of a law firm; and any person designated "of counsel" to the firm or "of the firm."

12. **LAW FIRM OF CONTRIBUTOR'S SPOUSE (if any)**: If the contributor's spouse is a "member" of a law firm as defined in section 11, enter the name of that law firm here.

13. **IF CONTRIBUTOR IS CHILD, LAW FIRM OF PARENT(S) (if any)**: If the contributor is a child, enter the name of any law firm of which either of the child's parents is a "member" as defined in section 11.

SCHEDULE B(J): PLEDGED CONTRIBUTIONS (JUDICIAL)

These instructions are for judicial candidates and officeholders using SCHEDULE B(J): PLEDGED CONTRIBUTIONS (JUDICIAL). 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(J); report loans and guarantees of loans on Schedule E(J).)

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(J)**: After you have completed Schedule B(J), 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 - 14 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. **PLEDGOR'S PRINCIPAL OCCUPATION**: Enter the principal occupation of the person who made the pledge.

11. **PLEDGOR'S JOB TITLE**: Enter the job title of the person who made the pledge.

12. **PLEDGOR'S EMPLOYER/LAW FIRM**: Enter the name of the pledgor's employer, or if the pledgor is a "member" of a law firm as defined below, enter the name of the law firm.

    Note: "Members" of a law firm include any partner, associate, shareholder, or employee of a law firm; and any person designated "of counsel" to the firm or "of the firm."

13. **LAW FIRM OF PLEDGOR'S SPOUSE (if any)**: If the pledgor's spouse is a "member" of a law firm as defined in section 12, enter the name of that law firm here.

14. **IF PLEDGOR IS CHILD, LAW FIRM OF PARENT(S) (if any)**: If the pledgor is a child, enter the name of any law firm of which either of the child's parents is a "member" as defined in section 12.

You Do Not Need Schedule C or 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(J): LOANS (JUDICIAL)

These instructions are for judicial candidates and officeholders using SCHEDULE E(J): LOANS (JUDICIAL). 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. Political expenditures made from that loan must also be reported on the "Political Expenditures" schedule (Schedule F). 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.

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

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

1. **TOTAL PAGES SCHEDULE E(J)**: After you have completed Schedule E(J), 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 - 26 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 and skip # 12 through #16. 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.

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. **LENDER'S PRINCIPAL OCCUPATION**: Enter the principal occupation of the person who made the loan.

13. **LENDER'S JOB TITLE**: Enter the job title of the lender.

14. **LENDER'S EMPLOYER/LAW FIRM**: Enter the name of the lender's employer, or if the lender is a "member" of a law firm as defined below, enter the name of the law firm.

    Note: "Members" of a law firm include any partner, associate, shareholder, or employee of a law firm; and any person designated "of counsel" to the firm or "of the firm."

15. **LAW FIRM OF LENDER'S SPOUSE (if any)**: If the lender's spouse is a "member" of a law firm as defined in section 14, enter the name of that law firm here.

16. **IF LENDER IS CHILD, LAW FIRM OF PARENT(S) (if any)**: If the lender is a child, enter the name of any law firm of which either of the child's parents is a "member" as defined in Section 14.

17. **DESCRIPTION OF COLLATERAL**: If there is no collateral for the loan, check the "none" box and go to # 18. If there is collateral for the loan, enter a description of the collateral for the loan.

18. **"Check if personal funds were deposited into political account" Box**: Check this box *only if* the loan is a deposit of your personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. (Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported on Schedule F. The reimbursement may not exceed the amount reported as a loan.

Note: Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.)

19. **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(J).

20. **NAME OF GUARANTOR**: Enter the full name of the guarantor.

21. **GUARANTOR ADDRESS**: Enter the complete address of the guarantor.

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

23. **GUARANTOR'S PRINCIPAL OCCUPATION**: Enter the principal occupation of the guarantor.

24. **GUARANTOR'S JOB TITLE**: Enter the job title of the guarantor.

25. **GUARANTOR'S EMPLOYER/LAW FIRM**: Enter the name of the guarantor's employer, or if the guarantor is a "member" of a law firm as defined below, enter the name of the law firm.

    Note: "Members" of a law firm include any partner, associate, shareholder, or employee of a law firm; and any person designated "of counsel" to the firm or "of the firm."

26. **LAW FIRM OF GUARANTOR'S SPOUSE (if any)**: If the guarantor's spouse is a "member" of a law firm as defined in Section 24, enter the name of that law firm here.

27. **IF GUARANTOR IS CHILD, LAW FIRM OF PARENT(S) (if any)**: If the guarantor is a child, enter the name of any law firm of which either of the child's parents is a "member" as defined in Section 24.

SCHEDULE F: POLITICAL EXPENDITURES

These instructions are for judicial 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 Schedule G.) 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 $100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded $100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed $100 in the period on this schedule. If you choose not to itemize expenditures of $100 and less on this schedule, you must total all unitemized expenditures and report them on the JC/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. An amount is readily determinable if the vendor can provide the amount at the filer's request.

   Example: On June 29th, a filer orders political signs. On July 16th, the filer receives the invoice for the signs. The date of the expenditure is June 29th if on that date the vendor can provide the amount the filer will owe the vendor for the signs. Filers should request a vendor to provide the amount of an obligation at the time the obligation is incurred.

   Example: Filers will generally not know the cost of a long-distance telephone call until receipt of a monthly (periodic) 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 made 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 Expenditure."

6. **AMOUNT:** Enter the exact amount of the expenditure.

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

8. **PURPOSE OF EXPENDITURE**: 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. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

   (a) <u>Category</u>: Select a category of goods, services, or other thing of value for which an expenditure is made. Examples of acceptable categories include:

   Advertising Expense
   Accounting/Banking
   Consulting Expense
   Contributions/Donations Made By Candidate/Officeholder/Political Committee
   Event Expense
   Fees
   Food/Beverage Expense
   Gifts/Awards/Memorials Expense
   Legal Services
   Loan Repayment/Reimbursement
   Office Overhead/Rental Expense
   Polling Expense
   Printing Expense
   Salaries/Wages/Contract Labor
   Solicitation/Fundraising Expense
   Transportation Equipment and Related Expense
   Travel In District
   Travel Out Of District
   Other (Enter your own category, if none of the listed categories apply.)

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

Description 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.

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 36.

9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER: If you made a direct campaign expenditure to benefit another candidate or officeholder, enter the full name of the candidate or officeholder and the name of the office sought or held, including the district, precinct, or other designation of the office, as applicable. (Attach additional sheets to list multiple candidates.) Do not complete this section if the expenditure was not a direct campaign expenditure.

A “direct campaign expenditure” to benefit another candidate is not a “political contribution” to that other candidate. A direct campaign expenditure is a campaign expenditure that you make on someone else's behalf and without the prior consent or approval of that person. This is in contrast to a political contribution, which the person has the opportunity to accept or reject.

Example: If you made expenditures to prepare and distribute an endorsement letter in support of a candidate after first asking for and getting the candidate's approval, you made an ***in-kind contribution***. However, if you did not get the candidate's approval ***before*** you made the expenditure, you made a ***direct campaign expenditure***.

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for judicial 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.

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(J) 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 deposit personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, you must report the deposited amount as a loan on Schedule E(J). See the Schedule E(J) instructions for additional information.

If you choose to report political expenditures from personal funds on this schedule, make sure to 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 $100 or if the expenditure along with other expenditures to the same person exceeds $100. (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 $100 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 JC/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 8, "Purpose of Expenditure."

6. **AMOUNT:** Enter the exact amount of the expenditure.

   "Reimbursement From Political Contributions Intended" Box: Check this box if you intend to reimburse yourself for the expenditure. (In order to be reimbursed from political contributions in any amount for an expenditure made out of personal funds, you must itemize the expenditure on this schedule and check this box or you must report the expenditure as a loan to yourself on Schedule E.)

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

8. **PURPOSE OF EXPENDITURE**: 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. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

   (a) <u>Category</u>: Select a category of goods, services, or other thing of value for which an expenditure is made. Examples of acceptable categories include:

   Advertising Expense
   Accounting/Banking
   Consulting Expense
   Contributions/Donations Made By Candidate/Officeholder/Political Committee
   Event Expense
   Fees
   Food/Beverage Expense
   Gifts/Awards/Memorials Expense
   Legal Services
   Loan Repayment/Reimbursement
   Office Overhead/Rental Expense
   Polling Expense
   Printing Expense
   Salaries/Wages/Contract Labor
   Solicitation/Fundraising Expense
   Transportation Equipment and Related Expense
   Travel In District
   Travel Out Of District
   Other (Enter your own category, if none of the listed categories apply.)

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

> **Description 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.

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 36.

SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

These instructions are for judicial 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; or

(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. **AMOUNT:** Enter the dollar amount of the payment.

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

8. **PURPOSE OF EXPENDITURE:** 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. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

(a) Category: Select a category of goods, services, or other thing of value for which an expenditure is made. Examples of acceptable categories include:

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By Candidate/Officeholder/Political Committee
Event Expense
Fees
Food/Beverage Expense
Gifts/Awards/Memorials Expense
Legal Services
Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor
Solicitation/Fundraising Expense
Transportation Equipment and Related Expense
Travel In District
Travel Out Of District
Other (Enter your own category, if none of the listed categories apply.)

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

> **Description 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.

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 36.

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

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

These instructions are for judicial 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 Schedule G.)

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

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

8. **PURPOSE OF EXPENDITURE**: 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. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

   (a) <u>Category</u>: Select a category of goods, services, or other thing of value for which an expenditure is made. Examples of acceptable categories include:

   Advertising Expense
   Accounting/Banking
   Consulting Expense
   Contributions/Donations Made By Candidate/Officeholder/Political Committee
   Event Expense
   Fees

Food/Beverage Expense
Gifts/Awards/Memorials Expense
Legal Services
Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor
Solicitation/Fundraising Expense
Transportation Equipment and Related Expense
Travel In District
Travel Out Of District
Other (Enter your own category, if none of the listed categories apply.)

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 36.

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 required to report returned contributions and other types of gains from political contributions on Schedule K.*

SCHEDULE K: INTEREST EARNED, OTHER CREDITS/GAINS/REFUNDS, AND PURCHASE OF INVESTMENTS

Use this schedule to report information regarding the following types of activity from political contributions that were received during the reporting period:

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

Although you are not required to do so, you may also report any credit/gain/refund, interest, or investment that does not exceed $100 in the period on this schedule.

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

1. **TOTAL PAGES SCHEDULE K:** After you have completed Schedule K, count the total number of pages. 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/gain/refund was received, the interest was earned, or the investment was purchased, as applicable.

5. **NAME OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the full name of the person or business from whom the credit/gain/refund or interest was received. If you are reporting the purchase of an investment, enter the full name of the person or business from whom you purchased the investment.

6. **ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the credit/gain/refund or interest was received. If you are reporting the purchase of an investment, enter the complete address of the person or business from whom you purchased the investment.

7. **PURPOSE FOR WHICH AMOUNT IS RECEIVED:** Enter a brief statement or description of the purpose for which the amount was received (for example, "phone service deposit return" "returned contribution" or "interest on savings account"). If you are reporting the purchase of an investment, enter a brief statement or description of the investment (for example, "ten shares of stock in ABC Company").

8. **AMOUNT:** Enter the exact dollar amount of the credit/gain/refund, interest, or investment.

SCHEDULE L: OUTSTANDING LOANS

These instructions are for judicial candidates and officeholders using SCHEDULE L: OUTSTANDING LOANS. Enter on this schedule information about loans with an outstanding balance as of the last day of the reporting period, regardless of when they were received.

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

1. **TOTAL PAGES SCHEDULE L**: After you have completed Schedule L, 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. **NAME OF LENDER**: Enter the full name of the person or financial institution that made the loan.

5. **LENDER ADDRESS**: Enter the complete address of the person or financial institution that made the loan.

6. **NAME OF GUARANTOR**: If there are no guarantors for the loan, check the "Not Applicable" box and go to the next loan. If there is a guarantor, enter the full name of the guarantor.

7. **GUARANTOR ADDRESS**: Enter the complete address of the guarantor.

SCHEDULE M: ASSETS VALUED AT $500 OR MORE

These instructions are for judicial candidates and officeholders using SCHEDULE M: ASSETS VALUED AT $500 OR MORE. Enter on this schedule each asset valued at $500 or more that was purchased with political contributions and that is on hand as of the last day of the reporting period.

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

1. **TOTAL PAGES SCHEDULE M**: After you have completed Schedule M, 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. **DESCRIPTION OF ASSET**: Enter the description of each asset valued at $500 or more that is on hand as of the last day of the reporting period and that was bought with political contributions.

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 judicial candidates and officeholders using Form C/OH-FR: C/OH REPORT: DESIGNATION OF FINAL REPORT. A final report must include this form (Form C/OH-FR) and the JUDICIAL CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form JC/OH) with the "Final Report" box checked on Page 1, Section 9. It must also include Schedules A(J), B(J), E(J), F, G, H, I, K, L, M, 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 cease to be an officeholder at a time when you do not have a campaign treasurer appointment on file, *and you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions after filing the last required report as an officeholder*, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year following the year in which you filed the last required report as an officeholder. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder.

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, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions*. If you retain any of those items, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. You may not retain these unexpended funds longer than six years after the date of filing a final report.

At the end of the six-year period, you must dispose of unexpended political contributions, interest or other income from political 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 <u>not</u> 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.

EXAMPLES OF EXPENDITURES

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting the purpose of an expenditure. However, it is not, and is not intended to be, an exhaustive or an exclusive list of how a filer may permissibly report the purpose of an expenditure.

(1) Example: Candidate X is seeking the office of State Representative, District 2000. She purchases an airline ticket from ABC Airlines to attend a campaign rally within District 2000. The acceptable category for this expenditure is "travel in district." The candidate activity that is accomplished by making the expenditure is to attend a campaign rally. An acceptable brief statement is "airline ticket to attend campaign event."

(2) Example: Candidate X purchases an airline ticket to attend a campaign event outside of District 2000 but within Texas, the acceptable category is "travel out of district." The candidate activity that is accomplished by making the expenditure is to attend a campaign event. An acceptable brief statement is "airline ticket to attend campaign or officeholder event."

(3) Example: Candidate X purchases an airline ticket to attend an officeholder related seminar outside of Texas. The acceptable method for the purpose of this expenditure is by selecting the "travel out of district" category and completing the "Schedule T" (used to report travel outside of Texas).

(4) Example: Candidate X contracts with an individual to do various campaign related tasks such as work on a campaign phone bank, sign distribution, and staffing the office. The acceptable category is "salaries/wages/contract labor." The candidate activity that is accomplished by making the expenditure is to compensate an individual working on the campaign. An acceptable brief statement is "contract labor for campaign services."

(5) Example: Officeholder X is seeking re-election and makes an expenditure to purchase a vehicle to use for campaign purposes and permissible officeholder purposes. The acceptable category is "transportation equipment and related expenses" and an acceptable brief description is "purchase of campaign/officeholder vehicle."

(6) Example: Candidate X makes an expenditure to repair a flat tire on a campaign vehicle purchased with political funds. The acceptable category is "transportation equipment and related expenses" and an acceptable brief description is "campaign vehicle repairs."

(7) Example: Officeholder X purchases flowers for a constituent. The acceptable category is "gifts/awards/memorials expense" and an acceptable brief description is "flowers for constituent."

(8) Example: Political Committee XYZ makes a political contribution to Candidate X. The acceptable category is "contributions/donations made by candidate/officeholder/political committee" and an acceptable brief description is "campaign contribution."

(9) Example: Candidate X makes an expenditure for a filing fee to get his name on the ballot. The acceptable category is "fees" and an acceptable brief description is "candidate filing fee."

(10) Example: Officeholder X makes an expenditure to attend a seminar related to performing a duty or engaging in an activity in connection with the office. The acceptable category is "fees" and an acceptable brief description is "attend officeholder seminar."

(11) Example: Candidate X makes an expenditure for political advertising to be broadcast by radio. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.” Similarly, Candidate X makes an expenditure for political advertising to appear in a newspaper. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.”

(12) Example: Officeholder X makes expenditures for printing and postage to mail a letter to all of her constituents, thanking them for their participation during the legislative session. Acceptable categories are “advertising expense” OR “printing expense” and an acceptable brief description is “letter to constituents.”

(13) Example: Officeholder X makes an expenditure to pay the campaign office electric bill. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office electric bill.”

(14) Example: Officeholder X makes an expenditure to purchase paper, postage, and other supplies for the campaign office. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office supplies.”

(15) Example: Officeholder X makes an expenditure to pay the campaign office monthly rent. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office rent.”

(16) Example: Candidate X hires a consultant for fundraising services. The acceptable category is “consulting expense” and an acceptable brief description is “campaign services.”

(17) Example: Candidate/Officeholder X pays his attorney for legal fees related to either campaign matters or officeholder matters. The acceptable category is “legal services” and an acceptable brief description is “legal fees for campaign” or “for officeholder matters.”

(18) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting with her constituents. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting with constituents.”

(19) Example: Candidate X makes food and beverage expenditures for a meeting to discuss candidate issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign issues.”

(20) Example: Officeholder X makes food and beverage expenditures for a meeting to discuss officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss officeholder issues.”

(21) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting to discuss campaign and officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign/officeholder issues.”

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

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP
COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE ☐

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

POLITICAL COMMITTEE ☐

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

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

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

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE PHONE NUMBER EXTENSION

( )

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

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

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

GO TO PAGE 2

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

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

(1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.

(2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.

(3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.

(4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.

(5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.

(6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.

(7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

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

_____ _____

Signature Date

Table of Contents

TEXAS ETHICS COMMISSION

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

This guide is for candidates for and officeholders in the following positions:

- **county offices;**
- **precinct offices;**
- **single-county district offices;**
- **city offices; and**
- **offices of other political subdivisions such as school districts**

This guide does not apply to candidates for and judges of statutory county courts, statutory probate courts, or district courts. For those candidates and officeholders, the Ethics Commission makes available a CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS.

The Ethics Commission also makes available a CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH THE ETHICS COMMISSION, a CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES, and a CAMPAIGN FINANCE GUIDE FOR POLITICAL PARTIES.

Revised September 28, 2011

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

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

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

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

TABLE OF CONTENTS

INTRODUCTION **1**
Officeholders 1
Judicial Candidates and Officeholders 1
Federal Offices 1
Filing Authorities 1
Political Committees (PACS) 2
Financial Disclosure Statements 2
Federal Income Tax 2
Texas Ethics Commission 3

APPOINTING A CAMPAIGN TREASURER **3**
No Campaign Contributions or Expenditures Without Treasurer Appointment on File 3
Appointing Treasurer Triggers Reporting Duties 4
Qualifications of Campaign Treasurer 4
Duties of Campaign Treasurer 4
Effective Date of Appointment 4
Code of Fair Campaign Practices 4
Appointment by Officeholder 4
Filing for a Place on the Ballot 5
Changing Treasurers 5
Transferring to a Different Filing Authority 5
Terminating a Campaign Treasurer Appointment 5
Deciding Not to Run 5

POLITICAL CONTRIBUTIONS AND EXPENDITURES **6**
Campaign Contributions 6
Campaign Expenditures 6
Officeholder Contributions 7
Officeholder Expenditures 7
Campaign Expenditures by Officeholder 7
Permissible Use of Political Contributions 8
Use of Political Funds to Rent or Purchase Real Property 8
Accepting Contributions 8
Reimbursement for Political Expenditures From Personal Funds 8
Separate Account Required 9

INFORMATION REQUIRED ON REPORTS **9**
Contributions 9
Pledges 9
Loans 9
Contributions of Personal Services 10
Contributions of Personal Travel 10
Contributions From Out-of-State Political Committees 10

Expenditures 11
Campaign Expenditures From Personal Funds 11
Officeholder Expenditures From Personal Funds 11
Direct Expenditures 12
Supporting Political Committees 12
Payments to a Business of the Candidate or Officeholder 12
Interest Earned, Other Credits/Gains/Refunds, and Purchase of Investments 12
Total Political Contributions Maintained 13
Time of Accepting Contribution 13
Time of Making Expenditure 13

PREPARING REPORTS 14
Forms 14
Signature Required 14
Filing Deadlines 14
Periods Covered by Reports 14
Deadline on Weekend or Holiday 14
5 P.M. Deadline 14
Delivery by Mail or Other Carrier 14
Retention of Records Used for Reports 15

REPORTS 15
Semiannual Reports 15
Reports Due 30 Days and 8 Days Before an Election 15
Report Due 8 Days Before a Runoff Election 15
Modified Reporting 16
"15th Day After Appointment of Campaign Treasurer by an Officeholder" Report 16
Final Report 16
Annual Report of Unexpended Contributions 16
Final Disposition of Unexpended Contributions Report 16

ENDING FILING OBLIGATIONS 17
Final Report 17
Annual Report of Unexpended Contributions 18
Report of Final Disposition of Unexpended Contributions 18

PENALTIES FOR REPORTING VIOLATIONS 19

CAMPAIGN FINANCE RESTRICTIONS 19

INTRODUCTION

This guide is a summary of reporting requirements and other regulations set out in title 15 of the Texas Election Code (chs. 251-258) and in the rules adopted by the Texas Ethics Commission. This guide applies to candidates for and officeholders in most local offices in Texas.

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

OFFICEHOLDERS

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

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

JUDICIAL CANDIDATES AND OFFICEHOLDERS

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

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

FEDERAL OFFICES

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

FILING AUTHORITIES

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

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

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

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

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

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

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

POLITICAL COMMITTEES (PACS)

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

FINANCIAL DISCLOSURE STATEMENTS

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

FEDERAL INCOME TAX

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

TEXAS ETHICS COMMISSION

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

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

APPOINTING A CAMPAIGN TREASURER

If you plan to run for a public office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) with the proper filing authority when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures. A "candidate" is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:

(A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;

(B) the filing of an application for a place on the ballot;

(C) the filing of an application for nomination by convention;

(D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;

(E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;

(F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;

(G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and

(H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT TREASURER APPOINTMENT ON FILE

Additionally, the law provides that you must file a campaign treasurer appointment form with the proper filing authority before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds. A filing fee paid to a

filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment form with the proper filing authority.

APPOINTING TREASURER TRIGGERS REPORTING DUTIES

After a candidate has filed a form appointing a campaign treasurer, the candidate is responsible for filing periodic reports of contributions and expenditures. Filing reports is the responsibility of the candidate, not the campaign treasurer. Even if a candidate loses an election, he or she must continue filing reports until he or she files a final report. *See* "Ending Filing Obligations" in this guide. (An officeholder who files a final report, and thereby terminates his or her campaign treasurer appointment, may still be required to file semiannual reports of contributions and expenditures as an officeholder.)

QUALIFICATIONS OF CAMPAIGN TREASURER

A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than $5,000 in political contributions or made more than $5,000 in political expenditures in any semiannual reporting period. A person who violates this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision.

DUTIES OF CAMPAIGN TREASURER

A candidate's campaign treasurer has no legal duties. (**Note:** The campaign treasurer of a *political committee* is legally responsible for filing reports.)

EFFECTIVE DATE OF APPOINTMENT

A campaign treasurer appointment is effective when filed. A hand-delivered appointment takes effect on the date of delivery. A mailed appointment takes effect on the date of the postmark.

CODE OF FAIR CAMPAIGN PRACTICES

A filing authority should provide to each individual who files a campaign treasurer appointment a form containing a Code of Fair Campaign Practices. A candidate may pledge to conduct his or her campaign in accordance with the principles and practices set out in the Code by signing the form and filing it with the appropriate filing authority.

APPOINTMENT BY OFFICEHOLDER

If an officeholder files an appointment of campaign treasurer after a period in which he or she did not have a campaign treasurer appointment on file, the officeholder may have to file a report of contributions and expenditures no later than 15 days after filing the appointment of campaign treasurer. *See* "15th Day After Appointment of Campaign Treasurer by Officeholder" in this guide. An officeholder who *changes* a campaign treasurer is not required to file this report.

Note: An officeholder who has a campaign treasurer appointment on file is a candidate for purposes of title 15.

FILING FOR A PLACE ON THE BALLOT

Filing a campaign treasurer appointment and filing for a place on the ballot are two completely separate actions. The Secretary of State can provide information about filing for a place on the ballot. Call the Secretary of State at (512) 463-5650 or toll-free at (800) 252-8683.

CHANGING TREASURERS

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

TRANSFERRING TO A DIFFERENT FILING AUTHORITY

If a candidate has a campaign treasurer appointment on file with one filing authority and wishes to accept campaign contributions or make campaign expenditures in connection with a candidacy for an office that would require reporting to a different filing authority, the candidate must file a new campaign treasurer appointment and a copy of the old campaign treasurer appointment (certified by original authority) with the second filing authority. The candidate should also provide written notice to the original filing authority that future reports will be filed with another authority. In general, funds accepted in connection with one office may be used in connection with a campaign for a different office, as long as neither of the offices is a judicial office.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

A candidate may terminate a campaign treasurer appointment by filing an amended appointment of campaign treasurer or by filing a final report.

A campaign treasurer may terminate his or her own appointment by notifying both the candidate and the filing authority in writing. The termination is effective on the date the candidate receives the notice or on the date the filing authority receives the notice, whichever is later.

DECIDING NOT TO RUN

A campaign treasurer appointment does not simply expire. An individual who has a campaign treasurer appointment on file must file reports of contributions and expenditures until he or she files a final report with the filing authority. *See* “Ending Filing Obligations” in this guide.

Things to Remember

- If you plan to run for a public office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) with the proper filing authority when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures.

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

POLITICAL CONTRIBUTIONS AND EXPENDITURES

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

CAMPAIGN CONTRIBUTIONS

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

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

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

CAMPAIGN EXPENDITURES

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

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

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

OFFICEHOLDER CONTRIBUTIONS

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

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

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

OFFICEHOLDER EXPENDITURES

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

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

CAMPAIGN EXPENDITURES BY OFFICEHOLDER

An officeholder who has a campaign treasurer appointment on file may accept both campaign contributions and officeholder contributions and make both campaign expenditures and officeholder expenditures. On a report, there is no need for an officeholder who is a candidate to distinguish between campaign contributions and officeholder contributions or between campaign expenditures and officeholder expenditures. Both campaign contributions and officeholder contributions are reported as "political contributions" and both campaign expenditures and officeholder expenditures are reported as "political expenditures."

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

PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS

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

USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY

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

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

ACCEPTING CONTRIBUTIONS

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

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

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

REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

If a candidate or officeholder makes political expenditures from personal funds, he or she may use political contributions to reimburse himself or herself if the expenditures are properly reported either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds. In order for a candidate or officeholder to use political contributions to reimburse his or her personal funds, the political expenditure from personal funds must be properly reported on

the report covering the period in which the expenditures are made. *A filed report may not be later corrected to indicate an intention to reimburse personal funds from political contributions.*

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

SEPARATE ACCOUNT REQUIRED

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

INFORMATION REQUIRED ON REPORTS

CONTRIBUTIONS

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

PLEDGES

Promises to transfer money, goods, services, or other things of value are contributions. If a filer accepts such a promise, he or she must report it (along with the information required for other contributions) on the reporting schedule for "pledges." Once a pledge has been reported, it is not re-reported when you actually receive it.

Note: A pledge is not a contribution unless you accept it.

Example 1: In June a supporter promises that he will give Juan Garcia $1,000 in the last week before the November election. Juan accepts his promise. Juan must report the pledge on his July 15 report. (**Note:** Once he reports the $1,000 pledge, his reporting obligation for that pledge is complete. He does not report the actual receipt of the pledge. Also, if he never receives the $1,000, he does not amend his report to delete the entry for the pledge.)

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

LOANS

Loans made for campaign or officeholder purposes are reportable. A filer must report the amount of a loan, the date the loan is made, the interest rate, the maturity date, the type of collateral, and the name and address of the lender. The filer must also report the name, address, principal occupation,

and employer of any guarantor and the amount guaranteed by the guarantor. (Detailed information is not required if a particular lender lent $50 or less during a reporting period.) If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan. *See* "Campaign Expenditures from Personal Funds" in this guide for additional information.

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

CONTRIBUTIONS OF PERSONAL SERVICES

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

CONTRIBUTIONS OF PERSONAL TRAVEL

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

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

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

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

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

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

EXPENDITURES

A filer must report any campaign expenditure (regardless of whether it is made from political contributions or from personal funds) and any political expenditure (campaign or officeholder) from political contributions (regardless of whether the expenditure is a political expenditure). If the total expenditures to a particular payee do not exceed $100 during the reporting period, a filer may report those expenditures as part of a lump sum. Otherwise, a filer must report the date of an expenditure, the name and address of the person to whom the expenditure is made, and the purpose of the expenditure.

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

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

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

OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS

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

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

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

DIRECT EXPENDITURES

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

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

SUPPORTING POLITICAL COMMITTEES

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

PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER

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

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

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

INTEREST EARNED, OTHER CREDITS/GAINS/REFUNDS, AND PURCHASE OF INVESTMENTS

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

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

- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds $100;

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

- any investment purchased with a political contribution, the amount of which exceeds $100.

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

TOTAL POLITICAL CONTRIBUTIONS MAINTAINED

The law requires you to disclose the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period. The "total amount of political contributions maintained" includes: the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions and the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.

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

TIME OF ACCEPTING CONTRIBUTION

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

TIME OF MAKING EXPENDITURE

For reporting purposes, an expenditure is made when the amount of the expenditure is readily determinable, not when payment is actually made. If a filer cannot determine the amount of an expenditure until a periodic bill, the date of the expenditure is the date the bill is received.

Credit Card Expenditures. For purposes of 30 day and 8 day pre-election reports, the date of an expenditure made by a credit card is the date of the purchase, not the date of the credit card bill. For purposes of other reports, the date of an expenditure made by a credit card is the date of receipt of the credit card statement that includes the expenditure.

PREPARING REPORTS

FORMS

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

SIGNATURE REQUIRED

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

FILING DEADLINES

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

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

PERIODS COVERED BY REPORTS

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

DEADLINE ON WEEKEND OR HOLIDAY

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

5 P.M. DEADLINE

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

DELIVERY BY MAIL OR OTHER CARRIER

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

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

RETENTION OF RECORDS USED FOR REPORTS

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

REPORTS

SEMIANNUAL REPORTS

Every candidate and every officeholder is required to file reports of contributions and expenditures by January 15 and July 15 of each year. The reports filed on these dates are known as semiannual reports.

Candidates and officeholders must file semiannual reports even if there is no activity to report for the period covered.

REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

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

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

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

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

REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION

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

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

MODIFIED REPORTING

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

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

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

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

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

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

FINAL REPORT

See "Ending Filing Obligations" below.

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

See "Ending Filing Obligations" below.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT

See "Ending Filing Obligations" below.

Things to Remember

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

ENDING FILING OBLIGATIONS

FINAL REPORT

If a filer expects to accept no further political contributions and to make no further political expenditures and if the filer expects to take no further action to get elected to a public office, the filer may file a final report. Filing a final report terminates a filer's campaign treasurer appointment and relieves the filer from any additional filing obligations *as a candidate*. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with chapter 572 of the Government Code or chapter 159 of the Local Government Code.) If the filer is an officeholder, the filer will still be subject to the filing requirements applicable to officeholders. A filer who is not an officeholder at the time of filing a final report *and* who has surplus political funds or assets will be required to file annual reports of unexpended contributions and a report of final disposition of unexpended contributions. *See* "Annual Report of Unexpended Contributions" and "Report of Final Disposition of Unexpended Contributions" below.

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

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

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

The following individuals must file annual reports of unexpended contributions:

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

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

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

REPORT OF FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS

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

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

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

- The former candidate or officeholder may give them to the political party with which he or she was affiliated when last on the ballot;
- The former candidate or officeholder may contribute them to a candidate or a political committee. (This triggers a requirement to file a report of the contribution.);
- The former candidate or officeholder may give them to the comptroller for deposit in the state treasury to be used to finance primary elections;
- The former candidate or officeholder may give them to one or more contributors, but the total returned to any person may not exceed the aggregate amount accepted from that

person during the last two years during which the former candidate or officeholder accepted political contributions;

- The former candidate or officeholder may give them to certain charitable organizations; or
- The former candidate or officeholder may give them to a public or private post-secondary educational institution or an institution of higher education as defined by section 61.003(8), Education Code, for the purpose of assisting or creating a scholarship program.

Things to Remember

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

PENALTIES FOR REPORTING VIOLATIONS

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

CAMPAIGN FINANCE RESTRICTIONS

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

1. An individual may not accept a campaign contribution or make a campaign expenditure (including a campaign expenditure from personal funds) without a campaign treasurer appointment on file. Elec. Code § 253.031. An officeholder may accept officeholder contributions and make officeholder expenditures regardless of whether he or she has a campaign treasurer appointment on file.

2. Political contributions from labor organizations and from most corporations are prohibited. Elec. Code § 253.091, *et seq.* Partnerships that include one or more corporate partners are subject to the prohibition.

3. Certain documentation must be obtained in order to accept contributions from an out-of-state political committee. Elec. Code § 253.032. *See* "Contributions From Out-of-State Political Committees" in this guide.

4. Cash contributions of more than $100 in the aggregate from one contributor in a reporting period are prohibited. (Here "cash" means coins and currency, not checks.) Elec. Code § 253.033.

5. The use of political contributions to purchase real property is prohibited. There is also a restriction on the use of political funds to rent or purchase real property from a person related to the candidate or officeholder within the second degree of consanguinity or affinity or from a business in which the candidate or officeholder or such a relative has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer. Elec. Code § 253.038.

6. Texas law does not allow anonymous contributions. Also, reports must disclose the actual source of a contribution, not an intermediary. Elec. Code § 253.001.

7. Personal use of political contributions is prohibited. Elec. Code § 253.035.

8. A candidate or officeholder may not use political contributions to pay for personal services rendered by the candidate or officeholder or by the spouse, or dependent children of the candidate or officeholder. There are also restrictions of a candidate's or officeholder's use of political contributions to make payments to a business in which the candidate or officeholder holds a participating interest of more than 10 percent, a position on the governing body of the business, or a position as an officer of the business. *See* Ethics Advisory Opinion No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions). Elec. Code § 253.041.

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

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

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

TEXAS ETHICS COMMISSION

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 28, 2011

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

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

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

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

TABLE OF CONTENTS

PART I. THE ROLE OF THE FILING AUTHORITY 1

What Is Title 15 About? 1
What Are My Responsibilities Under the Campaign Finance Law? 1
Who Files With Me? 2
What Forms Do I Need to Make Available? 3
Why Is It So Important to Provide the Instructions With the Forms? 5
Is There Other Information I Can Make Available to Filers? 5
How Do I Know the Filing Deadlines? 5
Why Should I Date-Stamp Filings and Save Postmarks? 6
May Filers Use Computer Programs to Create Reports? 6

PART II. CANDIDATES 6

What Makes Someone a Candidate? 6
How Does a Candidate Appoint a Campaign Treasurer? 6
When Does a Candidate Have to File Reports? 7
When May a Candidate Stop Filing Title 15 Reports? 9

PART III. OFFICEHOLDERS 9

What Does Title 15 Have to Do With Officeholders? 9
When Does an Officeholder Have to File Reports? 10

PART IV. SPECIFIC-PURPOSE POLITICAL COMMITTEES 11

What Is a Political Committee? 11
What Is a Specific-Purpose Political Committee? 11
What Political Committees File With Political Subdivisions? 11
When Must a Political Committee File a Campaign Treasurer Appointment? 11
What Are the Responsibilities of a Committee's Campaign Treasurer? 12
How Does a Committee Change Treasurer? 12
What If a Specific-Purpose Committee Becomes a General-Purpose Committee? 12
When Does the Treasurer of a Specific-Purpose Committee Have to File Reports? 12

PART V. PENALTIES 14

PART VI. FREQUENT QUESTIONS 14

ENDNOTES 16

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

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

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

PART I. THE ROLE OF THE FILING AUTHORITY

WHAT IS TITLE 15 ABOUT?

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

WHAT ARE MY RESPONSIBILITIES UNDER THE CAMPAIGN FINANCE LAW?

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

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

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

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

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

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

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

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

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

School Districts with a Student Enrollment of More Than 15,000 and Located Wholly or Partly in a Municipality with a Population of More Than 500,000. Beginning with campaign finance reports required to be filed on or after January 1, 2012, a school district that meets this enrollment and population criteria is required to post on the school district's Internet website the reports filed by school board trustees, candidates for school board trustee, and specific-purpose committees that support, oppose, or assist a candidate for or member of the board of trustees in a school district. A report must be posted on the school district's website not later than the fifth business day after the date the report is filed. Elec. Code § 254.04011.

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

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

WHO FILES WITH ME?

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

1. Candidates for and officeholders of elective offices of the political subdivision;

2. Specific-purpose committees supporting or opposing candidates for and officeholders of elective offices of the political subdivision; and

3. Specific-purpose committees supporting or opposing a measure to be submitted at an election ordered by an authority of the political subdivision. *See* "Part IV. Specific-Purpose Political Committees" in this guide.

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

WHAT FORMS DO I NEED TO MAKE AVAILABLE?

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

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

A person who takes action to gain nomination or election to a public office must file FORM CTA even if the person does not intend to accept campaign contributions or make campaign expenditures. Additionally, before a candidate may raise or spend money for his or her candidacy, the candidate must appoint a campaign treasurer by filing FORM CTA with the appropriate filing authority. For example, a candidate must file a campaign treasurer appointment before paying a filing fee.

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

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

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

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

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

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

5. **FORM C/OH-UC *and* FORM C/OH-UC Instruction Guide (Candidate/Officeholder Report of Unexpended Contributions)**
   Former candidates and officeholders use this form to report the disposition of unexpended contributions.

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

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

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

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

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

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

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

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

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

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

11. **FORM PFS (Personal Financial Disclosure Statement**)

    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 even if the candidate does not intend to accept campaign contributions or make campaign expenditures. Once a person has filed a campaign treasurer appointment, he or she must file periodic reports of contributions and expenditures as a candidate. The obligation to file reports as a candidate lasts until the person files a final report.

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

HOW DOES A CANDIDATE APPOINT A CAMPAIGN TREASURER?

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

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

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

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

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

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

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

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

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

WHEN DOES A CANDIDATE HAVE TO FILE REPORTS?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEN MAY A CANDIDATE STOP FILING TITLE 15 REPORTS?

Filing a final report[4] ends a person's obligation to file title 15 reports unless (1) the filer has not yet filed past-due reports, (2) the person is an officeholder, or (3) the person has surplus funds at the time of filing a final report. An officeholder may be required to file title 15 reports as an officeholder. See "Part III. Officeholders. When Does An Officeholder Have To File Reports?" in this guide. A former candidate who is not an officeholder but who has surplus campaign funds must file annual reports of contributions and expenditures. *See* "Part II. Candidates. Annual Reports of Unexpended Contributions" above.

PART III. OFFICEHOLDERS

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

WHAT DOES TITLE 15 HAVE TO DO WITH OFFICEHOLDERS?

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

WHEN DOES AN OFFICEHOLDER HAVE TO FILE REPORTS?

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

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

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

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

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

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

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

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

PART IV. SPECIFIC-PURPOSE POLITICAL COMMITTEES

WHAT IS A POLITICAL COMMITTEE?

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

WHAT IS A SPECIFIC-PURPOSE POLITICAL COMMITTEE?

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

WHAT POLITICAL COMMITTEES FILE WITH POLITICAL SUBDIVISIONS?

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

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 a runoff election must file a runoff report on FORM SPAC. A runoff report is due no later than the 8th day before the runoff and must be *received* by the appropriate filing authority no later than the report due date.

> **Modified Reporting.** A specific-purpose committee that has selected modified reporting and remains eligible for modified reporting is not required to file a runoff report.
>
> A committee that has selected modified reporting has $500 thresholds in connection with the main election and additional $500 thresholds in connection with a runoff.

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

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

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

PART V. PENALTIES

As a local filing authority, you have no authority to penalize filers in any way for violations of title 15. Any individual may file a criminal complaint regarding a violation of title 15 with the appropriate county or district attorney. Also, any 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 even if a candidate does not intend to accept campaign contributions or make campaign expenditures. Also, the fact that a candidate doesn't accept campaign contributions does not mean that the candidate will have nothing to report. The candidate must report campaign expenditures from personal funds.

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

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

2. If a July 15 or January 15 deadline occurs before the election, the candidate must file a report of contributions and expenditures on FORM C/OH.

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

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

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

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

A. You should accept the filing.

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

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

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

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

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

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

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

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

ENDNOTES

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.

Table of Contents

POLITICAL ADVERTISING
What You Need To Know

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

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

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

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

(512) 463-5800

FAX (512) 463-5777

TDD (800) 735-2989

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

Revised July 19, 2011

REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

I. What Is Political Advertising?

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

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

Part A. What Does It Say?

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

2. Political advertising includes communications supporting or opposing an officeholder, a political party, or a measure (a ballot proposition).

Part B. Where Does It Appear?

1. Political advertising includes communications that appear in pamphlets, circulars, fliers, billboards or other signs, bumper stickers, or similar forms of written communication.

2. Political advertising includes communications that are published in newspapers, magazines, or other periodicals in return for consideration.

3. Political advertising includes communications that are broadcast by radio or television in return for consideration.

4. Political advertising includes communications that appear on an Internet website.

II. When Is A Disclosure Statement Required?

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

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

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

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

III. What Should The Disclosure Statement Say?

A disclosure statement must include the following:

1. the words "political advertising" or a recognizable abbreviation such as "pol. adv."; and

2. the full name of one of the following: (a) the person who paid for the political advertising; (b) the political committee authorizing the political advertising; or (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

The disclosure statement must appear on the face of the political advertising.

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

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

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

1. t-shirts, balloons, buttons, emery boards, hats, lapel stickers, small magnets, pencils, pens, pins, wooden nickels, candy wrappers, and similar materials;

2. invitations or tickets to political fundraising events or to events held to establish support for a candidate or officeholder;

3. an envelope that is used to transmit political advertisement, provided that the political advertisement in the envelope includes the disclosure statement;

4. circulars or fliers that cost in the aggregate less than $500 to publish and distribute; and

5. political advertising printed on letterhead stationery, if the letterhead includes the name of one of the following: (a) the person who paid for the advertising, (b) the political committee authorizing the advertising, or, (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate. (Note: There is also an exception for holiday greeting cards sent by an officeholder, provided that the officeholder's name and address appear on the card or the envelope.)

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

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

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

VI. The Fair Campaign Practices Act.

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

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

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

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

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

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

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

ROAD SIGNS

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

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

1. if you enter into a contract or agreement to print or make written political advertising meant to be seen from a road; or

2. if you instruct another person to place the written political advertising meant to be seen from a road.

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

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

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

Note: The notice on political advertising signs printed or made before September 1, 1997, contained a citation to a prior law. You may continue to use those signs if they otherwise comply with the law.

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

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

IV. What About Bumper Stickers?

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

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

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

MISREPRESENTATION

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

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

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

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

II. Misrepresentation Of Office Title.

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

Vote John Doe for Attorney General	**John Doe For Attorney General**

III. Misrepresentation Of Identity Or Source.

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

IV. Use Of State Seal.

Only officeholders may use the state seal in political advertising.

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available in alternative formats.
The Texas Ethics Commission is an Equal Opportunity Employer and does not discriminate in providing services and employment.
Copies of this publication have been distributed in compliance with the State Depository Law.

CITY OF BEDFORD
POLITICAL SIGN REQUIREMENTS

- There is no permit for Political signs located on private real property per Texas Local Government Code Section 216.903.

- Signs must be on private real property and consent of the property owner obtained.

- Signs are <u>not allowed</u> in any city right-of-way, median, easement or other encumbrance that allows a municipality to use the property for a public purpose.

- Pursuant to Section 6-70 of the City of Bedford Sign Ordinance, no political sign may be placed on public property owned, leased, or controlled by the City of Bedford. Provided, however, this subsection does not prohibit and individual from carrying or displaying political signs, nametags, badges, banners, or other political or campaign materials on public property so long as such activity is conducted in accordance with Chapter 61 and Chapter 85 of the Texas Election Code, as now or hereafter amended.

- The sign may not have an effective area greater than 36 feet; be more than eight feet high; can not be illuminated; or have any moving elements. Please contact the City of Bedford Code Enforcement Office at 817.952.2147 regarding any questions.

- The Code Enforcement Office will not have information to contact you if a sign has been removed due to a violation. If you are missing a sign or you are not sure of the proper placement, please feel free to contact the Code Enforcement Office at 817.952.2147.

PART I THE CHARTER*

***Editor's note:** Printed herein is Resolution No. 93-11, as approved at the election of August 14, 1993, and approved by the city council on August 24, 1993. Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. History notes to the former Charter are also included. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets. The current Charter supersedes the original Charter approved by the citizens of Bedford on September 24, 1966.

Article I. Incorporation, Form of Government, Powers
Sec. 1.01. Incorporation.
Sec. 1.02. Form of government.
Sec. 1.03. Boundaries--Established.
Sec. 1.04. Same--Extension by petition.
Sec. 1.05. Reserved.
Sec. 1.06. Powers of city--Exercise and enforcement.
Sec. 1.07. Same--Powers adopted.
Sec. 1.08. Same--To acquire property for public purpose.
Article II. The Council
Sec. 2.01. Number, selection, term.
Sec. 2.02. Present council.
Sec. 2.03. Qualifications.
Sec. 2.04. Compensation.
Sec. 2.05. Vacancies.
Sec. 2.06. Presiding officer; mayor.
Sec. 2.07. Powers.
Sec. 2.08. Appointment of City Manager.
Sec. 2.09. Removal of City Manager.
Sec. 2.10. Removal of other appointive officials.
Sec. 2.11. Not to interfere in City Manager's appointments or removals.
Sec. 2.12. Reserved.
Sec. 2.13. Induction into office; meetings.
Sec. 2.14. Judge of qualifications of its members.
Sec. 2.15. Rules of procedure; minutes.
Sec. 2.16. Ordinances--Required for certain legislation; enacting clause.
Sec. 2.17. Same--Enactment.
Sec. 2.18. Reserved.
Sec. 2.19. Reserved.
Sec. 2.20. Independent annual audit.
Sec. 2.21. Ethics requirements.
Article III. City Manager
Sec. 3.01. Qualifications.
Sec. 3.02. Powers and duties.
Sec. 3.03. Absence.
Sec. 3.04. Reserved.
Sec. 3.05. Reserved.
Sec. 3.06. City secretary.
Sec. 3.07. City attorney.
Article IV. Budget

Sec. 4.01. Fiscal year; budget year; accounting year.
Sec. 4.02. Preparation and submission.
Sec. 4.03. Form.
Sec. 4.04. A public record.
Sec. 4.05. Publication and notice of public hearing.
Sec. 4.06. Hearing and adoption of budget.
Sec. 4.07. Budget establishes appropriations and amount to be raised by taxation.
Sec. 4.08. Unallocated reserve fund.
Sec. 4.09. Amendment and supplemental budgets.
Sec. 4.10. Defect shall not invalidate tax levy.
Article V. Bonds, Warrants and Evidences of Indebtedness
Sec. 5.01. Power to issue.
Sec. 5.02. Reserved.
Article VI. Tax Assessment and Collection
Sec. 6.01. Power to tax.
Sec. 6.02. State law governs tax collection.
Sec. 6.03. Exempt property.
Sec. 6.04. Unrendered property.
Sec. 6.05. Payment of taxes.
Sec. 6.06. Delinquent taxes.
Sec. 6.07. Tax lien and liability.
Sec. 6.08. Joint interest in property.
Sec. 6.09. Appraisal of property.
Sec. 6.10. Reserved.
Sec. 6.11. Council shall have power to regulate taxes and appoint tax assessor and collector.
Article VII. Nominations and Elections
Sec. 7.01. Times of elections.
Sec. 7.02. Regulation of elections.
Sec. 7.03. Nominations.
Sec. 7.04. Number, selection and term of city council members.
Sec. 7.05. Official ballot.
Sec. 7.06. Qualified voter.
Sec. 7.07. Laws governing city elections.
Sec. 7.08. Conducting and canvassing elections; run-off elections.
Sec. 7.09. Oath of office.
Sec. 7.10. Election of municipal judge.
Article VIII. Municipal Court
Sec. 8.01. Creation and jurisdiction; fines.
Sec. 8.02. Municipal Judge--Designation.
Sec. 8.03. Same--Power.
Sec. 8.04. Clerk--Power.
Article IX. Planning and Zoning
Sec. 9.01. Planning and zoning commission--Establishing; membership; organization; meetings.
Sec. 9.02. Same--Powers and duties.
Sec. 9.03. Master plan--Development.
Sec. 9.04. Same--Legal effect.
Article X. Franchises and Public Utilities
Sec. 10.01. Powers of the city.
Sec. 10.02. Franchise granting power of council.
Sec. 10.03. Franchise value not to be allowed.
Sec. 10.04. Right of regulation.
Sec. 10.05. Consent of property owners.

Sec. 10.06. Extensions.
Sec. 10.07. Temporary licenses.
Sec. 10.08. Other conditions.
Sec. 10.09. Franchise records.
Sec. 10.10. Accounts of municipal-owned utilities.
Sec. 10.11. Regulations of rates and service--Generally.
Sec. 10.12. Reserved.
Article XI. Miscellaneous Provisions
Sec. 11.01. No officer or employee to accept gift, etc., from public utility.
Sec. 11.02. Officers or employees of the city not to have financial interest in any contracts of the city.
Sec. 11.03. Property not exempt from special assessments.
Sec. 11.04. Notice of damage or injury required.
Sec. 11.05. City exempt from appeal bonds.
Sec. 11.06. Execution, garnishment and assignment.
Sec. 11.07. No lien on public property.
Sec. 11.08. Bonds of contractors.
Sec. 11.09. Condemnation of dangerous structures.
Sec. 11.10. Fire limits.
Sec. 11.11. Building permits.
Sec. 11.12. Bonds of city official, employee or department director.
Sec. 11.13. When charter provisions take effect.
Sec. 11.14. Right to amend the charter.
Sec. 11.15. Ordinances, rules and regulations validated.
Sec. 11.16. Separability clause.
Sec. 11.17. Mandatory charter review.
Article XII. General Construction
Sec. 12.01. Effective date.
Sec. 12.02. Construction.
Article XIII. Initiative and Referendum
Sec. 13.01. General authority.
Sec. 13.02. Commence of proceeding; petitioners' committee; affidavit.
Sec. 13.03. Petitions.
Sec. 13.04. Procedure after filing.
Sec. 13.05. Referendum petitions; suspension of effect of ordinance.
Sec. 13.06. Action on petitions.
Sec. 13.07. Results of election.
Sec. 13.08. Initiative and referendum--Failure of city council to act.
Article XIV. Recall
Sec. 14.01. Power of recall.
Sec. 14.02. Commence of proceeding; petitioners' committee; affidavit.
Sec. 14.03. Petitions.
Sec. 14.04. Procedure after filing.
Sec. 14.05. Recall election.
Sec. 14.06. Results of recall election.
Sec. 14.07. Limitation on recall.
Sec. 14.08. Failure of city council to act.

ARTICLE I. INCORPORATION, FORM OF GOVERNMENT, POWERS

Sec. 1.01. Incorporation.

The inhabitants of the Town of Bedford, Texas, within the corporate limits as now established or as hereafter established in the manner provided by law, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the "City of Bedford, Texas."
(Char. Amendment of 5-10-08)

Sec. 1.02. Form of government.

The municipal government provided by this charter shall be known as the "Council-Manager" government. Pursuant to its provisions and subject only to the limitations imposed by the state constitution, by the statutory laws of Texas, and by this charter, all power of the city shall be vested in an elective council, hereinafter referred to as the "council", which shall enact local legislation, adopt budgets, determine policies, and appoint the City Manager, who shall execute the laws and administer the government of the city. All powers of the city shall be exercised in the manner prescribed by the charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance or resolution.
(Char. Amendment of 1-1-77; Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Sec. 1.03. Boundaries--Established.

The boundaries and limits of the city, until changed in the manner herein provided, shall be the same as have heretofore been established and as exist on the date of the adoption of this charter, which boundaries are more fully set out and described by metes and bounds in the minutes of the city council of the city, which is now, and shall hereafter be in the office of the city secretary of the city.

Sec. 1.04. Same--Extension by petition.

The city may annex and disannex property by following the procedure and requirements of state law contained in the Texas Local Government Code and other applicable state statutes, as from time to time amended.
(Ord. No. 2400, § 1, 8-26-97)

Sec. 1.05. Reserved.

Editor's note: Ord. No. 2400, § 1, adopted August 26, 1997 repealed § 1.05 of the charter, which pertain to extension of boundaries by county and derived from Rev. No. 93-11, as approved at the election of August 14, 1993 and approved by the city council of August 24, 1993.

Sec. 1.06. Powers of city--Exercise and enforcement.

The city shall have all powers that now are or hereafter may be granted to municipalities by the constitution and laws of the state, and all such powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed by this charter, and when not prescribed therein, in such manner as may be provided by ordinance or resolution of the governing body of the city.

Sec. 1.07. Same--Powers adopted.

The enumeration of particular powers in the charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have and may exercise all other powers which, under the constitution and laws of the state it would be competent for the charter specifically to enumerate. The city shall have and exercise all the powers conferred upon cities and towns by the law of the state, or which may hereafter be conferred by the legislature of the state upon cities and towns.
(Char. Amendment of 5-10-08)

Sec. 1.08. Same--To acquire property for public purpose.

(a) The city shall have the power to acquire, by condemnation, either private or public property located inside or outside of the corporate limits for the extension, improvement and enlargement of its water system, including riparian rights, water supply, reservoir, water wells, standpipes, water sheds, dams, the laying, building, maintenance and construction of water mains, and the laying, erecting, drilling, establishment or maintenance

of any necessary appurtenances or facilities which will furnish to the inhabitants of the city an abundant supply of wholesome water; for sewerage plants and systems; rights-of-way for water and sewer lines; parks, playgrounds and schools, hospitals, fire stations, police stations, burial grounds and cemeteries, incinerators or other garbage disposal plants, streets, boulevards and alleys or other public ways, city jails, city halls and other municipal buildings or any right-of-way needed in connection with any property used for any purpose hereinabove named; for the straightening or improving of the channel of any stream, branch or drain, and for any other municipal purpose, or as provided by state law. The procedure to be followed in any condemnation proceeding hereunder and authorized herein shall be in accordance with the provisions of the state law with reference to eminent domain.

(b) Provided, however, nothing included in (a) above or anywhere within this charter shall authorize the city, or any corporation, agency or entity created by the city, or pursuant to the city's approval and authorization, to institute and exercise the power of eminent domain to acquire private or public property if the purpose of the acquisition is the promotion of economic development for a private business enterprise which business enterprise would own any right, title, or interest in the property so acquired.

(Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

ARTICLE II. THE COUNCIL

Sec. 2.01. Number, selection, term.

The council shall consist of seven (7) members, a mayor and six (6) council members, elected from the city at large, in the manner provided in Article VII, for a term of three (3) years, or until their successors have been elected and take office, as provided in section 2.05. Any person who is serving in the capacity of an official in an elected office in the City of Bedford shall automatically resign that office upon filing to become a candidate for election to another City office. Each member of the council, including the mayor, is limited to be elected for four (4) consecutive full terms. Any elected official who is elected for four (4) consecutive full terms will be eligible to run for office after sitting out one full term of office. The official may not hold any compensated appointive City office or employment with the City while holding office; and may not hold any compensated appointive City office or employment with the City until one (1) year after vacating the office.

(Elect. of 6-24-69; Char. Amendment of 1-15-77; Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Sec. 2.02. Present council.

The council terms shall be elected as follows:

The mayor and council places 1 and 2 will be elected in the same year. Council places 3 and 5 will be elected in the year after the election of council places 1 and 2. Council places 4 and 6 will be elected in the year after the election of council places 3 and 5.

(Elect. of 6-24-69; Char. Amendment of 5-10-08)

Sec. 2.03. Qualifications.

The members of the council shall be qualified voters of the city, who have been residents of the city for at least one (1) year, and shall hold no other public office except for those allowed by the Texas Constitution or state law. If a member of the council shall cease to possess any of these qualifications or shall be convicted of a felony, the office shall immediately become vacant.

Sec. 2.04. Compensation.

Council members shall serve without pay or compensation provided, however, they shall be entitled to reimbursement of necessary expenses incurred in the performance of their official duties when approved by the council.

Sec. 2.05. Vacancies.

In the event of a vacancy occurring in the office of any council member or mayor, a special election shall be held in accordance with state law and the Texas Constitution for the purpose of filling such vacancy.

(Char. Amendment of 5-10-08)

Sec. 2.06. Presiding officer; mayor.

The mayor shall preside at meetings of the council, and shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The mayor may participate in the discussion of all matters coming before the council and vote on all matters coming before the council. The council shall elect, from among its council members, a mayor pro tempore, who shall act as mayor during the absence or disability of the mayor or during a time that the office is vacated, and if desired a deputy mayor pro tempore, who shall act as mayor during the absence or disability of the mayor or during a time that the office is vacated.
(Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Sec. 2.07. Powers.

Except as otherwise provided by this charter, all powers of the city and the determination of all matters of policy shall be vested in the council. The council shall have and exercise all of the powers now authorized by the constitution and general laws of the state and any amendments thereto, and without limitation of the foregoing powers of the council, the council shall also have power to:
(1) Appoint and remove the City Manager;
(2) Upon the recommendation of the City Manager, establish other administrative departments and distribute the work of divisions;
(3) Adopt the budget of the city;
(4) Authorize the issuance of bonds by a bond ordinance;
(5) Inquire into the conduct of any office, department or agency of the city, and make investigations as to municipal affairs;
(6) Appoint the members of all boards and commissions;
(7) Adopt and modify the official map of the city;
(8) Regulate and restrict the area, height and number of stories of buildings and other structures, the size of yards and courts, the density of population and the location and use of buildings for trade, industry, business, residence or other purposes, and adopt such other zoning regulations as may be authorized by law;
(9) Adopt, modify and carry out plans proposed by the planning and zoning commission for the replanning, improvement and redevelopment of neighborhoods, and for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or in part by disaster;
(10) Provide for an independent audit.
(Char. Amendment of 5-10-08)

Sec. 2.08. Appointment of City Manager.

The council shall appoint a City Manager, for an indefinite term, who shall be the chief administrative and executive officer of the city. No member of the council shall be appointed City Manager until one year after vacating the office. The City Manager shall receive such compensation as may be fixed by the council.
(Char. Amendment of 5-10-08)
Charter references: City Manager generally, art. III.

Sec. 2.09. Removal of City Manager.

The council may remove the City Manager upon the affirmative vote of a majority of the full membership of the council, including the mayor as a voting member. The action of the council in suspending or removing the City Manager shall be final, it being the intention of this charter to vest all authority and fix all responsibility for such suspension or removal in the council.
Charter references: City manager generally, art. III.

Sec. 2.10. Removal of other appointive officials.

The council may, upon the affirmative vote of a majority of the full membership of the council, including the mayor as a voting member, remove members of its appointive boards or commissions without notice, unless otherwise provided by state law.

Sec. 2.11. Not to interfere in City Manager's appointments or removals.

Neither the council nor any of its members shall direct or request the appointment of any person to or his removal from office by the City Manager, or by any of his subordinates. However, the council may consult and advise with the City Manager, make inquiry to the City Manager regarding the appointments or removals, and may express their opinion in regard thereto. In regard to administrative and executive duties under the City

Manager, the council and its members shall deal solely through the City Manager, and neither the council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Willful violation of the foregoing provisions of this charter by any member of the council shall constitute official misconduct and shall authorize the council, by a vote of a majority of its membership, to remove such violating member from the council if found in violation after public hearing, and thereby create a vacancy in the place held by such member.
(Char. Amendment of 5-10-08)
Charter references: City manager generally, art. III.

Sec. 2.12. Reserved.

Editor's note: A Charter amendment of May 10, 2008, repealed § 2.12 in its entirety, which pertained to the creation of new departments or offices, and derived from original codification.

Sec. 2.13. Induction into office; meetings.

Council members will be inducted into office as prescribed by state law. The council shall meet regularly at such times as may be prescribed by its rules, but not less frequently than twice each month, the time for such regular meetings to be designated by ordinance, which ordinance shall be published at least one (1) time in the official newspaper of the city. The council may hold as many additional meetings as may be necessary for the transaction of the business of the city. All meetings of the council shall be open to the public in accordance with state law.
(Char. Amendment of 5-10-08)

Sec. 2.14. Judge of qualifications of its members.

The council shall be the judge of the election and qualification of its members and for such purpose shall have power to subpoena witnesses and require the production of records.

Sec. 2.15. Rules of procedure; minutes.

The council shall determine its own rules and order of business. It shall keep minutes of its proceedings, and the council approved minutes shall be open to public inspection in accordance with state law.
(Char. Amendment of 5-10-08)

Sec. 2.16. Ordinances--Required for certain legislation; enacting clause.

In addition to such acts of the council as are required by statute or by this charter to be by ordinance, every act of the council establishing a fine or other penalty, or providing for the expenditure of funds or for the contracting of indebtedness, shall be by ordinance. The enacting clause of all ordinances shall be: "Be it ordained by the City Council of the City of Bedford, Texas."

Sec. 2.17. Same--Enactment.

Each proposed ordinance or resolution shall be introduced in written or printed form and shall not contain more than one subject which shall be clearly expressed in the title, except ordinances or resolutions making appropriations or authorizing the contracting of indebtedness or issuance of bonds or other evidence of indebtedness. Any ordinance or resolution may be passed at any regular or special called meeting of the council, unless otherwise provided herein or by state law.
(Char. Amendment of 5-10-08)

Sec. 2.18. Reserved.

Editor's note: A Charter amendment of May 10, 2008, repealed § 2.18 in it entirety, which pertained to same--emergency and nonemergency measures, and derived from original codification.

Sec. 2.19. Reserved.

Editor's note: Ord. No. 2400, § 1, adopted August 26, 1997 repealed § 2.19, which pertained to publication of penal ordinances and derived from an election of June 24, 1969.

Sec. 2.20. Independent annual audit.

Prior to the end of each fiscal year, the council shall designate qualified public accountants who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidence of financial transactions of the city government, and shall submit their report to the council and to the City Manager. Such accountants shall have no personal interest, direct or indirect, in the fiscal affairs of the city government or of any of its officers. They shall not maintain any accounts or records of the city business, but, within specifications approved by the council, shall post-audit the books and documents kept by the city. A copy of such audit shall be kept in the office of the city secretary, subject to inspection by any citizen and officer during regular office hours.
(Char. Amendment of 5-10-08)

Sec. 2.21. Ethics requirements.

The city council shall adopt an ethics policy to apply to elected and appointed officials and employees of the city.
(Char. Amendment of 5-10-08)

ARTICLE III. CITY MANAGER*

_____

***Charter references:** Appointment, § 2.08; removal, § 2.09; council not to interfere, § 2.11; recommendations as to new departments, § 2.12.

_____

Sec. 3.01. Qualifications.

The City Manager shall be chosen by the council solely on the basis of his executive and administrative training, experience and ability, and without regard to political consideration. The City Manager need not, when appointed, be a resident of the city, or the state, but during the tenure of office shall reside in the city.
(Char. Amendment of 5-10-08)

Sec. 3.02. Powers and duties.

The City Manager shall be the chief executive officer and the head of the administrative branch of the city government. The City Manager shall be responsible to the council for proper administration of all affairs of the city and shall have power and shall be required to:
(1) Appoint, and when necessary for the welfare of the city, remove any officer or employee of the city, except as otherwise provided by this charter and except as he may authorize the head of a department to appoint and remove subordinates in such department;
(2) Prepare and submit to the council an annual budget and be responsible for its administration after adoption;
(3) Prepare and submit to the council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year;
(4) Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem desirable;
(5) Perform such other duties as may be prescribed by this charter, state law, or required by the council;
(6) Attend all meetings of the city council, with the right to take part in the discussions, but having no vote.
(Char. Amendment of 5-10-08)

Sec. 3.03. Absence.

To perform his [those] duties during his [the official's] temporary absence, or disability, the City Manager may designate by letter filed with the city secretary a qualified administrative officer of the city. In the event of failure of the City Manager to make such designation, the council may, by resolution, appoint an officer of the city to perform the duties of the City Manager until he [the official] shall return or his disability shall cease.

Sec. 3.04. Reserved.

Editor's note: A Charter amendment of May 10, 2008, repealed § 3.04 in its entirety, which pertained to administrative departments--establishing, and derived from original codification.

Sec. 3.05. Reserved.

Editor's note: A Charter amendment of May 10, 2008, repealed § 3.05 in its entirety, which pertained to same--directors, and derived from original codification.

Sec. 3.06. City secretary.

The City Manager shall appoint an officer of the city; who shall have the title of city secretary. The city secretary shall give notice of the council meetings, shall keep minutes of its proceedings, shall authenticate by signature and maintain all ordinances and resolutions and shall perform such other duties as shall be required by this charter, state law, or by the City Manager.
(Char. Amendment of 5-10-08)

Sec. 3.07. City attorney.

(a) The city attorney shall be a person admitted to the practice of law by the State of Texas and shall have practiced law for at least four years.
(b) The city attorney shall be the chief legal advisor of all offices, departments and agencies and of all officers and employees of the city in matters relating to their official powers and duties. The city attorney shall represent the city in all legal proceedings. The city attorney shall perform all services incident to the position as may be required by statute, by the City of Bedford Charter, or by ordinance.
(c) The city attorney shall be appointed to or removed from office by a vote of the city council.
(Ord. No. 2400, § 1, 8-26-97)

ARTICLE IV. BUDGET

Sec. 4.01. Fiscal year; budget year; accounting year.

The fiscal year of the city government shall begin on the first day of October and shall end on the last day of September of each calendar year. The fiscal year shall constitute the budget and the accounting year.

Sec. 4.02. Preparation and submission.

Prior to the fifteenth day of August in each year, the City Manager shall prepare, file with the city secretary, and furnish to each member of the council a carefully itemized budget outlining anticipated receipts and proposed expenditures of the city, showing as definitely as possible appropriations desired for each project and operation for the next succeeding fiscal year, comparing the same with the budget for the then current fiscal year, and stating the actual receipts and expenditures of the then current fiscal year, including the estimated expenditures for the fourth quarter of the current fiscal year. Each employee, officer, current board, commission and department shall furnish the City Manager such information as may be required by him or her for the proper preparation of each budget. The proposed budget shall also contain:
(1) A complete and detailed statement of assets, obligations and liabilities of the city and of each of the funds administered by it.
(2) An estimate of the rate of tax required for the current calendar year.
(3) A capital program, which shall include all equipment with a minimum depreciable lifetime of five (5) years, which will be revised and extended each year to indicate capital improvements pending or in the process of construction or acquisition, and shall include the following items:
a. A summary of proposed programs;
b. A list of all capital improvements which are proposed to be undertaken during the five (5) fiscal years, which list shall include a five (5) year projection for debt service, next ensuing, with appropriate supporting information as to the necessity for such improvements;
c. Cost estimates, method of financing and recommended time schedules for each such improvement; and
d. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.
(4) An investment strategy for the cash management of the city funds.
(5) Such other budgetary information as may be requested in writing by any member of the city council.
(Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Sec. 4.03. Form.

At the head of the budget there shall appear a summary of the budget, in such a manner as to present to taxpayers a simple and clear summary of the detailed estimates of the budget. The City Manager shall at the same time submit a budget message explaining the need of the requested appropriations and stating what pending capital projects, if any, will likely require the issuance of bonds or warrants.

Sec. 4.04. A public record.

The budget and budget message and all supporting schedules shall be a public record in the office of the city secretary and the public library of the city open to public inspection by anyone.

Sec. 4.05. Publication and notice of public hearing.

At the meeting of the council at which the budget and budget message are submitted, the council shall determine the place and time of the public hearing on the budget and cause to be published in the official newspaper of the city a notice of the place and time, which shall not be less than three (3) days nor more than fourteen (14) days after date of publication.

Sec. 4.06. Hearing and adoption of budget.

At the time advertised or at any time to which such public hearing shall be adjourned, the council shall hold a public hearing on the budget as submitted, at which time all interested persons shall be given an opportunity to be heard for or against the estimates or any item therein. After the conclusion of such public hearing, the council may make such changes, if any, in the budget as in their judgment the law warrants and the best interests of the taxpayers of the city demand. The budget, as amended, shall then be adopted by ordinance which shall also fix the property tax rate per one hundred dollars ($100.00) assessed value, which shall apply to the current tax year. The City Manager shall file a copy of the budget with the county clerk of Tarrant County.
(Char. Amendment of 5-10-08)

Sec. 4.07. Budget establishes appropriations and amount to be raised by taxation.

From the effective date of the budget the amount stated therein as the amount to be raised by taxation shall constitute a determination of the amount of the levy for the purposes of the city in the corresponding tax year and the several amounts stated therein, as proposed expenditures shall thereby be and become appropriated to the several objects and purposes therein stated, but unused appropriations for any item may be transferred and used for any other item required for the accomplishment of the same general purpose.

Sec. 4.08. Unallocated reserve fund.

When recommended by the City Manager and at the discretion of the council, the budget may contain a reasonable sum set aside as an unallocated reserve fund to meet unexpected and unforeseen contingencies in current operating costs of any budget project.
(Char. Amendment of 5-10-08)

Sec. 4.09. Amendment and supplemental budgets.

Upon the affirmative vote of a majority of the full membership of the council, the original budget may be amended or supplemented. Such supplements and amendments shall be approved in an ordinance and shall be filed with the original budget.
(Char. Amendment of 5-10-08)

Sec. 4.10. Defect shall not invalidate tax levy.

Defects in the form or preparation of the budget or the failure to perform any procedural requirement shall not invalidate any tax levy or the tax roll.

ARTICLE V. BONDS, WARRANTS AND EVIDENCES OF INDEBTEDNESS

Sec. 5.01. Power to issue.

The city shall have the right to issue all tax bonds, revenue bonds, funding and refunding bonds, time warrants and other evidences of indebtedness as now authorized or as may hereafter be authorized to be issued by cities and towns by the general laws of the state.
(Char. Amendment of 5-10-08)

Sec. 5.02. Reserved.

Editor's note: A Charter amendment of May 10, 2008, repealed § 5.02 in its entirety, which pertained to manner of issuance, and derived from original codification.

ARTICLE VI. TAX ASSESSMENT AND COLLECTION

Sec. 6.01. Power to tax.

The city council shall have the power and it is hereby authorized and made its duty to levy annually, for general purposes and for the purpose of paying interest and providing the sinking fund on the bonded indebtedness of the city now in existence or which may hereafter be created, an ad valorem tax on all real, personal or mixed property within the territorial limits of said city, and upon all franchises granted by the city to any individual or corporation of not exceeding a total of one dollar and fifty cents ($1.50) on the one hundred dollar ($100.00) assessed valuation of said property, and to levy annually such gross receipts, franchise, occupation and other taxes as may be authorized under the Constitution and laws of the state.
(Char. Amendment of 5-10-08)

Sec. 6.02. State law governs tax collection.

The council shall have full power to provide for the prompt collection of taxes imposed and the procedures, time limits, interest, penalties and methods of levying, imposing, assessing and collecting of taxes shall be those prescribed by state law. The council shall impose such ad valorem taxes as are necessary to support the budget.

Sec. 6.03. Exempt property.

There shall be exempt from taxation all property exempted by the State Constitution, state law and the ordinances of the city, as they are now or as they may be amended.

Sec. 6.04. Unrendered property.

The city shall provide for the assessment of all unrendered property in accordance with state law.

Sec. 6.05. Payment of taxes.

The council shall provide for the payment of taxes in accordance with state law.

Sec. 6.06. Delinquent taxes.

The council shall provide the collection of delinquent taxes in accordance with state law.

Sec. 6.07. Tax lien and liability.

A special lien is hereby created on all real, personal and mixed property, located in the city, in favor of the City of Bedford, for all unpaid taxes. The priority of said lien shall be determined in accordance with the laws of the state and of the United States.

Sec. 6.08. Joint interest in property.

The council shall provide for the assessment of property and the clearing of tax liens in accordance with state law.

Sec. 6.09. Appraisal of property.

The council shall provide for the appraisal of property in accordance with state law.

Sec. 6.10. Reserved.

Editor's note: A Charter amendment of May 10, 2008, repealed § 6.10 in its entirety, which pertained to same--appeal to, and derived from original codification.

Sec. 6.11. Council shall have power to regulate taxes and appoint tax assessor and collector.

The council shall have the power to make all regulations pertaining to the assessment and collection of ad valorem taxes not in conflict with the constitution and laws of the state and may confer the powers and duties of tax assessor and collector on any officer of the city, and unless a person has been appointed to the position of tax assessor and collector for the city, the city council may contract with any other political subdivision, to assess, equalize and collect the taxes for the city.
(Char. Amendment of 1-15-77)

ARTICLE VII. NOMINATIONS AND ELECTIONS

Sec. 7.01. Times of elections.

The regular city election shall be held every year on the first Saturday in May, or at such time as prescribed by law, at which time officers will be elected to fill those offices which become vacant that year. The city council shall fix the hours and place for holding such election. The city council may, by resolution, order a special election, fix the time and place for holding same and provide all means for holding such special election.
(Char. Amendment of 1-15-77; Char. Amendment of 5-10-08)

Sec. 7.02. Regulation of elections.

The city council shall make all regulations which it considers needful or desirable, not inconsistent with this charter or the laws of the state for the conduct of municipal elections, for the prevention of fraud in such elections and for the recount of ballots in case of doubt or fraud. Municipal elections shall be conducted by the appointed election authorities, who shall also have power to make regulations not inconsistent with this charter or with any regulations made by the council or the laws of the state.

Sec. 7.03. Nominations.

Any person having the qualifications required by this charter may have his/her name placed on the ballot as a candidate for mayor, council member or municipal judge. The filing period for such application shall be as provided by state law.
(Ord. No. 2400, § 1, 8-26-97)

Sec. 7.04. Number, selection and term of city council members.

The council, consisting of [the] mayor and six (6) council members, shall be selected as follows:
(1) The mayor shall be elected by a majority vote of the qualified voters voting at the election.
(2) The six (6) council members shall be elected to individual places, designated by number, from the city at large, and each shall be elected by a majority vote of the qualified voters voting at the election.
(3) The mayor and each council member shall hold office for a period of three (3) years and until a successor is duly elected and qualified.

Sec. 7.05. Official ballot.

The names of all candidates for office, except such as may have been withdrawn, died or become ineligible, shall be placed on the ballot without party designations and in the order determined in a drawing as provided by state law.

Sec. 7.06. Qualified voter.

Qualifications for voting in the City of Bedford elections shall be the same as set out in the laws of the State of Texas.
(Char. Amendment of 1-15-77)

Sec. 7.07. Laws governing city elections.

All city elections shall be governed, except as otherwise provided by this charter, by the laws of the state governing general and municipal elections.

Sec. 7.08. Conducting and canvassing elections; run-off elections.

The election judges and other necessary election officials for conducting all such elections shall be appointed by the city council. The election judges shall conduct the elections, determine, record and report the results as provided by the general election laws of the state. The city council shall meet, open the returns, canvass and officially declare the results of the election as to candidates and questions and issue certificates of election to candidates elected as provided by state law. In the event no candidate for a given office has received the necessary majority, the mayor shall call a second election to be held as provided by state law. At the second election, the ballot shall list in that order the names of the two (2) candidates receiving at the first election the first and second highest number of votes for a given office. Should one of such candidates withdraw, die or become ineligible, a second election shall not be held, and the other shall be declared elected to office. Any tie shall be decided by lot as provided by state law.

Sec. 7.09. Oath of office.

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to the oath or affirmation as prescribed by the Constitution of the state.

Sec. 7.10. Election of municipal judge.

The municipal judge shall be elected by a majority vote of the qualified voters voting at the election.
(Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

ARTICLE VIII. MUNICIPAL COURT*

***State law references:** Fees of officers, Vernon's Ann. C.C.P. arts. 45.09, 102.001.

Sec. 8.01. Creation and jurisdiction; fines.

There is hereby created and established a court to be the municipal court of the city, which court shall have jurisdiction over violations of city ordinances and other matters as provided by state law.
(Char. Amendment of 1-15-77; Char. Amendment of 5-10-08)

State law references: Creation of municipal court, V.T.C.A., Government Code § 29.002; jurisdiction of municipal court, V.T.C.A., Government Code § 29.003 and Vernon's Ann. C.C.P. art. 4.14.

Sec. 8.02. Municipal Judge--Designation.

The municipal judge shall be a qualified voter of the city, who has been a resident of the city for at least one (1) year, a competent practicing lawyer, and shall hold no other public office except for those allowed by the Texas Constitution or state law. If a municipal judge shall cease to possess any of these qualifications or shall be convicted of a felony, the office shall immediately become vacant. The city council may, by ordinance, provide the salary of the municipal judge in accordance with state law. The term is for three (3) years.

The municipal judge is limited to four (4) consecutive full terms. Any municipal judge who is elected for four (4) consecutive full terms will be eligible to run for office after sitting out one (1) full term of office.
(Char. Amendment of 1-15-77; Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Editor's note: At the direction of the city the editor has removed the language, "whose [appointment shall be]" and replaced it with "who shall be" in first paragraph of section.

State law references: Judge of the municipal court, V.T.C.A., Government Code § 29.004.

Sec. 8.03. Same--Power.

The judge of said municipal court shall have all powers and authorities provided by city ordinance and state law.
(Char. Amendment of 5-10-08)

Sec. 8.04. Clerk--Power.

The clerk of said municipal court and his deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto and generally to do and perform any and all acts usual and necessary by clerks of courts in issuing process of said courts and conducting the business thereof.

Editor's note: A Charter amendment of May 10, 2008, repealed the former § 8.04, which pertained to clerk--designation; salary as prescribed, and derived from original codification. Subsequently, the former § 8.05 has been renumbered as § 8.04.

ARTICLE IX. PLANNING AND ZONING

Sec. 9.01. Planning and zoning commission--Establishing; membership; organization; meetings.

There shall be established a planning and zoning commission which shall consist of a minimum of seven (7) citizens from the city. The members of said commission shall be appointed by the city council for a term of two (2) years. An odd number of members of the planning and zoning commission shall be so appointed each odd numbered year and an even number of members shall be so appointed each even numbered year. The commission shall elect a chairman from among its membership and shall meet not less than once each month. Vacancies and unexpired terms shall be filled by the council for the remainder of the term. A majority of the members shall constitute a quorum. Members of the commission may be removed by a majority vote of the council.

The commission shall keep minutes of its proceedings, which shall be of public record. The commission shall serve without compensation.

(Elect. of 6-24-69; Char. Amendment of 5-10-08)

Sec. 9.02. Same--Powers and duties.

The planning and zoning commission shall:

(1) Recommend a city plan for the physical development of the city;

(2) Recommend to the city council approval or disapproval of proposed changes in the zoning plan; and

(3) Exercise control over platting or subdividing land within the corporate limits of the city, and outside said corporate limits to the extent authorized by law.

The commission shall be responsible to and act as an advisory body to the council, and shall have and perform such additional duties as may be prescribed by ordinance.

Sec. 9.03. Master plan--Development.

The master plan for the physical development of the city shall contain the commission's recommendations for growth, development, and beautification of the city. A copy of the master plan, or any part thereof, shall be forwarded to the city council, which may adopt this plan in whole or in parts, and may adopt any amendments thereto after at least one (1) public hearing on the proposed action. If such plan, or part thereof, shall be rejected by the council, the commission may modify such plan, or part thereof, and again forward it to the city council for consideration.

All amendments to the master plan recommended by the commission shall be submitted in the same manner as outlined above to the city council for approval, and all recommendations affecting the master plan shall be accompanied by a recommendation from the planning and zoning commission.

(Char. Amendment of 5-10-08)

Sec. 9.04. Same--Legal effect.

Upon the adoption of a master plan by the city council, no subdivision, street, park or any public way, ground, or space, public building or structure, or public utility, whether publicly or privately owned, which is in conflict with the master plan shall be constructed or authorized by the city, until and unless the location and extent thereof shall have been submitted to and approved by the commission. In case of disapproval, the commission shall communicate its reasons to the council, which shall have the power to overrule such disapproval, and upon such overruling, the council shall have power to proceed. The widening, narrowing, re-locating, vacating or change in the use of any street, alley or public way, or ground or the sale of any public

building, or real property, shall be subject to similar submission and approval by the planning and zoning commission, and failure to approve may be similarly overruled by the city council.

ARTICLE X. FRANCHISES AND PUBLIC UTILITIES

Sec. 10.01. Powers of the city.

In addition to the city's power to buy, own, construct, maintain, and operate utilities, within or without the city limits, and to manufacture and distribute electricity, gas, or anything else that may be needed or used by the public, the city shall have further powers as may now or hereafter be granted under the constitution and laws of the state.

Sec. 10.02. Franchise granting power of council.

The city council shall have power to grant, renew or extend by ordinance all franchises of all public utilities of every character operating within the city, and for such purposes is granted full power. No public utility franchise shall be transferable except to persons, firms or corporations taking all or substantially all of the holder's business in the city, and except with the approval of a three-fourths (3/4) majority of the council expressed by ordinance.

All grants, renewals, extensions, or amendments of public utility franchises, whether it be so provided in the ordinance or not, shall be subject to the right of the city:

(1) To repeal the same by ordinance at any time for failure to begin construction or operation within the time prescribed or for failure otherwise to comply with the terms of the franchise, such power to be exercised only after due notice and hearing.

(2) To require an adequate and reasonable extension of plant and service, and the maintenance of the plant and fixtures at the standard necessary to render the highest reasonable quality of utility service to the public.

(3) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates.

(4) a. To prescribe the form of accounts kept by each such utility; provided, that if the utility shall keep its accounts in accordance with the uniform system of accounts for said utility prescribed by the National Association of Railroad and Public Utility Commissioners, the Federal Power Commission, the Federal Communications Commission, the Railroad Commission of Texas, or their successors, or other state or federal utility regulating agencies, this shall be deemed sufficient compliance with this paragraph;

b. At any time to examine and audit the accounts and other records of any such utility and to require annual and other reports, including reports on local operations by each such public utility.

(5) To impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare and accommodation of the public.

All rights of the city to regulate a franchise shall conform to state, federal and local laws; provided, however, that all rights of the city given by state law in the event of a conflict between the city charter and state law, are hereby reserved.

(Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Sec. 10.03. Franchise value not to be allowed.

In fixing reasonable rates and charges for utility service within the city, and in determining the just compensation to be paid by the city for public utility property which the city may acquire by condemnation or otherwise, nothing shall be included as the value of any franchise granted by the city under this charter.

Sec. 10.04. Right of regulation.

The City shall have the right to regulate utilities to the full extent allowed by state and federal law.

(Char. Amendment of 5-10-08)

Sec. 10.05. Consent of property owners.

The consent of abutting and adjacent property owners shall not be required for the construction, extension, maintenance or operation of any public utility; but nothing in this charter or in any franchise granted thereunder shall ever be construed to deprive any such property owners of any right of action for damage or injury to his property as now or hereafter provided by law.

Sec. 10.06. Extensions.

All extensions of public utilities within the city limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as provided in this article. In case of an extension of public utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.
(Char. Amendment of 5-10-08)

Sec. 10.07. Temporary licenses.

Licenses unconditionally revocable at the will of the governing body for minor or temporary privileges in the streets, public ways and public places of the city may be granted and revoked by ordinance from time to time, and such licenses shall not be deemed franchises as the term is used in this charter.
(Char. Amendment of 5-10-08)

Sec. 10.08. Other conditions.

The power of the city to exercise the right of eminent domain in the acquisition of any utility property is in all things reserved as well as the general power of the city heretofore existing and herein provided for to regulate the rates and services of a utility, which shall include the right to require adequate and reasonable extension of plant and service and the maintenance of the plant fixtures at the standard necessary to render the highest reasonable quality of utility service to the public. Every public utility franchise hereafter granted shall be held subject to all the terms and conditions contained in the various sections of this article whether or not such terms are specifically mentioned in the franchises. Nothing in this charter shall operate to limit in any way, as specifically stated, the discretion of the council or the electors of the city in imposing terms and conditions as may be reasonable in connection with any franchise grant, including the right to require such compensation or rental as may be permitted by the laws of the state.
(Char. Amendment of 5-10-08)

Sec. 10.09. Franchise records.

Every public utility shall file its city franchise, if applicable, or other grant of authority, with the City Secretary.
(Char. Amendment of 5-10-08)

Sec. 10.10. Accounts of municipal-owned utilities.

Accounts shall be kept for each public utility owned or operated by the city, in such manner as to show the true and complete financial results of such city ownership and operation, including assets, appropriately subdivided into different classes, all liability subdivided by classes, depreciation reserve, other reserves, and surplus; also revenues, operating expenses including depreciation, interest payments, rental and other disposition of annual income. The accounts shall show the actual capital cost to the city of each public utility owned, also the cost of all extensions, additions, and improvements and the source of the funds expended for such capital purposes. They shall show as nearly as possible the cost of any service furnished to or rendered by any such utility to any other city or governmental department. The council shall annually cause to be made by a certified public accountant, and shall publish, a report showing the financial condition of said public utility and the financial result of such city ownership and operation, giving the information specified in this section and such additional data as the council shall deem expedient.
(Char. Amendment of 5-10-08)

Sec. 10.11. Regulations of rates and service--Generally.

The city council shall have full power to regulate by ordinance the rates and services of every public utility operating in the city.
(Char. Amendment of 5-10-08)

Editor's note: The statute cited in the above section has been superseded by the Public Utility Regulatory Act of 1995 (Vernon's Ann. Civ. St. art. 1446c-0).

Sec. 10.12. Reserved.

Editor's note: A Charter amendment of May 10, 2008, repealed § 10.12 in its entirety, which pertained to same--rate changes, and derived from original codification.

ARTICLE XI. MISCELLANEOUS PROVISIONS

Sec. 11.01. No officer or employee to accept gift, etc., from public utility.

No officer or employee of the city shall ever accept, directly or indirectly, any gift, favor, privilege or employment from any public utility corporation enjoying a grant of any franchise, privilege or easement from said city, during the term of office of such officer, or during such employment of such employee, except as may be authorized by law or ordinance. Any willful violation of this section shall constitute malfeasance in office, and any officer, employee or appointee guilty thereof shall thereby forfeit his office or position. Any violation of this section, with the knowledge, expressed or implied, of the person or corporation contracting with the governing body of the city shall render the contract involved voidable by the City Manager or the governing body.
(Char. Amendment of 5-10-08)

Sec. 11.02. Officers or employees of the city not to have financial interest in any contracts of the city.

No officer, employee or appointee of the city shall have a financial interest, direct or indirect, in any contract with the city, or be financially interested, directly or indirectly, in the sale to the city of any land, materials, supplies or services, unless disclosure of such interest shall be made public prior to the time of any action being taken on such contract. Public disclosure shall be by inclusion on the official agenda and in the minutes of the meeting. Any willful violation of this section shall constitute malfeasance in office, and any officer, employee or appointee guilty thereof shall thereby forfeit his office or position. Any violation of this section, with the knowledge, expressed or implied, of the person or corporation contracting with the governing body of the city shall render the contract involved voidable by the City Manager or the governing body.
(Char. Amendment of 1-15-77)

Sec. 11.03. Property not exempt from special assessments.

No property of any kind in the city shall be exempt from any of the special taxes and assessments authorized by state law, ordinance or the charter.
(Char. Amendment of 5-10-08)

Sec. 11.04. Notice of damage or injury required.

The city shall never be liable for any personal injury, whether resulting in death or not, unless the person injured or someone in his behalf, or in the event the injury results in death, the person or persons who may have a cause of action under the law by reason of such death or injury, shall file a notice in writing, duly verified, with the city secretary, within six (6) months after the same has been received, stating specifically in such notice when, where and how the exact injury occurred and the full extent thereof, together with the amount of damages claimed or asserted. The city shall never be liable for any claim for damages or injury to personal property unless the person whose personal property has been injured or damaged, or someone in his behalf, shall file a claim, in writing, duly verified with the city secretary, within six (6) months after said damage or injury has occurred, stating specifically when, where and how the injury or damage occurred and the full extent thereof, and the amount of damage sustained.

The city shall never be liable for any claim for damage or injury to real property caused by the negligent act or omission of its officers, servants, agents or employees, unless the person whose real property has been injured or damaged, or someone in his behalf, shall file a claim in writing, duly verified, with the city secretary, within six (6) months after said damage or injury has occurred, stating specifically when, where and how the injury or damage occurred, and the amount of damage claimed. The city shall never be liable on account of any damage or injury to person or to personal property arising from or occasioned by any defect in any public street, highway, alley, grounds or public work of the city, unless the specific defect causing the damage or injury shall have been actually known to the city secretary at least twenty-four (24) hours prior to the

occurrence of the injury or damage, or unless the attention of the city secretary shall have been called thereto by a notice thereof in writing at least twenty-four (24) hours prior to the occurrence of the injury or damage and proper diligence has not been exercised to rectify the defect. The notice herein required to be given to the city secretary of the specific defect causing the damage or injury shall apply where the defect arose from any omission of the city itself through its agents, servants or employees, or acts of third parties.
(Char. Amendment of 1-15-77; Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Sec. 11.05. City exempt from appeal bonds.

It shall not be necessary in any action, suit or proceeding in which the city is a party for any bond, undertaking or security to be executed in behalf of said city, but all such actions, suits, appeals or proceedings shall be conducted in the same manner as if such bond, undertaking or security had been given, and said city shall be liable as if such obligation had been duly given and executed.

Sec. 11.06. Execution, garnishment and assignment.

Except as provided by state law, the property, real and personal, belonging to said city shall not be liable to be sold or appropriated under any writ of execution or cost bill, nor shall the funds belonging to said city, in the hands of any person, be liable to garnishment on account of any debts it may owe or funds it may have on hand due any person, nor shall the city or any of its officers or agents be required to answer to any writ of garnishment on any account whatsoever, nor shall said city be liable to the assignee of any wages of any officer, agent or employee of said city, whether earned or unearned, upon any claim or account whatsoever, and as to the city such assignment shall be absolutely void.
(Char. Amendment of 5-10-08)

Sec. 11.07. No lien on public property.

No lien of any kind can ever exist against the public buildings, public halls, parks or public works of the city.
(Char. Amendment of 5-10-08)

Sec. 11.08. Bonds of contractors.

The council shall require good and sufficient bonds of all contractors with good and sufficient sureties, who shall be authorized to do business in the State of Texas.
(Char. Amendments of 1-15-77; Char. Amendment of 5-10-08)

Sec. 11.09. Condemnation of dangerous structures.

Whenever any building, fence, shed, awning, or structure of any kind or part thereof, is determined to be dangerous and the possibility of injury to persons or property exists, the council or an entity or agent provided for by ordinance of the council may order the owner or agent of the same, or occupant of the premises, to repair or take down and remove the same within such time as it may direct, and may punish by fine all persons failing so to do. Upon his failure to comply, the council or an entity or agent provided for by ordinance of the council shall have the additional power to remove the same at the expense of the city on account of the owner of the property and assess the expenses thereof, including condemnation proceedings, as a special tax against the land, and the same may be collected as other special taxes provided for in this charter, or by suit in any court of competent jurisdiction.

The council or an entity or agent provided for by ordinance of the council shall have full power to condemn all dangerous buildings or obstructions of any kind and may provide regulations therefor by ordinance.
(Char. Amendment of 5-10-08)

Sec. 11.10. Fire limits.

The council may establish fire limits and prescribe the kind and character of materials to be used in buildings constructed within such limits.
(Char. Amendment of 5-10-08)

Sec. 11.11. Building permits.

The city shall have power to prohibit the erection or construction of any building or structure of any kind within the city without a permit first having been issued by the city for the construction or erection of such building or structure, and may authorize a fee to be charged for such permit, and in pursuance of said authority, may authorize the inspection by the city of all buildings or structures during the progress of their construction and may require that all buildings shall be constructed in conformity with the building regulations which exist in said city or which shall hereafter be passed.

Sec. 11.12. Bonds of city official, employee or department director.

In addition to any bonding provisions herein provided, the council may require any city official, department director or city employee, before entering upon his duties, to execute a good and sufficient bond with a surety company doing business in the state and approved by the city council, as surety thereon, said bond to be in such amount as the council may demand, payable to the city, and conditioned for the faithful performance of the duties of his office; premium of such bond to be paid by the city.
(Char. Amendment of 5-10-08)

Sec. 11.13. When charter provisions take effect.

For the purpose of nominating and electing members of the council, the provisions of this charter shall be in effect for the regular municipal election to be held in April, 1968. For all other purposes this charter shall be in effect from and after its approval by the electors of the city, and the entering of an official order upon the records of the city by the governing body, declaring the same adopted.

Sec. 11.14. Right to amend the charter.

This charter may be amended no more than once every two (2) years.
(Char. Amendment of 5-10-08)

Sec. 11.15. Ordinances, rules and regulations validated.

All ordinances, resolutions, rules and regulations of the city heretofore ordained, passed or enacted, that are in force at the time this charter becomes effective and which are not in conflict with such charter, shall remain in full force and effect until altered, amended or repealed by the governing body of the city after such charter takes effect.
(Char. Amendment of 5-10-08)

Sec. 11.16. Separability clause.

If any section or part of section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part to which such holding shall directly apply.

Sec. 11.17. Mandatory charter review.

The council shall hold a public hearing every fifth year after an amendment to the charter in order to determine whether a commission should be appointed to review the charter and to make recommendations to the city council for amendment of the charter. If the council determines that it would be in the best interests of the citizens to appoint a charter review commission, it shall appoint a charter review commission of fifteen (15) citizens of the City of Bedford.

(a) *Duties of the commission.*

(1) Inquire into the operation of the city government under the charter provisions and determine whether any such provisions require revision.

(2) Propose any recommendations it may deem desirable to help ensure compliance with the provisions of the charter and state law.

(3) Propose, if it deems desirable, amendments to this charter to improve the effective application of the charter to current conditions.

(4) Report its findings and present its proposed amendments, if any, to the city council.

(b) *Action by the council.* The city council shall receive and have published, in the designated official public newspaper of the city, a final report of the charter review commission. The city council shall consider any

recommendation made and if any amendments be presented as a part of such report, may order such amendment or amendments to be submitted to the voters of the city in the manner provided by state law.
(c) *Term of office.* The term of office of such charter review commission shall be as established by the city council. At the completion of such term, a report shall be submitted to the council. All recordings or the proceedings of such commission shall be filed with the city secretary and shall become a public record.
(Char. Amendment of 5-10-08)

ARTICLE XII. GENERAL CONSTRUCTION

Sec. 12.01. Effective date.

This charter shall be in effect from and after its approval by the electors of the city, and the entering of an official order upon the records of the city by the governing body, declaring the same adopted.
(Char. Amendment of 1-15-77)

Sec. 12.02. Construction.

In the wording of the charter, the use of the singular number shall include the plural, and the plural shall include the singular. Words used in the masculine gender shall include the feminine also, unless by reasonable construction, it appears that such was not the intention of this charter.
(Char. Amendment of 1-15-77)

ARTICLE XIII. INITIATIVE AND REFERENDUM

Sec. 13.01. General authority.

(a) *Initiative.* The registered voters of the city shall have power to propose lawful ordinances to the council, and if the council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a city election provided that such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of city officers or employees.
(b) *Referendum.* The registered voters of the city shall have the power to require reconsideration by the council of any adopted ordinance and, if the council fails to repeal an ordinance so reconsidered, to approve or reject it at a city election, but such power shall not extend to the budget or capital program or any emergency ordinance relating to appropriation of money, levy of taxes or salaries of city officers or employees.
(Char. Amendment of 5-10-08)

Sec. 13.02. Commence of proceeding; petitioners' committee; affidavit.

Any five (5) registered voters may commence initiative or referendum proceedings by filing with the city secretary an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.

Within two (2) working days after the affidavit of the petitioners' committee is filed the city secretary shall issue the appropriate petition blanks to the petitioners' committee.

Sec. 13.03. Petitions.

(a) *Number of signatures.* Initiative and referendum petitions must be signed by registered voters of the city equal in number to five (5) percent of the total number of registered voters registered to vote at the last regular election, or 1,250, whichever is greater.
(b) *Form and content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink and shall be followed by the address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.
(c) *Affidavit of circulation.* Each paper of a petition shall have attached to it when filed an affidavit executed by the person circulating it stating that he or she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the

genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.
(d) *Time for filing referendum petitions.* Referendum petitions must be filed within thirty (30) days after adoption by the council of the ordinance sought to be reconsidered.
(e) *Time for filing initiative petitions.* Initiative petitions must be filed within thirty (30) days after issuance of the appropriate petition blanks to the petitioners' committee.

Sec. 13.04. Procedure after filing.

(a) *Certificate of city secretary; amendment.* Within twenty (20) days after the petition is filed with the city secretary, the city secretary shall complete a certificate as to the sufficiency of the petition. The city secretary shall determine the sufficiency of the petition in accordance with state law. If the petition is found to be insufficient, the city secretary shall specify in writing the particulars wherein it is defective and shall within two (2) working days send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the city secretary within two (2) working days after receiving the copy of the city secretary's certificate and files a supplementary petition upon additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsections (a) and (b) of section 13.03 and within five (5) days after it is filed the city secretary shall complete a certificate as to the sufficiency of the petition as amended and within two (2) working days send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient and the petitioners' committee does not elect to amend or request council review under subsection (b) of this section within the time required, the city secretary shall present the city secretary's certificate to the council at the next regularly scheduled council meeting on which the item may appear on the agenda, and the certificate shall then be a final determination as to the sufficiency of the petition.
(b) *Council review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may within two (2) days after receiving the copy of such certificate file a request that it be reviewed by the council. The council shall review the certificate at its next meeting on which the item may appear on the agenda and approve or disapprove it and the council's determination shall then be a final determination as to the sufficiency of the petition.
(c) *Court review; new petition.* A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency even if sustained upon court review shall not prejudice the filing of a new petition for the same purpose.
(Char. Amendment of 5-10-08)

Sec. 13.05. Referendum petitions; suspension of effect of ordinance.

When a referendum petition is filed with the city secretary, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:
(1) There is a final determination of insufficiency of the petition;
(2) The petitioners' committee withdraws the petition;
(3) The council repeals the ordinance; or
(4) Thirty (30) days have elapsed after a vote of the city on the ordinance.

Sec. 13.06. Action on petitions.

(a) *Action by council.* When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative or referendum ordinance in the manner provided herein or reconsider the referred ordinance by voting its repeal. If the council fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days or fails to repeal the referred ordinance within thirty (30) days after the date the petition was finally determined sufficient it shall submit the proposed or referred ordinance to the voters of the city. The election must be held on the first available general election date as established by state law.
(b) *Submission to voters.* Copies of the proposed or referred ordinance shall be made available at the polls.
(c) *Withdrawal of petitions.* An initiative or referendum petition may be withdrawn at any time prior to the date the election is called by filing with the city secretary a request for withdrawal signed by at least four (4)

members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.
(Char. Amendment of 5-10-08)

Sec. 13.07. Results of election.

(a) *Initiative.* If a majority of the registered voters, voting on a proposed initiative ordinance, vote in its favor, the ordinance shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
(b) *Referendum.* If a majority of the registered voters, voting on a referred ordinance, vote against it, the ordinance shall be considered repealed upon certification of the election results.
(Char. Amendment of 5-10-08)

Sec. 13.08. Initiative and referendum--Failure of city council to act.

In case all of the requirements of this charter shall have been met and the council shall fail or refuse to receive the petition or discharge any other duties imposed upon the council by the provision of this charter with reference to initiative and referendum, then a district judge of Tarrant County, Texas, shall discharge any of such duties herein provided to be discharged by the person performing the duties of the city secretary or by the council.
(Char. Amendment of 5-10-08)

ARTICLE XIV. RECALL

Sec. 14.01. Power of recall.

The qualified voters shall have the power to recall any elected official of the city.

Sec. 14.02. Commence of proceeding; petitioners' committee; affidavit.

Any five (5) registered voters may commence recall proceedings by filing with the city secretary an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the reasons for the recall of the elected official.

Within two (2) working days after the affidavit of the petitioners' committee is filed the city secretary shall issue the appropriate petition blanks to the petitioners' committee.

Sec. 14.03. Petitions.

(a) *Number of signatures.* Recall petitions must be signed by registered voters of the city equal in number to five (5) percent of the total number of registered voters registered to vote at the last regular election, or 1,250, whichever is greater.
(b) *Form and content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink and shall be followed by the address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the reasons for the recall of the elected official.
(c) *Affidavit of circulation.* Each paper of a petition shall have attached to it when filed an affidavit executed by the person circulating it stating that he or she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the reasons for the recall of the elected official.
(d) *Time for filing recall petitions.* Recall petitions must be filed within thirty (30) days after issuance of the appropriate petition blanks to the petitioners' committee.
(Char. Amendment of 5-10-08)

Sec. 14.04. Procedure after filing.

(a) *Certificate of city secretary; amendment.* Within twenty (20) days after the petition is filed with the city secretary, the city secretary shall complete a certificate as to the sufficiency of the petition. The city secretary shall determine the sufficiency of the petition in accordance with state law. If the petition is found to be insufficient, the city secretary shall specify in writing the particulars wherein it is defective and shall within two (2) working days send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the city secretary within two (2) working days after receiving the copy of the city secretary's certificate and files a supplementary petition upon additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsections (a) and (b) of section 14.03 and within five (5) days after it is filed the city secretary shall complete a certificate as to the sufficiency of the petition as amended and within two (2) working days send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient and the petitioners' committee does not elect to amend or request council review under subsection (b) of this section within the time required, the city secretary shall present the city secretary's certificate to the council at the next regularly scheduled council meeting on which the item may appear on the agenda, and the certificate shall then be a final determination as to the sufficiency of the petition.

(b) *Council review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may within two (2) working days after receiving the copy of such certificate file a request that it be reviewed by the council. The council shall review the certificate at its next meeting on which the item may appear on the agenda and approve or disapprove it and the council's determination shall then be a final determination as to the sufficiency of the petition.

(c) *Court review; new petition.* A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency even if sustained upon court review shall not prejudice the filing of a new petition for the same purpose.

(Char. Amendment of 5-10-08)

Sec. 14.05. Recall election.

If the petition is certified by the city secretary to be sufficient, the council shall order an election to be held at the earliest possible date as determined by state law.

(Char. Amendment of 5-10-08)

Sec. 14.06. Results of recall election.

If a majority of the votes cast at a recall election shall be against removal of the elected official named on the ballot, he/she shall continue in office. If the majority of the votes cast at the election are for the removal of the elected official named on the ballot, the council shall immediately declare his/her office vacant and such vacancy shall be filled in accordance with the provisions of this charter for the filling of vacancies. An elected official thus removed shall not be a candidate to succeed himself/herself.

(Char. Amendment of 5-10-08)

Sec. 14.07. Limitation on recall.

No recall petition shall be filed against an elected official within six (6) months after he/she takes office, or within nine (9) months before the elected official's current term expires. No elected official shall be subjected to more than one recall election during a term of office.

Sec. 14.08. Failure of city council to act.

In case all of the requirements of this charter shall have been met and the city council shall fail or refuse to receive the petition, or order such recall election or discharge any other duties imposed upon the city council by the provision of this charter with reference to recall, then the county judge of Tarrant County, Texas, shall discharge any of such duties herein provided to be discharged by the person performing the duties of the city secretary or by the city council. In addition, any qualified voter in the city may seek judicial relief in a district court of Tarrant County, Texas, to have any of the provisions of this charter, pertaining to recall, carried out by the proper official.

CHARTER COMPARATIVE TABLE REFERENDUM

This table shows the location of the sections of the basic Charter and any amendments thereto.
TABLE INSET:

Election Date		Section this Charter
6-24-69		2.01, 2.02
		2.19(11)
		9.01(3)
1- 1-77		1.02
1-15-77		2.01
		6.11(5)
		7.01(5)
		7.06(3)
		8.01(3)
		8.02(3)
		11.02(5)
		11.04(5)
		12.01(c)
		12.02(c)
8-14-93		1.01--14.08
5-10-08		1.01, 1.02
		1.07, 1.08
		2.01, 2.02
		2.05--2.08
		2.11
	Rpld	2.12
		2.13
		2.15
		2.17
	Rpld	2.18
		2.20, 2.21
		3.01, 3.02
	Rpld	3.04, 3.05
		3.06
		4.02

		4.06
		4.08, 4.09
		5.01
	Rpld	5.02
		6.01
	Rpld	6.10
		7.01
		7.10
		8.01--8.03
	Rpld	8.04
	Rnbd	8.05
	as	8.04
		9.01
		9.03
		10.02
		10.04
		10.6--10.11
	Rpld	10.12
		11.01
		11.03, 11.04
		11.06--11.10
		11.12
		11.14, 11.15
		11.17
		13.01
		13.04
		13.06--13.08
		14.03--14.06

TABLE INSET:

Ordinance Number	Date	Section	Section this Code
2400	8-26-97	1	1.02, 1.04
		Rpld	1.05
		Amnd	1.08

			2.01, 2.06
		Rpld	2.19
		Amnd	3.07
			4.02(3), (3)b.
			7.03
		Added	7.10
		Amnd	8.02
			10.02
			11.04