



JAMES E. DARLING, Mayor
VERONICA WHITACRE, Mayor Pro Tem & Commissioner District 6
JAVIER VILLALOBOS, Commissioner District 1
JOAQUIN "J.J." ZAMORA, Commissioner District 2
J. OMAR QUINTANILLA, Commissioner District 3
TANIA RAMIREZ, Commissioner District 4
VICTOR "SEBY" HADDAD, Commissioner District 5

ROEL "ROY" RODRIGUEZ, P.E., City Manager

February 19, 2021

Dear Prospective Candidate:

Congratulations on your interest in McAllen's City Government. In an effort to inform you of important dates and legal requirements of the State and City pertaining to elections, we have prepared the attached "Candidate's Packet" associated with the May 1, 2021 General City Election. A "Summary of Exhibits" is attached to provide some insight on the documents included in this packet.

With respect to political signs, the first day to post political candidate signs in the City of McAllen is the first day to file for a place on the ballot or the day the election is called by the authority holding the election, whichever is earlier. A copy of the Sign Ordinance is enclosed for your review as well as the "Guide to Political Advertising" prescribed by the Texas Ethics Commission.

Title 15 of the Texas Election Code pertains to campaign expenditures. A candidate should first designate a Campaign Treasurer and thereafter, ensure that Financial Reports be completed by the Candidate's Campaign Treasurer, signed by the Candidate, and filed in my office in a timely manner as prescribed by State Law. For specific questions regarding reporting procedures, contributions, or expenditures, please contact the Texas Ethics Commission directly at (512)463-5800 and/or visit their website: www.ethics.state.tx.us, as the duties of the City Secretary are limited to accepting and filing the various forms, affidavits and statements, and noting the date of filings thereon. Please note that Campaign Reports and other forms submitted by candidates are considered open records and will be available for reporters and opponents alike with a proper Open Records Request through our office.

We hope you will find the packet helpful. For additional information, please call or visit our office at 681-1020.

Sincerely,

A handwritten signature in black ink that reads "Perla Lara".

Perla Lara, TRMC/CMC, CPM
City Secretary/Early Voting Clerk



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19 de enero de 2021

Estimado Candidato:

Felicidades por su interés en el proceso gubernamental de la Ciudad de McAllen. En un esfuerzo de comunicarles las fechas importantes y requisitos legales locales y estatales con respecto a elecciones, se ha preparado un expediente referente a la elección general de nuestra ciudad que se efectuara el 1 de mayo de 2021. Consecuentemente, un "Resume de Muestras" fue incluido con la intención de brevemente repasar los artículos de importancia contenido en tal expediente.

Con lo que concierne a los anuncios políticos, el primer día para fijar carteles y hacerlos públicos en la Ciudad de McAllen es el primer día para archivar su solicitud para un puesto en la boleta o el día de la declaración oficial de la elección, cualquiera que se efectúe primero. Una reproducción de la ordenanza que estipula las reglas y normas de dichos carteles y anuncios políticos le es incluida en el expediente para más escrutinio así como el guía de anuncios políticos establecidos por la Comisión de Éticas de Texas.

Titulo 15 del Código Electoral de Texas concierne a gastos de campaña. Primeramente, el candidato deberá designar a un "Tesorero de Campaña" y archivar tal solicitud de designación en nuestra oficina antes de aceptar fondos y antes de hacer gastos relacionados a la campaña. Es el deber del candidato en archivar los informes financieros en nuestra oficina en los periodos estipulados por el Código. Para información acerca de pólizas y reglamentos y/o para cuestiones relacionados con reportes financieros, favor de dirigirse a la Comisión de Éticas de Texas al número telefónico (512) 463-5800 o por la página de internet: www.ethics.state.tx.us, ya que el deber de la Secretaria de la Ciudad es limitada al recibir y archivar las diversas formas, declaraciones juradas y archivo de expedientes. Asimismo, los "Informes de Campaña" son considerados expedientes disponibles al público y lo cual serán facilitados a reporteros y oponentes políticos por medio del Acta de Información Pública Estatal la cual se puede solicitar y adquirir por medio de nuestra oficina.

Esperamos que esta información les sea útil. Para más información puede comunicarse a nuestra oficina al 681-1020.

Atentamente,

A handwritten signature in black ink that reads "Perla Lara".

Perla Lara, TRMC/CMC, CPM

Secretaria de la Ciudad y de la Votación Adelantada

SUMMARY OF EXHIBITS

Exhibit “A” – City of McAllen Home Rule Charter (Annotated). As a candidate for an elected office you should acquaint yourself with this document.

Exhibit “B” - Important Dates for May 1, 2021 General City Election.

Exhibit “C” – Ethics Ordinance 2006-68 as amended in Ordinance 2018-37 and 2019-06 depicting required training by elected officials cumulative with State of Texas and Federal Law relating to Open Meetings, Open Records and Conflict of Interest Disclosure as well as Political Campaign Contribution and Expenditure limitations.

Exhibit “D” – Affinity and Consanguinity charts as they relate to Conflicts of Interest.

Exhibit “E” – Campaign Finance Guide for Candidates and Officeholders who file with Local Filing Authorities.

Exhibit “F” – Candidates/Officeholder (C/OH) Campaign Finance Report Instruction Guide & form. Reporting deadlines are: 30th & 8th day before Election Day.

Exhibit “G” – Chapter 130 of the McAllen Code of Ordinances (Sign Ordinance) and Political Advertising guide prescribed by the Texas Ethics Commission.

Exhibit “H” - Texas Election Code, Chapter 61, relating to Electioneering and Loitering and other prohibited acts.

Exhibit “I” – Poll Watcher’s Guide relating to basic responsibilities pursuant to Chapter 33 of the Texas Election Code (specifically eligibility, form requirement, hours of service and observing activity).

Exhibit “J” – City Map depicting the six single member districts.

Exhibit “K” – Personal Financial Statement (PFS) Instruction Guide and Form for City Commission races only. Report due March 4, 2021 by 5:00 pm.

RESUMEN DE MUESTRAS INCLUIDAS EN EL EXPEDIENTE PARA CANDIDATURA

Muestra “A”- Carta Constitucional de la Ciudad de McAllen (anotado). Como candidato a un cargo electo, debe familiarizarse con este documento.

Muestra “B” - Fechas importantes para la Elección General de La Ciudad para el 1 de mayo de 2021.

Muestra “C” – Ordenanza de Ética 2006-68 modificada en Ordenanza 2018-37 y 2019-06 representa la capacitación requerida por funcionarios electos acumulativa con el Estado de Tejas y la Ley Federal relacionada con reuniones abiertas, registros abiertos y la divulgación de conflictos de intereses, así como limitaciones de contribución y gastos de campaña política.

Muestra “D” – Gráfica de afinidad y consanguinidad en relación con los Conflictos de Interés.

Muestra “E” – Guía para el Reporte de Finanzas relacionado a la campaña para Candidatos y Oficiales Elegidos que archivan con sus respectivas autoridades locales (con la Secretaria de la Administración de esta Ciudad).

Muestra “F” – Informe Financiero para Candidatos y Oficiales Elegidos y el Guía de Instrucción. (El plazo límite de presentación de informes son: 30 días y 8 días antes del día de la elección.

Muestra “G” - Copia de la Ordenanza de la Ciudad respecto a requisitos de anuncios políticos (Capítulo 130 del Código de Ordenanzas) y la información sobre anuncios y publicidad política prescrita por La Comisión de Ética del Estado de Texas.

Muestra “H” - Una copia del Capítulo 61 del Código Electoral de Texas con lo que respecta al Electoralismo y otros hechos prohibidos.

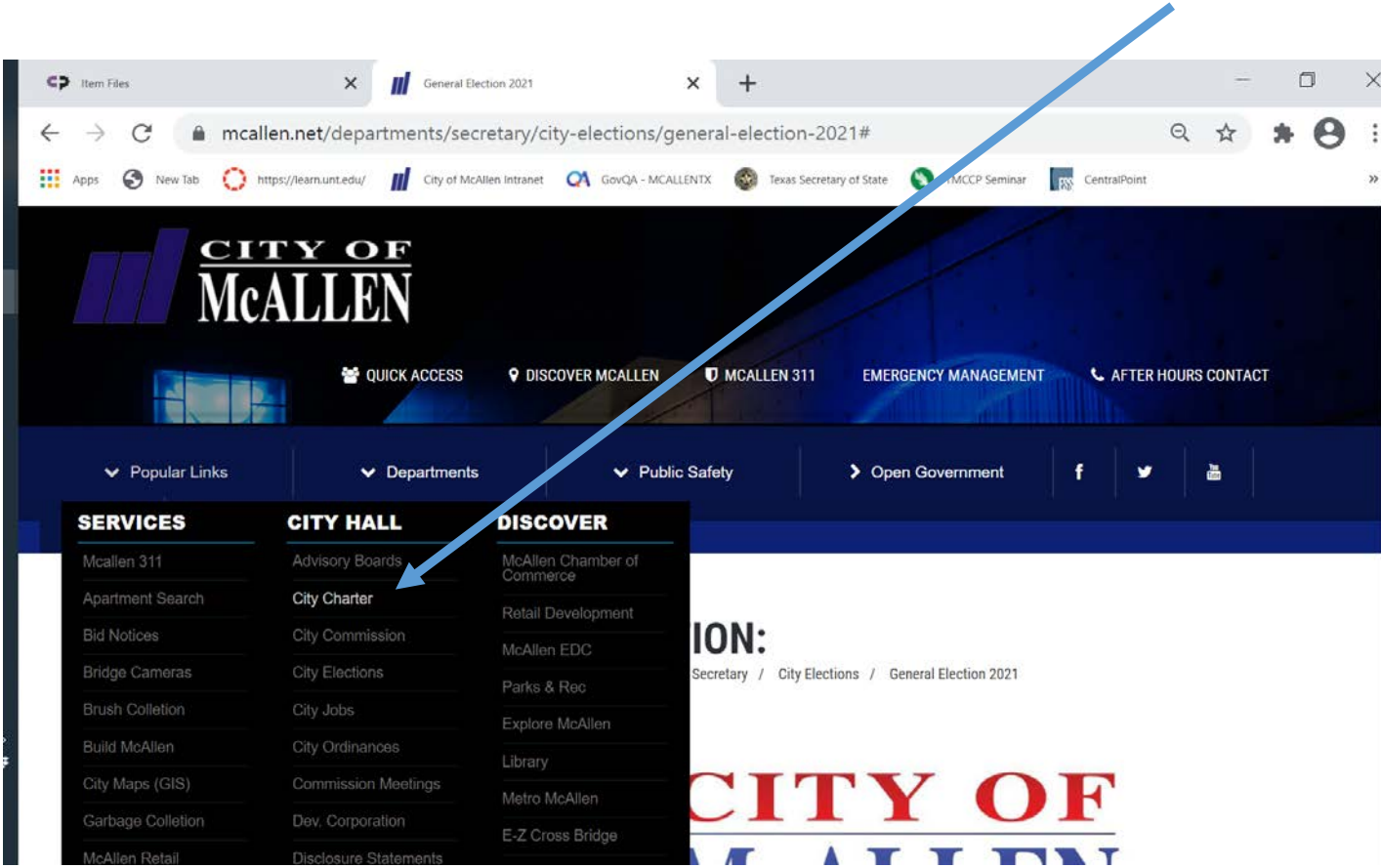
Muestra “I” – El Guía para Observadores de Votación con responsabilidades básicas de conformidad al Capítulo 33 del Código Electoral de Texas. (Específicamente elegibilidad, requisito de formulario, horas de servicio y actividad de observación.)

Muestra “J” – Mapa de la ciudad que representa los seis distritos Uní Miembros.

Muestra “K” – Guía de instrucción del Estado Financiero Personal (PFS) y Formulario para puestos de la Comisión de la Ciudad. Informe lleva fecha límite de 4 de marzo, 2021 a las 5:00 p.m. (Solo para candidatos para La Mesa Directiva de la Ciudad.)

Exhibit "A"

City Charter – You can access the City Charter by visiting the City of McAllen webpage, www.cityofmcallen.net.



MEMORANDUM
MEMORANDA

To: Office Holders and Prospective Candidates
Para: *Oficiales Electos y Candidatos Potenciales*

From: Perla Lara, City Secretary/Early Voting Clerk
Les Notifica: *Perla Lara, Secretaria De La Ciudad Y De La Votación Adelantada*

Subject: Important Dates
Asunto: *Fechas Importantes*

<u>DATE FECHA</u>	<u>ACTION ACCION</u>
January 13 th	First day for filing application for a place on the ballot.
<i>13 de enero</i>	<i>Primer día para presentar solicitud para un lugar en la boleta para candidatura.</i>
February 12 th	Deadline to file application for a place on the ballot. Must be received by 5:00 pm.
<i>12 de febrero</i>	<i>Fecha límite para presentar solicitud para un lugar en la boleta para candidatura. Deberá ser recibida para las 5:00 p.m.</i>
February 16 th	Last day for a write-in candidate to declare candidacy.
<i>16 de febrero</i>	<i>Fecha límite para presentar solicitud para candidatura como candidato por inscripción.</i>
February 19 th	Date that Early Voting Clerk will conduct drawing for place on the ballot at City Hall, 3 rd Floor – City Commission Chambers.
<i>19 de febrero</i>	<i>Fecha en cual la Secretaria de Votación por Adelantada conducirá el sorteo para determinar cómo aparecerán los nombres en la boleta. Dicho sorteo se efectuará en el edificio del Palacio Municipal en el tercer piso en la sala de comisionados.</i>
February 19 th	9:00 am - Last day for a write-in candidate to withdraw candidacy.
<i>19 de febrero</i>	<i>9:00 am -Fecha límite para retirar solicitud para candidatura.</i>
February 19 th	5:00 pm - Last day for a candidate to withdraw name from ballot. If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot.
<i>19 de febrero</i>	<i>5:00 p.m. – Fecha límite para que un candidato retire su nombre de la boleta. Si acaso un candidato quiere retractar su nombre de la boleta o si acaso es determinado que no tiene los requisitos para la candidatura, su nombre es eliminado de la boleta.</i>
March 4 th	Personal Financial Disclosure Report due (PFS Form).

<i>4 de marzo</i>	<i>Último día para presentar el reporte respecto a información financiera personal. (Forma PFS)</i>
April 1 st	5:00 p.m. - Last day a person may register to vote in the May 1, 2021 General Election. Registration forms are available in our office; otherwise at Voter Registrar's Office in Edinburg.
<i>1 de abril</i>	<i>5:00 p.m.-Fecha limite para inscribirse para votar en la elección general que se efectuará el día 1 de mayo de 2021. Dichas solicitudes están disponibles en nuestra oficina y en la oficina del Registro Electoral en Edinburg.</i>
April 1 st	5:00 p.m. - Due date for first report of Campaign Contributions and Expenditures (C/OH Form) (30 th day before the election). (Opposed candidates only) *
<i>1 de abril</i>	<i>5:00 p.m. -Fecha limite para el primer reporte de contribuciones y gastos de campaña (forma C/OH) 30 días antes del día de la elección. Solamente aplica a candidatos opuestos. *</i>
April 19 th	Early Voting by Personal Appearance begins.
<i>19 de abril</i>	<i>Inicio de votación por adelantada en persona.</i>
April 20 th	5:00 pm - Last day Early Voting Clerk can receive applications for a mail ballot to be received via US Mail, or common/contract carrier.
<i>20 de abril</i>	<i>5:00 p.m. - Último día en cual la secretaria de votación por adelantada puede recibir solicitudes para una boleta por correspondencia con sello postal de los estados unidos o otro tipo de agencia que tiene contrato para enviar por paquetería.</i>
April 23 rd	5:00 pm - Due date for second report of Campaign Contributions and Expenditures (8 th day before the election). (C/OH Form) (Opposed candidates only) *
<i>23 de abril</i>	<i>5:00 p.m. - Fecha limite para el segundo reporte de contribuciones y gastos de campaña (forma C/OH) 8 días antes del día de la elección. Candidatos opuestos solamente. *</i>
April 27 th	Last day to vote early by personal appearance.
<i>27 de abril</i>	<i>Fecha límite para votar por adelantado en persona.</i>
May 1 st	ELECTION DAY!! Polls are open 7:00 am to 7:00 pm. Early Voting Clerk and Voter Registrar's Offices are open.

<i>District 1)</i> Gonzalez Elementary School	201 E. Martin
<i>District 2)</i> Lark Community Center	2601 Lark Avenue
<i>District 3)</i> Achieve Early College High School at Lincoln	1601 N. 27th Street
<i>District 4)</i> Palm View Community Center	3401 Jordan Avenue
<i>District 5)</i> McAllen High School	2021 La Vista
<i>District 6)</i> Fields Elementary School	500 Dallas Avenue

1 de mayo **DÍA DE LA ELECCIÓN.** Casillas electorales abren las puertas a las 7:00 a.m. hasta las 7:00 p.m. Las oficinas de la Secretaria de Votación Adelantada y la Oficina del Registro Electoral para Votar permanecerán abiertas durante el mismo horario.

Distrito 1) Escuela Primaria Gonzalez	201 calle Martin al este
Distrito 2) Centro de Comunidad Lark	2601 avenida Lark
Distrito 3) Universidad Temprana Achieve Lincoln High	1601 calle norte 27
Distrito 4) Centro de Comunidad Palm View	3401 avenida Jordan
Distrito 5) Escuela Preparatoria McAllen High	2021 calle La Vista
Distrito 6) Escuela Primaria Fields	500 avenida Dallas

May 6th Last day to receive carrier envelopes placed in the mail for delivery by 7:00 pm on Election Day from voters who are voting outside the U.S.

6 de mayo **Fecha limite para recibir sobres cuales fueron enviadas por correo antes de las 7:00 p.m. en el día de la elección de parte de votantes que están fuera de los Estados Unidos.**

May 10th Official Canvass of Returns by City Commission subject to completion of review of any provisional ballots by County Voter Registrar.

10 de mayo **Fecha para el escrutinio oficial de retornos por la Mesa Directiva de la Ciudad de McAllen sujeto a la revisión del escrutinio de boletas provisionales por parte de la Oficina del Registro Electoral del Condado.**

*For filings due on the 30th day before the election and 8th day before the election; please feel free to make several copies of the form provided to you. Please submit your reports to the City Secretary.

Para reportes con fechas limites de los 30 y 8 días antes de la elección, pueden hacer varias foto-copias usando la forma que se les fue facilitada en su paquete de candidatura. Deberá presentar sus reportes a la Secretaria de la Ciudad.

EXHIBIT "C"

ORDINANCE NO. 2006- 68

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN, CHAPTER 2 ADMINISTRATION, ARTICLE I IN GENERAL, SECTION 2-1 CITY LIMITS, BY RENUMBERING SUCH SECTION AS SECTION 2-318 AND RENAMING ARTICLE I ETHICS PROVISIONS AND ADDING SECTIONS 2-1 THROUGH 2-4; PROVIDING FOR REGULATION OF CONFLICTS OF INTERESTS OF OFFICERS OF THE CITY OF McALLEN GENERALLY; PROVIDING FOR DISCLOSURE OF CERTAIN RELATIONSHIPS WITH LOCAL GOVERNMENT OFFICERS AND PERSONS DOING BUSINESS WITH THE CITY; PROVIDING FOR THE APPLICATION OF CERTAIN REGULATIONS TO RELATIVES OF OFFICIALS OF THE CITY; PROVIDING FOR OPEN MEETINGS AND OPEN RECORDS TRAINING FOR CITY OFFICIALS; PROVIDING FOR RESTRICTIONS ON POLITICAL CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND THIRD PARTIES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF.

WHEREAS, the Board of Commissioners believes that public servants, including elected and appointed officials should assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold government officials accountable; and

WHEREAS, the Board of Commissioners believes that public servants, including elected and appointed officials should employ objective judgment in performing their duties, deciding all matters on the merits, free from conflicts of interest and improper influences; and

WHEREAS, the Board of Commissioners believes that public servants, including elected and appointed officials should make decisions that are based on "what is right" rather than "who is right" and in the best interest of the City as a whole.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: The Code of Ordinances of the City of McAllen, Chapter 2 Administration, Article I. In General, Section 2-1 City Limits. is hereby amended by renumbering such section as Section 2-318 and Chapter 2 Administration, Article I is hereby amended and shall read in its entirety as follows:

ARTICLE I. ETHICS

Sec. 2-1 Purpose.

The purpose of this Article pertaining to ethics is to establish ethical standards of conduct for elected and appointed board and commission members and designated employees by setting forth those acts or actions that are incompatible with the best interest of the City and by directing disclosure by public officials of private financial or other interests in matters affecting the City. The standards adopted herein are cumulative with State of Texas law, such as conflicts relating to the sale, purchase or subdivision of real property or the designation of depository banks, and Federal law dealing with the conflicts of interest and other official conduct prohibitions and restrictions and all public officials and employees of the City are expected to be familiar with such laws and comply therewith. Other areas dealing generally with the subject of ethics (i.e.: nepotism) may be found in specific policies or ordinances (i.e.: human resources policy) where the ethics subject is more germane to the specific subject matter of City operations covered by the policy or ordinance.

Sec. 2-2 Conflict of Interest and Disclosure Requirements.

(a) This section is applicable to the following Boards, Commissions and officials: Mayor, City Commission, Public Utility Board, Hidalgo/McAllen Bridge Board, Anzalduas Bridge Board, Development Corporation of McAllen, Planning and Zoning Commission, Zoning Board of Adjustments, Building Board of Adjustments and Appeals, Civil Service Commission, and all other Boards or Commissions as listed in Section 2-76 of this Code, Department heads acting in an executive position for such board or commission (hereinafter referred to as "public officials"). This section is also applicable to the public official when also applicable to a family member of the public official defined as a spouse, parent, child or sibling of the public official or the parent, child or sibling of the spouse of the public official (hereinafter referred to as "family members").

(b) No public official shall participate in a discussion, deliberation or vote on any matter coming before the public official or take any action where the public official has independent approval authority, where the public official or his/her family member has a financial, business or property interest that may be effected by action on the matter. The public official is deemed to have a designated interest where the effect on the public official's interest is distinguishable from its effect on the general public. As an example for real property, the public official shall be deemed to have an interest that is distinguishable from the general public where the public official's real property is within 200 feet of the subject matter real property (i.e.: zoning or condition use permit application) or where the public official's real property is located within a specific project subject matter area. Prior to the consideration of any subject matter by the board or commission or by the individual public official, any public official having any of such interests shall disclose the same on a form to be promulgated by the City Secretary. The official conflict of interest form required by Chapter 171 Local Government Code may be used for the purposes of that Chapter and this Subsection.

(c) A public official shall disclose the occurrence of any wages, compensation, distributions, gifts, gratuities and entertainment contributions received by the public official or the public official's family from any person or entity that has submitted a proposal to do business, is doing business or has done business

with the City within the preceding twelve month period from the date that public official becomes aware that such person or entity proposes, is doing or has done business with the City. The term "doing business with the City" includes but is not limited to contracting for sale of goods or provision of services or construction activity, zoning and conditional use applications and real estate sales or purchases. Acceptances of items of nominal value that are clearly tokens of respect or friendship and not related to any particular transaction or activity are not subject to this disclosure requirement. The City Secretary shall promulgate the disclosure forms required to be filed under this subsection and the forms required to be filed under Chapter 176 Local Government Code may be used for the purposes of that Chapter and this Subsection.

Sec. 2-3 Employees Generally

(a) The City Manager is hereby directed to establish and maintain a conflict of interest policy covering the outside employment of City employees that recognizes that employees owe their primary allegiance to the duties and obligations of the City and provides for the directive that employees shall avoid outside activities and conduct that cause conflicts of interests.

(b) The City's Internal Audit department is hereby directed to establish and maintain an employee fraud detection program in concurrence with the City Manager's office.

Sec. 2-4 Open Meetings and Open Records Training

(a) Each member of the Boards and Commissions and the respective department heads listed in Section 2-2 (a) of this article shall complete a course of training regarding the responsibilities of the governmental body and the board members under the Open Meetings Act (Chapter 551 Texas Government Code) and the Public Information Act (Chapter 552 Texas Government Code). Each Board or Commission member or department head that has not completed the training as of the effective date of the adoption of this Article shall complete the training within ninety (90) days after the effective date. Training completed under the provisions of Chapters 551 and 552 meets the training requirement hereunder.

(b) The City Secretary of the City of McAllen is hereby designated the Public Information Coordinator for the City of McAllen and all Boards and Commissions of the City of McAllen. In such capacity the City Secretary as the Public Information Coordinator shall complete the training as required under the provisions of Section 552.012 of the Texas Government Code.

(c) The City Secretary and City Attorney, within 180 days after the effective date of this act will provide training to all Board and Commission members and all City Department Heads covering the provisions of this Article. All new Board and Commission members appointed or elected after the effective date of this Article shall be given this training by the City Secretary and the City Attorney's Office as part of their indoctrination material and presentations.

(d) The Public Information Coordinator may designate a Public Information Specialist who shall have the duty of receipt of Public Information requests and the coordination of responses thereto. The designation of the Public Information Specialist shall be advertised by posting on the City's website and posting along with other statutory or regulatory required posting relating to the Open Records Act.

- (d) A City official or employee shall not use their position to obtain official information about any person or entity for any purpose other than the performance of official duties.
- (e) A City official or employee shall not disclose any confidential information gained by reason of their position except for a legitimate business purpose relating to City operations or functions which are in the best interests of the City.
- (f) A City official or employee shall not utilize any City information that has not generally been made available to the public for the personal gain of the City official or employee or of any family member or business affiliate of the City official or employee or family member.

Sec. 2.5 Political Campaign Contribution and Expenditure Limitations

- (a) No person, other than a spouse, son, daughter or parent of the political candidate, or political committee shall make a political contribution to a candidate for election to the office of Mayor or City Commissioner of the City of McAllen in excess of \$10,000 for office of Mayor for a regular election and \$5,000 for any runoff election and in excess of \$5,000 for any commissioner office for a regular election and \$2,500 for any runoff election.
- (b) No person as a candidate for election to the office of Mayor or City Commissioner may accept a political contribution from any person, other than a spouse, son, daughter, or parent of the candidate, or political committee in excess of the limits specified in paragraph (a) above.
- (c) No person or political committee may make political expenditures or pay for political advertisings relating to an election for the Mayor or a City Commissioner where the total costs are in excess of the limits specified in paragraph (a) above.

SECTION II: This ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners and execution by the Mayor.

SECTION III: The City Secretary of the City of McAllen is hereby authorized and directed to cause the contents of Section I hereof to be published, added and/or deleted in the appropriate location in the Code of Ordinances of the City of McAllen.

SECTION IV: The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Texas in accordance with the provisions of the Code of Ordinances of the City of McAllen, Section 2-56. **Publication of ordinances.**

SECTION V: If any part or parts of this ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this ordinance is considered severable.

SECTION VI: If any person is found guilty of any violation of the provisions hereof then upon such

conviction such person may be fined in accordance with the provisions of Section 1-14 of this Code.

CONSIDERED, PASSED and APPROVED this 12th day of June, 2006, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas, at which quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this 5th day of ~~June~~ ^{July}, 2006.

CITY OF McALLEN, TEXAS

By: Richard F. Cortez
Richard F. Cortez, Mayor

ATTEST:

Annette Villarreal
Annette Villarreal, City Secretary

Approved as to form:

James E. Darling
James E. Darling, City Attorney

ORDINANCE NO. 2018- 37

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 2 ("ADMINISTRATION"), ARTICLE I ("ETHICS"), SECTION 2-3 ("EMPLOYEES GENERALLY") BY ADDING PROVISIONS RELATED TO ACCEPTANCE OF GIFTS; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City of McAllen desires to establish rules and regulations relating to the acceptance of gifts by City employees,

WHEREAS, the City Commission finds that it is in the public interest to amend the McAllen Code of Ordinances to increase transparency and provide clear direction to City employees,

WHEREAS, the City of McAllen seeks to uphold its core values of integrity, accountability, and commitment

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

SECTION I: The Code of Ordinances, City of McAllen, Chapter 2 ("Administration"), Article 1 ("Ethics"), Section 2-3 ("Employees generally") is hereby amended to read as follows:

Sec. 2-3. – Employees Generally

(a) The city manager is hereby directed to establish and maintain a conflict of interest policy covering the outside employment of city employees that recognizes that employees owe their primary allegiance to the duties and obligations of the city and provides for the directive

that employees shall avoid outside activities and conduct that cause conflicts of interests.

(b) The city's internal audit department is hereby directed to establish and maintain an employee fraud detection program in concurrence with the city manager's office.

(c) Acceptance of gifts. A City Employee shall not solicit, accept, or agree to accept any gift or benefit that reasonably tends to influence official conduct or the employee knows is intended to influence the discharge of official duties.

(d) The prohibition of the acceptance of gifts described in subsection (c) above does not apply to:

(1) Token Gifts. It is not improper to accept items of nominal or minor value that are clearly tokens of respect or friendship. A token gift has a monetary value of less than fifty dollars.

(2) Meals in an individual expense of fifty dollars (\$50.00) or less at any occurrence, and no more than a cumulative value of two hundred and fifty dollars (\$250.00) from a single source in a single calendar year and no more than five hundred dollars (\$500.00) total in a single calendar year.

SECTION II: The City Secretary of the City of McAllen is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION III: The City Secretary of the City of McAllen is hereby authorized and

directed to cause the language in Chapter 2, Article I, Section 2-3, the McAllen Code of Ordinances, as amended by Section I, hereinabove, to be published in the appropriate location in the said Code of Ordinances.

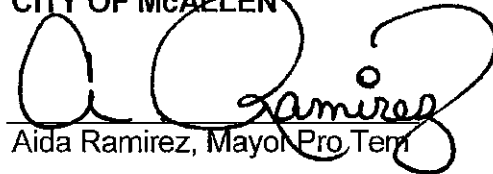
SECTION IV: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor.

SECTION V: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.


CONSIDERED, PASSED and APPROVED this 11th day of June, 2018, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this 12th day June, 2018.

CITY OF McALLEN

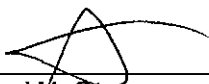

Aida Ramirez, Mayor Pro Tem

Attest:



Perla Lara, TRMC/CMC, CPM
City Secretary

Approved as to form:



Austin W. Stevenson, Assistant City Attorney



Publisher's Return

The State of Texas
County of Hidalgo


Before me, the undersigned authority, on this day personally appeared Gregg Wendorf, Publisher, to me well known who by me duly sworn, upon his oath deposes and states that he is a True Officer of the Advance Publishing Company, publisher of the Advance News Journal; the same is a newspaper of general circulation in our city that has been continuously and regularly published in the County of Hidalgo, State of Texas, prior to the date of this affidavit; that the newspaper clipping attached hereto and made a part hereof represents and is a complete and true and correct copy of a

LEGAL NOTICE -- City of McAllen -

Ordinance No. 2018-34; Ordinance No. 2018-35;

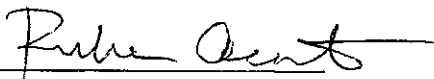
Ordinance No. 2018-36; Ordinance No. 2018-37

and the same was published and appeared in all copies of said newspaper on the following dates of publications and issues, to wit **June 20 & June 27, 2018** and that the amount legally due said newspaper for making aforesaid publication is the sum of **\$331.50**.

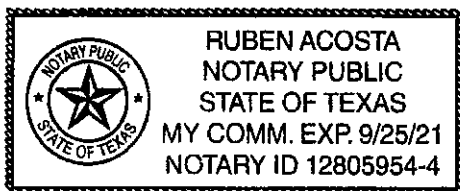


Gregg Wendorf

Sworn to and subscribed before me this **27th** day of June **2018**.



Ruben Acosta
Notary Public
In and For Hidalgo County, Texas



LEGAL NOTICE

You are hereby notified that the Board of Commissioners of the City of McAllen, Texas, Hidalgo County, at a regular meeting held on June 11, 2018 read, approved and passed the following ordinance(s):

ORDINANCE NO. 2018 - 34

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MCALLEN, TEXAS AS ENACTED ON MAY 29, 1979, BY PROVIDING THAT LOT 10, BLOCK 45, HAMMOND'S ADDITION, HIDALGO COUNTY, TEXAS SHALL BE REZONED FROM R-2 (DUPLIX-FOURPLEX RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT; AMENDING THE ZONING MAP TO CONFORM TO THESE CHANGES.

ORDINANCE NO. 2018 - 35

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 2 ("PERSONNEL") ARTICLE V ("OFFICER AND EMPLOYEE LIABILITY COVERAGE") BY REPEALING SECTION 82-151 ("TEXAS MUNICIPAL LEAGUE LIABILITY POOL"); PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

ORDINANCE NO. 2018 - 36

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 102 ("TRAFFIC AND VEHICLES"), ARTICLE VI ("STOPPING, STANDING AND PARKING"), DIVISION I ("GENERALLY") BY AMENDING SECTION 102-233 TO EXPAND THE REGULATION OF PARKING OF WIDE VEHICLES IN RESIDENTIAL ZONES TO INCLUDE THE REGULATION OF PARKING OF WIDE VEHICLES IN COMMERCIAL ZONES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

ORDINANCE NO. 2018 - 37

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 2 ("ADMINISTRATION"), ARTICLE I ("ETHICS"), SECTION 2-3 ("EMPLOYEES GENERALLY") BY ADDING PROVISIONS RELATED TO ACCEPTANCE OF GIFTS; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

TESTIMONY WHEREOF, WITNESSED MY HAND AND SEAL OF OFFICE this 13th day June, 2018.

CITY OF MCALLEN
Perla Lara TRMC/CMC, CPM.
City Secretary

(Published in the Advance News Journal on June 20 & June 27, 2018)

ORDINANCE NO. 2019-06

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 2 (“ADMINISTRATION”), ARTICLE I (“ETHICS”), SECTION 2-5 (“POLITICAL CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITS”) BY CLARIFYING CAMPAIGN CONTRIBUTION LIMITS; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City of McAllen desires to clarify and simplify the campaign rules and regulations relating to the acceptance of campaign contributions by candidates for the Office of Mayor or City Commissioner,

WHEREAS, the City Commission finds that it is in the public interest to amend the McAllen Code of Ordinances to increase transparency and provide clear direction to candidates in City elections,

WHEREAS, the City of McAllen seeks to uphold its core values of integrity, accountability, and commitment

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

SECTION I: The Code of Ordinances, City of McAllen, Chapter 2 (“Administration”), Article 1 (“Ethics”), Section 2-5 (“Political Campaign Contribution and Expenditure Limits”) is hereby amended to read as follows:

Sec. 2-5. - Political campaign contribution and expenditure limitations.

(a) No person or political committee, other than a spouse, son, daughter or parent of the political candidate shall contribute to a candidate for election to the Office of Mayor

or City Commissioner of the City of McAllen in excess of \$10,000.00 for office of mayor for any regular, runoff or special election or in excess of \$5,000.00 for any commissioner office for any regular, runoff or special election

- (b) No person as a candidate for election to the office of mayor or city commissioner may accept a political contribution from any person or political committee, other than a spouse, son, daughter, or parent of the candidate in excess of the limits specified in paragraph (a) above.
- (c) No person or political committee may make political expenditures or pay for political advertisings relating to an election for the mayor or a city commissioner where the total costs are in excess of the limits specified in paragraph (a) above.

SECTION II: The City Secretary of the City of McAllen is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION III: The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Chapter 2, Article I, Section 2-5, the McAllen Code of Ordinances, as amended by Section I, hereinabove, to be published in the appropriate location in the said Code of Ordinances.

SECTION IV: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor.

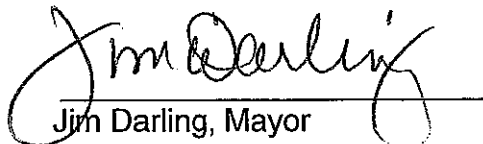
SECTION V: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

CONSIDERED, PASSED and APPROVED this 28th day of January, 2019, at a regular


meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this 29th day January, 2019.

CITY OF McALLEN

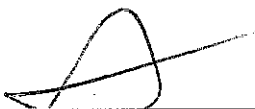

Jim Darling, Mayor

Attest:


Perla Lara, TRMC/CMC, CPM
City Secretary



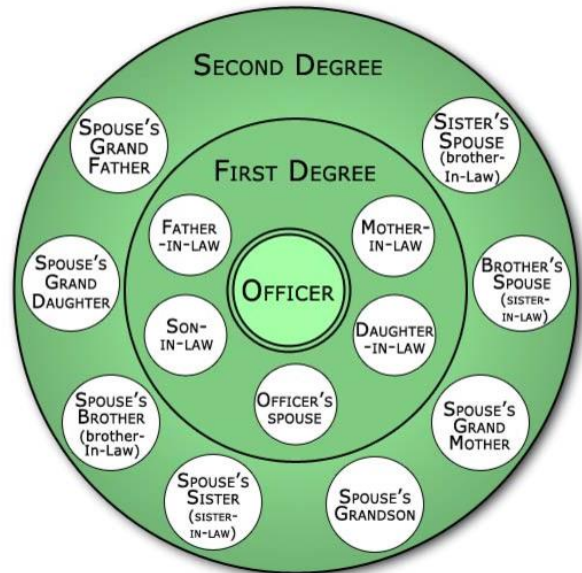
Approved as to form:


Austin W. Stevenson, Assistant City Attorney

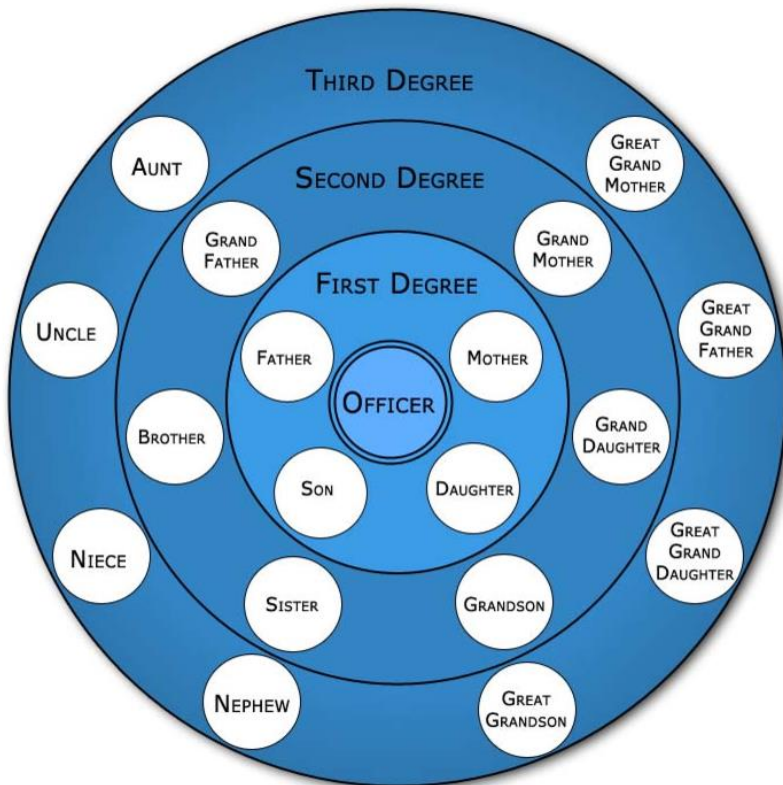
NEPOTISM CHART

The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting



AFFINITY KINSHIP
Relationship by Marriage



CONSANGUINITY KINSHIP
Relationship by Blood

TEXAS ETHICS COMMISSION

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



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

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

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

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

Revised January 1, 2020

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

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

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INTRODUCTION

This guide is a summary of reporting requirements and other regulations set out in title 15 of the Texas Election Code (chs. 251-259) and in the rules adopted by the Texas Ethics Commission. This guide applies to candidates for and officeholders in most local offices in Texas.

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

IMPORTANT UPDATES

Starting January 1, 2020, new itemization thresholds apply to all campaign finance reports. These changes mean that the dollar thresholds for itemizing contributions, expenditures, and other activities in a report are now higher. For example, the requirement to itemize a political contribution has increased from \$50 to \$90, and only political contributions that exceed \$90 must be itemized when accepted on or after January 1, 2020. The higher itemization thresholds have been updated on the paper forms and in these instructions. For a full list of the changes, please go to new Texas Ethics Commission Rules §18.31 on our website:
https://www.ethics.state.tx.us/rules/adopted/2016-2020/adopted_Mar_2019.php.

These changes only apply to activity that occurs on or after January 1, 2020. For activity occurring before that date, you must use the form applicable to that time period. For example, if you are filing a semiannual campaign finance report that is due on January 15, 2020, you must use the campaign finance report form that is applicable to the period ending December 31, 2019 (the last date covered by that semiannual report).

These changes are made by a new rule, 18.31, adopted by the Texas Ethics Commission (Commission) on March 22, 2019. As directed by section 571.064 of the Texas Election Code, the Commission is required to annually adjust these thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor. Accordingly, one or more thresholds will generally be adjusted each year, depending upon the figures in the index.

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 Election Commission. The FEC's toll-free number is (800) 424-9530.

FILING AUTHORITIES

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

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

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

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

Other local filing authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the*

governing body of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer.

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

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

POLITICAL COMMITTEES (PACS)

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

FINANCIAL DISCLOSURE STATEMENTS

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

FEDERAL INCOME TAX

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

TEXAS ETHICS COMMISSION

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

The Ethics Commission has authority to impose fines for violations of title 15. If you have evidence that a person has violated title 15, you may file a sworn complaint with the Ethics Commission.

The Ethics Commission's mailing address is P.O. Box 12070, Austin, Texas 78711. The phone number is (512) 463-5800. The Ethics Commission maintains a website at www.ethics.state.tx.us.

APPOINTING A CAMPAIGN TREASURER

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

- (A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;
- (B) the filing of an application for a place on the ballot;
- (C) the filing of an application for nomination by convention;
- (D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;
- (E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;
- (G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and
- (H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT TREASURER APPOINTMENT ON FILE

Additionally, the law provides that you must file a campaign treasurer appointment form with the proper filing authority before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment form with the proper filing authority.

APPOINTING TREASURER TRIGGERS REPORTING DUTIES

After a candidate has filed a form appointing a campaign treasurer, the candidate is responsible for filing periodic reports of contributions and expenditures. Filing reports is the responsibility of the candidate, not the campaign treasurer. Even if a candidate loses an election, he or she must continue filing reports until he or she files a final report. See “Ending Filing Obligations” in this guide. (An officeholder who files a final report, and thereby terminates his or her

campaign treasurer appointment, may still be required to file semiannual reports of contributions and expenditures as an officeholder.)

QUALIFICATIONS OF CAMPAIGN TREASURER

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

DUTIES OF CAMPAIGN TREASURER

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

EFFECTIVE DATE OF APPOINTMENT

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

CODE OF FAIR CAMPAIGN PRACTICES

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

APPOINTMENT BY OFFICEHOLDER

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

FILING FOR A PLACE ON THE BALLOT

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

CHANGING TREASURERS

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

TRANSFERRING TO A DIFFERENT FILING AUTHORITY

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

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

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

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

DECIDING NOT TO RUN

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

THINGS TO REMEMBER

- If you plan to run for a public office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) with the proper filing authority before you become a candidate, even if you do not intend to accept campaign contributions or make campaign expenditures.
- A person may not accept a campaign contribution or make a campaign expenditure unless the person has a campaign treasurer appointment on file with the proper filing authority.
- Once a person files a form appointing a campaign treasurer, the person is a candidate for disclosure filing purposes and is responsible for filing periodic reports of contributions and expenditures with the proper filing authority until the person files a “final report.”

- The candidate, not the campaign treasurer, is responsible for filing periodic reports of contributions and expenditures.
 - Filing a campaign treasurer appointment does not automatically “sign you up” for a place on the ballot. The Secretary of State can provide information about getting on the ballot. Call (512) 463-5650 or (800) 252-8683.
-

POLITICAL CONTRIBUTIONS AND EXPENDITURES

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

CAMPAIGN CONTRIBUTIONS

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

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

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

CAMPAIGN EXPENDITURES

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

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

- Paying people to put up yard signs in connection with an election is a campaign expenditure.

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

OFFICEHOLDER CONTRIBUTIONS

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

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

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

OFFICEHOLDER EXPENDITURES

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

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

CAMPAIGN EXPENDITURES BY OFFICEHOLDER

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

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

PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS

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

USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY

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

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

ACCEPTING CONTRIBUTIONS

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

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

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

REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

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

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

SEPARATE ACCOUNT REQUIRED

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

RESTRICTIONS INVOLVING LOBBYING

The 2019 legislature passed House Bill 2677 to amend chapter 305 of the Government Code and chapter 253 of the Election Code to enact the following restrictions. Each prohibition begins on September 27, 2019. For the language of the bill, go to <https://capitol.texas.gov/tlodocs/86R/billtext/html/HB02677F.htm>.

Making Political Contributions and Direct Campaign Expenditures. Unless expressly prohibited, a lobbyist may make political contributions and direct campaign expenditures. The campaign finance law, however, generally prohibits corporations and labor organizations from making political contributions. Elec. Code § 253.094.

Section 253.006 of the Election Code prohibits a person required to register as a lobbyist under chapter 305 of the Government Code from making political contributions or direct campaign expenditures from certain sources of funds. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or making or authorizing a direct campaign expenditure, from political contributions accepted by:

- (1) the lobbyist as a candidate or officeholder;
- (2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or
- (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made.

Two-Year Lobbying Prohibition After Making a Political Contribution or Direct Campaign Expenditure. Section 253.007 of the Election Code prohibits lobbying by persons who make political contributions or direct campaign expenditures from certain sources of funds. A person who makes a political contribution to another candidate, officeholder, or political committee, or makes a direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder is prohibited from engaging in activities that require registration as a lobbyist under chapter 305 of the Government Code for two years thereafter.

However, an exception to this prohibition allows a person who does not receive compensation other than reimbursement for actual expenses to lobby on behalf of a nonprofit organization, a group of low-income individuals, or a group of individuals with disabilities.

Lobby Expenditures from Political Contributions. Section 305.029 of the Government Code prohibits certain lobby expenditures made from political contributions. A lobbyist registered under chapter 305 of the Government Code, or a person on behalf of the lobbyist and with the lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by:

- (1) the lobbyist as a candidate or officeholder;
- (2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or
- (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure.

INFORMATION REQUIRED ON REPORTS

CONTRIBUTIONS

A report must disclose the amount of each contribution or the value and nature of any in-kind contribution, as well as the name and address of the individual or political committee making the contribution, and the date of the contribution. (Detailed information about a contributor is not required to be reported if the contributor contributed \$90 or less during the reporting period. However, all contributions made electronically must be itemized with this information.)

PLEDGES

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

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

Example 1: In June a supporter promises that he will give Juan Garcia \$1,000 in the last week before the November election. Juan accepts his promise. Juan must report the pledge on his July 15 report. Juan must also report a political contribution when the pledge is actually received.

(Note: If Juan receives the pledge during the July semiannual reporting period then he does not report the pledge and only reports a political contribution. Also, if he never receives the \$1,000, he does not amend his report to delete the entry for the pledge.)

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

LOANS

Loans made for campaign or officeholder purposes are reportable. A filer must report the amount of a loan, the date the loan is made, the interest rate, the maturity date, the type of collateral, and the name and address of the lender. The filer must also report the name, address, principal occupation, and employer of any guarantor and the amount guaranteed by the guarantor. (Detailed information is not required if a particular lender lent \$90 or less during a reporting period.) If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan. *See* “Campaign Expenditures from Personal Funds” in this guide for additional information.

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

CONTRIBUTIONS OF PERSONAL SERVICES

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

CONTRIBUTIONS OF PERSONAL TRAVEL

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

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

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

Contributions over \$900 in a reporting period. Before *accepting* more than \$900 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 \$180 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 \$900 or less in a reporting period. For a contribution of \$900 or less from an out-of-state committee in a reporting period, there is no requirement to obtain documentation *before accepting* the contribution. But there is a requirement to include certain documentation with the report of the contribution. The report must include *either* (1) a copy of the out-of-state political committee’s statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee, *or* (2) the committee’s name, address, and phone number; the name of the person appointing the committee’s campaign treasurer; and the name, address, and phone number of the committee’s campaign treasurer.

EXPENDITURES

A filer must report any campaign expenditure (regardless of whether it is made from political contributions or from personal funds) and any political expenditure (campaign or officeholder) from political contributions (regardless of whether the expenditure is a political expenditure). A filer must also report unpaid incurred obligations. *See* “Unpaid Incurred Obligations” in this guide. If the total expenditures to a particular payee do not exceed \$180 during the reporting period, a filer may report those expenditures as part of a lump sum. Otherwise, a filer must report the date of an expenditure, the name and address of the person to whom the expenditure is made, and the purpose of the expenditure.

UNPAID INCURRED OBLIGATIONS

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

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

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

EXPENDITURES MADE BY CREDIT CARD

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

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

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

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

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

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

OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS

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

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

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

DIRECT EXPENDITURES

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

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

SUPPORTING POLITICAL COMMITTEES

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

PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER

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

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

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

INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS

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 \$130;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$130; and

- any other gain from a political contribution, the amount of which exceeds \$130.

A candidate or officeholder must use Schedule K to report such information. Although you are not required to do so, you may also report any credit/gain/refund or interest that does not exceed \$130 in the period on this schedule. (Previously, this was an optional schedule because a candidate or officeholder was not required to report this information.) A candidate or officeholder may not use interest and other income from political contributions for personal purposes. Political expenditures made from such income must be reported on the expenditures schedule.

PURCHASE OF INVESTMENTS

A candidate or officeholder must report any investment purchased with a political contribution, the amount of which exceeds \$130. This information must be disclosed on Schedule F3 of the campaign finance report.

TOTAL POLITICAL CONTRIBUTIONS MAINTAINED

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

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

TIME OF ACCEPTING CONTRIBUTION

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

TIME OF MAKING EXPENDITURE

For reporting purposes, an expenditure is made when the amount of the expenditure is readily determinable. An expenditure that is not paid during the reporting period in which the obligation to pay is incurred must be reported on the reporting schedule for “Unpaid Incurred Obligations,”

and then reported again on the appropriate expenditure schedule when payment is actually made. If a filer cannot determine the amount of an expenditure until a periodic bill, the date of the expenditure is the date the bill is received.

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

PREPARING REPORTS

FORMS

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

SIGNATURE REQUIRED

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

FILING DEADLINES

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

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

PERIODS COVERED BY REPORTS

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

DEADLINE ON WEEKEND OR HOLIDAY

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

5 P.M. DEADLINE

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

DELIVERY BY MAIL OR OTHER CARRIER

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

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

RETENTION OF RECORDS USED FOR REPORTS

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

REPORTS

SEMIANNUAL REPORTS

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

However, there is an exception to this requirement for officeholders who file with a local filing authority, do not have a campaign treasurer appointment on file, and do not accept more than \$900 in officeholder contributions or make more than \$900 in officeholder expenditures during the period covered by the report.

REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

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

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

The report that is due 30 days before the election covers the period that begins on the first day after the period covered by the last required report and ends the 40th day before the election. If

this is a filer's first required report, the period covered by the report begins on the day the filer filed a campaign treasurer appointment.

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

REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION

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

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

MODIFIED REPORTING

On the campaign treasurer appointment form, there is an option to choose modified reporting for the next election cycle. Modified reporting excuses an opposed candidate from filing reports 30 days and 8 days before an election and 8 days before a runoff. An opposed candidate is eligible for modified reporting only if the candidate does not intend to exceed either \$900 in contributions or \$900 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 \$900 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 \$900 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 \$900 in contributions or make more than \$900 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 \$900 in political contributions or make more than \$900 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 \$900 in contributions or made more than \$900 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, the Capitol Extension, or a courthouse. "Courthouse" means any building owned by the state, a county, or a municipality, or an office or part of a building leased to the state, a county, or a municipality, in which a justice or judge sits to conduct court proceedings. Elec. Code § 253.039.
10. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or making or authorizing a direct campaign expenditure, from political contributions accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made. Elec. Code § 253.006.
11. A person who makes a political contribution to another candidate, officeholder, or political committee, or makes a direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder is prohibited from engaging in activities that require registration as a lobbyist for two years thereafter. This does not apply to a person who does not receive compensation other than reimbursement for actual expenses to lobby on behalf of a nonprofit organization, a group of low-income individuals, or a group of individuals with disabilities. Elec. Code § 253.007.
12. A registered lobbyist, or a person on behalf of the lobbyist and with the lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure. Gov't Code § 305.029.
13. Federal law generally prohibits the acceptance of contributions from foreign sources. Contact the Federal Election Commission for more detailed information.

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE

(PAPER FILERS ONLY)

To Report Activity Occurring on or after January 1, 2021



Revised January 1, 2021

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

FORM C/OH – INSTRUCTION GUIDE

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These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH) and all schedules that are filed with it. FORM C/OH includes a three-page cover sheet and Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T. Candidates or officeholders filing a Final Report should also attach Form C/OH-FR. All filers must submit the cover sheet, but only the schedules on which there is information to report need to be included.

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GENERAL INSTRUCTIONS

These general instructions apply to all C/OH forms required to be filed under title 15, Texas Election Code, for activity that occurs on or after January 1, 2021. For a report that includes activity occurring before January 1, 2021, you must use the instructions applicable before calendar year 2021, which are available on the Texas Ethics Commission's website at <https://www.ethics.state.tx.us/forms/coh/cohfrm.php>.

IMPORTANT UPDATES

Increased Disclosure Thresholds

On January 1, 2020, the Texas Ethics Commission began adjusting certain reporting thresholds to account for inflation. As directed by section 571.064 of the Texas Election Code, the Commission is required to annually adjust these thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor. Accordingly, one or more thresholds will generally be adjusted each year, depending upon the figures in the index.

These changes will be made effective January 1st of each calendar year; the affected numbers and corresponding new thresholds are located in 1 T.A.C. §18.31, which can be found here: <https://www.ethics.state.tx.us/rules/>. The higher itemization thresholds will be reflected on the paper forms and in these instructions, as applicable.

Please verify that you are using the correct thresholds and forms that apply to your filing. For example, if you are filing a campaign finance report or lobby activities report that is due in January of 2021, you must use the forms and instructions that are applicable to the period ending December 31, 2020.

Contributions Made Electronically Must Be Itemized

Beginning on September 1, 2019, all political contributions that are made electronically and accepted by a filer during the reporting period must be itemized in the filer's campaign finance report. This change is made by House Bill 2586, adopted by the 86th Texas Legislature.

ELECTRONIC FILING

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

FILLING OUT THE FORMS

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

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

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

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

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

TEXAS ETHICS COMMISSION GUIDES

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

PHOTOCOPIES OF FORMS

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

FILING DATE

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

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

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

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

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

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

GENERAL INFORMATION

Use Form C/OH for filing the following reports:

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

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

OFFICEHOLDER ACTIVITY

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

DUTIES OF CANDIDATE OR OFFICEHOLDER

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

DUTIES OF CAMPAIGN TREASURER

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

WHERE TO FILE

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

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a Final Report of contributions and expenditures. A Final Report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports *as a candidate*. If you are an officeholder at the time of filing a Final Report, you may be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$930 in contributions or expenditures during the reporting period.

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

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

COMPLETING THE COVER SHEET

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

PAGE 1

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

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

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

January 15 Report: All candidates and most officeholders must file a semiannual report by January 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$930 in contributions or expenditures during the reporting period. All candidates and officeholders who file with the Commission must file this report by midnight Central Time on the January 15 report due date. All candidates and officeholders who file locally must file this report by 5 p.m. on the January 15 report due date.

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

July 15 Report: All candidates and most officeholders must file a semiannual report by July 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$930 in contributions or expenditures during the reporting period.

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

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

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

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

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

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

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

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

locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

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

Exceeded Modified Reporting Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded \$930 in contributions or \$930 in expenditures in connection with the election must file this Exceeded Modified Reporting Limit report within 48 hours after exceeding the \$930 limit. The candidate must meet this deadline even if it falls on a weekend or a holiday.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): An officeholder must file this report if he or she appoints a campaign treasurer after a period of not having a campaign treasurer appointment (Form CTA) on file. For all officeholders who file with Commission, this report is due no later than midnight Central Time on the 15th day after an officeholder files Form CTA with the Commission. For all officeholders who file locally, this report is due no later than 5 p.m. on the 15th day after an officeholder files Form CTA with the filing authority. It is not required of officeholders who are merely changing their campaign treasurer. It is not required of an officeholder who files locally if the officeholder did not exceed \$930 in either contributions or expenditures during the period covered by the report. Candidates who are not officeholders do not file this report.

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

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

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

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

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

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

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

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

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

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

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

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

8th Day Before Election Report: The start date is the 39th day before the election if you filed a 30th Day Before Election Report. If you did not file the 30th Day Before Election Report, the day after the last day covered by your last required report is the start date. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 10th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

Runoff Report: The start date is the 9th day before the main election if you filed an 8th Day Before Election Report. Otherwise, the start date is the day after the last day covered by your last required report or the day you appointed a campaign treasurer,

whichever is later. The end date is the 10th day before the runoff election. This report is not required for candidates who are filing under the modified reporting schedule.

Exceeded ~ Modified Reporting Limit Report: The start date for the report is either the day you appointed your campaign treasurer or the day after the last day covered by your last required report, whichever is later. The end date is the day you exceeded the \$930 limit for contributions or expenditures.

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

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

If you are an officeholder without a campaign treasurer appointment on file, or if you have a campaign treasurer appointment on file but you are not a candidate in an upcoming election and were not a candidate in a recent election, you may skip Section 11.

11. ELECTION: If you are a candidate in an upcoming election or were a candidate in a recently held election, provide the following information concerning the upcoming or recent election.

Election Date: Enter the month, day, and year of the election for which this report is filed, if known.

Candidate in an Upcoming Election: If the political activity in the report primarily pertains to an upcoming election, provide the date of the upcoming election in which you intend to participate as a candidate that most immediately follows the deadline for this report.

Candidate in a Recently Held Election: If the political activity in this report primarily pertains to a recently held election, provide the date of the recently held election in which you participated as a candidate that most immediately precedes the deadline for this report.

Election Type: Check the box next to the type of election that most accurately describes the election for which this report is filed.

Primary: An election held by a political party to select its nominees for office.

Runoff: An election held if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote.

General: An election, other than a primary election, that regularly occurs at fixed dates.

Special: An election that is neither a general election nor a primary election nor a runoff election.

Other: If none of the listed election types apply, check “Other” and provide your own description of the election for which the report is filed.

- 12. OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
- 13. OFFICE SOUGHT:** If you are a candidate in an upcoming election, please enter the office you seek. If you were a candidate in a recently held election, but were unsuccessful or are not currently an officeholder, please enter the office you sought during the election that most immediately precedes the deadline for this report. Include the district, precinct, or other designation for the office, if applicable.
- 14. NOTICE FROM POLITICAL COMMITTEE(S):** Complete this section if you received notice from a political committee that it accepted political contributions or made political expenditures on your behalf. You are required to disclose the receipt of such a notice in the report covering the period in which you receive the notice. If you have not received such notice, you may skip this section.

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

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

Committee Type:

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

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

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

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

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

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

PAGE 2

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

16. FILER ID: See instructions for section 1.

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

Line 1- Total Unitemized Political Contributions: Enter the total of all unitemized contributions (other than pledges, loans, guarantees of loans, or contributions made electronically) of \$90 or less. Do not include any contributions itemized on Schedules A1 or A2 or any contribution made electronically. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you are required to itemize political contributions that totaled more than \$90 from one person and any political contribution that is made electronically. You also may itemize contributions of \$90 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

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

Line 3- Total Unitemized Political Expenditures: Enter the total of all unitemized political expenditures of \$190 or less. Do not include any expenditures itemized on Schedules F1, F2, F3, F4, G, or H. Enter a “0” if you did not make any unitemized expenditures during the period covered.

On Schedule F1, you were required to itemize political expenditures that totaled more than \$190 to one payee. You also had the option of itemizing expenditures totaling \$190 or less to one payee. Do not include any expenditures itemized on Schedule F1 in the total entered on line 3, regardless of amount.

On Schedule F2, you were required to itemize incurred but not yet paid political expenditures that totaled more than \$190 to one payee. You also had the option of itemizing incurred political expenditures totaling \$190 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F2 in the total entered on line 3, regardless of amount.

On Schedule F4, you were required to itemize political expenditures made by a credit card that totaled more than \$190 to one payee. You also had the option of itemizing political expenditures totaling \$190 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F4 in the total entered on line 3, regardless of amount.

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

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

Line 4- Total Political Expenditures: Add the following:

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

Enter that total on line 4.

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

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

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

The “total amount of political contributions maintained” includes the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions; the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.; and the balance of political contributions accepted and held in any online fundraising account over which the filer can exercise control by making a withdrawal, expenditure, or transfer.

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

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

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

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

If you are using the paper form, fill this section out by hand after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says “Signature of Candidate/Officeholder (Declarant)” (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say “Signature of Candidate/Officeholder (Declarant)” (an electronic signature is not acceptable), and fill out the unsworn declaration section.

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

20. FILER ID: See instructions for section 1.

21. SCHEDULE SUBTOTALS: Complete this section only after you have completed all applicable schedules.

Check the appropriate boxes to indicate which schedules are attached to your report. If a schedule is not included in the report, leave the check box blank.

Line 1- Schedule A1: Add the total amount of contributions itemized on Schedule A1 to the amount of unitemized monetary political contributions accepted during the period covered. Enter that total on line 1. Enter a “0” if you did not accept any contributions during the period covered.

Line 2- Schedule A2: Add the total amount of non-monetary in-kind contributions itemized on Schedule A2 to the amount of unitemized non-monetary in-kind contributions accepted during the period covered. Enter that total on line 2. Enter a “0” if you did not accept any non-monetary in-kind contributions during the period covered.

Line 3- Schedule B: Add the total amount of pledged contributions itemized on Schedule B to the amount of unitemized pledged contributions accepted during the

period covered. Enter that total on line 3. Enter a “0” if you did not accept any pledged contributions during the period covered.

Line 4- Schedule E: Add the total amount of loans itemized on Schedule E to the amount of unitemized loans accepted during the period covered. Enter that total on line 4. Enter a “0” if you did not accept any loans during the period covered.

Line 5- Schedule F1: Add the total amount of political expenditures from political contributions itemized on Schedule F1 to the amount of unitemized political expenditures from political contributions made during the period covered. Enter that total on line 5. Enter a “0” if you did not make any political expenditures from political contributions during the period covered.

Line 6- Schedule F2: Add the total amount of unpaid incurred obligations itemized on Schedule F2 to the amount of unitemized unpaid obligations incurred during the period covered. Enter that total on line 6. Enter a “0” if you did not incur any unpaid obligations during the period covered.

Line 7- Schedule F3: Enter the total amount of investments purchased from political contributions itemized on Schedule F3. Enter a “0” if you did not purchase any investments from political contributions during the period covered.

Line 8- Schedule F4: Add the total amount of expenditures made by a credit card itemized on Schedule F4 to the amount of unitemized expenditures made by a credit card during the period covered. Enter that total on line 8. Enter a “0” if you did not make any expenditures by credit card during the period covered.

Line 9- Schedule G: Add the total amount of political expenditures from personal funds itemized on Schedule G to the amount of unitemized political expenditures from personal funds made during the period covered. Enter that total on line 9. Enter a “0” if you did not make any political expenditures from personal funds during the period covered.

Line 10- Schedule H: Enter the total amount of payments from political contributions to a business of the candidate or officeholder itemized on Schedule H. Enter a “0” if you did not make any payments from political contributions to a business of the candidate or officeholder during the period covered.

Line 11- Schedule I: Enter the total amount of non-political expenditures from political contributions itemized on Schedule I. Enter a “0” if you did not make any non-political expenditures from political contributions during the period covered.

Line 12- Schedule K: Enter the total amount of interests, credits, gains, refunds, and contributions returned to the filer itemized on Schedule K. Enter a “0” if you did not have any such activity during the period covered.

SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about monetary campaign and officeholder contributions accepted during the reporting period. Do not enter on this schedule information on non-monetary, in-kind contributions, pledges, loans, or guarantees of loans. Once you actually receive pledged money, it must be reported on Schedule A1. (Report non-monetary, in-kind contributions on Schedule A2; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter incoming monetary contributions that exceed \$90 from one person, and any monetary contribution made electronically, during a reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds \$90, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$90 in the period on this schedule. If you do not itemize contributions of \$90 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

- 1. TOTAL PAGES SCHEDULE A1:** After you have completed Schedule A1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you *accepted* the contribution. Accepting a contribution is different from receiving a contribution. You accept a contribution when you decide to accept it rather than reject it. This may or may not be the same day that you receive the contribution.
- 5. FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor. If the contributor is an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable. If the contributor is an entity, enter the full name of the entity.

“Out-of-State PAC” box: If the contributor is an out-of-state political committee, check the box. Certain restrictions apply to contributions from out-of-state PACS. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state PAC for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state PAC. A political committee that makes most of its political expenditures outside of Texas may be an out-of-state PAC. A political committee must determine if it is an out-of-state PAC.

If the contributor is an out-of-state political committee from which you accepted more than \$930 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 \$190 to the out-of-state political committee during the 12 months immediately preceding the contribution; *or*
- a copy of the out-of-state political committee’s statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee.

If the contributor is an out-of-state political committee from which you accepted \$930 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee’s statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee; *or*
- a document listing the committee’s name, address and phone number; the name of the person appointing the committee’s campaign treasurer; and the name, address and phone number of the committee’s campaign treasurer.

“ID #” Line (Electronic Filing Only): If you are filing your report electronically, you may enter in this field the out-of-state committee's Federal Election Commission (FEC) identification number. If you do not have an FEC # for the out-of-state PAC or are not filing electronically with the Commission, you must provide other documentation as explained above.

- 6. CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
- 7. AMOUNT OF CONTRIBUTION:** Enter the amount of the contribution.
- 8. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$930 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.
- 9. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the employer of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$930 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-monetary, in-kind campaign and officeholder contributions received during the reporting period. An in-kind contribution is a contribution of goods, services, or any other thing of value ***other than money*** that is given to your campaign. You are not required to include contributions of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on monetary political contributions, pledges, loans, or guarantees of loans. Once you actually receive a pledged in-kind contribution, it must be reported on Schedule A2. (Report monetary contributions on Schedule A1; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter non-monetary (in-kind) contributions of goods, services, or other things of value that exceed \$90 from one person, and any non-monetary contribution made electronically, during a reporting period on this schedule. If you accepted two or more non-monetary contributions from the same person, the total of which exceeds \$90, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$90 in the period on this schedule. If you do not itemize contributions of \$90 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

- 1. TOTAL PAGES SCHEDULE A2:** After you have completed Schedule A2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS:** Enter the total amount of in-kind political contributions of \$90 or less that you accepted during the period covered that are not itemized on this schedule. If you choose to itemize an in-kind contribution of \$90 or less on this schedule, do not include it in this total. All contributions made electronically must be itemized.
- 5. DATE:** See instructions for Schedule A1, section 4.
- 6. FULL NAME OF CONTRIBUTOR:** See instructions for Schedule A1, section 5.
“Out-of-State PAC” box: See instructions for Schedule A1, section 5.
- 7. CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
- 8. AMOUNT OF CONTRIBUTION:** Enter the fair market value of the in-kind contribution.

9. IN-KIND CONTRIBUTION DESCRIPTION: Enter a description of the contribution. The description should be sufficiently detailed to allow a person reviewing your report to understand what was contributed.

“Travel Outside of Texas” box: If the contribution was for travel outside of Texas, please check the box and *report this information on Schedule T.*

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

Sections 12-16 pertain to judicial candidates and officeholders only. Do not complete these sections. If you are a judicial candidate or officeholder, please use form JC/OH and the corresponding instructions.

SCHEDULE B: PLEDGED CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE B: PLEDGED CONTRIBUTIONS.

Use this schedule to disclose information about pledges accepted during the reporting period for campaign or officeholder purposes. You are not required to include pledges of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on contributions actually received, loans, or guarantees of loans. (Report contributions actually received on Schedule A1 or Schedule A2, as applicable; report loans and guarantees of loans on Schedule E.)

If you accept a pledge from a person to give you money, goods, services, or anything of value, that pledge is a reportable contribution and you must include the pledge on this schedule for the report covering the period in which you accept the pledge.

Itemization: You must itemize pledges that exceed \$90 in the aggregate from one person during the reporting period. If you received pledges totaling more than \$90 from one person during the reporting period, you must itemize all of those pledges, even if individual pledges were for \$90 or less. Although you are not required to do so, you may also itemize pledges for \$90 or less from one person. You must also disclose the receipt of the pledged contribution on Schedule A1 (used for monetary contributions) or A2 (used for non-monetary contributions), as applicable, in the reporting period in which you actually receive the pledged money or thing of value. If the pledge is accepted and received in the same reporting period, it is not required to be reported on Schedule B.

Note: See the Campaign Finance Guide for more information on pledges.

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

- 1. TOTAL PAGES SCHEDULE B:** After you have completed Schedule B, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED PLEDGES:** Enter the total amount of pledges that you accepted during the period that did not exceed \$90 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of \$90 or less on this schedule. If you itemize some pledges of \$90 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of \$90 or less, do not enter a total amount here.
- 5. DATE:** Enter the date you *accepted* the pledge. Accepting a pledge is different from receiving a contribution. You accept a pledge when you decide to accept it rather than reject it.

Pledge accepted and received in different reporting periods: If you accept a pledge in one reporting period and then receive the pledged money or other thing of value in a later reporting period, you will disclose the pledge on this schedule in

the reporting period in which you accepted the pledge. You will also disclose the receipt of the pledged money or other thing of value on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E) in the reporting period in which you received the pledge.

Pledge received in same reporting period as accepted: If you receive a pledge in the same reporting period in which it was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E). The date of the contribution will be the date you accepted the pledged contribution, regardless of when the pledged contribution was actually received.

Pledge accepted but never received: You will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. If you never actually receive the pledge, it is not necessary to correct your report to delete the pledge.

Example: In June a supporter promises that he will give Juan Garcia \$1,000 in the last week before the November election. Juan accepts his promise. Juan must disclose the pledge on his July 15 report covering the period in which he accepted the pledge. (Note: When he receives the \$1,000, he will disclose it as a monetary contribution on Schedule A1 of the report covering the period in which he received the money. Also, if he never receives the \$1,000, he does not correct/amend his report to delete the entry for the pledge.)

6. FULL NAME OF PLEDGOR: Enter the full name of the person who made the pledge.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

7. PLEDGOR ADDRESS: Enter the complete address of the person who made the pledge.

8. AMOUNT OF PLEDGE: Enter the amount of the pledge or the fair market value of any pledged goods or services or other thing of value, as applicable.

9. IN-KIND DESCRIPTION: If the pledge was for goods or services or any other thing of value, enter a description of the pledged goods or services or other thing of value. The description should be sufficiently detailed to allow a person reviewing your report to understand what was pledged.

“Travel Outside of Texas” box: If the pledged contribution was an in-kind contribution for travel outside of Texas, please check the box and *report this information on Schedule T.*

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

You do not need Schedules C1-4 and D. These schedules are for political committees to report contributions from corporations and labor organizations. Candidates and officeholders are generally prohibited from accepting such contributions.

SCHEDULE E: LOANS

These instructions are for candidates and officeholders using SCHEDULE E: LOANS.

Use this schedule to disclose information about loans and guarantees of loans accepted during the reporting period for campaign or officeholder purposes. This schedule must also be used to disclose deposits of personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. This schedule may also be used to disclose political expenditures from personal funds.

Loans to Your Campaign from Your Personal Funds: You may disclose political expenditures from personal funds as a loan to your campaign on Schedule E. Outgoing political expenditures made from that loan must then be disclosed as if they were made from political contributions. The amount you disclose as a loan from yourself in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from your personal funds in the reporting period was \$5,000. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan. (You may also disclose political expenditures from personal funds on Schedule G. See the Schedule G instructions below for more information.)

Personal Funds Deposited into a Political Account: If you deposit personal funds in an account in which political contributions are held, you must disclose the deposited amount as a loan on Schedule E and check the box indicating "Personal Funds Deposited into Political Account." Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction. Disclose the outgoing political expenditures made from that loan as if they were made from political contributions. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan.

Itemization: You must itemize loans (including loans from personal funds) that exceed \$90 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 \$90, itemize each loan separately. You must also itemize loans that are made electronically by a person other than a financial institution. Although you are not required to do so, you may also itemize any other loans that do not exceed \$90.

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

- 1. TOTAL PAGES SCHEDULE E:** After you have completed Schedule E, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.

- 4. TOTAL OF UNITEMIZED LOANS:** Enter the total amount of loans accepted during the reporting period that did not exceed \$90 in the aggregate per person and were not from financial institutions, unless the loans were made electronically.

Although you are not required to do so, you may itemize loans of \$90 or less from persons other than financial institutions on this schedule. If you itemize some loans of \$90 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$90 or less, enter a “0” here.

- 5. DATE OF LOAN:** Enter the date you *accepted* the loan.
- 6. IS LENDER A FINANCIAL INSTITUTION?:** If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, circle “Y” for yes. If you accepted the loan from any other source, circle “N” for no. A loan from a corporation that has not been legally engaged in the business of making loans for more than one year is a corporate contribution. Candidates and officeholders may not accept corporate contributions.
- 7. NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan. If the lender is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the lender is an entity, enter the full name of the entity.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

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

- 8. LENDER ADDRESS:** Enter the complete address of the person or financial institution that made the loan.
- 9. LOAN AMOUNT:** Enter the principal amount of the loan.
- 10. INTEREST RATE:** Enter the interest rate.
- 11. MATURITY DATE:** Enter the maturity date.
- 12. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of each individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$930 or more during the reporting period. Other types of filers are not required to report this information but may do so.
- 13. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the full name of the employer of an individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$930 or more during the reporting period. Other types of filers are not required to report this information but may do so.

- 14. DESCRIPTION OF COLLATERAL:** If there is no collateral for the loan, check the “none” box and go to section 15. If there is collateral for the loan, enter a description of the collateral for the loan.
- 15. “Check if personal funds were deposited into political account” box:** Check this box *only if* the loan is a deposit of your personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported as if they were made from political contributions. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.
- 16. GUARANTOR INFORMATION:** If there are no guarantors for the loan, check the “Not Applicable” box and go to the next loan. If you have no further loans to report, go to the next applicable schedule.

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

- 17. NAME OF GUARANTOR:** Enter the full name of the person guaranteeing the loan. If the guarantor is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the guarantor is an entity, enter the full name of the entity.
- 18. GUARANTOR ADDRESS:** Enter the complete address of the guarantor.
- 19. AMOUNT GUARANTEED:** Enter the dollar amount of the loan that the guarantor has agreed to guarantee.
- 20. PRINCIPAL OCCUPATION:** Enter the principal occupation of the guarantor.
- 21. EMPLOYER:** Enter the employer of the guarantor.

SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about political expenditures from political contributions that were made during the reporting period. Do not enter on this schedule unpaid incurred obligations, political expenditures made from personal funds, the purchase of investments from political contributions, expenditures made by credit card, or payments from political contributions made to a business that you own or control. (Report unpaid incurred obligations on Schedule F2; report expenditures from personal funds on Schedule G; report the purchase of investments from political contributions on Schedule F3; report expenditures made by credit card on Schedule F4; and report payments from political contributions made to a business that you own or control on Schedule H.)

Expenditures Made by Credit Card: You must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$190 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$190, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$190 in the period on this schedule. If you choose not to itemize expenditures of \$190 and less on this schedule, you must total all unitemized expenditures and report them on the Cover Sheet, page 2, section 17, line 3.

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

- 1. TOTAL PAGES SCHEDULE F1:** After you have completed Schedule F1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made. Remember: Expenditure obligations you incurred in this reporting period *but have not yet paid* are entered on Schedule F2. Expenditures made by credit card are entered on Schedule F4.
- 5. PAYEE NAME:** Enter the full name of the person to whom the expenditure was made.

Note: If you make an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor who sold you the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 8, “Purpose of Expenditure.”

6. **AMOUNT:** Enter the exact amount of the expenditure.
7. **PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
8. **PURPOSE OF EXPENDITURE:** You must disclose the purpose of the expenditure in two parts: Category and Description. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

(a) **Category:** Select a category of goods, services, or other thing of value for which an expenditure is made. If none of the listed categories apply, select “Other” and enter your own category. Examples of acceptable categories include:

Advertising Expense

Accounting/Banking

Consulting Expense

Contributions/Donations Made By Candidate/Officeholder/Political Committee

Credit Card Payment

Event Expense

Fees

Food/Beverage Expense

Gifts/Awards/Memorials Expense

Legal Services

Loan Repayment/Reimbursement

Office Overhead/Rental Expense

Polling Expense

Printing Expense

Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense

Transportation Equipment and Related Expense

Travel In District

Travel Out Of District

Other

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

For examples of acceptable ways to disclose the purpose of an expenditure, please see the "Examples: Purpose of Expenditures" on page 46.

“Check if travel outside of Texas” box: Check this box if the expenditure is for travel outside of Texas. The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

“Check if Austin, TX, officeholder living expense” box: Check this box if the expenditure is an officeholder expense for living in Austin, Texas.

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

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

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

SCHEDULE F2: UNPAID INCURRED OBLIGATIONS

These instructions are for candidates and officeholders using SCHEDULE F2: UNPAID INCURRED OBLIGATIONS.

Use this schedule to disclose information about obligations to make an expenditure that you incurred during the reporting period but have not yet paid. Do not enter on this schedule obligations that were incurred and paid during the reporting period, or other outgoing funds. (Report obligations incurred and paid during the reporting period on Schedule F1, F3, G, H, or I as appropriate, and report expenditures made by credit card on Schedule F4.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: Itemization requirements differ depending on whether the unpaid incurred obligation is for a political or non-political expenditure.

Unpaid Incurred Political Obligations: You must enter political obligations incurred but not yet paid to one individual or entity during a reporting period that in the aggregate exceed \$190 on this schedule. If you incurred more than one obligation to the same payee, the total of which exceeded \$190, enter each expenditure separately. Although you are not required to do so, you may also report political obligations incurred to one person that do not exceed \$190 in the period on this schedule. If you choose not to itemize incurred political obligations of \$190 and less on this schedule, you must total all unitemized obligations and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$190 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Unpaid Incurred Non-Political Obligations: You must enter non-political obligations incurred but not yet paid to one individual or entity during a reporting period on this schedule, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE F2:** After you have completed Schedule F2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS:** Enter the total amount of political obligations incurred during the reporting period that do not exceed \$190 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of \$190 or less, but if you choose to do so, do not include those unpaid incurred obligations in the total you enter here.
- 5. DATE:** Enter the date the obligation was incurred. Obligations you incurred *and* paid during the reporting period are not entered on this schedule.

6. PAYEE NAME: See instructions for Schedule F1, section 5.

Note: If you incurred an obligation for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you incurred the obligation. Include that information under section 10, “Purpose of Expenditure.”

7. AMOUNT: Enter the exact amount of the incurred obligation.

8. PAYEE ADDRESS: Enter the complete address of the person to whom the obligation is owed.

9. TYPE OF EXPENDITURE: Check only one box to indicate whether the incurred obligation was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. PURPOSE OF EXPENDITURE: See instructions for Schedule F1, section 8.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:
See instructions for Schedule F1, section 9.

SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about investments purchased from political contributions during the reporting period. Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, expenditures made by credit card, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report expenditures made by credit card on Schedule F4; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter investments purchased with political contributions during a reporting period that in the aggregate exceed \$120 on this schedule. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed \$120 in the period on this schedule.

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

- 1. TOTAL PAGES SCHEDULE F3:** After you have completed Schedule F3, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you purchased the investment.
- 5. NAME OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the full name of the person or entity from whom you purchased the investment. If you purchased the investment from an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable (title is optional). If you purchased the investment from an entity, enter the full name of the entity.
- 6. ADDRESS OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the complete address of the person or entity from whom you purchased the investment.
- 7. DESCRIPTION OF INVESTMENT:** Enter a brief statement or description of the investment. For example, “Ten shares of stock in ABC company.”
- 8. AMOUNT OF INVESTMENT:** Enter the amount of the investment purchased.

SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD

These instructions are for candidates and officeholders using SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD.

Use this schedule to disclose information about expenditures made by a credit card. You must disclose expenditures charged to a credit card on this schedule and identify the individual, entity, or vendor who receives payment from the credit card company. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable.

Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report the purchase of investments from political contributions on Schedule F3; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

For examples regarding the disclosure of expenditures made by credit card, please see “Examples: Reporting Expenditures Made by Credit Card” on page 43.

Itemization: Itemization requirements differ depending on whether the expenditure made by a credit card is for a political or non-political expenditure.

Political Expenditures Made by Credit Card: You must itemize political expenditures made by credit card that exceed \$190 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee, the total of which exceeded \$190, enter each expenditure made by credit card separately. Although you are not required to do so, you may also report political expenditures made by credit card that do not exceed \$190 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of \$190 and less on this schedule, you must total all unitemized political expenditures and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$190 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Non-Political Expenditures Made by Credit Card: You must itemize any non-political expenditure made by credit card, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE F4:** After you have completed Schedule F4, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.

3. FILER ID: See instructions for Cover Sheet, page 1, section 1.

4. TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD:

Enter the total amount of political expenditures charged to a credit card during the reporting period that do not exceed \$190 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of \$190 or less, but if you choose to do so, do not include those political expenditures made by credit card in the total you enter here.

5. DATE: Enter the date you made the expenditure by credit card.

Note: There is a special reporting rule for expenditures made by credit card. For reports due 30 days and 8 days before an election (pre-election reports) and for runoff reports, the date of the credit card expenditure is the date the credit card is used. For other reports, the date of the credit card expenditure is either the date of the charge or the date the credit card statement is received. *A filer can never go wrong by disclosing the date of the expenditure as the date of the charge.*

6. PAYEE NAME: See instructions for Schedule F1, section 5. Disclose the name of the vendor who sold you the goods or services as the payee, NOT the credit card company. You do not report the name of the credit card company on this schedule.

Note: If you made an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 10, “Purpose of Expenditure.”

7. AMOUNT: Enter the amount of the credit card expenditure.

8. PAYEE ADDRESS: Enter the complete address of the payee of the credit card expenditure.

9. TYPE OF EXPENDITURE: Check only one box to indicate whether the credit card expenditure was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. PURPOSE OF EXPENDITURE: See instructions for Schedule F1, section 8.

Note: Do not choose “Credit Card Payment” as the category for an expenditure made by credit card when an individual, entity, or vendor receives payment from the credit card company. Instead, choose the category that corresponds to the goods, services, or other thing of value purchased from the individual, entity, or vendor.

**11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/
OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for candidates and officeholders using SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS.

You may use this schedule to disclose information about political expenditures from personal funds that were made during the reporting period. Alternatively, you may choose to disclose political expenditures from personal funds as a loan on Schedule E (see the Schedule E instructions above for more information). Do not enter on this schedule information about personal funds deposited in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. (Report the deposit of personal funds into a political account as a loan on Schedule E.)

Expenditures Made by Credit Card: You must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: Expenditures Made by Credit Card for more information.

If you intend to seek reimbursement *in any amount* from political contributions for a political expenditure made from personal funds, you must either report the expenditure on Schedule E or itemize the expenditure on this schedule and check the box in Section 6 to indicate that you intend to seek reimbursement from political contributions. ***You may not correct a report to allow reimbursement.*** When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1.

See the Campaign Finance Guide for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: If you choose to report political expenditures from personal funds on this schedule, you must itemize political expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$190 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$190, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$190 in the period on this schedule. You must total all political expenditures from personal funds that you do not itemize on this schedule and include them in the total of unitemized political expenditures on the C/OH Cover Sheet, page 2, section 17, line 3.

Officeholder expenditures from personal funds for which you do not intend to seek reimbursement are not required to be reported on this schedule or included in the total of unitemized political expenditures.

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

1 TOTAL PAGES SCHEDULE G: After you have completed Schedule G, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **DATE:** Enter the date the expenditure was made.
5. **PAYEE NAME:** See instructions for Schedule F1, section 7.
6. **AMOUNT:** Enter the exact amount of the expenditure.

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

7. **PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
8. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
9. **DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

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

These instructions are for candidates and officeholders using SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH.

Use this schedule to disclose information about payments from political contributions that were made to a business in which you have an interest of more than 10%, a position on the governing body, or a position as an officer. Do not enter on this schedule other payments from political contributions made during the reporting period.

See the *Campaign Finance Guide for Candidates and Officeholders* for a discussion on the important restrictions on making and reporting payments from political contributions to a business in which you have an interest.

This schedule is for payments to a business in which you have one or more of the following interests or positions:

- 1) a participating interest of more than 10%;
- 2) a position on the governing body of the business; or
- 3) a position as an officer of the business.

Itemization: You must enter all payments from political contributions made to certain businesses (as defined above) of a candidate or officeholder made during the reporting period on this schedule, regardless of the amount.

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

- 1. TOTAL PAGES SCHEDULE H:** After you have completed Schedule H, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you made the payment.
- 5. BUSINESS NAME:** Enter the full name of the business to which you made the payment.
- 6. AMOUNT:** Enter the dollar amount of the payment.
- 7. BUSINESS ADDRESS:** Enter the complete address of the business to which you made the payment.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
- 9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-political expenditures from political contributions made during the reporting period. Do not enter political expenditures on this schedule. Also, do not enter non-political expenditure obligations you incurred in this reporting period but have not yet paid or non-political expenditures made by credit card. (Report unpaid incurred obligations on Schedule F2; report expenditures made by a credit card on Schedule F4.)

Expenditures Made by Credit Card: You must disclose non-political expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: Expenditures Made by Credit Card for more information.

Itemization: You must enter all non-political expenditures from political contributions on this schedule, regardless of the amount. A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures. You may not convert political contributions to personal use.

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

- 1. TOTAL PAGES SCHEDULE I:** After you have completed Schedule I, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made.
- 5. PAYEE NAME:** See instructions for Schedule F1, section 5.
- 6. AMOUNT:** Enter the exact amount of the expenditure payment.
- 7. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

These instructions are for candidates and officeholders using SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER.

Use this schedule to report information regarding any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$120, and any other gain from a political contribution received during the reporting period.

Itemization: You must enter interest, credits, gains, refunds and returned contributions received during a reporting period that in the aggregate exceed \$120 on this schedule. Although you are not required to do so, you may also report any credit/gain/refund, or interest that does not exceed \$120 in the period on this schedule.

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

- 1. TOTAL PAGES SCHEDULE K:** After you have completed Schedule K, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the credit/gain/refund was received or the interest was earned, as applicable.
- 5. NAME OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the full name of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 6. ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 7. PURPOSE FOR WHICH AMOUNT IS RECEIVED:** Enter a brief statement or description of the purpose for which the amount was received (for example, “phone service deposit return” “returned contribution” or “interest on savings account”).

“Check if political contribution returned to filer” box: If the incoming credit/gain was originally made by you in the form of a political contribution to another candidate or political committee and was returned to you in this reporting period, check this box.
- 8. AMOUNT:** Enter the exact dollar amount of the credit/gain/refund/returned contribution, or interest.

SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS

These instructions are for candidates and officeholders using SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS.

Use this schedule to disclose information about contributions accepted or expenditures made during the reporting period. In addition to completing this schedule, you must also report the actual contribution or expenditure on the appropriate schedule or form. The law requires detailed information regarding in-kind contributions or political expenditures for travel outside of the state of Texas.

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

- 1. TOTAL PAGES SCHEDULE T:** After you have completed Schedule T, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter the full name of the candidate, committee, or party on whose report you are including this schedule.
- 3. FILER ID:** If you are filing with the Commission, enter your filer account number. If you do not file with the Commission, you are not required to enter a filer account number.
- 4. NAME OF CONTRIBUTOR/ CORPORATION OR LABOR ORGANIZATION/ PLEDGOR/ PAYEE:** Enter the full name of the contributor / corporation or labor organization / pledgor / payee as it appears on the schedule or form on which you reported the actual contribution or expenditure.
- 5. CONTRIBUTION / EXPENDITURE REPORTED ON:** Check the appropriate box for the schedule or form on which you reported the actual contribution or expenditure.
- 6. DATES OF TRAVEL:** Enter the dates on which the travel occurred.
- 7. NAME OF PERSON(S) TRAVELING:** Enter the full name of the person or persons traveling on whose behalf the travel was accepted or on whose behalf the expenditure was made.
- 8. DEPARTURE CITY OR NAME OF DEPARTURE LOCATION:** Enter the name of the departure city or the name of each departure location.
- 9. DESTINATION CITY OR NAME OF DESTINATION LOCATION:** Enter the name of the destination city or the name of each destination location.
- 10. MEANS OF TRANSPORTATION:** Enter the method of travel (e.g., airplane, bus, boat, car, etc.)
- 11. PURPOSE OF TRAVEL:** Enter the campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

These instructions are for candidates and officeholders using Form C/OH-FR: C/OH REPORT: DESIGNATION OF FINAL REPORT. A final report must include this form (Form C/OH-FR) and the CAMPAIGN FINANCE REPORT (Form C/OH) with the “Final Report” box checked on page 1, section 9. It must also include Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T, as applicable.

GENERAL INFORMATION

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate.

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

The effect of filing a final report differs depending on whether you are an officeholder at the time you file a final report.

Officeholders Filing a Final Report: You will not have to worry about surplus political funds and assets until you cease to be an officeholder. You may still be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are local officeholders who do not exceed \$930 in contributions or \$930 in expenditures during the reporting period.

If you cease to be an officeholder at a time when you do not have a campaign treasurer appointment on file, and you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions after filing the last required report as an officeholder, you **must** file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year following the year in which you filed the last required report as an officeholder. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

Non-Officeholders Filing a Final Report: You will no longer be required to file reports **unless** you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions. If you retain any of those items, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. You may not retain these unexpended funds longer than six years after the date of filing a final report. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

COMPLETING THE FORM

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

- 1. C/OH NAME:** Enter your full name.
- 2. FILER ID:** If you are filing with the Commission, enter your Filer ID. If you do not file with the Commission, you are not required to enter a Filer ID.
- 3. SIGNATURE:** You must sign this section to indicate that you understand the consequences of filing a final report.
- 4. FILER WHO IS NOT AN OFFICEHOLDER:** Complete this section if you are not an officeholder at the time of filing your final report. Be sure to check the appropriate box in both sections A and B and sign on the “Signature” line.
- 5. OFFICEHOLDER:** Complete this section if you are an officeholder at the time of filing your final report. You must check the box to indicate awareness of further filing requirements.

ADDITIONAL INFORMATION REGARDING EXPENDITURES

EXAMPLES: REPORTING EXPENDITURES MADE BY CREDIT CARD

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures made by credit card and payments made to credit card companies.

Example #1: Candidate Using Credit Card to Make Political Expenditures and Using Political Contributions to Pay the Credit Card Bill in the Same Reporting Period

A candidate for office uses her credit card to buy \$1,000 in campaign office supplies from an office store. During the same reporting period, the candidate uses her credit card to buy \$500 in political advertising signs from a sign company. During the same reporting period, the candidate makes a single payment from her political contributions account to pay the \$1,500 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which she made the credit card charges and sent the payment to the credit card company:

1. For the credit card charges: a \$1,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the office store as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Office Overhead/Rental Expense,” and a description as “Campaign Office Supplies.” In Section 9 of the schedule, the box for “Political” is also checked. The candidate also reports the \$500 expenditure on the “Expenditures Made by Credit Card” Schedule and identifies the sign company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Signs.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$1,500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for credit card expenditures.”
3. Both \$1,500 amounts reported on each schedule will also be included in the appropriate totals sections of Cover Sheet Pages 2 and 3.

Example #2: Candidate Using Credit Card to Make a Political Expenditure and Using Personal Funds to Pay the Credit Card Bill in the Same Reporting Period

A candidate for *non-judicial* office uses his credit card to purchase \$3,000 in political advertising materials from a print shop. During the same reporting period, the candidate makes a payment from his personal funds account to pay the \$3,000 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which he made the credit card charge and sent the payment to the credit card company:

1. For the credit card charge: a \$3,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the print shop as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Materials.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$3,000 expenditure on the “Political Expenditures Made from Personal Funds” Schedule (G). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising materials.” If the candidate intends to seek reimbursement from political contributions, the candidate may also check the appropriate box in Section 6.
3. Both \$3,000 amounts reported on each schedule will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #3: Political Committee Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A general-purpose committee uses its credit card to buy \$500 in political advertising in a newspaper. The committee receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the committee sends a payment to the credit card company, it makes a \$500 payment from its political contributions account.

To report the credit card charge, the committee’s campaign treasurer would report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the committee’s campaign treasurer would also report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the payment to the credit card company:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as

“Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”

2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #4: Candidate Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A candidate for *judicial* office uses her credit card to buy \$500 in political advertising in a newspaper. The candidate receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the candidate sends a payment to the credit card company, she makes a \$500 payment from her political contributions account.

To report the credit card charge, the candidate would report all of the following on a campaign finance report (Form JC/OH) covering the period in which she made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the candidate would also report all of the following on a campaign finance report (Form JC/OH) covering the period in which the payment to the credit card company was made:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”
2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

EXAMPLES: PURPOSE OF EXPENDITURES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXAMPLES: REPORTING EXPENDITURES FROM PERSONAL FUNDS

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures from personal funds.

If you intend to seek reimbursement of any amount from political contributions for a political expenditure made from your personal funds, you must report the expenditure in one of three ways. Keep in mind that this reporting system is not an accounting system and duplication of expenditures is not uncommon when reporting transactions related to expenditures made from personal funds.

Method #1: Itemize the expenditure on the “Political Expenditures Made from Personal Funds” schedule (Schedule G) and check the box to indicate that you intend to seek reimbursement from political contributions. You may not correct a report to allow reimbursement without subjecting yourself to a possible penalty. When you reimburse yourself, which could be months or years later, report the reimbursement on the “Political Expenditures” schedule (Schedule F1).

Example: On December 1, 2007, Candidate A spends \$500 of her own personal funds to purchase political advertising signs. She reports the expenditure to the vendor on Schedule G and checks the box to indicate that reimbursement is intended. One year later, Candidate A reimburses herself from political contributions. She reports the reimbursement on Schedule F1. Candidate A is the payee and the purpose of the expenditure is to reimburse herself for a political expenditure made from personal funds on December 1, 2007.

If you intend to seek reimbursement from political contributions for a political expenditure of any amount made from personal funds, you must itemize the expenditure on Schedule G.

Method #2: Report the political expenditures made from your personal funds as a loan to your campaign on the “Loans” schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, F4, or H as appropriate). Do NOT report political expenditures made from the loan on Schedule G.

The amount you report as a loan in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from personal funds in the reporting period was \$5,000. When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1.

Example: In one reporting period, Candidate B spends \$5,000 of his own personal funds to purchase political advertising materials. He spends \$3,000 at Business One and \$2,000 at Business Two. He reports the expenditures as a \$5,000 loan on Schedule E and then itemizes each of the two expenditures as a political expenditure on Schedule F1. A year later, Candidate B reimburses himself from political contributions by disclosing the reimbursement on Schedule F1. He reports the reimbursement on Schedule F1. The payee in this instance is Candidate B, the category of the expenditure is “Loan Repayment/Reimbursement,” and “political expenditure made from personal funds reported as a loan” is an acceptable brief description.

Method #3: Deposit personal funds in an account in which your political contributions are maintained and report that amount as a loan on the "Loans" schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, or H as appropriate). When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction.)

Example: In one reporting period, Candidate C opens a campaign bank account and deposits \$5,000 of her own personal funds into the account. She makes one \$3,000 expenditure for political advertising. Candidate C has no other activity in the reporting period. She reports the \$5,000 as a loan on Schedule E, itemizes the \$3,000 expenditure for the political advertising on Schedule F1, and includes the remaining \$2,000 on her contributions maintained at the end of the reporting period total. A year later, Candidate C reimburses herself from political contributions by disclosing the reimbursement on Schedule F1. The payee in this instance is Candidate C, the category of expenditure is "Loan Repayment/Reimbursement," and "political expenditure made from personal funds reported as a loan" is an acceptable brief description.

EXAMPLES: REPORTING STAFF REIMBURSEMENT

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting staff reimbursements.

When a staff member makes political payment(s) out of his or her personal funds, how you disclose the payment(s) depends on two things: 1) the aggregate total of those payments in the reporting period; and 2) whether or not you reimburse the staff worker in the same reporting period.

Example #1: The payment out of the staff worker's personal funds does not exceed \$5,000 in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will simply itemize the payment (if over the \$190 itemization threshold) on Schedule F1 as if you made the expenditure directly to the vendor out of your political funds, with the name of the vendor who sold the goods or services as the payee for the expenditure. **Do not** disclose as the payee the name of your staff worker.

Example #2: The payment(s) out of the staff worker's personal funds are over \$5,000 in the aggregate in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will use a 3-step process, disclosing everything on the same report: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) On Schedule F1, disclose the payment to your staff worker for the reimbursement of the loan.

Example #3: The payment(s) out of the staff worker's personal funds do not exceed \$5,000 in the aggregate in the reporting period **but** you reimburse the staff worker from political funds in a different reporting period – You will use a 3-step process, disclosing steps 1 and 2 on the same report and step 3 later, when the reimbursement occurs: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) When you reimburse your staff worker, if ever, disclose on Schedule F1 of the report covering the period in which the reimbursement occurs the payment to your staff worker for the reimbursement of the loan.

Exhibit "G"

Chapter 130 - SIGNS⁽¹⁾

Footnotes:

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Cross reference— Planning and zoning commission, § 2-96 et seq.; substantial evidence rule in effect in appeals from decisions or orders of city officers or employees, § 2-196.

ARTICLE I. - IN GENERAL

Sec. 130-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, or for which no legal owner can be found.

Accessory sign means a sign that is incidental to the effective operation of the enterprise to which it pertains, and is not intended to serve as the primary identification of the premises and does not attract the attention of passersby for the purpose of advertising a product or service available therein.

Area of sign face means the entire area within a single continuous perimeter enclosing the total sign message or display area of a sign, excluding supports and excluding border and trim, whose total square footage does not exceed 50 percent of the sign face area; the area of stacked and side-by-side signs shall be computed as the total of sign panels making up such a sign; for multiple-faced signs (back-to-back, triangular, columnar, V-type, etc.) only one sign face shall be counted in computing the actual sign area.

Back-to-back sign means a structure with two parallel and directly opposite signs with their faces oriented in opposite directions and spaced not more than ten feet apart.

Building frontage means the linear length of a building facing a public way or which contains a public entrance.

Changeable electronic variable message sign or *CEVMS* means an electric sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.

Clearance (of a sign) means the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

Construction sign means a sign identifying the property owner, architect, contractor, engineer, landscape architect, decorator, mortgagee or others engaged in the design, construction or improvement of the premises on which the sign is located.

Directional/information sign means an on-premises sign giving directions, instructions or facility information and which may contain the name or logo of an establishment, not to exceed 20 percent of the sign face, but no advertising copy, e.g., parking or exit and entrance signs. A sign containing the word "parking" at any parking lot where any person is charged any fee or other monetary consideration for parking shall be considered an advertising sign, not a directional/informational sign.

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Electric sign means any sign, display, or device containing electrical wiring or using electric energy, but does not include signs illuminated by an exterior light source.

Exempt political sign means a sign that contains primarily a political message, including a political issue or a political candidate sign, that is located on private real property with the consent of the real property owner, but not on real property subject to an easement or other encumbrance that allows the City of McAllen to use the property for a public purpose, and that (1) does not have an effective area greater than 36 square feet, (2) is not more than eight feet high, (3) is not illuminated, and (4) does not have any moving elements.

Freestanding sign means a sign supported upon the ground by poles or braces and attached to any building. Also referred to as "ground sign," "detached sign" or "pole sign."

Height (of a sign) means the vertical distance measured from the highest point of the sign to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (compare "clearance").

Highway control zone means an area on either side of U.S. 83 Expressway which is within 600 feet of the nearest edge of the right-of-way of such highway.

Identification sign means a sign for the purpose of identifying an apartment building, mobile home park, residential, commercial or industrial subdivision, that contains only the name of the development and address.

Institutional sign means a sign which identifies a school, church, hospital or similar publicly owned building.

Maintenance means the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

Off-premises sign means a sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the premises on which such sign is located, e.g., billboards, outdoor advertising, or offsite sign.

On-premises sign means a sign which pertains to the legal use of the premises on which it is located.

Owner means a person recorded as such on official tax records. For the purposes of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the building official.

Political issue sign means any sign, not including a permanent advertising sign structure, whose sole purpose is the transmittal of information concerning an upcoming referendum election.

Political candidate sign means any sign, not including a sign that is affixed to a permanent advertising sign structure, whose sole purpose is the transmittal of information concerning an upcoming political campaign for an elected office.

Portable sign means a movable sign that is not attached to a permanent support or building, or is designed to be temporary and mobile notwithstanding that the owner or user of such sign renders or modifies it to make it practically mobile. This definition includes signs attached to trailers, but does not include signs permanently placed on the sides of motor vehicles.

Premises means any lot, tract or parcel of land, whether or not under common ownership, including all buildings thereon and appurtenances thereto.

Right-of-way means any property interests dedicated for public use and owned or controlled by the City of McAllen. Right-of-way includes the property behind the street which is part of the dedicated street right-of-way or may be a dedicated utility easement. Right-of-way includes fee ownership of the City of McAllen.

Sign means any device, structure, fixture or placard using graphics, symbols and/or written copy designed specifically for the purpose of informing, advertising or identifying any establishment, product, goods or services.

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Sign licensee means a person who is engaged in the manufacturing, renting, leasing, sales, erection, installation or servicing of signs and has met the licensing requirements of the city.

Street frontage means the length of the property line along the street right-of-way. The total length of the property line along a particular street would be considered one street frontage. A lot abutting upon two or more public streets at their intersection will be considered to have two or more frontages, but the same linear frontage may not be used to determine the permitted area of more than one sign.

V-type sign means a structure composed of two signs in the shape of the letter "V" when viewed from above, and with their faces oriented in opposite directions.

Wall/flat sign means a sign attached parallel to and extending not more than 12 inches from the wall of a building. This definition includes painted, individual letter and cabinet signs, and signs on a mansard. Also referred to as "fascia sign."

(Code 1966, § 25½-4; Ord. No. 2000-65, § I, 8-14-00; Ord. No. 2001-07, § 1, 1-22-01; Ord. No. 2004-15, § 1, 2-9-04; Ord. No. 2008-25, § 1, 4-14-08)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 130-2. - Title; administrative official; purpose.

- (a) This chapter shall be known as the city sign ordinance. The city building official is hereby authorized and directed to administer and enforce all the provisions of this chapter and shall have the right to enter any premises for inspection purposes during reasonable hours and after reasonable notice has been given in order to ensure the enforcement of this chapter.
- (b) The purpose of this chapter shall be to coordinate the type, placement and physical dimensions of signs within the different land use zones; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment under the law through accurate recordkeeping and consistent enforcement. This shall be accomplished by regulation of the display, erection, use and maintenance of signs. The use of signs is regulated according to the zone in which located. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage. No sign shall be erected or maintained by any person except in accordance with the provisions of this chapter.

(Code 1966, § 25½-1)

Sec. 130-3. - Scope.

This chapter is enacted to provide uniform standards for location, spacing, setbacks, lighting, and other regulations of signs in the City of McAllen. The purpose of this chapter is to protect the health, safety, welfare, convenience and enjoyment of the general public and to protect the general public from injury that may be caused by unregulated construction of signs. It is the intent of these regulations as provided in this chapter to do the following:

- (1) To enhance the economic value of the landscape by avoiding visual clutter which is potentially harmful to property values and business opportunities;
- (2) To promote the safety of persons and property by providing that signs do not create a hazard, due to collapse, fire, collision, weather or decay;
- (3) To protect the safety and efficiency of the city's transportation network by reducing the confusion and distraction of motorists and enhancing motorists ability to see pedestrians, obstacles, other vehicles and traffic signs;

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- (4) To enhance the impression that the city should convey to tourists and visitors;
- (5) To protect adjacent and nearby properties from the impact of lighting, size, height, and location of signs; and
- (6) To preserve, protect, and enhance areas of historical, architectural, scenic and aesthetic value, regardless of whether they be cultural, natural, or manmade.

This chapter is not intended to regulate building design, nor does this chapter regulate official traffic or governmental signs, the copy and message of signs, unless otherwise provided, signs not intended to be viewed from a public right-of-way, such as window displays, product dispensers or point of purchase displays, scoreboards on athletic fields, gravestones located in a cemetery. The requirements of this chapter, however, are in addition to any state law requirement relating to the placement of signs.

(Code 1966, § 25½-2; Ord. No. 2001-14, § 1, 2-13-01)

Sec. 130-4. - Compliance with regulations.

It shall be unlawful for any person to erect, place or maintain a sign in the city except in accordance with the provisions of this chapter and all applicable codes. Any person occupying any premises on which a sign is located shall be subject to the same duties and responsibilities under this chapter as the owner of such premises.

(Code 1966, § 25½-3)

Sec. 130-5. - Extraterritorial jurisdiction.

The city shall, to the full extent allowed by law, exercise its regulatory jurisdiction and authority over outdoor signs, and shall enforce this chapter in the city's extraterritorial jurisdiction as it presently exists or may hereafter be extended. The city has given notice to the state according to V.T.C.A., Local Government Code § 216.902.

(Code 1966, § 25½-83; Ord. No. 2008-25, § 1, 4-14-08)

Sec. 130-6. - Address signs.

In order to promote the efficient transfer of directional information and to enhance the efficiency of police and fire protection and other city services, all residences and commercial and industrial buildings in the city shall be required to have address identification numerals displayed in such a way that they are legible from the street or driveway in front of the building. Commercial and industrial establishments shall also have address numerals no less than four inches in height placed at the rear of the establishment. Address identification numerals shall not require sign licenses or permits. Any person who shall violate any provision of this section or who shall fail to comply therewith or with any of the requirements thereof in relation to a residential building, shall for each and every violation or noncompliance be deemed guilty of a misdemeanor and, upon conviction, shall be punished as prescribed in section 1-14, except said fine shall not exceed \$50.00 for a first offense.

(Code 1966, § 25½-86; Ord. No. 2019-32, § I, 6-10-19)

Sec. 130-7. - Removal of dangerous signs.

- (a) Any sign which shall be in danger of falling or so dilapidated as to be a menace to public safety is hereby declared to be a public nuisance and shall be ordered to be removed or repaired.

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- (b) The building official shall send written notice by registered or certified mail, return receipt requested, to the owner of a sign identified under subsection (a) of this section, informing such owner that the sign is dangerous and must be removed or repaired in such a way that it conforms with the requirements of this chapter for new signs. The notice shall state that the owner has ten days to remove or repair the sign. If the building official is unable to identify or locate the owner of the sign, then the notice shall be published three consecutive times in a local newspaper of the city. Such published notice shall identify the sign involved by stating the location and type of sign. Such notice, given as provided in this section, shall be sufficient and binding on all persons who own or claim to own an interest in the sign in question.
- (c) Should the owner of the premises where the sign in question is located fail to remove or repair the sign within the time period specified in this section, the building official may place on the agenda for the board of commissioners an item to consider the question of whether or not the sign is a public nuisance. The building official shall at this time serve written notice by hand-delivered or certified mail to the owner of the premises where the sign is located and to the owner of the sign, if known, of the time and date at which the board of commissioners will consider such item.
- (d) When the agenda item is considered by the board of commissioners, the building official shall present evidence of the condition of the sign, and the sign owner or premises owner shall have the opportunity to present evidence to support his position. The board of commissioners shall make the determination of whether or not the sign is a danger to public safety, and if so, shall order its removal or repair within a specified time upon notice to the owner in the manner as provided for in this section. The board of commissioners shall also order that if such removal or repairs are not made within the specified time period, the city manager may proceed to cause the removal of such sign. The cost of removal of such sign shall be taxed against the owner of record of the real property from which it is removed, and such costs shall constitute a valid lien against such real property.
- (e) [*Reserved.*]

(Code 1966, § 25½-81; Ord. No. 2001-07, § 2, 1-22-01; Ord. No. 2001-63, § 1, 9-10-01)

Cross reference— Nuisances, § 46-26 et seq.

Sec. 130-8. - Nonconforming signs.

Where a lawful sign exists at the effective date of adoption of the ordinance from which this chapter was derived or of an amendment of this chapter that could not be built under the terms of this chapter by reason of restrictions on area, zoning, size, height, setbacks, location on the lot, spacing, construction or other requirements concerning the sign, such sign, except portable signs, and sign benches may be continued as long as it remains otherwise lawful, subject to the following provisions:

- (1) No such nonconforming sign may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.
- (2) Should such nonconforming sign be blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations to an extent of more than 60 percent of the cost of erecting a new sign of the same type at the time of destruction and at the same location, it shall not be reconstructed except in conformity with the provisions of this chapter.
- (3) Should such sign be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations of the district in which it is located after it is moved.
- (4) The replacement of plastic-faced signs where the original frame is used and the frame size is not altered and the substructure is not altered or moved is permitted for legal nonconforming signs.

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- (5) Nonconforming signs shall be properly maintained so that such signs do not constitute a danger to the public health and welfare.
- (6) Any portable sign considered to have nonconforming sign status pursuant to this chapter shall lose its nonconforming status if placed illegally and shall be considered a new portable sign, thereby prohibited by this chapter. Each portable sign placed prior to the effective date of this article shall be designated as a nonconforming sign pursuant to section 130-83.

(Code 1966, § 25½-75; Ord. No. 1997-107, § I, 11-24-97)

Sec. 130-9. - Conflict with other provisions.

If any portion of this chapter is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of this Code, the provision which establishes the higher standard shall prevail.

(Code 1966, § 25½-85)

Sec. 130-10. - Obligation of sign owner; penalty for violation of chapter; additional remedies.

- (a) It shall be the obligation of any person owning a sign to inform the person leasing or renting such sign of the requirements set forth in this chapter. Any person renting or leasing a sign shall not be hereby absolved, however, of the responsibility to know and conform to the requirements of this chapter.
- (b) Any person who shall violate any provision of this chapter or who shall fail to comply therewith or with any of the requirements thereof, shall for each and every violation or noncompliance be deemed guilty of a misdemeanor and, upon conviction, shall be punished as prescribed in section 1-14.
- (c) The remedies provided in this section should not be construed as exclusive, and the city hereby provides that any other remedy available to it in the enforcement of this chapter, in law or in equity, is not intended to be, and is not, foreclosed by the provision of such remedies.

(Code 1966, § 25½-82)

Sec. 130-11. - Protection of First Amendment Rights.

Signs containing noncommercial speech are permitted anywhere that commercial signs are permitted. Any sign allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful noncommercial message that does not direct attention to a business, activity conducted, or product sold or offered at a location not on the same premises where such sign is located, provided that such sign otherwise complies with all other provisions of this chapter.

(Ord. No. 2008-25, § 1, 4-14-08)

Secs. 130-12—130-30. - Reserved.

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT¹²¹

Footnotes:

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Exhibit "G"

Cross reference— Administration, ch. 2.

DIVISION 1. - GENERALLY

Secs. 130-31—130-40. - Reserved.

DIVISION 2. - LICENSE

Sec. 130-41. - Required; fee.

No person shall erect, construct, reconstruct, install, replace, rent, lease or service any sign for which a permit is required within the corporate limits of the city until such person has obtained a sign license as required by this chapter. The original license fee shall be \$50.00 per year and the renewal license fee shall be \$10.00 per year with each renewal license fee payable on or before January 1 of each year.

(Code 1966, § 25½-15; Ord. No. 2002-57, § 9, 9-11-02)

Sec. 130-42. - Exemption from requirement.

No license will be required under this chapter for:

- (1) The installation or maintenance of those signs that are exempted in section 130-60 from the requirement to obtain a permit; or
- (2) The installation of nonelectrified signs of less than 32 square feet to be erected personally by the owner or occupant of a parcel of real estate to advertise the business activity located thereon.

The exemptions set out in this section from the license requirement shall not operate to exempt a person from the permit requirements or regulations of this chapter nor from any other applicable ordinance, statute or regulation.

(Code 1966, § 25½-16)

Sec. 130-43. - License not transferable.

No license issued under this chapter shall be transferable. It shall be unlawful for any holder of any license issued under this chapter to allow his name to be used by any other party, either for the purpose of doing work requiring such a license, or for the purpose of obtaining a permit for such work. It shall further be unlawful for any person not holding a license under this chapter to use the name or the license of any other party for the purpose of doing such work, or obtaining a license or permit for such work. The building official shall revoke the license of any license holder who violates this section. It shall further be unlawful for a person not entitled to an exemption from the license or permit requirements of this chapter to fraudulently claim such exemption.

(Code 1966, § 25½-17)

Sec. 130-44. - Service equipment.

All service equipment utilized by the licensee and operating within the city must have the firm's or individual's name, as listed on the sign license, on the equipment.

(Code 1966, § 25½-18)

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Sec. 130-45. - Bond requirements.

A surety bond issued by a surety company authorized to do business in the state shall be furnished by the applicant for a license under this chapter, providing for payment to the city or applicable property owner in the maximum amount of \$2,000.00 upon the failure of such licensee to maintain or construct according to this chapter any sign for which such licensee is responsible for.

(Code 1966, § 25½-19)

Sec. 130-46. - Revocation of license; reinstatement.

- (a) Upon learning of any sign erected, maintained, serviced, sold, rented, leased, altered or neglected in violation of this chapter, the building official may give notice of such violation by registered or certified mail, return receipt requested, to the responsible license holder or owner of the sign, as applicable. If the violation involves erection or alteration of such sign, the person who performed the work shall also be responsible. If a license holder or employee of a license holder is responsible, the building official may inform such license holder that continued violation for a period of 30 days from such notice will result in the revocation of such license holder's license. If the license holder so notified fails to correct the violation within 30 days of such notice, the building official may revoke such sign license and request the appropriate state official to revoke the highway department permit of the license holder, as applicable. During the time that a license is revoked, the affected license holder shall not be issued any sign permit and no new work shall be commenced under any sign permit which was granted to the affected license holder.
- (b) Any person who has his license revoked under the provisions of this chapter shall not have his license reinstated nor a new license issued until after the expiration of 30 days from the later of the date of revocation or the date of correction of the cause of revocation, and upon payment of a license fee in the same amount as is then required for an original license.

(Code 1966, § 25½-80)

Secs. 130-47—130-55. - Reserved.

DIVISION 3. - PERMIT

Sec. 130-56. - Required.

Except as otherwise provided in this chapter, no person shall erect, construct, reconstruct, move, install or replace a sign until a sign permit has been issued by the city according to this division. No permits are required for the maintenance of a sign or for a change of copy on painted, printed or changeable copy signs.

(Code 1966, § 25½-30)

Sec. 130-57. - Application; suspension, revocation of permit.

- (a) Application for a sign permit shall be made to the building official upon a form provided by such official and shall include the following information:
 - (1) Name and address of the owner of the sign.
 - (2) Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
 - (3) The type of sign or sign structure, as defined in this chapter.

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- (4) A site plan showing the proposed location of the sign along with the locations and square footage areas of all existing signs on the same premises or drawings of buildings showing the area where the sign shall be installed.
- (5) Specifications and scale drawings showing the materials, design, dimensions, structural supports and electrical components of the proposed sign.
- (b) If, in the opinion of the building official, the size, shape or design of a proposed sign renders it structurally unsound, he shall disapprove the application for a permit.
- (c) The building official may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application. All signs must be erected in accordance with approved plans, without changes, unless authorized by the building official.
- (d) Permits shall be processed as expeditiously as possible, and shall be deemed denied if no action is taken by the building official within 30 days of filing.

(Code 1966, § 25½-31; Ord. No. 2008-25, § 1, 4-14-08)

Sec. 130-58. - Fees and conditions.

- (a) All applicants for a permit under this chapter must tender a required fee of \$50.00.
- (b) A sign permit shall expire after 120 days after date of issuance if it is not used. A permit may be canceled by an applicant at any time but the permit fee may be retained by the city.

(Code 1966, § 25½-32; Ord. No. 2002-57, § 10, 9-11-02)

Sec. 130-59. - Inspection.

- (a) Any person installing, altering or relocating a sign for which a permit has been issued shall notify the building official upon completion of the work. The building official may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs.
- (b) The building official may require in writing, upon issuance of a permit, that he be notified for inspection prior to the installation of certain signs.

(Code 1966, § 25½-33)

Sec. 130-60. - Signs not requiring permits.

The following types of signs, provided such signs are not electrified, are exempt from permit requirements, but must be in conformance with all other requirements of this chapter:

- (1) Agricultural signs not more than 32 square feet in area.
- (2) Construction signs of 32 square feet or less.
- (3) Directional/information signs of eight square feet or less.
- (4) Nameplates of two square feet or less and fastened directly to the building; one per occupancy.
- (5) Exempt political signs, except any such sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.
- (6) Real estate signs not more than 12 square feet in single-family or low density residential districts and 32 square feet per face for multifamily residential, commercial, industrial and agricultural.

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- (7) Incidental signs.
- (8) Window signs.
- (9) Flags:
 - a. Noncommercial flags bearing the official design of a nation, state, municipality, educational institution or noncommercial organization.
 - b. Commercial flags advertising a business, product or service and limited to one per premises, not to exceed 48 square feet.
- (10) Identification signs, wall or ground signs which are limited to not more than two per street frontage, not more than four square feet per sign in area, and not more than ten feet in height above grade.
- (11) Repair or maintenance of existing signs: Any sign being repainted where the painting constitutes the only alteration to the sign, when the sign is not being enlarged or structurally altered, and further provided that the painting is done with the sign structure in place. Service on any electric sign consisting only of the replacement of electrically identical components.
- (12) Any changing of copy to be done on poster panels.
- (13) Temporary/special events signs approved by the city manager after consultation with the building official, traffic safety coordinator and planning director.

(Code 1966, § 25½-34; Ord. No. 1997-107, § II, 11-24-97; Ord. No. 2004-15, § 2, 2-9-04)

Sec. 130-61. - Variances.

In obtaining a permit, the applicant may apply to the building official for a variance from certain requirements of this chapter. A variance may be granted where the literal application of this chapter would create a particular hardship for the sign user and the following criteria are met:

- (1) A literal application of this chapter would not allow the property to be used at its highest and best use as zoned.
- (2) The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
- (3) The hardship caused the sign user under a literal interpretation of this chapter is due to conditions unique to that property and does not apply generally to the city.
- (4) The granting of the variance would not be contrary to the general objectives of this chapter.

In granting a variance, the board of commissioners may attach additional requirements necessary to carry out the spirit and purpose of this chapter in the public interest.

(Code 1966, § 25½-84)

Secs. 130-62—130-80. - Reserved.

ARTICLE III. - PROHIBITED ACTS AND SIGNS

Sec. 130-81. - Acts prohibited.

It shall be unlawful for any person to do any of the following acts:

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- (1) To place or cause to be placed anywhere in the city any poster, placard, handbill or advertising material on any motor vehicle, or in any location in such a manner that such poster, placard, handbill or advertising material may reasonably be expected to be blown about by the wind.
- (2) Except for exempt political signs. to park or cause to be parked any automobile, truck, wagon or vehicle of any kind to which there is attached any character of sign where the main purpose of parking is for advertising purposes.
- (3) To paste, post, attach or otherwise place a sign upon any telephone pole, electric light pole or other structure within the right-of-way or easements of the city, state, railroads, or other utility.
- (4) Place or cause to be placed on public property any sign not expressly authorized by the public entity controlling said property. No political candidate signs or political issue signs shall be placed on public property owned and/or controlled by the city except as provided in this subsection. Notwithstanding the foregoing, no more than two political candidate and/or political issue signs of not more than nine square feet each may be placed in the areas designated for the placement of such signs on public property near the entrance to polling places designated for voting in the election for which the signs are placed. Signs placed pursuant to this subsection shall not be erected before the day before such voting is to occur and shall be removed not later than the second day after the voting on such election or referendum occurs. Signs placed pursuant to this subsection may not be placed in the right-of-way and must otherwise comply with state law.
- (5) Place or cause to be placed on the city any sign prohibited by this chapter.

(Code 1966, § 25½-45; Ord. No. 1997-107, § III, 11-24-97; Ord. No. 2001-14, § 2, 2-13-01; Ord. No. 2003-14, § 1, 2-24-03; Ord. No. 2004-15, § 3, 2-9-04)

Sec. 130-82. - Signs prohibited.

It shall be unlawful for any person to erect or maintain the following types of signs in any district:

- (1) Abandoned signs.
- (2) Signs imitating or resembling official traffic or government signs or signals not placed by the governmental agency.
- (3) Signs that, due to design, location or illumination, obscure or otherwise interfere with the effectiveness of an official traffic sign, signal or device, or obstruct or interfere with the driver's view of approaching, merging or intersecting traffic or otherwise interfere with any driver's operation of a motor vehicle.
- (4) Signs with flashing, intermittent or moving lights are expressly prohibited within 100 feet of any intersection, except for signs providing only time and temperature information.
- (5) Portable signs not otherwise permitted by this chapter.
- (6) Off-premise sign, unless the same may be maintained under the provisions of the section dealing with non-conforming signs, after the effective date of the ordinance enacting this subsection.

(Code 1966, § 25½-46; Ord. No. 1997-107, § IV, 11-24-97; Ord. No. 2001-14, § 3, 2-13-01)

Sec. 130-83. - Sign restrictions.

- (a) Setbacks shall be measured from the right-of-way (except where otherwise explicitly stated) to the edge of the part of the sign that is nearest the curb. No sign may project over the right-of-way line, except projection, marquee, awning or canopy signs that are attached to a building that has been built up to the right-of-way. Those signs shall not project farther than a point located two feet back

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from the curb. Clearance over sidewalks for marquee and projection signs shall be nine feet; clearance for canopy signs shall be eight feet.

- (b) No more than three different types of signs shall be located or maintained on any one premises.
- (c) No sign or part of a sign, except supporting structures not to exceed 26 inches in circumference, shall be at a height of less than eight feet above the street flow gutter line on any property area in the form of a triangle bounded by two intersecting boundaries for a distance of 25 feet on each of such boundaries from the points of intersection and bounded by a third side determined by drawing a straight line from the points of the two intersecting boundaries 25 feet from their intersection. For the purposes of this section, "boundaries" shall refer to streets, roads, alleys, driveways and entrances and exits to parking lots.
- (d) No sign shall be located within the five-foot area surrounding any place of pedestrian ingress or egress to a building or structure or shall be so placed as to prevent free ingress or egress from any window, door, required exit or fire escape.
- (e) Signs which exceed 350 square feet in area may not be multiple-faced (stacked or side-by-side).
- (f) Roof signs shall have a clearance of three feet around the ends of the sign. Roof signs that exceed 20 feet in length shall have had plans submitted and approved by the fire marshal.
- (g) Sign structures with more than one sign are permitted provided the total area of all signs on the structure does not exceed the maximum square footage allowed based on the type of sign.
- (h) *[Reserved.]*
- (i) Failure to comply with terms of this article will subject the property owner and/or occupant of the premises where the sign is located, the sign owner, and if leased, the lessee, to a fine as per section 1-14.

(Code 1966, § 25½-47; Ord. No. 1997-107, § V, 11-24-97; Ord. No. 2001-14, § 4, 2-13-01; Ord. No. 2009-77, § I, 11-23-09)

Sec. 130-84. - Right to removal of unlawfully placed signs.

The board of commissioners hereby declares that any sign which is unlawfully placed or existing in the right-of-way, in violation of setback requirements, or in violation of any other provision of this chapter, or any other ordinance, constitutes a public nuisance.

Any sign, including bench signs and portable signs, unlawfully placed or existing in the right-of-way, in violation of the setback requirements, or in violation of any other provision of this chapter or any other ordinance shall be subject to removal by city under this section unless section 130-7 is applicable. Upon discovery and inspection of any unlawful sign by the city, the sign shall be tagged for immediate removal. Notice shall be given to the occupant of the premises by posting such notice on the front entryway of the premises if such premises exits, where the sign is located and on the sign. If the sign continues to be unlawfully placed after 72 hours, the city shall remove the sign. The sign will be placed at a city sponsored storage facility site. The sign may be redeemed upon the payment of a \$25.00 administrative fee and \$1.00 a day storage fee. Proof of ownership or right to possession must be presented by the person retrieving the sign. The sign may not be relocated within the city.

(Ord. No. 1997-111, § I, 12-8-97; Ord. No. 2001-14, § 4, 2-13-01; Ord. No. 2001-63, § 2, 9-10-01; Ord. No. 2003-74, § 1, 10-27-03)

Secs. 130-85—130-105. - Reserved.

ARTICLE IV. - REGULATION OF ON-PREMISES SIGNS BY ZONES

Exhibit "G"

Sec. 130-106. - Signs permitted in all zoning districts generally.

The following signs are permitted in all zones of the city, provided that such signs are otherwise not prohibited or regulated by other ordinances of the city:

- (1) All signs not requiring permits as provided in section 130-60.
- (2) One construction sign for each street frontage of a construction project, not to exceed 24 square feet in sign area in residential zones or 64 square feet in sign area in all other zones. Such signs may be erected 30 days prior to beginning of construction and shall be removed 15 days following completion of construction.
- (3) One nonilluminated real estate sign per lot per street frontage, not to exceed 32 square feet in sign area. Such signs must be removed 15 days following sale, rental or lease.
- (4) Political candidate signs, provided that, except for exempt political signs, such signs shall not be erected earlier than the first day upon which a person may file to become a candidate for office or the day that the election is called by the authority holding the election, whichever is earlier, and shall be removed seven days following such election or referendum.
- (5) Political issue signs, provided that, except for exempt political signs, such signs shall not be erected before the date on which the authority holding the referendum elections calls the referendum election, and shall be removed seven days following such election on the referendum.
- (6) One directional/information sign per entrance or exit to a structure or building, not to exceed eight square feet in sign area or eight feet in height.
- (7) One development sign for each street frontage of a development site not to exceed 32 square feet in sign area in residential zones or 450 square feet in sign area in all other zones. Such signs must be removed upon completion of the development.
- (8) One identification sign per entrance not to exceed ten feet in height and 70 square feet in sign area in residential zones or 150 square feet in sign area in all other zones.
- (9) Sign benches shall be allowed at bus stop locations designated by the city through license agreements.

(Code 1966, § 25½-55; Ord. No. 1997-107, § VI, 11-24-97; Ord. No. 2000-65, § II, 8-14-00; Ord. No. 2004-15, § 4, 2-9-04)

Cross reference— Zoning districts of the city, § 138-141 et seq.

Sec. 130-107. - Location restriction of signs; definitions.

For the purposes of this article, the reference to zoning districts, residential zoning district, neighborhood commercial zones, etc., shall have the meaning contained in and shall refer to the city zoning ordinance and the zoning map of the city, as amended. No person may erect and maintain any type of sign in any zone unless expressly authorized under this article.

(Code 1966, § 25½-56)

Sec. 130-108. - Signs permitted—Residential zones.

- (a) The following signs are permitted in all single-family and multifamily zoning districts:
 - (1) All signs as permitted in section 130-106.

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- (2) For permitted and otherwise lawful nonresidential uses, including churches and synagogues, one freestanding sign, not to exceed 48 square feet in sign area.
 - (3) One subdivision identification sign per entrance per neighborhood, subdivision or development, not to exceed 16 square feet in sign area. One identification sign per entrance per apartment or condominium complex, not to exceed 16 square feet in sign area.
- (b) Special regulations for residential zones are as follows: All allowed freestanding signs shall have a maximum height limit of 15 feet and shall have a setback of zero feet from the property line or ten feet from the back of curb, whichever is greater.

(Code 1966, § 25½-57)

Cross reference— R-1 single-family residential district, § 138-176 et seq.; R-2 duplex-fourplex residential district, § 138-191 et seq.; R-3 multifamily residential district, § 138-206 et seq.

Sec. 130-109. - Same—Neighborhood commercial and office zoning districts.

The following signs are permitted in neighborhood commercial and office building zoning districts:

- (1) All signs as permitted in sections 130-106 and 130-108.
- (2) One freestanding sign per premises; provided that an additional sign shall be permitted for each 150 feet of frontage for a premises, not to exceed two square feet in sign area for each linear foot of primary street frontage, up to a maximum of 200 square feet. Such signs may not exceed a height of 35 feet.
- (3) One under-canopy sign per occupancy, not to exceed eight square feet in sign area.
- (4) One projection or flag mount not to exceed the top edge of the building and two square feet in sign area for each linear foot of an occupancy's building frontage, up to a maximum of 200 square feet.
- (5) [*Reserved.*]

(Code 1966, § 25½-58; Ord. No. 1997-107, § VII, 11-24-97; Ord. No. 2001-14, § 4, 2-13-01)

Cross reference— C-1 office building district, § 138-236 et seq.; C-2 neighborhood commercial district, § 138-251 et seq.

Sec. 130-110. - Same—Commercial and industrial zoning districts.

The following signs are permitted in general business and industrial zoning districts:

- (1) All signs as permitted in sections 130-106, 130-108 and 130-109.
- (2) One freestanding sign per premises; provided that an additional sign shall be permitted for each 150 feet of frontage for a premises, not to exceed three square feet in sign area for each linear foot of primary street frontage up to a maximum of 300 square feet. Such signs shall not exceed a height of 35 feet, except where such signs are within 600 feet of Expressway 83, they may have a maximum height of 80 feet.
- (3) Wall signs.
- (4) One awning sign per occupancy.
- (5) One under-canopy sign per occupancy, not to exceed eight square feet in sign area.

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- (6) One projection or flag mount not to exceed the height of the top edge of the building and two square feet in sign area for each linear foot of an occupancy's building frontage, up to a maximum of 200 square feet.
- (7) *Changeable electronic variable message signs ("CEVMS")*.
 - a. *Time*. A sign permit is required. A sign permit shall not be issued to erect, install or place a CEVMS sign on a property until after the issuance of a building permit for a building on the property.
 - b. *Place*. CEVMS signs shall be permitted only along minor arterials or greater as designated in the city's thoroughfare plan, as it currently exists or as may be amended.
 - c. *Manner*. The maximum brightness of a CEVMS shall not exceed 5,000 candelas per square meter during daylight hours and 500 candelas per square meter) between dusk to dawn. The sign must have an automatic dimmer control which produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. User must submit documentation of this capability and compliance with sign permit application.
 1. CEVMS colors shall not include the red, yellow or green color spectrum used for traffic control devices. No CEVMS signs may be of such intensity or brilliance as to interfere with the effectiveness of an official traffic sign, device or signal. CEVMS signs shall not produce glare or other lighting nuisances.
 2. CEVMS shall not display a message or picture that scrolls, fades, blinks, bursts, flashes, travels, or by any other means that does not provide constant illumination. Every message or picture display must remain static for a minimum of eight seconds and must accomplish a change in display within two seconds or less.
 3. All approved CEVMS signs shall be made available for usage for Amber Alerts and other emergency community notifications as deemed necessary by the chief of police or emergency management coordinator.
- (8) [Reserved.]

(Code 1966, § 25½-59; Ord. No. 1998-08, § I, 1-12-98; Ord. No. 2001-14, § 4, 2-13-01; Ord. No. 2009-77, § I, 11-23-09)

Cross reference— C-3 general business district, § 138-276 et seq.; C-4 commercial industrial district, § 138-291 et seq.; I-1 light industrial district, § 138-306 et seq.; I-2 heavy industrial district, § 138-321 et seq.

Sec. 130-111. - Same—Agricultural zoning districts.

The following signs are permitted in agricultural zoning districts:

- (1) [Reserved.]
- (2) One freestanding sign per premises; provided that an additional sign shall be permitted for each 600 feet of street frontage for a premises, not to exceed three square feet in sign area for each linear foot of primary street frontage up to a maximum of 300 square feet. Such signs shall not exceed a height of 35 feet except within 600 feet of the expressway, where the maximum height shall be 80 feet.
- (3) Wall signs.
- (4) Of those portable signs granted nonconforming status, only one portable sign per occupancy per street frontage. Such signs must have a minimum setback of one foot from the property line or ten feet from the back of the curb or pavement, whichever is greater.

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- (5) One projection or flag mount not to exceed the height of the top edge of the building and two square feet in sign area for each linear foot of an occupancy's building frontage, up to a maximum of 200 square feet.
- (6) Accessory signs as required, not to exceed 32 square feet in sign area. Such signs shall not exceed a height of ten feet. Accessory signs shall have a minimum setback of ten feet from the property line or 20 feet from the back of the curb, whichever is greater.

(Code 1966, § 25½-60; Ord. No. 1997-107, § VIII, 11-24-97; Ord. No. 2001-14, § 4, 2-13-01)

Cross reference— A-O agricultural and open space district, § 138-161 et seq.

Sec. 130-112. - Special regulations and allowances for signs.

The following special regulations and allowances shall apply in neighborhood commercial, office, commercial, industrial and agricultural zoning districts:

- (1) Freestanding signs shall have a setback of zero feet from the property line or ten feet from the back of the curb, whichever is greater.
- (2) Where a premises is on a corner or has more than one street frontage, one additional freestanding sign will be allowed on the additional frontage, not to exceed the size of the allowed freestanding sign on the primary street frontage.

(Code 1966, § 25½-61)

Secs. 130-113—130-135. - Reserved.

ARTICLE V. - CONSTRUCTION SPECIFICATIONS

Sec. 130-136. - Compliance with building and electrical codes.

All signs shall be constructed and maintained in accordance with the requirements of the International Building Code, as adopted in section 22-26, and the applicable electrical code.

- (1) Any roof sign more than 20 feet high from the top of the sign to the roof below shall have the plans sealed by a structural or civil engineer licensed to practice in the state.
- (2) Any sign more than 50 feet in height shall have the plans sealed by a structural or civil engineer licensed to practice in the state.

(Code 1966, § 25½-65; Ord. No. 2009-07, § XI, 1-26-09)

Cross reference— Buildings and building regulations, ch. 22; building code provisions, § 22-26 et seq.; electrical code provisions, § 22-56 et seq.

Sec. 130-137. - Lighting.

Unless otherwise prohibited by this chapter, all signs may be illuminated. However, no sign may utilize:

- (1) An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion.

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- (2) Any exposed incandescent lamp in excess of 25 watts unless a screen is attached or unless the sign is placed over ten feet above the ground.
- (3) Any revolving beacon light.

(Code 1966, § 25½-66)

Sec. 130-138. - Maintenance.

All signs shall be properly maintained. Exposed surfaces shall be clean and painted as required. Defective parts shall be replaced. The building official shall have the right to order the repair or removal of any sign which is defective, damaged or substantially deteriorated.

(Code 1966, § 25½-67)

Sec. 130-139. - Precautions for severe weather.

If a weather service warning has been issued for a severe thunderstorm, a tornado or a hurricane, it shall be the responsibility of the lessee of a portable sign, or the owner or occupant of any premises enjoying the use of a portable sign, temporary sign or any sign that is not permanently affixed to a building or sign structure, to move such sign indoors or otherwise secure such sign until the severe conditions have abated.

(Code 1966, § 25½-68)

ELECTION CODE

TITLE 6. CONDUCT OF ELECTIONS

CHAPTER 61. CONDUCT OF VOTING GENERALLY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 61.001. BYSTANDERS EXCLUDED; UNLAWFUL PRESENCE OF CANDIDATE. (a) Except as permitted by this code, a person may not be in the polling place from the time the presiding judge arrives there on election day to make the preliminary arrangements until the precinct returns have been certified and the election records have been assembled for distribution following the election.

(b) A candidate in the election commits an offense if the candidate is in a polling place during the period described by Subsection (a) for a purpose other than:

- (1) voting; or
- (2) official business in the building in which the polling place is

located.

(c) It is an exception to the application of Subsection (b) that the candidate:

- (1) is not within plain view or hearing of the persons in the voting area or the area in which voters are being accepted for voting; and
- (2) is not engaged in campaign activity.

(d) An offense under this section is a Class C misdemeanor.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by Acts 1997, 75th Leg., ch. 1350, Sec. 3, eff. Sept. 1, 1997.

Sec. 61.002. OPENING POLLING PLACE FOR VOTING. At the official time for opening the polls for voting, an election officer shall open the polling place entrance and admit the voters.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.003. ELECTIONEERING AND LOITERING NEAR POLLING PLACE. (a) A person commits an offense if, during the voting period and within 100 feet of an outside door through which a voter may enter the building in which a polling place is located, the person:

- (1) loiters; or
- (2) electioneers for or against any candidate, measure, or political party.

(a-1) The entity that owns or controls a public building being used as a polling place may not, at any time during the voting period, prohibit electioneering on the building's premises outside of the area described in Subsection (a), but may enact reasonable regulations concerning the time, place, and manner of electioneering.

(b) In this section:

(1) "Electioneering" includes the posting, use, or distribution of political signs or literature. The term does not include the distribution of a notice of a party convention authorized under Section 172.1114.

(2) "Voting period" means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later.

(c) An offense under this section is a Class C misdemeanor.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 235 (H.B. 259), Sec. 1, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 235 (H.B. 259), Sec. 2, eff. June 14, 2013.

Acts 2017, 85th Leg., R.S., Ch. 828 (H.B. 1735), Sec. 12, eff. September 1, 2017.

Sec. 61.004. UNLAWFUL OPERATION OF SOUND AMPLIFICATION DEVICE OR SOUND TRUCK.

(a) A person commits an offense if, during the voting period and within 1,000 feet of a building in which a polling place is located, the person operates a sound amplification device or a vehicle with a loudspeaker while the device or loudspeaker is being used for the purpose of:

- (1) making a political speech; or
- (2) electioneering for or against any candidate, measure, or political party.

(b) For the purpose of Subsection (a), a person operates a vehicle with a loudspeaker if the person drives the vehicle, uses the loudspeaker, or operates sound equipment in connection with the loudspeaker.

(c) In this section, "voting period" means the period prescribed by Section 61.003(b).

(d) An offense under this section is a Class C misdemeanor.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Amended by:

Acts 2005, 79th Leg., Ch. 497 (H.B. 535), Sec. 1, eff. September 1, 2005.

Acts 2005, 79th Leg., Ch. 497 (H.B. 535), Sec. 2, eff. September 1, 2005.

Sec. 61.005. SECURITY OF BALLOTS, BALLOT BOXES, AND ENVELOPES. (a) From the time a presiding judge receives the official ballots for an election until the precinct returns for that election have been certified, the presiding judge shall take the precautions necessary to prevent access to the ballots, ballot boxes, and envelopes used for provisional ballots in a manner not authorized by law.

(b) The ballots, ballot boxes, and envelopes used for provisional ballots at a polling place shall be in plain view of at least one election officer from the time the polls open for voting until the precinct returns have been certified.

(c) A presiding election judge commits an offense if the judge fails to prevent another person from handling a ballot box containing voters' marked ballots or an envelope containing a voter's provisional ballot in an unauthorized manner or from

making an unauthorized entry into the ballot box or envelope. An offense under this subsection is a Class A misdemeanor.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by Acts 1997, 75th Leg., ch. 1078, Sec. 3, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 1315, Sec. 19, eff. Jan. 1, 2004.

Sec. 61.006. UNLAWFULLY DIVULGING VOTE. (a) A person commits an offense if the person was in a polling place for any purpose other than voting and knowingly communicates to another person information that the person obtained at the polling place about how a voter has voted.

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

(c) This section does not apply to information presented in an official investigation or other official proceeding in which the information is relevant.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by Acts 1997, 75th Leg., ch. 864, Sec. 53, eff. Sept. 1, 1997.

Sec. 61.007. UNLAWFULLY REVEALING INFORMATION BEFORE POLLS CLOSE. (a) An election officer, watcher, or other person serving at a polling place in an official capacity commits an offense if, before the polls close or the last voter has voted, whichever is later, the officer, watcher, or other person reveals:

(1) the number of votes that have been received for a candidate or for or against a measure;

(2) a candidate's position relative to other candidates in the tabulation of the votes;

(3) whether a measure is passing or failing; or

(4) the names of persons who have or have not voted in the election.

(b) An offense under this section is a Class A misdemeanor.

(c) Beginning at 9:30 a.m. and at each subsequent two-hour interval through 5:30 p.m., the presiding judge shall post written notice of the total number of voters who have voted in the precinct. The notice shall be posted at an outside door through which a voter may enter the building in which the polling place is located.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by Acts 1987, 70th Leg., ch. 440, Sec. 1, eff. Sept. 1, 1987; Acts 1987, 70th Leg., ch. 472, Sec. 16, eff. Sept. 1, 1987; Acts 1989, 71st Leg., ch. 2, Sec. 7.04, eff. Aug. 28, 1989; Acts 2003, 78th Leg., ch. 427, Sec. 1, eff. Sept. 1, 2003.

Sec. 61.008. UNLAWFULLY INFLUENCING VOTER. (a) A person commits an offense if the person indicates to a voter in a polling place by word, sign, or gesture how the person desires the voter to vote or not vote.

(b) An offense under this section is a Class B misdemeanor.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.009. INSTRUCTING VOTER ON CASTING BALLOT. On the request of a voter, an election officer shall instruct the voter on the proper procedure for casting a ballot.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.010. WEARING NAME TAG OR BADGE IN POLLING PLACE. (a) Except as provided by Subsection (b), a person may not wear a badge, insignia, emblem, or other similar communicative device relating to a candidate, measure, or political party appearing on the ballot, or to the conduct of the election, in the polling place or within 100 feet of any outside door through which a voter may enter the building in which the polling place is located.

(b) An election judge, an election clerk, a state or federal election inspector, a certified peace officer, or a special peace officer appointed for the polling place by the presiding judge shall wear while on duty in the area described by Subsection (a) a tag or official badge that indicates the person's name and title or position.

(c) A person commits an offense if the person violates Subsection (a). An offense under this subsection is a Class C misdemeanor.

Added by Acts 1987, 70th Leg., ch. 472, Sec. 17, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 1349, Sec. 24, 25, eff. Sept. 1, 1997.

Sec. 61.011. REMOVING WRITTEN COMMUNICATIONS FOUND IN POLLING PLACE. (a) An election officer shall periodically check each voting station and other areas of the polling place for sample ballots or other written communications used by voters that were left or discarded in the polling place.

(b) An election officer shall remove from the sight of the voters any written communication found under Subsection (a).

Added by Acts 1997, 75th Leg., ch. 112, Sec. 1, eff. Sept. 1, 1997.

Sec. 61.012. ACCESS BY PERSONS WITH DISABILITIES. (a) Except as provided by Section 61.013, each polling place must provide at least one voting station that:

(1) complies with:

(A) Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 794) and its subsequent amendments;

(B) Title II of the federal Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.) and its subsequent amendments; and

(C) the requirements for accessibility under 42 U.S.C. Section 15481(a) (3) and its subsequent amendments; and

(2) provides a practical and effective means for voters with physical disabilities to cast a secret ballot.

(b) Repealed by Acts 2007, 80th Leg., R.S., Ch. 1182, Sec. 4, eff. June 15, 2007.

Acts 2003, 78th Leg., ch. 1315, Sec. 20, eff. Jan. 1, 2004.

Amended by:

Acts 2006, 79th Leg., 3rd C.S., Ch. 5 (H.B. 1), Sec. 11.02, eff. May 31, 2006.

Acts 2007, 80th Leg., R.S., Ch. 1182 (H.B. 556), Sec. 2, eff. June 15, 2007.

Acts 2007, 80th Leg., R.S., Ch. 1182 (H.B. 556), Sec. 4, eff. June 15, 2007.

Sec. 61.013. ACCESS BY PERSONS WITH DISABILITIES: ELECTIONS OF CERTAIN POLITICAL SUBDIVISIONS. (a) For an election other than an election of a political subdivision that is held jointly with another election in which a federal office appears on the ballot, the political subdivision is not required to meet the requirements of Section 61.012(a)(1)(C) if the political subdivision:

(1) is a county with a population of less than 2,000;

(2) is a county with a population of 2,000 or more but less than 5,000, and the county provides at least one voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day;

(3) is a county with a population of 5,000 or more but less than 10,000, and the county provides at least one voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day and during the period for early voting by personal appearance;

(4) is a county with a population of 10,000 or more but less than 20,000, and the county:

(A) makes a showing in the manner provided by Subsection (c) that compliance with Section 61.012(a)(1)(C) constitutes an undue burden on the county;

(B) provides at least one voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day and during the period for early voting by personal appearance; and

(C) provides a mobile voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) that during the period for early voting by personal appearance is deployed at least once at each polling place used for early voting by personal appearance; or

(5) is located in a county described by Subdivisions (1)-(4) and meets the same requirements as the county in which the political subdivision is located.

(b) A voter with a disability that desires a reasonable accommodation to vote in an election of a county described by Subsection (a)(1) or a political subdivision located in that county shall make a request for the accommodation with the early voting clerk of the county or political subdivision not later than the 21st day before the date of the election. On receipt of the request, the early voting clerk shall make a reasonable accommodation to allow the voter to cast a vote.

(c) A county or political subdivision may make a showing of undue burden under Subsection (a)(4)(A) by filing an application with the secretary of state not later than the 90th day before the date of the election that states the reasons that compliance would constitute an undue burden. A showing of an undue burden may be satisfied by proof that the election costs associated with compliance with Section 61.012(a)(1)(C) constitute a significant expense for the county or political subdivision and reflect an increase of at least 25 percent in the costs of holding an election as compared to the costs of the last general election held by the county or political subdivision before January 1, 2006. Not later than the 20th day after the

date of receiving an application under this section, the secretary of state shall determine whether compliance with Section 61.012(a)(1)(C) is an undue burden for the county or political subdivision.

(d) A county or political subdivision that intends to use this section to provide fewer voting stations that meet the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) than required by Section 61.012(a)(1)(C) must:

(1) provide notice to the secretary of state of that intent not later than the 90th day before the date of the election; and

(2) for a county described by Subsection (a)(2), (3), or (4), or a political subdivision located in such a county, publish notice of the location of each voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) in a newspaper of general circulation in the county or political subdivision not later than the 15th day before the date of the start of the period of early voting by personal appearance.

(e) For purposes of this section, a political subdivision located in more than one county may choose:

(1) to be considered located in the county that contains the greatest number of registered voters of the political subdivision; or

(2) for each portion of the political subdivision located in a different county, to be considered a separate political subdivision.

(f) The secretary of state shall prescribe procedures and adopt rules as necessary to implement this section.

Added by Acts 2007, 80th Leg., R.S., Ch. 1182 (H.B. 556), Sec. 3, eff. June 15, 2007.

Sec. 61.014. USE OF CERTAIN DEVICES. (a) A person may not use a wireless communication device within 100 feet of a voting station.

(b) A person may not use any mechanical or electronic means of recording images or sound within 100 feet of a voting station.

(c) The presiding judge may require a person who violates this section to turn off the device or to leave the polling place.

(d) This section does not apply to:

(1) an election officer in conducting the officer's official duties;

(2) the use of election equipment necessary for the conduct of the election; or

(3) a person who is employed at the location in which a polling place is located while the person is acting in the course of the person's employment.

Added by Acts 2007, 80th Leg., R.S., Ch. 697 (H.B. 1921), Sec. 1, eff. September 1, 2007.

Renumbered from Election Code, Section 61.013 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(12), eff. September 1, 2009.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 175 (H.B. 1493), Sec. 1, eff. May 27, 2009.

SUBCHAPTER B. INTERPRETER

Sec. 61.031. USE OF ENGLISH LANGUAGE. (a) Except as provided by Subsection (b), an election officer may not use a language other than English in performing an official duty in connection with the election.

(b) If a voter cannot communicate in English, an election officer may communicate with the voter in a language that the voter and the officer understand.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.032. INTERPRETER PERMITTED. If an election officer who attempts to communicate with a voter does not understand the language used by the voter, the voter may communicate through an interpreter selected by the voter.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.033. ELIGIBILITY TO SERVE AS INTERPRETER. To be eligible to serve as an interpreter, a person must be a registered voter of the county in which the voter needing the interpreter resides.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.034. TRANSLATING BALLOT. If a voter cannot comprehend the language in which the ballot is printed, an interpreter may accompany the voter to the voting station for the purpose of translating the ballot to the voter.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.035. OATH. Before serving as an interpreter, the person selected as interpreter must take the following oath administered by an election officer:

"I swear (or affirm) that, to the best of my ability, I will correctly interpret and translate each question, answer, or statement addressed either to the voter by any election officer or to an election officer by the voter."

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 61.036. TRANSLATION REQUIRED. (a) If an election officer and a voter communicate in a language other than English, any other election officer or watcher may request an English translation of anything communicated in the other language.

(b) If a translation request is made, the election officer communicating with the voter shall make the translation.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

POLL WATCHER'S GUIDE



Issued by the

SECRETARY OF STATE ELECTIONS DIVISION

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INTRODUCTION

This “Poll Watcher’s Guide” has been designed to familiarize poll watchers with their basic rights and responsibilities. The integrity of elections is a concern of all citizens, and although poll watchers may represent particular candidates, political parties, or specific-purpose political action committees, their main interest is in the conduct of a fair and honest election.

A poll watcher’s role in an election is established by Chapter 33 of the Texas Election Code and is defined as follows:

Poll Watcher – a person appointed to observe the conduct of an election on behalf of:

- a candidate,
- a political party, or
- the proponents or opponents of a measure (specific-purpose political action committees).

Throughout this guide, all references are made to appropriate sections in the Texas Election Code, unless otherwise noted.

QUICK POINTS TO REMEMBER

- In order to serve as a poll watcher, you must show up with a certificate of appointment that includes:
 - Name, residence address, and voter registration number of the poll watcher;
 - The signature of the person(s) making the appointment;
 - The election and the number of the precinct where the poll watcher is to serve;
 - An indication of the capacity in which the appointing authority is acting;
 - In an election on a measure, an identification of the measure (if more than one is to be voted on) and a statement of which side the appointee represents;
 - An affidavit to be executed by the poll watcher that the poll watcher will not have possession of any mechanical or electronic means of recording images or sound while serving as a watcher unless the poll watcher disables or deactivates the device; and
 - The signature of the poll watcher.
- Be ready to counter-sign the certificate of appointment in front of the election judge. This serves not only to certify that the person presenting themselves as a poll watcher is the person named on the appointment, but also as the execution of the affidavit that the watcher does not have possession of any prohibited recording devices.
- If you are serving on election day and want to vote in a different precinct (from the location of service), we recommend voting during the early voting period, before your service as a poll watcher.

VOTER ID UPDATE AND PROCEDURES

A voter who possesses an acceptable form of photo ID listed below and in Section 63.0101(a) of the Texas Election Code must present such acceptable form of photo ID. Voters who do not possess one of the forms of acceptable photo identification listed below, and cannot reasonably obtain one of the forms of acceptable photo identification listed below, may present a supporting form of identification of the voter and execute a Reasonable Impediment Declaration, noting the voter's reasonable impediment to obtaining an acceptable form of photo identification, stating that the information contained in the declaration is true, that the voter is the same individual personally appearing at the polling place to sign the declaration, and that the voter faces a reasonable impediment to procuring an acceptable form of photo identification.

Here is a list of the acceptable forms of photo ID:

- Texas Driver License issued by the Texas Department of Public Safety ("DPS")
- Texas Election Identification Certificate issued by DPS
- Texas Personal Identification Card issued by DPS
- Texas Handgun License issued by DPS
- United States Military Identification Card containing the person's photograph
- United States Citizenship Certificate containing the person's photograph
- United States Passport (book or card)

With the exception of the U.S. Citizenship Certificate, which does not expire, the identification must be current or, for voters aged 18-69, have expired no more than 4 years before being presented for voter qualification at the polling place. A person 70 years of age or older may use a form of identification listed above that has expired if the identification is otherwise valid.

NOTE: This is a change from the previous statute. The previous statute required that the photo ID not be expired for more than 60 days.

If a voter does not possess one of the forms of acceptable photo identification listed above, and the voter cannot reasonably obtain such identification, the voter may execute a Reasonable Impediment Declaration and present one of the following supporting forms of identification:

- copy or original of a government document that shows the voter's name and an address, including the voter's voter registration certificate;
- copy of or original current utility bill;
- copy of or original bank statement;
- copy of or original government check;
- copy of or original paycheck; or
- copy of or original of (a) a certified domestic (from a U.S. state or territory) birth certificate or (b) a document confirming birth admissible in a court of law which establishes the voter's identity (which may include a foreign birth document).

The voter must execute a Reasonable Impediment Declaration and present a supporting form of identification to complete the procedure. **The election judge, election clerk, or poll watcher cannot question the reasonableness of the impediment claimed by the voter. The poll watcher is not permitted to converse with any voter or communicate in any manner with any voter regarding the election, including, but not necessarily limited to, the Reasonable Impediment Declaration procedures or the presentation of voter identification.**

On the Reasonable Impediment Declaration, the voter must enter their name, indicate the voter's reasonable impediment to obtaining one of the seven forms of acceptable photo ID, and then sign and date the form in the presence of the election judge. The election judge must then indicate that the form was signed and sworn before the judge by also signing and dating the form. Either the poll worker or the election judge should also check the box listing the form of supporting documentation the voter presented, fill in the Date of Election and Location fields, and fill in the voter's Voter Unique Identification Number ("VUID") in the appropriate box or affix a sticker that contains that information across the box, and note on the Combination Form that the declaration was used by the voter.

NOTE: The address on either an acceptable form of photo identification, or, if applicable, a supporting form of identification, does not need to match the address on the list of registered voters.

Substantially Similar Name Affidavit

Finally, note that, as was the case under the prior statute, if the voter's name on the list of registered voters does not match exactly to the ID presented (either an acceptable form of photo ID or, if applicable, a supporting form of identification), the voter must complete the "Substantially Similar Name Affidavit" on the Combination Form.

QUALIFICATIONS OF WATCHER

Q. What are the qualifications of a watcher?

A. A watcher must:

1. be a registered voter of the territory (e.g., city, school district) covered by the election and of the county for November general elections for state and county officers (held on even-years), primary elections, or other countywide elections; [Sec. 33.031]
2. NOT be a candidate for public office in an election held on the day the watcher seeks to serve; [Sec. 33.032]
3. NOT hold an elective public office; [Sec. 33.034]
4. NOT be an employee of an election judge or clerk serving at the same polling place; [Sec. 33.033]
5. NOT been finally convicted of an offense in connection with conduct directly attributable to an election; [Sec. 33.035] and
6. NOT be related within the second degree of consanguinity or affinity (as determined by Tex. Govt. Code, Chapter 573, Subchapter B, Secs. 573.022 - 573.025)¹ to an election judge or clerk serving at that polling place. A watcher may be related to the candidate the watcher is representing. [Sec. 33.033]

Q: Can a person who has been finally convicted of an election offense serve as a watcher?

A: No. A person convicted of any election offense cannot serve as a watcher. [Sec. 33.035]

¹ These include spouses, siblings, grandparents, and grandchildren.

Q. Does a poll watcher need to live within the election precinct in which the watcher is serving?

A. No.

Q. Can a person serve as a watcher in an election if they are a candidate running for a public office?

A. No. A person is ineligible to serve as a watcher in an election if the person is a candidate for public office in an election to be held on the same day. [Sec. 33.032].

Q. Are elected public officials allowed to serve as watchers in any election?

A. No. A person who holds elected public office is ineligible to serve as a watcher. [Sec. 33.034].

Q. Can officers of a political party serve as watchers?

A. Yes. They may serve because they are not elected public officers, as political parties are not public entities. [Sec. 33.034].

Q. Can a watcher work for or be related to any of the election officials?

A. No. The watcher cannot be an employer of or employee of or related within the second degree to an election judge, election clerk, early voting clerk or deputy clerk. [Sec. 33.033].

Q. Can a candidate's spouse or child serve as a watcher?

A. Yes.

APPOINTMENT OF WATCHER

APPOINTMENT OF WATCHER BY POLITICAL PARTIES:

Q. Who appoints a watcher on behalf of political parties?

- A. 1. The county chair of each political party that has a nominee(s) on the official ballot may appoint watchers. [Sec. 33.003(a)].
2. Any three members of the county executive committee may appoint watchers, if the county chair fails to act. [Sec. 33.003(b)].

APPOINTMENT OF WATCHER BY A CANDIDATE:

Q. Who appoints a watcher on behalf of candidates?

- A. 1. A candidate whose name appears on the official ballot or on the list of declared write-in candidates in an election for any office (other than the office of Vice-President of the United States) may appoint a watcher. In other words, watchers may be appointed by any candidate whose name appears on the ballot other than the candidate for Vice President. For a state office that is filled by voters of more than one county, the candidate's campaign treasurer also may appoint a watcher. [Sec. 33.002(a) & (b)].

2. For a federal office that is filled by voters of more than one county, the chair or treasurer of the candidate's principal campaign committee or a designated agent of the campaign chair or treasurer may appoint a watcher. [Sec. 33.002(c)].
3. A group of registered voters may appoint watchers on behalf of a write-in candidate in an election in which declarations of write-in candidacy are not required to be filed. The minimum number of voters required to make an appointment under this section is the lesser of 15 or five percent of the registered voters of the appropriate territory as determined from the list of registered voters to be used for the election.
 - To be eligible to sign an appointment of a watcher to a precinct polling place, a person must be a registered voter of the precinct.
 - To be eligible to appoint a watcher to an early voting polling place, early ballot board meeting, or a central counting station, a person must be a registered voter of the county, city, school district, or other political subdivision conducting the election. [Sec. 33.004].

APPOINTMENT OF WATCHER FOR ELECTIONS ON MEASURES:

Q. Who appoints a watcher for elections on measures?

- A. The campaign treasurer or an assistant campaign treasurer of a specific purpose political action committee that supports or opposes a measure may appoint watchers. [Sec. 33.005(a)]. For information on establishing a specific purpose political action committee, please contact the Texas Ethics Commission at 1-512-463-5800 or www.ethics.state.tx.us.

MAXIMUM NUMBER OF WATCHERS:

Q. What is the maximum number of watchers that can be appointed by each appointing authority?

- A. 1. A maximum of seven (7) watchers may be appointed for each early voting polling place (No more than two may be on duty at the same location and at the same time); and
2. A maximum of two (2) watchers may be appointed for each precinct polling place, meeting place for an early voting ballot board, or central counting station involved in the election. [Sec. 33.007].

ACTIVITIES A POLL WATCHER MAY OBSERVE:

A poll watcher is entitled to observe the following activities at early voting by personal appearance locations and election day locations:

1. Early voting by personal appearance polling place activities, including time before and after the polls close.

NOTE: If present, a poll watcher should sign ballot box seals placed on early voting ballot boxes.

2. Election day polling place activities, including time before and after the polls close.
3. Early voting ballot board meeting activities.
4. Central counting station activities.
5. Central accumulation station activities.
6. Signature verification committee activities.

7. Voter being assisted by an election official.
NOTE: A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice, including by a person also serving as an interpreter at the voting station.
8. Inspecting and securing the voting equipment. [Sec. 33.059]. (Must present certificate of appointment; certificate must be returned to the watcher.)
9. Delivery of election results from polling place. [Sec. 33.060]

ACCEPTANCE OF WATCHER

TIME FOR REPORTING TO THE POLLING PLACE:

Q. What time do watchers need to report to the polling place, and how long do they need to stay at that polling place?

- A. 1. At the polling place on Election Day, a poll watcher:
- may begin service at any time after the presiding judge arrives and may stay at the polling place until election officials complete their duties.
 - may come and go after watcher has served 5 consecutive hours. [Sec. 33.052].

NOTE: If watcher leaves polling area temporarily to use cell phone or other wireless device, this temporary absence does not affect his 5 hours of consecutive service.

2. At an early voting polling place, a poll watcher:
- may be present at the polling place at any time it is open and until voting equipment is secured on the close of voting each day.
 - may serve during the hours the watcher chooses. [Sec. 33.053].

NOTE: A poll watcher may be appointed to observe early voting by personal appearance only; a poll watcher is not entitled to observe the procedures related to early voting by mail.

NOTE: **NEW LAW (SB 902 (86th Regular Session)):** The information placed on the early voting roster of people, including who voted by mail, is not available for public inspection by anyone until 11 am on the first business following the day the voter voted in person or the voter's ballot is received by the early voting clerk. [Sec. 87.121].

A poll watcher cannot obtain a copy of an application for a ballot to be voted by mail from the early voting clerk until the first business day after the election day of the earliest election for which the application is valid. Therefore, an Annual ABBM will not be available for public inspection or copying until the first business day after the election day of the earliest election held each calendar year for which the application is valid, except to the voter seeking to verify that the information is accurate. [86.014]

3. At an early voting ballot board meeting (including the signature verification committee), a poll watcher:

- may be present at any time the board is processing or counting ballots and until the board completes its duties.
 - may not leave during voting hours on election day without the early voting ballot board judge's permission once the board has begun counting the ballots. [Sec. 33.054].
4. At the central counting station, a poll watcher:
- may be present at any time the central counting station is open and has convened for the purpose of processing or preparing to process election results and until the election officers complete their duties at the station.
 - may not leave during voting hours without the presiding judge's permission, if the counting of ballots at the central counting station has begun. [Sec. 33.055].

NOTE: The presiding judge of the central counting station, in cooperation with the county clerk/elections administrator, may choose to withhold the release of vote totals until the last voter has voted.

CERTIFICATE OF APPOINTMENT

ISSUANCE OF CERTIFICATE:

The appointing authority must issue a certificate of appointment to the watcher. [Sec. 33.006(a)].

Q. What information needs to be on the certificate?

- A. The certificate of appointment must be in writing and must include the following:
1. Name, residence address, voter registration number, and signature of the watcher;
 2. The election and the number of the precinct (or other location, for example, early voting ballot board meeting) at which the watcher is appointed to serve;
 3. The signature of the person(s) making the appointment;
 4. An indication of the capacity in which the appointing authority is acting, (example: as a candidate, a campaign treasurer or assistant campaign treasurer of a specific-purpose political action committee);
 5. In an election on a measure, an identification of the measure (if more than one is to be voted on) and a statement identifying which side the appointee represents; and [Sec. 33.006(b)].
 6. An affidavit executed by the poll watcher that the poll watcher will not have possession of any mechanical or electronic means of recording images or sound while serving as a watcher unless the poll watcher disables or deactivates the device. (This affidavit is signed in the presence of the presiding judge; that signature also serves as the countersignature, which is discussed below.)

NOTE: Officially-prescribed poll watcher appointment forms may be found at this link: <http://www.sos.state.tx.us/elections/forms/index.shtml>.

Q. What are the requirements for a certificate of a watcher appointed on behalf of a non-declared write-in candidate?

- A. Additional requirements necessary for a certificate of appointment of a watcher for a non-declared write-in candidate include:

1. the residence address and voter registration number of the lesser of 15 voters or 5 percent of the registered voters in the precinct or political subdivision, as applicable;
2. the signed statement of the candidate, or a person who would be authorized to make appointments on the candidate's behalf if the candidate's name appeared on the ballot, that the appointment is made with the signer's consent [Sec. 33.004(b)]; and
3. the residence or office address of the write-in candidate or the person who would be authorized to make appointments on the candidate's behalf if the candidate's name appeared on the ballot. If the candidate does not sign, the signer must indicate his or her relationship to the candidate. [Sec. 33.006(c)].

Q. How does one present a certificate of appointment?

- A. 1. A watcher must deliver a certificate of appointment to the presiding judge at the time the watcher reports for service. [Sec. 33.051(a)].
2. The officer presented with a watcher's certificate of appointment must require the watcher to countersign the certificate in the officer's presence to verify that the watcher is the same person who originally signed the certificate. The watcher's signature is in the portion of the certificate containing the affidavit that the watcher does not have possession of any prohibited recording devices; this serves both as the acknowledgement of the affidavit and as the countersignature. [Sec. 33.051(b)].
3. A watcher may not be accepted for service unless an affidavit executed by the poll watcher that the poll watcher will not have possession of any mechanical or electronic means of recording images or sound while serving as a watcher unless the poll watcher disables or deactivates the device.
4. The judge must keep the certificate in envelope no. 2 (or other designated container) which is returned to the custodian of election records after the election. [Sec. 66.023(7)].
5. The certificate of a watcher serving at an early voting polling place must be retained at the polling place until voting is concluded at the polling place. At each subsequent time that the watcher reports for service at that location, the watcher shall inform the clerk or deputy in charge. The officer may require the watcher to sign the watcher's name in the officer's presence, for comparison with the signature on the certificate, if the officer is uncertain of the watcher's identity. [Sec. 33.051(d)].
6. If the watcher is rejected, the certificate should be returned to the watcher with a signed statement of the reason for the rejection. [Sec. 33.051(e)].

DUTIES AND PRIVILEGES OF WATCHER

Q. What are a watcher's duties?

- A. The primary duty of a watcher is to observe the conduct of the election at the location where the watcher has been appointed. A watcher may point out to an election judge or clerk any observed irregularity or violation of the Texas Election Code. However, if the clerk refers the watcher to the judge, the watcher may not discuss the matter further with the clerk unless the presiding judge invites the discussion. [Sec. 33.058(b)].

Q: May watchers wear name tags?

A: In fact, they must. A poll watcher **MUST** wear a form of identification prescribed by the Secretary of State and provided by the presiding judge or other election officer. [Sec. 33.051(f)].

Q. What are watchers NOT allowed to do while on duty?

- A. 1. Talk with an election officer regarding the election except to call attention to an irregularity or violation. [Sec. 33.058(a)(1)].
2. Converse with a voter. [Sec. 33.058(a)(2)].
3. Communicate in any manner with a voter regarding the election. [Sec. 33.058(a)(3)].
4. Leave during voting hours on election day without the presiding judge's permission unless the watcher has completed 5 consecutive hours of service at the polling place. If the watcher leaves without permission and prior to completing the 5 hours of service, the presiding judge may refuse to readmit the watcher.

NOTE: The watcher must be allowed to leave to use a wireless communication device and be readmitted to the polling place, if the watcher returns promptly. This does not constitute an interruption in the watcher's 5 hours of consecutive service. [Sec. 33.052(b)].

5. Reveal the following information before the polls close:
- How a voter has voted; this offense is a third degree felony. [Sec. 61.006(b)].
 - The number of votes that have been received for a candidate or for or against a measure; this offense is a Class C misdemeanor. [Sec. 61.007(a)(1)].
 - A candidate's position relative to other candidates in the tabulation of the votes; this offense is a Class C misdemeanor. [Sec. 61.007(a)(2)].
 - Whether a measure is passing or failing; this offense is a Class C misdemeanor. [Sec. 61.007(a)(3)].
 - The names of persons who have or have not voted in the election; this offense is a Class C misdemeanor. [Sec. 61.007(a)(4)].

Q. What is a watcher permitted to do while on duty?

- A. A watcher must be permitted, but is not required to:
1. Witness the installation of voting system equipment at the polling place. [Sec.33.059].
 2. Observe the securing of voting system equipment before the election. [Sec. 33.059].
 3. A poll watcher may leave the polling place temporarily in order to use a cell phone or other wireless communication device. If the poll watcher promptly returns, he or she is considered to have served continuously as that term is used for calculating his or her continuous 5 hours, which allows the watcher to come and go. [Sec. 62.011].
 4. Observe any activity conducted at the location at which the watcher is serving, and sit or stand conveniently near the election officials to observe the activities of the election. [Sec. 33.056(a)].
 5. Make written notes while on duty. However, if the watcher is permitted to leave the polling place while the polls are open, the watcher may be required to leave his or her

written notes with another person selected by the watcher who is on duty at the polling place. [Sec. 33.056(d)].

6. Observe assistance given to voters by election officials and inspect the ballot before it is deposited in the ballot box to determine if it was prepared in accordance with the voter's wishes. [Sec. 33.057(a)].

NOTE: A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice, including by a person also serving as an interpreter at the voting station. [Sec. 33.057(b); U.S.D.C. W.D. Tex. Civil Action No. 1:15-cv-00679-RP (Docket Nos. 60, 66) (as affirmed in part by the United States Court of Appeals for the Fifth Circuit (No. 16-51126); Docket No. 81) (hereinafter "Docket Nos. 60, 66"))].]

7. Inspect the returns and other records prepared by the election officers. [Sec. 33.056(c)].
8. A watcher may not participate but may observe the tallying and counting of the votes to verify that the votes are tallied and read correctly. [Sec. 33.056(b)].
9. Accompany authorized election officials in delivering election records from a precinct polling place, an early voting polling place, a meeting place for an early voting ballot board, or a central counting station. [Sec. 33.060(a)].

NOTE: Poll watcher and election officials do not need to ride in the same vehicle. [Sec. 33.060(b)].

10. Witness securing of the voting system equipment at the time the polls close. [Sec. 125.063].
11. Receive an English translation of any language spoken other than English between an election official and a voter. [Sec. 61.036].

Q. Can a watcher leave the election day polling place temporarily during the time the polls are open?

- A. Yes. Once a watcher has served more than 5 consecutive hours at the polling place, the watcher gains the privilege to leave the polling place and return at the hours he or she chooses, except that if the watcher is present when ballots are being counted, the watcher may not leave until the counting is complete. Additionally, the watcher may briefly leave the polling place to use his or her cell phone or other wireless device, and this does not interrupt the watcher's 5 hours of continuous service, if the watcher returns promptly. [Sec. 33.052(a)].

Q. Can a watcher leave in order to vote at another polling place?

- A. The watcher may leave to vote and return if the watcher has served more than 5 consecutive hours at the polling place. If the watcher has not yet served 5 consecutive hours, whether he or she will be allowed back into the polling place is at the judge's discretion. [Sec. 33.052(a)]. We recommend voting during the early voting period, before your service as a poll watcher.

Q. Can a watcher leave the polling place after the time for closing the polls without obtaining permission from the presiding judge?

- A. The watcher may leave without permission from the judge; however, if the watcher wishes to return to the polling place, the watcher must have served at least 5 consecutive hours at the polling place. If not, once the watcher leaves, he or she may return only at the discretion of the

judge. Additionally, if the watcher is present at the polling place when ballots are being counted, the watcher may not leave until the counting is complete. [Sec. 33.052(a)]

MISCELLANEOUS

POSSIBLE ILLEGAL ACTIVITIES:

Q. What illegal activities should a watcher look for?

A. The election judge may be notified of any activity that appears to be prohibited by law.

If any of the following activities occur, bring it to the election judge's attention and note the individual(s) involved, including time and place of occurrence:

1. Election workers allowing voters to vote a regular ballot who do not (1) present an acceptable form of photo identification; or (2) if a voter does not possess and cannot reasonably obtain an acceptable form of photo identification, present a supporting form of ID and execute a Reasonable Impediment Declaration; or (3) present a Voter Registration Certificate with an "E" notation on it [Sec. 63.001]

NOTE: A voter who possesses an acceptable form of photo ID, must present it in order to vote in person. Voters who do not possess one of the forms of acceptable photo identification and cannot reasonably obtain one may present a supporting form of identification and execute a Reasonable Impediment Declaration, noting the type of reasonable impediment to obtaining an acceptable form of photo identification, stating that the information contained within is true, that the voter is the same individual personally appearing at the polling place, and that the voter faces a reasonable impediment to procuring an acceptable form of photo identification. The address on the voter's ID does NOT have to match their address on their registration.

Please see Page 3 for a list of acceptable forms of photo ID and a list of supporting forms of ID.

2. Electioneering and loitering within 100 feet of the entrance of the building in which a polling place is located. [Sec. 61.003]. Examples of electioneering include, but are not limited to the following:
 - a. wearing or exhibiting a badge, insignia, emblem, or other similar communicative device item relating to a candidate, measure or political party. [Sec. 61.010].

NOTE: An election judge, an election clerk, a state or federal election inspector, a certified peace officer, or a special peace officer appointed for the polling place by the presiding judge shall wear while on duty, a tag or official badge that indicates their name and title or position. [Sec. 61.010] **A poll watcher must also wear a badge indicating the person is a poll watcher.** The badge will be issued to the poll watcher by the election judge.

- b. unauthorized posting of signs, posters or other similar items. [Sec. 62.013]

3. A candidate in an election commits a Class C misdemeanor if he or she is in the polling place for a purpose other than (1) voting or (2) official business in the building in which the polling place is located; however, a candidate may assist a voter without violating this section. [Sec. 61.001(b)]

EXCEPTION: It is a defense to prosecution under Section 61.001(b) if the candidate is (1) not in plain view of persons in the voting area or the area where voters are being qualified and (2) not engaged in campaign activity. [Sec. 61.001(c)].

4. Unlawful operation of a sound amplification device or soundtruck used for campaigning purposes within 1,000 feet of a building in which a polling place is located. [Sec. 61.004];
5. Bribing voters [Sec. 36.02, Penal Code];
6. Tampering with a direct recording electronic voting machine [Sec. 33.05, Penal Code];
7. Unlawfully influencing voters [Sec. 61.008];
8. Coercing voters [Sec. 36.03, Penal Code];
9. Unlawfully telling another person information that was obtained at the polling place about how a voter has voted [Sec. 61.006];
10. Unlawfully giving information about the status of the vote count or the names of people who have voted before the polls close [Sec. 61.007];
11. Tampering with voting equipment [Sec. 127.127];
12. Voting illegally [Sec. 64.012];
13. Unlawfully removing ballots from ballot box [Sec. 276.003];
14. Harassing the election officials [Sec. 32.075];
15. Unlawfully assisting voters [Sec. 64.036];
16. Unlawfully accepting or refusing to accept voters [Sec. 63.012];
17. Using a wireless communication device within 100 feet of polling place [Secs. 33.052(b) and 61.014];
18. Interfering with the voting process; and/or
19. Violating any other Texas election laws.

PERSONS ALLOWED IN THE POLLING PLACE:

Q. Who is allowed inside the polling place?

- A. 1. Election judge and clerks. [Secs. 32.071 & 32.072].
2. Poll watchers and Secretary of State inspectors. [Secs. 33.052 & 34.002].
3. Persons admitted to vote. [Sec. 63.001].
4. Children under 18 years old who are accompanying a parent who is admitted to vote. [Sec. 64.002(b)].

5. Persons providing assistance to (including interpreting) for a voter who is entitled to assistance, including an interpreter. [Secs. 61.032 & 64.032; 42 U.S.C. § 1973aa-6; 42 U.S.C.A. § 1973aa-6; Docket Nos. 60, 66].
6. Federal inspectors appointed by the U.S. Department of Justice.
7. Persons summoned or appointed by the presiding election judge to act as special peace officers to preserve order. [Sec. 32.075].
8. Voting system technician on the request of the authority holding the election. [Sec. 125.010].
9. During the primary or primary runoff elections only, the County Chair is allowed in the polling place to perform “administrative functions related to the conduct of the election.” [Sec. 172.1113]

PROVISIONAL VOTING:

Provisional voting is helpful in multiple scenarios, however a voter CANNOT be denied a provisional ballot. Provisional ballots must be offered to voters when required by the situations described below. Provisional ballots are important because they help the voter.

If a voter (a) does not possess one of the seven (7) acceptable forms of photo identification, which, for voters aged 18-69, is not expired for more than four years, or, for voters aged 70 and older, may be expired for any length of time but is otherwise valid, and the voter can reasonably obtain one of these forms of identification; or (b) possesses, but did not bring to the polling place, one of the seven forms of acceptable photo identification; or (c) does not possess one of the seven forms of acceptable photo identification, could otherwise not reasonably obtain one, but did not bring a supporting form of identification to the polling place; and the voter does not have a permanent disability exemption indicated on their voter registration certificate, the voter may cast a provisional ballot at the polls.

However, in order to have the provisional ballot counted, the voter will be required to visit the voter registrar’s office within six calendar days of the date of the election to (1) present one of the seven (7) acceptable forms of photo identification; (2) if the voter does not possess and cannot reasonably obtain one of the seven (7) acceptable forms of photo identification, present one of the supporting forms of ID and execute a Reasonable Impediment Declaration, OR; (3) if applicable, submit one of the temporary forms (e.g., religious objection or natural disaster) in the presence of the county voter registrar; OR (4) if applicable, qualify for the disability exemption to presenting an acceptable form of photo identification or following the Reasonable Impediment Declaration procedure at the polls. Specifically, forms are available for voters who have a consistent religious objection to being photographed and for voters who do not present a form of acceptable photo identification or follow the Reasonable Impediment Declaration procedure because of certain natural disasters as declared by the President of the United States or the Texas Governor within 45 days of the day the ballot was cast. In addition, voters with a disability may apply with the county voter registrar for a permanent exemption to presenting an acceptable form of photo identification or following the Reasonable Impediment Declaration procedure at the polls. The application must contain written documentation from either the U.S. Social Security Administration evidencing the applicant’s disability, or from the U.S. Department of Veterans Affairs evidencing a disability

rating of at least 50 percent. In addition, the applicant must state that he or she has no valid form of photo identification prescribed by Section 63.0101 of the Texas Election Code.

NOTE: If a voter has continued access to their acceptable form of photo ID, but, for example, forgets to bring their acceptable form of photo ID to the polling place and/or left it, for example, at home or in their car, the voter still possesses the acceptable photo ID and must use it to vote. Accordingly, if a voter possesses an acceptable form of photo ID but does not have it with them at the polling place and there is enough time left when polls are open, the voter may choose to return at a later time with an acceptable form of photo ID, or the voter may vote provisionally. A voter who does not possess an acceptable form of photo ID, and could not otherwise reasonably obtain one, but just did not bring a form of supporting ID to the polling place, may also opt to leave the polling place, and return at a later time with their acceptable form of supporting ID and vote a regular ballot after executing a Reasonable Impediment Declaration, or the voter may vote provisionally.

Provisional ballots are not counted until the voter registrar and early voting ballot board verify the voter's eligibility. The affidavit that provisional voters must sign also acts as a voter registration application, ensuring that those individuals who are not actual registered voters will be registered for future elections for which they are eligible.

Q. When would an individual need to cast a provisional ballot?

A. The following individuals may cast a provisional ballot:

- A voter who states they do not possess an acceptable form of photo ID, and that they can reasonably obtain an acceptable form of photo ID;
- A voter who states that they do not possess an acceptable form of photo ID, and that they cannot otherwise reasonably obtain an acceptable form of photo ID, but they did not bring their form of supporting ID to the polling place.
 - **NOTE:** A voter who does not possess and could otherwise not reasonably obtain an acceptable form of photo ID but just did not bring a form of supporting ID to the polling place may opt to leave the polling place, and return at a later time with their acceptable form of supporting ID and vote a regular ballot after executing a Reasonable Impediment Declaration.
- A voter who states they possess an acceptable form of photo ID, but do not have it with them to present at the polling place.
 - **NOTE:** If a voter has continued access to their acceptable form of photo ID, but, for example, forgets to bring their acceptable form of approved photo ID to the polling place and/or left it, for example, at home or in their car, the voter still possesses the acceptable photo ID and must use it to vote. This voter may opt to leave the polling place, and return at a later time with their acceptable form of photo ID and vote a regular ballot.

- A voter who does not present an acceptable form of photo ID or follow the Reasonable Impediment Declaration procedure and has a religious objection to being photographed and the voter has consistently refused to be photographed for any governmental purpose from the time the voter has held this belief. [Sec. 65.054(b)(2)(B)]
- A voter does not present an acceptable form of photo ID or follow the Reasonable Impediment Declaration procedure because of a natural disaster that was declared by the president of the United states or the Texas governor, occurred not earlier than 45 days before the date the ballot was cast, and caused the destruction of or inability to access the voter’s identification. [Sec. 65.054(b)(2)(C)]
- A voter whose name on the form of identification presented (acceptable form of photo identification, or if the voter does not possess and cannot reasonably obtain an acceptable form of photo identification, the supporting form of identification presented in connection with a Reasonable Impediment Declaration) is determined by the election officer not to exactly match or be substantially similar to the name as it appears on the list of registered voters.
 - **NOTE:** A voter’s name as listed on the identification the voter presents (either an acceptable form of photo ID or, if applicable, a supporting form of ID in connection with a Reasonable Impediment Declaration) for voting is considered **substantially similar** to the form of the name as listed on the list of registered voters if one or more of the following circumstances applies: 1) The name on the presented ID is slightly different from one or more of the name fields on the official list of registered voters; 2) The name on the presented ID or on the list of registered voters is a customary variation of the voter’s formal name (for example, Bill for William, or Beto for Alberto); 3) the voter’s name contains an initial, middle name, or former name that is either not on the official list of registered voters or on the presented ID; 4) a first name, middle name, former name, or initial of the voter’s name occupies a different field on the presented ID than it does on the list of registered voters. In considering whether a name is substantially similar, election officials will also look at whether information on the presented ID matches elements of the voter’s information on the official list of registered voters such as the voter’s residence address or date of birth.
- A voter who presented a form of identification (acceptable form of photo identification, or, if the voter does not possess and cannot reasonably obtain an acceptable form of photo identification, the supporting form of identification presented in connection with a Reasonable Impediment Declaration) but whose identity cannot be verified by the identification presented, as determined by the polling place official per Section 63.001(d) of the Code..
- A voter who has received a disability exemption under 13.002(i) of the Code, but does not have or otherwise fails to present the voter’s voter registration certificate at the polling place indicating such exemption, or a voter who is eligible for a disability exemption under 13.002(i) of the Code, but has not yet submitted the documentation required to receive a disability exemption under 13.002(i) of the Code.

- A voter who claims to be properly registered and eligible to vote at the election precinct where the voter presents himself or herself to vote, but the voter's name does not appear on the precinct list of registered voters and the voter does not present a voter registration certificate indicating that the voter is currently registered as described in Section 63.006 of the Code.
 - **NOTE:** If the provisional voter indicates he or she is registered, the election officer must ask the person if they registered at DPS. If the person states they did register at DPS, the election officer must ask the person if he or she knows the approximate date that the person went to DPS. The election officer must then note that the voter went to DPS and, if the person knows, the approximate date the person went to DPS, on the Provisional Ballot Affidavit Envelope in the "Other" line.
- A voter who has applied for a ballot by mail, but has not yet cancelled the mail ballot application with the early voting clerk at the main early voting location or cancelled the mail application by returning the ballot to be voted by mail to the election judge at the voter's election day precinct polling place.
- A voter who votes during the polling hours that are extended by a state or federal court.
- A voter who is registered to vote but attempting to vote in a precinct other than the one in which the voter is registered.
- A voter who is on the election precinct list of registered voters, but whose registered residence address is outside the political subdivision in which the voter is presenting himself or herself to vote.
- Other: _____ (with an explanation). [*See, e.g.,* Sec. 63.011; 1 T.A.C. §§81.172—81.176; Texas Water Code § 49.1025]

Q. Who makes the determination if an individual is qualified to vote provisionally?

- A. A worker CANNOT deny a voter the right to vote a provisional ballot. However, an election judge may determine that a voter is eligible to cast a provisional ballot, and immediately inform the voter of that right.

In order to vote provisionally, the voter must complete and sign an "Affidavit of Provisional Voter," a form which will also serve as a voter registration application in the event the voter is not registered or as an update to the voter's registration record in the event the information is different.

Q. Are there cases when a provisional ballot will not be counted? When is a voter notified?

- A. While a provisional voter may be allowed to vote at the polling place, there are certain circumstances in which they will immediately be informed that their ballot will not be counted. For example, the election judge will notify the voter that their ballot will not be counted if:

- The voter does not present an acceptable form of photo identification, or, if the voter does not possess and cannot reasonably obtain an acceptable form of photo identification, the voter does not execute a Reasonable Impediment Declaration and present one of the acceptable forms of supporting identification, or submit one of the temporary forms (religious objection or natural disaster exemption), or submit the paperwork required to obtain a permanent disability exemption, to the county voter registrar within 6 calendar days from election day, or
- the ballot is cast at a precinct in which the voter is not registered (regardless of whether the voter is registered in another precinct in the same political subdivision).

Q. If a voter applied for a ballot by mail, may the voter vote provisionally at the election day precinct polling place without returning the mail ballot to the election judge?

- A. Yes. A voter who appears on the list of registered voters as having applied for and/or received a ballot by mail may go to the polling place and vote. If the voter does not have the ballot to return to the judge, he will have to vote a provisional ballot. If the mail ballot does not arrive at the ballot board before the provisional ballot, the provisional ballot will be counted. If the mail ballot does arrive at the ballot board before the provisional ballot, the mail ballot will be counted. [Sec. 63.011].

Q. How are provisional ballots reviewed and handled?

- A. At the polling place, the election judge provides the provisional voter written notice informing the voter that they will be notified within 10 days after the local canvass as to whether or not their ballot was counted and, if not, why it was not counted. The notice also includes instructions and additional details regarding the provisional voting process.

The voter's eligibility to vote is reviewed by the voter registrar and the early voting ballot board must complete the processing and counting, where applicable, of the provisional ballots. Notice must be delivered to provisional voters regarding whether their ballot was counted, noting a reason, if their ballot was not counted.

Q. How is the secrecy of the ballot preserved?

- A. The voter places the voted provisional ballot in a plain white ballot secrecy envelope which is placed inside the Provisional Affidavit Ballot Envelope. Provisional ballots are placed either in a designated, secure container or Ballot Box No. 4 until the voter registrar and early voting ballot board complete their review. The transfer and tabulation of these ballots are handled with the same care, secrecy, and security as other ballots and voting system equipment. Note: If the voter is casting an electronic provisional ballot, the voter completes the affidavit on the provisional envelope but does not include a ballot.

Q. What is the deadline for reviewing provisional affidavits?

- A. The early voting ballot board must complete the processing and counting, where applicable, of the provisional ballots by the ninth day after the election (13th day after election day in the general election for state and county officers). Notice must be delivered to provisional voters regarding whether their ballot was counted, noting a reason, if their ballot was not counted. This notice must be delivered no later than the 10th day after the local canvass. [Sec. 65.051, T.A.C. §§ 81.172-81.174, 81.176]

USING ENGLISH AND INTERPRETERS:

All election officials, while performing their duties at the polling place, must use English, except when helping a voter who does not understand English. [Sec. 61.031(a)].

Q. What is an interpreter and when is one used?

- A. 1. If a voter cannot communicate in English, an election official may communicate with the voter in a language both the election official and the voter (or the voter's interpreter) understands. [Sec. 61.031(b)].
2. The voter may also select an interpreter to communicate with the election officer(s) attending to the voter in a language that is not English, regardless of whether the election officer who attempts to communicate with the voter understands or does not understand the language used by the voter, as long as the interpreter meets the qualifications in paragraphs 3 and 4 below. [Sec. 61.032; Docket Nos. 60, 66]
3. Upon taking the oath of interpreter, any person selected by the voter other than the voter's employer, an agent of the voter's employer, or an officer or agent of the voter's labor union, may act as an interpreter for one or more voters. [Sec. 61.035; Docket Nos. 60, 66]
4. The interpreter may be a person provided by the authority conducting the election. However, even if an interpreter is provided, a voter may use his own interpreter. [Sec. 61.032].
5. The interpreter may also accompany the voter to the voting station for the purpose of translating the ballot to the voter. [Sec. 61.034].
6. A watcher may request and receive an English translation of a language spoken other than English between an election official and a voter. [Sec. 61.036].

CASTING THE BALLOT:

Q. If voters make a mistake marking their ballot, can they start over?

- A. Yes, however, there is a limit to how many times a voter may attempt to cast a ballot. Voters who make mistakes while marking their paper or optical scan ballots may take the spoiled ballot to an election official and exchange it for a new ballot. A voter may only receive up to two replacement ballots (the original ballot, plus two replacement ballots yields a total of **three possible ballots per voter**). [Sec. 64.007(a) & (b)].

Q: If a voter is voting provisionally on paper or optical scan ballot, does he or she use the same type of ballot as a regular voter?

- A: Yes, but the election officials may have a few ballots pre-stamped "provisional" in a separate stack from regular ballots. The following steps must occur:
- (1) the voter votes the ballot;

- (2) seals the ballot in the ballot secrecy envelope;
- (3) seals the privacy envelope in the provisional ballot affidavit envelope; and
- (4) casts the ballot in the regular ballot box or other designated secured container as directed by the election officials.

NOTE: Some electronic voting systems allow the voter to cast a provisional ballot directly on the machine.

Q. If a voter leaves a voted ballot in the voting station or elsewhere in the polling place rather than putting it in the ballot box, or if a voter voting on an electronic voting system leaves without finally casting his or her ballot, is the ballot counted?

A. No. The ballot cast by a “fleeing” voter is not cast. The judge should treat it as a cancelled ballot. [65.010(a)(4)] On an electronic voting system, the ballot is cancelled.

RECOUNT WATCHER

Similarly to a poll watcher, a recount watcher (formerly termed a representative) is a person appointed to observe the conduct of the recount on behalf of:

- a candidate,
- a political party, or
- the proponents or opponents of a measure (specific-purpose political action committees). [Sec. 213.013].

RECOUNT WATCHER QUALIFICATIONS

Unlike a poll watcher, a recount watcher is not required to meet any particular qualifications to serve. The recount watcher is not required to be a registered voter of the territory in which the election was held. The recount watcher does not have age or citizenship requirements. Public officials are not prohibited from serving as recount watchers, nor is the recount watcher’s eligibility affected by the familial relationship of a watcher to a person serving on the recount committee.

PERMITTED NUMBER OF RECOUNT WATCHERS

As the recount is conducted, each authority eligible to appoint a recount watcher is permitted to have watchers present in a number corresponding to the number of counting teams designated for the recount; however, if there is a single counting team, two recount watchers may be present. [Sec. 213.013(b)].

RECOUNT WATCHER APPOINTMENT

The watcher must deliver a certificate of appointment to the recount chair at the time the watcher reports for service. The certificate must be in writing and must contain:

- (1) the printed name and the signature of the recount watcher;
- (2) the election subject to the recount;
- (3) the time and place of the recount;
- (4) the measure, candidate, or political party being represented;
- (5) the signature and the printed name of the person making the appointment; and

- (6) an indication of the capacity in which the appointing authority is acting.
[Sec. 213.013(f)].

NOTE: No one entitled to be present at a recount may be in possession of a device capable of recording images or sound, unless the person agrees to disable or deactivate the device while present at the recount. [Sec. 213.013(i)].

The officially prescribed recount watcher appointment form may be found at this link:
<http://www.sos.state.tx.us/elections/forms/pol-sub/14-2f.pdf>

A recount watcher who submits a valid appointment form to the recount chair must be admitted to the recount unless the specific authority's maximum number of watchers have already been accepted. [Sec. 213.013(e)].

RECOUNT WATCHER'S DUTIES

Similarly to a poll watcher, a recount watcher is entitled to observe any activity conducted in connection with the recount. Watchers are entitled to stand or sit conveniently near the officers engaged in the observed activity or near the officers counting or processing the ballots to verify that they are being counted correctly. Rules on the watcher's rights, duties, and privileges are otherwise the same as for a poll watcher to the extent applicable. [Sec. 213.013(h)].

Recount watchers may also be present in the same numbers prescribed under Section 213.013(b) to observe the printing of ballot images cast on direct recording electronic voting systems prior to the recount. [Sec. 213.016].

CONCLUSION

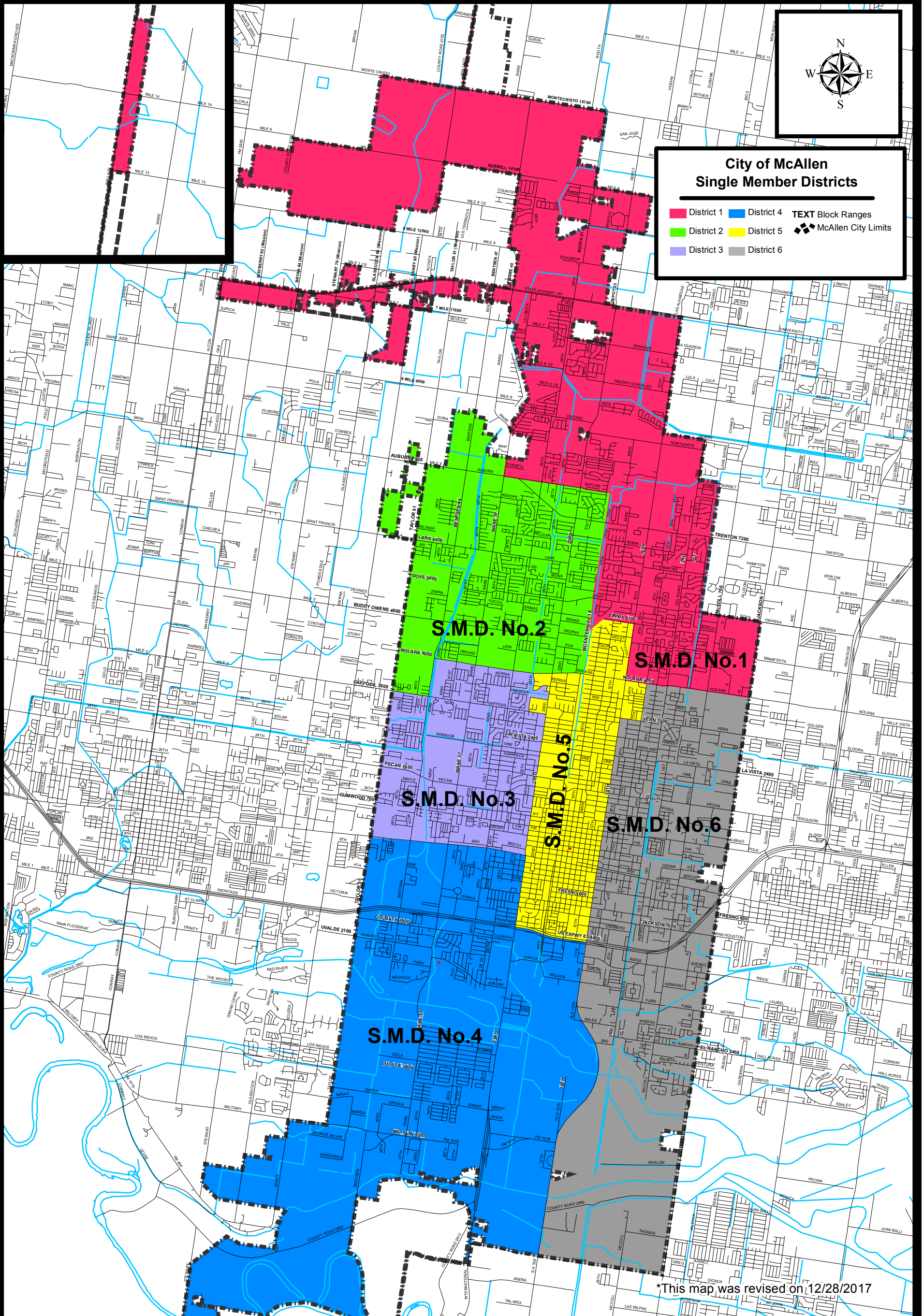
As a poll watcher or a recount watcher, you are entitled to observe the conduct of the election at the location to which you are assigned or the activities at a recount. You must keep in mind your responsibility to ensure the fair conduct of elections. Please remember, however, that the presiding officers are responsible for maintaining control and order. You should establish a cooperative relationship with these presiding officers and work with them to ensure that the voting process works smoothly. **Remember that you are not allowed to address voters directly.**

If any questions arise during your service that the presiding officer cannot answer or you question the accuracy of the information provided, you may call the Elections Division at our toll-free number, 1-800-252-VOTE(8683). The Elections Division is open Monday through Friday from 8:00 a.m. to 5:00 p.m., and during all uniform election dates from before the polls open until after they close. If you desire to learn more about the election process, please call our office to request one of our handbooks for election day officials and the early voting ballot board or our detailed recount procedures. You may also wish to review our online poll worker training at <https://pollworkertraining.sos.texas.gov>.

Thank you for your participation in the election process!

City of McAllen

Single Member Districts



TEXAS ETHICS COMMISSION

PERSONAL FINANCIAL STATEMENT

FORM PFS - INSTRUCTION GUIDE



Revised January 31, 2020

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

PERSONAL FINANCIAL STATEMENT

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GENERAL INSTRUCTIONS

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

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

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

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

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

WHO IS REQUIRED TO FILE?

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

- Appointed officers of executive branch state agencies;
- Executive heads of state agencies;
- Board members and executive heads of river authorities;
- Officeholders in and candidates for the following offices:
 1. Member of the Texas Legislature;
 2. Statewide elected officer;
 3. Justice of a court of appeals;
 4. District judge;
 5. District or criminal district attorney; and
 6. Member of the State Board of Education;

- Former or retired judges sitting by assignment;¹ and
- State chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

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

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

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

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

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

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

COMPLETING THE FORM

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

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

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

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

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

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

Complete Form PFS by using one of the following methods:

1. PFS Online Electronic Filing Application: Go to www.ethics.state.tx.us/filinginfo/pfs/ to file the PFS electronically with the Commission; or
2. Blank Fillable Form PFS and Instructions: Complete either Form PFS-TEC (for individuals who file with the Commission) on your computer by going to www.ethics.state.tx.us/forms/pfs/pfsfrm-TEC.php or Form PFS-LOCAL (for individuals who file with a local filling authority) on your computer by going to www.ethics.state.tx.us/forms/pfs/pfsfrm-LOC.php to access a fillable Form PFS without using the PFS filing application. The PFS Instructions are also available on this

webpage. Once you complete the applicable form, you must print it out, sign it, have it notarized, and deliver it to the proper filing authority; or

3. Paper Form PFS and Instructions: Complete either the Form PFS-TEC (for individuals who file with the Commission) by going to www.ethics.state.tx.us/forms/pfs/pfsfrm-TEC.php or the Form PFS-LOCAL (for individuals who file with a local filing authority) by going to www.ethics.state.tx.us/forms/pfs/pfsfrm-LOC.php to access the applicable paper Form PFS. The PFS Instructions are also available on this webpage. Once you print and complete the applicable form, you must sign it, have it notarized, and deliver it to the proper filing authority.

WHAT NOT TO INCLUDE

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

PERIOD COVERED

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

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

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

SUBSTITUTION OF FORMS

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

FILING DEADLINES

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

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

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

TIMELY FILINGS

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

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

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

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

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

EXTENSION OF THE APRIL 30TH DEADLINE

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

LATE FILING PENALTY

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

CHANGES IN INFORMATION

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

RECORDS RETENTION

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

COMPLETING FORM PFS

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

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

COVER SHEET PAGE 1

1. Name: List your name.

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

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

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

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

Form PFS-LOCAL:

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

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

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

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

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

Form PFS-TEC:

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

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

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

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

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

Note: "State agency" is defined as:

- (A) a department, commission, board, office, or other agency that:
 - (i) is in the executive branch of state government;
 - (ii) has authority that is not limited to a geographical portion of the state; and
 - (iii) was created by the Texas Constitution or a statute of this state;

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

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

[Gov't Code § 572.002\(10\)](#).

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

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

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

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

5. Names of Family Members Whose Financial Activity You Are Reporting: In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership

interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#).

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

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

COVER SHEET PAGE 2

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

FINANCIAL ACTIVITY

In Parts 1 through 18, you will disclose information about your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#). When reporting information about a dependent child's activity in Parts 1 through 14, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet under item 5.

PART 1. SOURCES OF OCCUPATIONAL INCOME AND RETAINERS

PART 1A. SOURCES OF OCCUPATIONAL INCOME

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

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

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

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

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

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

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

PART 1B. RETAINERS

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

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

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

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

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

- 1. Fee Received from:** Provide the name and address of the individual or entity from whom the fee was received.
 - 2. Fee Received by:** Check the appropriate box indicating whether the fee was received by you, your spouse, or a dependent child. If the fee was received by a business, provide the name of the business.
 - 3. Fee Amount:** Check the appropriate fee category for the amount received.
-

PART 2. STOCK

This section is for information about business entities in which you, your spouse, or a dependent child held or acquired stock. Complete a separate block for each entity in which stock was held or acquired. If stocks are held in a managed investment account for which the filer does not make investment decisions but where the filer retains ownership of the individual stocks in the account, the filer is still required to disclose the individual stocks held in the account. *See Ethics Advisory Opinion No. 326.* However, if the stocks are held in a fund, of which the filer owns shares of the fund, the filer is required to report only the ownership of the fund (see Part 4, Mutual Funds). *Id.* If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

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

PART 3. BONDS, NOTES, AND OTHER COMMERCIAL PAPER

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

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

1. Description of Instrument: Briefly describe the instrument.

Commercial Paper. Commercial paper includes any type of negotiable instrument, such as certificates of deposit (CDs), money market certificates, treasury bills, or bills of exchange.

2. Held or Acquired by: Check the appropriate box indicating whether the instrument was held or acquired by you, your spouse, or a dependent child.

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

PART 4. MUTUAL FUNDS

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

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

1. Mutual Fund: Enter the name of the mutual fund in which shares were held or acquired.

2. Shares of Mutual Funds Held or Acquired by: Check the appropriate box indicating whether the shares in the mutual fund were held or acquired by you, your spouse, or a dependent child.

3. Number of Shares of Mutual Fund: If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.

4. If Sold: Complete this section if you sold any of the indicated shares of the mutual fund during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving shares of the mutual fund, indicate the net gain or net loss resulting from those transactions. You do not have to show the net gain or net loss from each sale of shares of the mutual fund.

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

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

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

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

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

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

PART 6. PERSONAL NOTES AND LEASE AGREEMENTS

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

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

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

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

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

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

PART 7. INTERESTS IN REAL PROPERTY AND BUSINESS ENTITIES

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

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

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

PART 7A. INTERESTS IN REAL PROPERTY

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

- 1. Held or Acquired by:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.
- 2. Street Address:** Enter the street address of the real property, if applicable, and include the city, county, and state where the real property is located.

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

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

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

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

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

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

PART 7B. INTERESTS IN BUSINESS ENTITIES

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

- 1. Held or Acquired by:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.
- 2. Description:** Provide the name and address of the business entity.

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

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

PART 8. GIFTS

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

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

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

- 1. Donor:** Provide the name and address of the person or organization giving the gift.
- 2. Recipient:** Check the appropriate box indicating whether the gift was given to you, your spouse, or a dependent child. *If the gift was given to more than one person, check as many boxes as apply.*
- 3. Description:** Describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift.

PART 9. TRUST INCOME

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

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

- 1. Source:** Provide the name of the trust.
- 2. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.

3. Income: Check the appropriate monetary category to indicate the amount of income received by the beneficiary.

4. Assets: Identify each asset of the trust from which more than \$500 in income was received, *if you know the identity of the asset*. Accordingly, you are not required to identify the assets of a blind trust.

PART 10. BLIND TRUSTS

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

PART 10A. BLIND TRUSTS

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

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

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

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

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

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

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

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

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

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

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

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

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

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

PART 10B. TRUSTEE STATEMENT

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

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

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

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

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

4. Trustee Statement: Signature of the trustee.

PART 11. OWNERSHIP, ASSETS, AND LIABILITIES OF BUSINESS ASSOCIATIONS

PART 11A. OWNERSHIP OF BUSINESS ASSOCIATIONS

Part 11A is required for a PFS due on or after January 8, 2019.

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11A is separate from Part 11B and Part 11C of the PFS. If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet.

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

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

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

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

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

PART 11B. ASSETS OF BUSINESS ASSOCIATIONS

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

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

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

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

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

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

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

PART 11C. LIABILITIES OF BUSINESS ASSOCIATIONS

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

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

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

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

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

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

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

PART 12. BOARDS AND EXECUTIVE POSITIONS

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

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

Compensated Service. If you, your spouse, or a dependent child received payment for positions listed in this section, you may also be required to list the entity under PART 1A. **SOURCES OF OCCUPATIONAL INCOME.**

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

- 1. Organization:** Provide the name of the organization.
 - 2. Position Held:** Provide the position held in the organization.
 - 3. Position Held by:** Check the appropriate box to indicate whether the position is held by you, your spouse, or a dependent child.
-

PART 13. EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

Generally, [section 36.07](#) of the Penal Code prohibits a public servant from accepting an honorarium in consideration for providing services he or she would not have been asked to provide but for his or her official position. The provision does not, however, prohibit the acceptance of necessary transportation, lodging, or meals in connection with a conference or similar event at which the public servant renders services, such as addressing an audience or participating in a seminar, that are more than merely perfunctory. If someone provided you with transportation, meals, or lodging under this provision, identify the donor and provide the amount of expenditures made. You may have to contact the donor to obtain the amount. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Political Contributions and Lobby Expenditures. You are not required to list items you or another candidate have already reported on a campaign finance report or items required to be reported by a lobbyist as lobby expenditures. See [Ethics Advisory Opinion No. 401](#).

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

- 1. Provider:** Provide the name and address of the person making the expenditures.

2. Amount: Provide the amount of the expenditures.

PART 14. INTEREST IN BUSINESS IN COMMON WITH A LOBBYIST

Complete this section by identifying any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly held corporation, in which both you, your spouse, or a dependent child, and a person registered as a lobbyist under [chapter 305](#) of the Government Code, have an interest. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Interest. Please note that the statute applies if you, your spouse, or a dependent child, and a lobbyist both have “an interest” in the business. The interest does not have to be a “substantial interest” as in Part 1B in order to trigger the reporting requirement. Please note that for purposes of this section, a person who is an employee of a business entity is considered to have an interest in that business entity.

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

1. Business Entity: Provide the name and address of the partnership, joint venture, or other business association in which you, your spouse, or a dependent child, and a person registered as a lobbyist have an interest.

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

2. Interest Held by: Check the appropriate box to indicate whether you, your spouse, or a dependent child have an interest with a person registered as a lobbyist.

PART 15. FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST’S EMPLOYER

If you received a fee for providing services to or on behalf of a person required to be registered as a lobbyist under [chapter 305](#), Government Code, or for providing services to or on behalf of a person you *actually know* directly compensates or reimburses such a person, you must complete this section by providing the name of the person for whom you provided the services and the category of the amount of the fee you received. You are not required to disclose in this section fees received by your spouse for services rendered by your spouse although such fees may be required to be disclosed in Section 1. See [Ethics Advisory Opinion No. 252](#). You are not required to disclose fees received from a business entity by which you are employed unless the business entity is merely an alter ego of the state officer. See [Ethics Advisory Opinion No. 333](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Actual Knowledge. You “actually” know that someone directly compensates or reimburses a person required to be registered as a lobbyist if you personally know that the person does so or you could readily determine that fact by contacting the person or the Texas Ethics Commission. See [Ethics Advisory Opinion No. 333](#) (1996).

Disclosing Confidential Information. State officers who are physicians are not required to include on their financial disclosure reports a patient's identity because that information is made confidential by the Medical Practices Act. See [Ethics Advisory Opinion No. 21](#). The commission has declined to extend this exception to accountants who would be reporting information regulated by the Public Accountancy Act. See [Ethics Advisory Opinion No. 22](#) (Public Accountancy Act does not make a client's identity confidential and therefore does not conflict with financial disclosure requirements). The commission has also indicated that this exception would not be extended to attorneys in cases where disclosing a client's identity would not reveal a confidential communication. See *id.*

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

- 1. Person or Entity for Whom Services Were Provided:** Provide the name of the person or entity.
 - 2. Fee Category:** Check the appropriate fee category for the amount received.
-

PART 16. REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

This section applies only to members of the Texas Legislature. If you represented a person *for compensation* before a state agency in the executive branch, you must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. State Agency:** Provide the name of the state agency.
- 2. Person Represented:** Provide the name of the person you represented.
- 3. Fee Category:** Check the appropriate fee category for the amount received.

NOTE: Legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if:

1. the representation is pursuant to an attorney/client relationship in a criminal law matter;
2. the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or
3. the representation is in regard to a matter for which the legislator was hired before September 1, 2003.

PART 17. BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

Section 36.10 of the Penal Code provides that the gift prohibitions set out in Section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under [chapter 572](#), Government Code, or [title 15](#) of the Election Code, if: 1) the benefit and the source of any benefit over \$50 in value are reported in the statement; and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office that are non-reimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Source of Benefit:** Provide the name and address of the person or entity that is the source of the benefit.
- 2. Benefit:** Describe the benefit received.

PART 18. LEGISLATIVE CONTINUANCES

This section applies only to members of the Texas Legislature. Complete this schedule if you are a member or member-elect of the legislature licensed to practice law and represent a party to a civil or criminal case for compensation and on behalf of that party's behalf you have applied for or obtained a legislative continuance under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant a continuance on the grounds that an attorney for a party is a member or member-elect of the legislature. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Name of Party Represented:** Provide the name of the party on whose behalf you applied for or obtained a continuance.
- 2. Date Retained:** Provide the date on which you were retained to represent the party.
- 3. Style, Cause Number, Court, and Jurisdiction:** Provide the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought.
- 4. Date of Continuance Application:** Provide the date on which you applied for a continuance.
- 5. Was Continuance Granted:** Indicate whether the continuance was granted.

PART 19. CONTRACTS TO SELL GOODS OR SERVICES TO A GOVERNMENTAL ENTITY OR GOVERNMENTAL ENTITY CONTRACTOR

Part 19 is required for a PFS due on or after January 8, 2019.

You must complete this part if, during the calendar year:

(1) You, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, was a party to one or more written contracts, **AND**

(2) All of the following apply to the contracts:

(A) The contracts were for the sale of goods or services in the amount of \$2,500 or more.

(B) The aggregate cost of the goods or services under the contracts exceeds \$10,000 in the calendar year.

(C) The contracts were with either:

- a governmental entity, or
- a person who contracts with a governmental entity, if the individual or entity described in (1) performed work arising out of the contract, subcontract, or agreement for a fee.

If this part applies, you must provide the following information for each of the contracts.

NOTE: This part does not require the disclosure of an employment contract between a school district or open-enrollment charter school and an employee of the district or school. This part does not apply to an individual who complies with any applicable requirements of Sections 51.954 (relating to disclosure of sponsors of research in public communications) and 51.955 (Prohibited State Agency Actions Related to Disclosure of Publicly Funded Research), Education Code, and Section 2252.908 of the Government Code (Disclosure of Interested Parties), in an individual capacity or as a member or employee or an entity to which those sections apply.

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

1. Filer Parties: Check the appropriate boxes to indicate whether you, your spouse, or a dependent child were a party to the contract. If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, that entity is identified in Box 3 (see below, at “3. Business Parties”).

2. Governmental Parties: Provide the name and address for each “Governmental Entity” or “Contractor for Governmental Entity” that is a party to the contract.

- **Governmental Entity.** A “Governmental Entity” means the State of Texas, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

If a party to the contract is a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Governmental Entity.

- **Contractor for Governmental Entity.** A “Contractor for a Governmental Entity” is a person who contracts with a Governmental Entity. This requirement applies if either you, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, performs work arising out of the contract, subcontract, or agreement between the Contractor for a Governmental Entity and the Governmental Entity for a fee.

If a party to the contract is a Contractor for a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Governmental Entity.

3. Business Parties: If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, provide the name and address of the business entity.

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

PART 20. BOND COUNSEL SERVICES PROVIDED BY A LEGISLATOR

Part 20 is required for a PFS due on or after January 8, 2019.

This section applies only to a member of the Texas Legislature who provided bond counsel services to an issuer as defined by Section 1201.002(1) of the Texas Government Code.

Please identify each issuance for which you served as bond counsel. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Issuer Name:** Provide the name of the issuer.
- 2. Issuance Date:** Provide the date of the issuance.
- 3. Issuance Amount:** Provide the amount of the issuance.
- 4. Fees Paid to Filer:** Check the appropriate fee category for the amount of fees paid to the filer.
- 5. Fees Paid to Filer’s Firm:** Check the appropriate fee category for the amount of fees paid to the filer’s firm, if applicable.

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires that the personal financial statement be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations.

PERSONAL FINANCIAL STATEMENT

FORM PFS - LOCAL

Note: A PFS filed with the Texas Ethics Commission must be filed electronically. The only exception is for individuals appointed to office. See the PFS Instruction Guide for more information.

COVER SHEET

PAGE 1

Filed in accordance with chapter 572 of the Government Code. For filings required in 2021, covering calendar year ending December 31, 2020. Use FORM PFS--INSTRUCTION GUIDE when completing this form.		TOTAL NUMBER OF PAGES FILED:		
		Filer ID		
1 NAME	TITLE; FIRST; MI	OFFICE USE ONLY		
	NICKNAME; LAST; SUFFIX			
2 ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE			Date Received
3 TELEPHONE NUMBER	AREA CODE PHONE NUMBER; EXTENSION ()			Date Hand-delivered or Date Postmarked
4 REASON FOR FILING STATEMENT	CANDIDATE _____ (INDICATE OFFICE)	Receipt #	Amount \$	
	ELECTED OFFICER _____ (INDICATE OFFICE)	Date Processed		
	OTHER _____ (INDICATE POSITION)	Date Imaged		
5	Family members whose financial activity you are reporting (see instructions).			
	SPOUSE _____			
	DEPENDENT CHILD 1. _____			
	2. _____			
	3. _____			

In Parts 1 through 20, you will disclose your financial activity during the preceding calendar year. In Parts 1 through 14 and 20, you are required to disclose not only your own financial activity, but also that of your spouse or a dependent child (see instructions).

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

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

6 PARTS NOT APPLICABLE TO FILER

- N/A Part 1A - Sources of Occupational Income
- N/A Part 1B - Retainers
- N/A Part 2 - Stock
- N/A Part 3 - Bonds, Notes & Other Commercial Paper
- N/A Part 4 - Mutual Funds
- N/A Part 5 - Income from Interest, Dividends, Royalties & Rents
- N/A Part 6 - Personal Notes and Lease Agreements
- N/A Part 7A - Interests in Real Property
- N/A Part 7B - Interests in Business Entities
- N/A Part 8 - Gifts
- N/A Part 9 - Trust Income
- N/A Part 10A - Blind Trusts
- N/A Part 10B - Trustee Statement
- N/A Part 11A - Ownership of Business Associations
- N/A Part 11B - Assets of Business Associations
- N/A Part 11C - Liabilities of Business Associations
- N/A Part 12 - Boards and Executive Positions
- N/A Part 13 - Expenses Accepted Under Honorarium Exception
- N/A Part 14 - Interest in Business in Common with Lobbyist
- N/A Part 15 - Fees Received for Services Rendered to a Lobbyist or Lobbyist's Employer
- N/A Part 16 - Representation by Legislator Before State Agency
- N/A Part 17 - Benefits Derived from Functions Honoring Public Servant
- N/A Part 18 - Legislative Continuances
- N/A Part 19 - Contracts with Governmental Entity
- N/A Part 20 - Bond Counsel Services Provided by a Legislator

SOURCES OF OCCUPATIONAL INCOME

PART 1A

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

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

1 INFORMATION RELATES TO	FILER SPOUSE DEPENDENT CHILD _____
2 EMPLOYMENT EMPLOYED BY ANOTHER ----- SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION
INFORMATION RELATES TO	FILER SPOUSE DEPENDENT CHILD _____
EMPLOYMENT EMPLOYED BY ANOTHER ----- SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION
INFORMATION RELATES TO	FILER SPOUSE DEPENDENT CHILD _____
EMPLOYMENT EMPLOYED BY ANOTHER ----- SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

RETAINERS

PART 1B

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

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

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

1 FEE RECEIVED FROM	NAME AND ADDRESS
2 FEE RECEIVED BY	NAME OF BUSINESS FILER OR FILER'S BUSINESS _____ SPOUSE OR SPOUSE'S BUSINESS _____ DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
3 FEE AMOUNT	LESS THAN \$8,930 \$8,930 - \$17,859 \$17,860 - \$44,629 \$44,630 OR MORE

FEE RECEIVED FROM	NAME AND ADDRESS
FEE RECEIVED BY	NAME OF BUSINESS FILER OR FILER'S BUSINESS _____ SPOUSE OR SPOUSE'S BUSINESS _____ DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
FEE AMOUNT	LESS THAN \$8,930 \$8,930 - \$17,859 \$17,860 - \$44,629 \$44,630 OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

STOCK

PART 2

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

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

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

1 BUSINESS ENTITY	NAME			
2 STOCK HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
3 NUMBER OF SHARES	LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
	5,000 TO 9,999	10,000 OR MORE		
4 IF SOLD	NET GAIN			
	NET LOSS	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629
			\$44,630 OR MORE	

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
NUMBER OF SHARES	LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
	5,000 TO 9,999	10,000 OR MORE		
IF SOLD	NET GAIN			
	NET LOSS	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629
			\$44,630 OR MORE	

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
NUMBER OF SHARES	LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
	5,000 TO 9,999	10,000 OR MORE		
IF SOLD	NET GAIN			
	NET LOSS	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629
			\$44,630 OR MORE	

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	FILER	SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
	5,000 TO 9,999	10,000 OR MORE		
IF SOLD	NET GAIN			
	NET LOSS	LESS THAN \$8,930	<input type="checkbox"/> \$8,930 - \$17,859	<input type="checkbox"/> \$17,860 - \$44,629
			\$44,630 OR MORE	

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
NUMBER OF SHARES	LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
	5,000 TO 9,999	10,000 OR MORE		
IF SOLD	NET GAIN			
	NET LOSS	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629
			\$44,630 OR MORE	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BONDS, NOTES & OTHER COMMERCIAL PAPER

PART 3

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

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

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

1 DESCRIPTION OF INSTRUMENT				
2 HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
3 IF SOLD				
NET GAIN	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
NET LOSS				

DESCRIPTION OF INSTRUMENT				
HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
IF SOLD				
NET GAIN	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
NET LOSS				

DESCRIPTION OF INSTRUMENT				
HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
IF SOLD				
NET GAIN	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
NET LOSS				

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

MUTUAL FUNDS

PART 4

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

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

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

1 MUTUAL FUND		NAME			
2 SHARES OF MUTUAL FUND HELD OR ACQUIRED BY		FILER	SPOUSE	DEPENDENT CHILD _____	
3 NUMBER OF SHARES OF MUTUAL FUND		LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
		5,000 TO 9,999	10,000 OR MORE		
4 IF SOLD	NET GAIN	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
	NET LOSS				

MUTUAL FUND		NAME			
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY		FILER	SPOUSE	DEPENDENT CHILD _____	
NUMBER OF SHARES OF MUTUAL FUND		LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
		5,000 TO 9,999	10,000 OR MORE		
IF SOLD	NET GAIN	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
	NET LOSS				

MUTUAL FUND		NAME			
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY		FILER	SPOUSE	DEPENDENT CHILD _____	
NUMBER OF SHARES OF MUTUAL FUND		LESS THAN 100	100 TO 499	500 TO 999	1,000 TO 4,999
		5,000 TO 9,999	10,000 OR MORE		
IF SOLD	NET GAIN	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
	NET LOSS				

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INCOME FROM INTEREST, DIVIDENDS, ROYALTIES & RENTS

PART 5

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

List each source of income you, your spouse, or a dependent child received *in excess of \$900* that was derived from interest, dividends, royalties, and rents during the calendar year and indicate the category of the amount of the income. For more information, see FORM PFS--INSTRUCTION GUIDE.

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

¹ SOURCE OF INCOME Publicly held corporation	NAME AND ADDRESS			
² RECEIVED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
³ AMOUNT	\$900 - \$8,929	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

SOURCE OF INCOME Publicly held corporation	NAME AND ADDRESS			
RECEIVED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
AMOUNT	\$900 - \$8,929	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

SOURCE OF INCOME Publicly held corporation	NAME AND ADDRESS			
RECEIVED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
AMOUNT	\$900 - \$8,929	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL NOTES AND LEASE AGREEMENTS

PART 6

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

Identify each guarantor of a loan and each person or financial institution to whom you, your spouse, or a dependent child had a total financial liability of *more than \$1,790* in the form of a personal note or notes or lease agreement at any time during the calendar year and indicate the category of the amount of the liability. For more information, see FORM PFS--INSTRUCTION GUIDE.

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

¹ PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT				
² LIABILITY OF	FILER	SPOUSE	DEPENDENT CHILD _____	
³ GUARANTOR				
⁴ AMOUNT	\$1,790 - \$8,929	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT				
LIABILITY OF	FILER	SPOUSE	DEPENDENT CHILD _____	
GUARANTOR				
AMOUNT	\$1,790 - \$8,929	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT				
LIABILITY OF	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
GUARANTOR				
AMOUNT	\$1,790 - \$8,929	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN REAL PROPERTY

PART 7A

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

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

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

1 HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
2 STREET ADDRESS NOT AVAILABLE	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE			
3 DESCRIPTION LOTS ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED			
4 NAMES OF PERSONS RETAINING AN INTEREST NOT APPLICABLE (SEVERED MINERAL INTEREST)				
5 IF SOLD NET GAIN NET LOSS	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
STREET ADDRESS NOT AVAILABLE	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE			
DESCRIPTION LOTS ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED			
NAMES OF PERSONS RETAINING AN INTEREST NOT APPLICABLE (SEVERED MINERAL INTEREST)				
IF SOLD NET GAIN NET LOSS	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN BUSINESS ENTITIES

PART 7B

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

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

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

¹ HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
	NAME AND ADDRESS			
² DESCRIPTION				
³ IF SOLD	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
	NET GAIN			
NET LOSS				

HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
NAME AND ADDRESS				
DESCRIPTION				
IF SOLD	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
NET GAIN				
NET LOSS				

HELD OR ACQUIRED BY	FILER	SPOUSE	DEPENDENT CHILD _____	
NAME AND ADDRESS				
DESCRIPTION				
IF SOLD	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
NET GAIN				
NET LOSS				

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

GIFTS

PART 8

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

Identify any person or organization that has given a gift *worth more than \$450* to you, your spouse, or a dependent child, and describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift. Do not include: 1) expenditures required to be reported by a person required to be registered as a lobbyist under chapter 305 of the Government Code; 2) political contributions reported as required by law; or 3) gifts given by a person related to the recipient within the second degree by consanguinity or affinity. For more information, see FORM PFS--INSTRUCTION GUIDE.

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

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

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

TRUST INCOME

PART 9

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

Identify each source of income received by you, your spouse, or a dependent child as beneficiary of a trust and indicate the category of the amount of income received. Also identify each asset of the trust from which the beneficiary received *more than \$900*, if the identity of the asset is known. For more information, see FORM PFS--INSTRUCTION GUIDE.

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

¹ SOURCE	NAME OF TRUST			
² BENEFICIARY	FILER	SPOUSE	DEPENDENT CHILD _____	
³ INCOME	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
⁴ ASSETS FROM WHICH OVER \$900 WAS RECEIVED UNKNOWN				

SOURCE	NAME OF TRUST			
BENEFICIARY	FILER	SPOUSE	DEPENDENT CHILD _____	
INCOME	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
ASSETS FROM WHICH OVER \$900 WAS RECEIVED UNKNOWN				

SOURCE	NAME OF TRUST			
BENEFICIARY	FILER	SPOUSE	DEPENDENT CHILD _____	
INCOME	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
ASSETS FROM WHICH OVER \$900 WAS RECEIVED UNKNOWN				

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BLIND TRUSTS

PART 10A

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

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

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

1	NAME OF TRUST				
2	TRUSTEE	NAME AND ADDRESS			
3	BENEFICIARY	FILER	SPOUSE	DEPENDENT CHILD _____	
4	FAIR MARKET VALUE	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
5	DATE CREATED				

	NAME OF TRUST				
	TRUSTEE	NAME AND ADDRESS			
	BENEFICIARY	FILER	SPOUSE	DEPENDENT CHILD _____	
	FAIR MARKET VALUE	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
	DATE CREATED				

	NAME OF TRUST				
	TRUSTEE	NAME AND ADDRESS			
	BENEFICIARY	FILER	SPOUSE	DEPENDENT CHILD _____	
	FAIR MARKET VALUE	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
	DATE CREATED				

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

TRUSTEE STATEMENT

PART 10B

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

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

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

§ 572.023. Contents of Financial Statement in General

(b) The account of financial activity consists of:

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

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

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

(B) the date the trust was created;

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

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

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

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

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

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

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

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

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

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

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

OWNERSHIP OF BUSINESS ASSOCIATIONS

PART 11A

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

Describe each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership. For more information, see FORM PFS - INSTRUCTION GUIDE.

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

1 BUSINESS ASSOCIATION	NAME AND ADDRESS		
2 BUSINESS TYPE	Corporation Firm Partnership	Limited Partnership Limited Liability Partnership Professional Corporation	Professional Association Joint Venture Other _____
3 HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	DEPENDENT CHILD _____
BUSINESS ASSOCIATION	NAME AND ADDRESS		
BUSINESS TYPE	Corporation Firm Partnership	Limited Partnership Limited Liability Partnership Professional Corporation	Professional Association Joint Venture Other _____
HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ASSOCIATION	NAME AND ADDRESS		
BUSINESS TYPE	Corporation Firm Partnership	Limited Partnership Limited Liability Partnership Professional Corporation	Professional Association Joint Venture Other _____
HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ASSOCIATION	NAME AND ADDRESS		
BUSINESS TYPE	Corporation Firm Partnership	Limited Partnership Limited Liability Partnership Professional Corporation	Professional Association Joint Venture Other _____
HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

ASSETS OF BUSINESS ASSOCIATIONS

PART 11B

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

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

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

1 BUSINESS ASSOCIATION	NAME AND ADDRESS		
2 BUSINESS TYPE			
3 HELD, ACQUIRED, OR SOLD BY	FILER	SPOUSE	DEPENDENT CHILD _____
4 ASSETS	DESCRIPTION	CATEGORY LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

LIABILITIES OF BUSINESS ASSOCIATIONS

PART 11C

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

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

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

1 BUSINESS ASSOCIATION	NAME AND ADDRESS		
2 BUSINESS TYPE			
3 HELD, ACQUIRED, OR SOLD BY	FILER	SPOUSE	DEPENDENT CHILD _____
4 LIABILITIES	DESCRIPTION	CATEGORY LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE <hr/> LESS THAN \$8,930 \$8,930--\$17,859 \$17,860--\$44,629 \$44,630 OR MORE	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BOARDS AND EXECUTIVE POSITIONS

PART 12

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

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

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

¹ ORGANIZATION			
² POSITION HELD			
³ POSITION HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

PART 13

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

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

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

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTEREST IN BUSINESS IN COMMON WITH LOBBYIST

PART 14

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

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

¹ BUSINESS ENTITY	NAME AND ADDRESS		
² INTEREST HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS		
INTEREST HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS		
INTEREST HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS		
INTEREST HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS		
INTEREST HELD BY	FILER	SPOUSE	DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

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

PART 15

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

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

¹ PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED				
² FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED				
FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED				
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FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED				
FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

PART 16

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

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

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

¹ STATE AGENCY				
² PERSON REPRESENTED				
³ FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
STATE AGENCY				
PERSON REPRESENTED				
FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
STATE AGENCY				
PERSON REPRESENTED				
FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE
STATE AGENCY				
PERSON REPRESENTED				
FEE CATEGORY	LESS THAN \$8,930	\$8,930 - \$17,859	\$17,860 - \$44,629	\$44,630 OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

PART 17

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

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

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

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

LEGISLATIVE CONTINUANCES

PART 18

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

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

1 NAME OF PARTY REPRESENTED	
2 DATE RETAINED	
3 STYLE, CAUSE NUMBER, COURT & JURISDICTION	
4 DATE OF CONTINUANCE APPLICATION	
5 WAS CONTINUANCE GRANTED?	YES NO

NAME OF PARTY REPRESENTED	
DATE RETAINED	
STYLE, CAUSE NUMBER, COURT, & JURISDICTION	
DATE OF CONTINUANCE APPLICATION	
WAS CONTINUANCE GRANTED?	YES NO

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

CONTRACTS TO SELL GOODS OR SERVICES TO A GOVERNMENTAL ENTITY OR GOVERNMENTAL ENTITY CONTRACTOR

PART 19

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

List the parties to all contracts in the amount of \$2,500 or more if the aggregate of good or services sold under all written contracts exceeds \$10,000 in which you, your spouse, or a dependent child, or any business entity of which you, your spouse, or a dependent child, independently or in conjunction with, has at least 50% ownership. For more information, see FORM PFS - INSTRUCTION GUIDE.

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

1 FILER PARTIES	<table style="width:100%; border:none;"> <tr> <td style="width:33%; text-align:center;">FILER</td> <td style="width:33%; text-align:center;">SPOUSE</td> <td style="width:33%; text-align:center;">DEPENDENT CHILD _____</td> </tr> </table>	FILER	SPOUSE	DEPENDENT CHILD _____													
FILER	SPOUSE	DEPENDENT CHILD _____															
2 GOVERNMENTAL PARTIES	<table style="width:100%; border:none;"> <tr> <td colspan="2" style="text-align:center;">NAME AND ADDRESS</td> </tr> <tr> <td style="width:50%; text-align:center;">GOVERNMENTAL ENTITY</td> <td style="width:50%; text-align:center;">CONTRACTOR FOR GOVERNMENTAL ENTITY _____</td> </tr> <tr> <td colspan="2" style="text-align:center;">-----</td> </tr> <tr> <td colspan="2" style="text-align:center;">NAME AND ADDRESS</td> </tr> <tr> <td style="text-align:center;">GOVERNMENTAL ENTITY</td> <td style="text-align:center;">CONTRACTOR FOR GOVERNMENTAL ENTITY _____</td> </tr> <tr> <td colspan="2" style="text-align:center;">-----</td> </tr> <tr> <td colspan="2" style="text-align:center;">NAME AND ADDRESS</td> </tr> <tr> <td style="text-align:center;">GOVERNMENTAL ENTITY</td> <td style="text-align:center;">CONTRACTOR FOR GOVERNMENTAL ENTITY _____</td> </tr> </table>	NAME AND ADDRESS		GOVERNMENTAL ENTITY	CONTRACTOR FOR GOVERNMENTAL ENTITY _____	-----		NAME AND ADDRESS		GOVERNMENTAL ENTITY	CONTRACTOR FOR GOVERNMENTAL ENTITY _____	-----		NAME AND ADDRESS		GOVERNMENTAL ENTITY	CONTRACTOR FOR GOVERNMENTAL ENTITY _____
NAME AND ADDRESS																	
GOVERNMENTAL ENTITY	CONTRACTOR FOR GOVERNMENTAL ENTITY _____																

NAME AND ADDRESS																	
GOVERNMENTAL ENTITY	CONTRACTOR FOR GOVERNMENTAL ENTITY _____																

NAME AND ADDRESS																	
GOVERNMENTAL ENTITY	CONTRACTOR FOR GOVERNMENTAL ENTITY _____																
3 BUSINESS PARTIES	<table style="width:100%; border:none;"> <tr> <td colspan="2" style="text-align:center;">NAME AND ADDRESS</td> </tr> <tr> <td colspan="2" style="text-align:center;">-----</td> </tr> <tr> <td colspan="2" style="text-align:center;">NAME AND ADDRESS</td> </tr> <tr> <td colspan="2" style="text-align:center;">-----</td> </tr> <tr> <td colspan="2" style="text-align:center;">NAME AND ADDRESS</td> </tr> </table>	NAME AND ADDRESS		-----		NAME AND ADDRESS		-----		NAME AND ADDRESS							
NAME AND ADDRESS																	

NAME AND ADDRESS																	

NAME AND ADDRESS																	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BOND COUNSEL G9FJ79GDFCJ8986M5 LEGISLATOR PART 20

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

Identify each issuance for which you served as bond counsel. For more information, see FORM PFS - INSTRUCTION GUIDE.

1 ISSUER NAME				
2 ISSUANCE DATE				
3 ISSUANCE AMOUNT				
4 FEES PAID TO FILER YES NO	LESS THAN \$5,000	\$5,000 - \$9,999	\$10,000 - \$24,999	\$25,000 OR MORE
5 FEES PAID TO FILER'S FIRM YES NO	NAME AND ADDRESS OF FIRM			
	LESS THAN \$5,000	\$5,000 - \$9,999	\$10,000 - \$24,999	\$25,000 OR MORE
ISSUER NAME				
ISSUANCE DATE				
ISSUANCE AMOUNT				
FEES PAID TO FILER YES NO	LESS THAN \$5,000	\$5,000 - \$9,999	\$10,000 - \$24,999	\$25,000 OR MORE
FEES PAID TO FILER'S FIRM YES NO	NAME AND ADDRESS OF FIRM			
	LESS THAN \$5,000	\$5,000 - \$9,999	\$10,000 - \$24,999	\$25,000 OR MORE
ISSUER NAME				
ISSUANCE DATE				
ISSUANCE AMOUNT				
FEES PAID TO FILER YES NO	LESS THAN \$5,000	\$5,000 - \$9,999	\$10,000 - \$24,999	\$25,000 OR MORE
FEES PAID TO FILER'S FIRM YES NO	NAME AND ADDRESS OF FIRM			
	LESS THAN \$5,000	\$5,000 - \$9,999	\$10,000 - \$24,999	\$25,000 OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

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

I swear, or affirm, under penalty of perjury, that this financial statement covers calendar year ending December 31, 2020, and is true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.

Signature of Filer

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

Signature of Registrant (Declarant)