CITY OF McALLEN

JAMES E. DARLING, Mayor
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4
SCOTT C. CRANE, Commissioner District 1
TREY PEBLEY, Commissioner District 2
JOHN J. INGRAM, Commissioner District 5
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

December 29, 2014

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 9, 2015 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 or 1(800)325-8506 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. Once again, congratulations and best wishes with your campaign!

Sincerely,

Annette Villarreal

Annette Villarreal, TRMC/CMC, CPM
City Secretary/Early Voting Clerk

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29 de diciembre de 2014

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 9 de mayo de 2015. 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 1(800)325-8506 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. ¡Nuevamente, felicidades y buena suerte en su campaña!

Atentamente,

Annette Villarreal

Annette Villarreal, 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 9, 2015 General City Election.

Exhibit "C" – Ethics Ordinance 2006-68 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 19, 2015 by 5:00 pm.

EXHIBIT "A"

CITY CHARTER

You can access the City Charter by logging into the City of McAllen web page, www.mcallen.net

RESUMEN DE MUESTRAS INCLUIDAS EN EL EXPEDIENTE PARA CANDIDATURA

Muestra "A"- Carta Constitucional de la Ciudad de McAllen (anotado). Como candidato para un puesto elegido, usted debe estar al corriente con este documento.

Muestra "B" - Fechas importantes tocante la elección que se llevara a cabo el día 9 de mayo, 2015.

Muestra "C" – Ordenanza de Éticas 2006-68 indicando requisitos para entrenamiento de oficiales elegidos que son combinados con los requisitos del estado de Texas y leyes federales relacionados al procesó de juntas públicas, archivos públicos y conflictos de interés incluyendo la revelación de tal intereses así también relacionado a contribuciones y gastos de campaña.

Muestra "D" – Una copia del guía detallando lo que respecta al Parentesco Natural o de Sangre con respecto a 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 para tal informes de 30 días y 8 días antes del día de la elección.

Muestra "G" - Una copia de la Ordenanza de la Ciudad tocante de requisitos para anuncios políticos (Capitulo 130 del Código de Ordenanzas) y la información sobre anuncios y publicidad política así conforme a 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 relación a las responsabilidades básicas conforme al Capitulo 33 del Código Electoral de Texas. (Especialmente las calificaciones, horas de servicio y observación de actividades.)

Muestra "J" – Mapa de la ciudad detallando los seis distritos de Uní Miembro.

Muestra "K" – Informe al respecto de divulgación de información financiera personal y guía de instrucción. (Personal Financial Statement [PFS]). Fecha límite de 19 de marzo, 2015. (Solo para candidatos para La Mesa Directiva de la Ciudad.)

MEMORANDUM
MEMORANDA

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

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

Subject: **Important Dates**
Asunto: ***Fechas Importantes***

****

DATE *FECHA*	**ACTION *ACCION***
January 28th	First day for filing application for a place on the ballot.
28 de enero	*Primer día para presentar solicitud para un lugar en la boleta para candidatura.*
Feb 27th	Deadline to file application for a place on the ballot. Must be received by 5:00 pm.
27 de Feb	*Fecha limite para presentar solicitud para un lugar en la boleta para candidatura. Deberá ser recibida para las 5:00 p.m.*
Feb. 27th	Last day for a write-in candidate to declare candidacy.
27 de Feb	*Fecha límite para presentar solicitud para candidatura como candidato por inscripción.*
March 3rd	Last day for a write-in candidate to withdraw candidacy.
3 de marzo	*Fecha límite para retirar solicitud para candidatura.*
March 4th	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.
4 de marzo	*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.*

March 5th	Date that Early Voting Clerk will conduct drawing for place on the ballot at City Hall, 3rd Floor – City Commission Chambers to be held at 8:30 am.
5 de marzo	*Fecha en cual la Secretaria de Votación por Adelantada conducirá el sorteo para determinar cómo aparecerán los nombres en la boleta. Dicho sorteo se efectuara a las 8:30 a.m. en el edificio del Palacio Municipal en el tercer piso en la sala de comisionados.*
March 10th	First day to accept applications for Early Voting Ballots by mail.
10 de marzo	*Primer día para aceptar solicitudes para una boleta por correspondencia.*
March 19th	Personal Financial Disclosure Report due (PFS Form).
19 de marzo	*Último día para presentar el reportaje respecto a información financiera personal. (Forma PFS)*
April 9th	5:00 pm - Last day a person may register to vote in the May 9, 2015 Election. Registration forms are available in our office; otherwise at Voter Registrar's Office in Edinburg.
9 de abril	*5:00 p.m.-Fecha limite para inscribirse para votar en la elección que se efectuará el día 9 de mayo de 2015. Dichas solicitudes están disponibles en nuestra oficina y en la oficina del registrador para votar.*
April 9th	5:00 pm-Due date for first report of Campaign Contributions and Expenditures (C/OH Form) (30th day before the election). (Opposed candidates only)*****
9 de abril	*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.**
April 27th	Early Voting by Personal Appearance begins.
27 de abril	*Comienzo de votación por adelantada en persona.*
April 30th	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.
30 de abril	*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.

May 1st — 5:00 pm - Due date for second report of Campaign Contributions and Expenditures (8th day before the election). (C/OH Form) (Opposed candidates only)*****

1 de mayo — *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.**

May 5th — Last day to vote early by personal appearance.

5 de mayo — *Fecha limite para votar por adelantado en persona.*

May 9th — ELECTION DAY!! Polls are open 7:00 am to 7:00 pm. Early Voting Clerk and Voter Registrar's Offices are open.

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

9 de mayo — *DIA 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 Registrador 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)	*Escuela Secundaria Lincoln*	*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 14 — 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.

14 de mayo — *Fecha limite para recibir sobres cual fueron enviadas por correo antes de las 7:00 p.m. en el día de elecciones departe de votantes que están fuera de los Estados Unidos.*

May 14th - Jun 1	Recommended period for Official Canvass of Returns by City Commission subject to completion of review of any provisional ballots by County Voter Registrar.
14 de mayo -1 de junio	*Fecha provisional para la escrutinacion oficial de retornos por la Mesa Directiva de la Ciudad de McAllen dependiente a la finalización del escrutinio de boletas provisionales por parte de la Registradora de Votos 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 le fue facilitado 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 it 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:

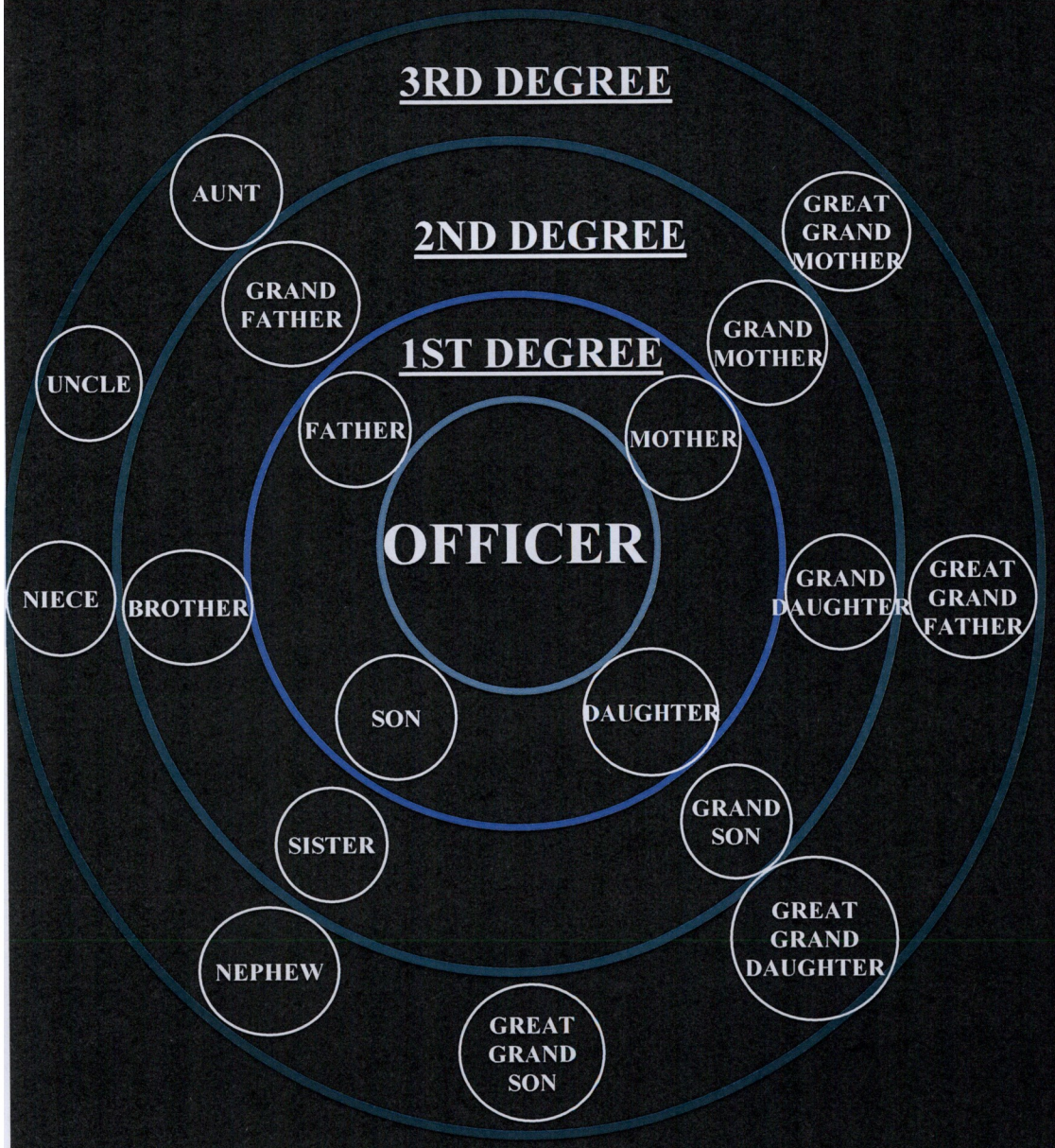
Annette Villarreal

Annette Villarreal, City Secretary

Approved as to form:

James E. Darling, City Attorney

Consanguinity Kinship Chart (Relationship by Blood)



Affinity Kinship Chart (Relationship by Marriage)

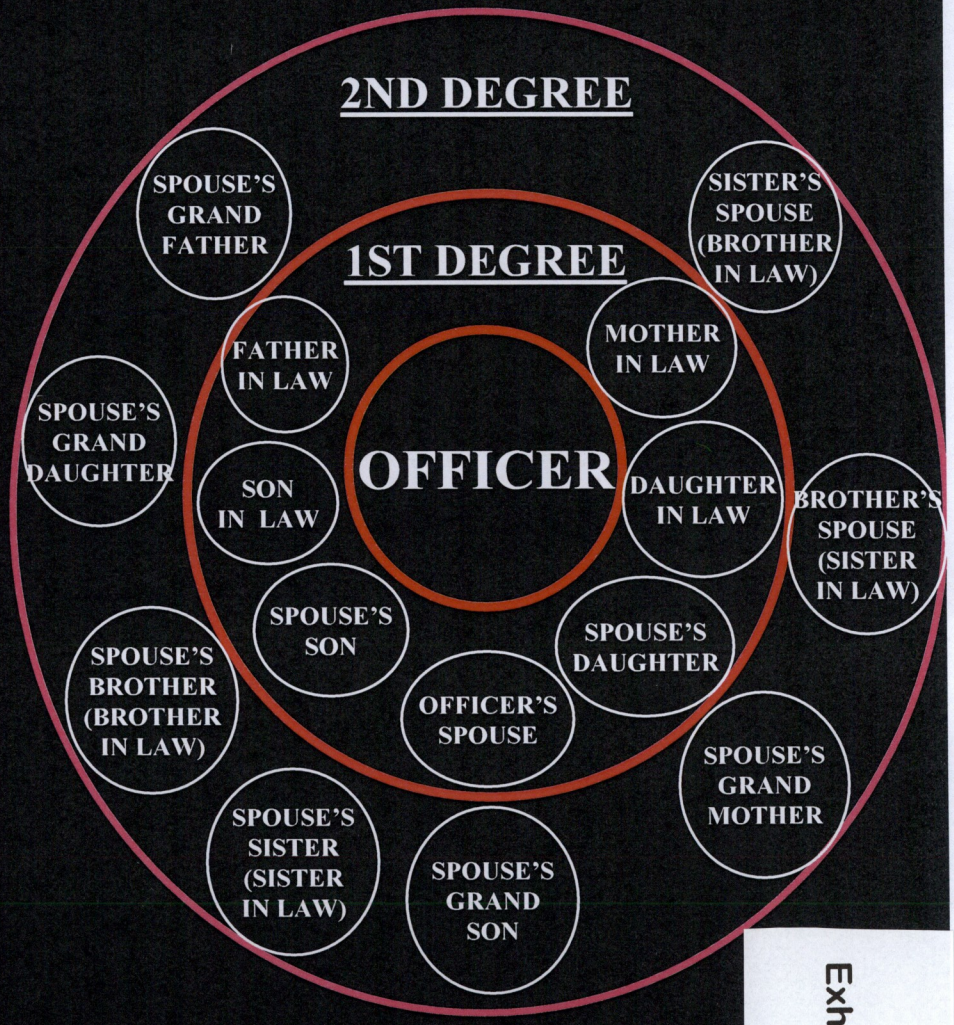


Exhibit "D"

Exhibit "E"

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 September 1, 2013

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

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

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

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

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INTRODUCTION

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

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

OFFICEHOLDERS

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

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

JUDICIAL CANDIDATES AND OFFICEHOLDERS

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

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

FEDERAL OFFICES

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

FILING AUTHORITIES

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

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

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

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

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

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

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

POLITICAL COMMITTEES (PACS)

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

FINANCIAL DISCLOSURE STATEMENTS

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

FEDERAL INCOME TAX

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

TEXAS ETHICS COMMISSION

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

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

APPOINTING A CAMPAIGN TREASURER

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

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

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

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

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

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

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

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

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

NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT TREASURER APPOINTMENT ON FILE

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

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

APPOINTING TREASURER TRIGGERS REPORTING DUTIES

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

QUALIFICATIONS OF CAMPAIGN TREASURER

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

DUTIES OF CAMPAIGN TREASURER

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

EFFECTIVE DATE OF APPOINTMENT

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

CODE OF FAIR CAMPAIGN PRACTICES

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

APPOINTMENT BY OFFICEHOLDER

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

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

FILING FOR A PLACE ON THE BALLOT

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

CHANGING TREASURERS

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

TRANSFERRING TO A DIFFERENT FILING AUTHORITY

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

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

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

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

DECIDING NOT TO RUN

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

Things to Remember

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

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

POLITICAL CONTRIBUTIONS AND EXPENDITURES

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

CAMPAIGN CONTRIBUTIONS

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

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

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

CAMPAIGN EXPENDITURES

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

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

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

OFFICEHOLDER CONTRIBUTIONS

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

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

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

OFFICEHOLDER EXPENDITURES

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

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

CAMPAIGN EXPENDITURES BY OFFICEHOLDER

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

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

PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS

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

USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY

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

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

ACCEPTING CONTRIBUTIONS

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

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

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

REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

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

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

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

SEPARATE ACCOUNT REQUIRED

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

INFORMATION REQUIRED ON REPORTS

CONTRIBUTIONS

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

PLEDGES

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

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

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

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

LOANS

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

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

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

CONTRIBUTIONS OF PERSONAL SERVICES

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

CONTRIBUTIONS OF PERSONAL TRAVEL

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

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

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

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

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

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

EXPENDITURES

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

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

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

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

OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS

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

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

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

DIRECT EXPENDITURES

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

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

SUPPORTING POLITICAL COMMITTEES

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

PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER

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

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

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

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

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

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

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

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

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

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

TOTAL POLITICAL CONTRIBUTIONS MAINTAINED

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

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

TIME OF ACCEPTING CONTRIBUTION

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

TIME OF MAKING EXPENDITURE

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

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

PREPARING REPORTS

FORMS

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

SIGNATURE REQUIRED

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

FILING DEADLINES

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

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

PERIODS COVERED BY REPORTS

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

DEADLINE ON WEEKEND OR HOLIDAY

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

5 P.M. DEADLINE

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

DELIVERY BY MAIL OR OTHER CARRIER

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

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

RETENTION OF RECORDS USED FOR REPORTS

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

REPORTS

SEMIANNUAL REPORTS

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

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

REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

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

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

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

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

REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION

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

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

MODIFIED REPORTING

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

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

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

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

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

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

FINAL REPORT

See "Ending Filing Obligations" below.

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

See "Ending Filing Obligations" below.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT

See "Ending Filing Obligations" below.

Things to Remember

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

ENDING FILING OBLIGATIONS

FINAL REPORT

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

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

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

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

The following individuals must file annual reports of unexpended contributions:

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

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

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

REPORT OF FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS

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

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

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

- The former candidate or officeholder may give them to the political party with which he or she was affiliated when last on the ballot;
- The former candidate or officeholder may contribute them to a candidate or a political committee. (This triggers a requirement to file a report of the contribution.);

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

Things to Remember

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

PENALTIES FOR REPORTING VIOLATIONS

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

CAMPAIGN FINANCE RESTRICTIONS

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

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

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

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

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

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

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

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

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

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

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

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

Exhibit "F"

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE

Revised July 28, 2014

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

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

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

FORM C/OH – INSTRUCTION GUIDE

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

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GENERAL INSTRUCTIONS

These general instructions apply to all forms required to be filed under title 15, Texas Election Code.

ELECTRONIC FILING

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

FILLING OUT THE FORMS

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

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

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

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

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

ETHICS COMMISSION GUIDES

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

PHOTOCOPIES OF FORMS

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

FILING DATE

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

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

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

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

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH). A complete report includes the Form C/OH cover sheet, and any of the following schedules on which there is information to report: A, B, E, F, G, H, I, K, and T.

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

GENERAL INFORMATION

Use Form C/OH for filing the following reports:

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

See the instructions for Sections 9 and 10 of the cover sheet for help in deciding which reports you are required to file.

OFFICEHOLDER ACTIVITY

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

DUTIES OF CANDIDATE OR OFFICEHOLDER

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

DUTIES OF CAMPAIGN TREASURER

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

WHERE TO FILE

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

FILING A FINAL REPORT

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

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

To file a final report, you must complete the "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.

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1. **ACCOUNT #**: If you are filing with the Ethics Commission, you were assigned a filer account number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your account number. Enter this number wherever you see "ACCOUNT #." If you do not file with the Ethics Commission, you are not required to enter an account number.

2. **TOTAL PAGES FILED**: After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of page 1 only. Each side of a two-sided form counts as one page.

3. **CANDIDATE/OFFICEHOLDER NAME**: Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.

4. **CANDIDATE/OFFICEHOLDER MAILING ADDRESS**: Enter your complete mailing address. If your mailing address has changed since you last gave notice of your address, check the "Address Change" box.

Sections 5 - 7 pertain to a candidate's campaign treasurer. If you are an officeholder who does not have a campaign treasurer appointment on file, skip these sections.

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

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

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

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

9. **REPORT TYPE**: Check the box that describes the type of report you are filing, according to the descriptions below. See the instructions for Section 10 for the periods covered by each type of report.

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

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

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

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

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

   Exceeded $500 Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded $500 in contributions or expenditures in connection with the election must file this report within 48 hours after exceeding the $500 limit.

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

files locally if the officeholder did not exceed $500 in either contributions or expenditures during the period to be covered by the report.)

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

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

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

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

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

July 15 (Semiannual) Report: The beginning date is January 1 or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the "First Reports" section above. The ending date is June 30.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12. OFFICE HELD: If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.

13. OFFICE SOUGHT: If you are a candidate in an upcoming election, please enter the office you seek. Include the district, precinct, or other designation for the office, if applicable.

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

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

16. **NOTICE FROM POLITICAL COMMITTEE(S)**: Complete this section if you have received notice from a political committee that it accepted political contributions or made political expenditures on your behalf during the period. If you have not received such notice, you may skip this section.

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

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

    Committee Type:

    General - Check the "GENERAL" box if the notice is from a general-purpose committee.

    Specific - Check the "SPECIFIC" box if the notice is from a specific-purpose committee.

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

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

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

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

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

    Line 1. Enter the total of all unitemized contributions (other than pledges or loans or guarantees of loans) of $50 or less. Do not include any contributions itemized on Schedule A. Enter a "0" if you did not receive any unitemized contributions during the period covered.

    On Schedule A, you were required to itemize political contributions that totaled more than $50 from one person. (Remember: If you received contributions *totaling* more than $50 from one person during the reporting period, you were required to itemize all of those contributions, even if individual contributions were $50 or less.) You also had the option

of itemizing contributions of $50 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

Line 2. Add the total contributions listed on Schedule A to the amount you entered on Line 1. Enter that total on Line 2. Enter a "0 if you did not receive any contributions during the period covered.

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

On Schedule F, you were required to itemize political expenditures that totaled more than $100 to one payee. (Remember: If you made expenditures *totaling* more than $100 to one person during the reporting period, you were required to itemize all of those expenditures, even if individual expenditures were $100 or less.) You also had the option of itemizing expenditures totaling $100 or less to one payee. Do not include any expenditures itemized on Schedule F in the total entered on line 3, regardless of amount.

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

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

Line 4. Add the following:

(a) the total expenditures listed on Schedule F;

(b) the total expenditures listed on Schedule G;

(c) the total expenditures listed on Schedule H; and

(d) the amount you entered on Line 3.

Enter that total on Line 4.

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

Line 5. Enter the total amount of political contributions, including interest or other income 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 and the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.

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

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

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

SCHEDULE A: POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS

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

You must enter contributions that exceed $50 from one person during a reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds $50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed $50 in the period on this schedule. If you do not itemize contributions of $50 and less on this schedule, you must total all such contributions and report them on the C/OH Cover Sheet, Page 2, Section 18, Line 1.

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

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

2. **FILER NAME**: Enter your full name.

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

4. **DATE**: Enter the date you **accepted** the contribution.

   Accepting a contribution is different from ***receiving*** a contribution. You accept a contribution when you decide to accept it rather than reject it. This may or may not be the same day that you receive the contribution.

5. **FULL NAME OF CONTRIBUTOR**: Enter the full name of the contributor.

   "Out-of-State PAC" box: If the contributor is an out-of-state political committee, check the box. If the contributor is an out-of-state political committee from which you accepted more than $500 in the reporting period (including pledges or loans from sources other than financial institutions that have been in business for more than a year), you must include one of the following with your report:

   - a written statement, certified by an officer of the out-of-state political committee, listing the full name and address of each person who contributed more than $100 to the out-of-state political committee during the 12 months immediately preceding the contribution. If you are filing your report electronically, you may either use the "memo" field to enter this information on your electronic report or timely file a paper copy of the information at the time you file your electronic report; ***or***

- a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission (FEC) and certified by an officer of the out-of-state committee. If you are filing your report electronically, you may either use the "ID #" field to enter the out-of-state committee's FEC identification number on your electronic report or timely file a certified paper copy of the out-of-state committee's FEC statement of organization at the time you file your electronic report.

If the contributor is an out-of-state political committee from which you accepted $500 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission (FEC) and certified by an officer of the out-of-state committee. If you are filing your report electronically, you may either use the "ID #" field to enter the out-of-state committee's FEC identification number on your electronic report or timely file a certified paper copy of the out-of-state committee's FEC statement of organization at the time you file your electronic report; ***or***

- a document listing the committee's name, address and phone number; the name of the person appointing the committee's campaign treasurer; and the name, address and phone number of the committee's campaign treasurer. If you are filing your report electronically, you may either use the "memo" field to enter this information on your electronic report or timely file a paper copy of the information at the time you file your electronic report.

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

Note: See the campaign finance guide for detailed information on accepting and reporting contributions from out-of-state political committees.

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

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

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

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

9. **PRINCIPAL OCCUPATION OR JOB TITLE**: Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of $500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

10. **EMPLOYER**: Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the employer of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of $500 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

SCHEDULE B: PLEDGED CONTRIBUTIONS

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

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

Note: See the campaign finance guide for more information on pledges.

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

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

2. **FILER NAME**: Enter your full name.

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

4. **TOTAL OF UNITEMIZED PLEDGES**: Enter the total amount of pledges that you accepted during the period that did not exceed $50 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of $50 or less on this schedule. If you itemize some pledges of $50 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of $50 or less, do not enter a total amount here.

Sections 5 - 11 pertain to itemized pledges. You must itemize pledges that exceed $50 in the aggregate from one person during the reporting period. If you received pledges totaling more than $50 from one person during the reporting period, you must itemize all of those pledges, even if individual pledges were for $50 or less. Although you are not required to do so, you may also itemize pledges for $50 or less from one person.

5. **DATE**: Enter the date you **accepted** the pledge.

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

   "Out-of-State PAC" box: See instructions for Schedule A, box 5.

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

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

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

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

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

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

You Do Not Need Schedules C And D. *These schedules are for political committees to report contributions from corporations and labor organizations. Candidates and officeholders are generally prohibited from accepting such contributions.*

SCHEDULE E: LOANS

These instructions are for candidates and officeholders using SCHEDULE E: LOANS. Enter on this schedule only information about loans, and guarantees of loans, accepted during the reporting period for campaign or officeholder purposes.

You must itemize loans that exceed $50 that you accepted during the period from one person. If you accepted two or more loans from the same person, the total of which exceeds $50, itemize each loan separately. Although you are not required to do so, you may also itemize loans that do not exceed $50.

Note: A candidate or officeholder may report political expenditures from personal funds as a loan and may reimburse his or her personal funds from political contributions. Political expenditures made from that loan must also be reported on the "Political Expenditures" schedule (Schedule F). If a candidate or officeholder chooses not to report political expenditures from personal funds as a loan, he or she must report such expenditures on Schedule G.

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

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

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

2. **FILER NAME**: Enter your full name.

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

4. **TOTAL OF UNITEMIZED LOANS**: Enter the total amount of loans accepted during the reporting period that did not exceed $50 in the aggregate per person and were not from financial institutions.

   Although you are not required to do so, you may itemize loans of $50 or less from persons other than financial institutions on this schedule. If you itemize some loans of $50 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of $50 or less, do not enter a total amount here.

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

5. **DATE OF LOAN:** Enter the date you accepted the loan.

6. **IS LENDER A FINANCIAL INSTITUTION?**: If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, circle "Y" for yes. If you accepted the loan from any other source, circle "N" for no. Remember that a loan from a corporation is an illegal corporate contribution unless it is from a corporation that is a financial institution that has been legally engaged in the business of making loans for more than one year.

7. **NAME OF LENDER**: Enter the full name of the person or financial institution that made the loan.

   "Out-of-State PAC" box. See instructions for Schedule A, box 5.

   Note: See the campaign finance guide for detailed information on accepting and reporting contributions from out-of-state political committees.

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

9. **LOAN AMOUNT**: Enter the principal amount of the loan.

10. **INTEREST RATE**: Enter the interest rate.

11. **MATURITY DATE**: Enter the maturity date.

12. **PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of each individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of $500 or more during the reporting period. This requirement applies to loans from individuals that are accepted on or after January 1, 2004.

    Other types of filers are not required to report this information but may do so.

13. **EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the full name of the employer of an individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of $500 or more during the reporting period. This requirement applies to loans from individuals that are accepted on or after January 1, 2004.

    Other types of filers are not required to report this information but may do so.

14. **DESCRIPTION OF COLLATERAL**: If there is no collateral for the loan, check the "none" box and go to # 13. If there is collateral for the loan, enter a description of the collateral for the loan.

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

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.

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

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

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 F: POLITICAL EXPENDITURES

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

See the campaign finance guide for important restrictions regarding the use of political funds to rent or purchase real property.

You must enter expenditures paid to one individual or entity during a reporting period that in the aggregate exceed $100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded $100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed $100 in the period on this schedule. If you choose not to itemize expenditures of $100 and less on this schedule, you must total all unitemized expenditures and report them on the C/OH Cover Sheet, Page 2, Section 18, Line 3.

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

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

2. **FILER NAME**: Enter your full name.

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

4. **DATE**: Enter the date the expenditure was made. The date of an expenditure is not necessarily the date goods or services are received. It is the date on which the obligation to make a payment is incurred, as long as the amount of the payment is "readily determinable." Generally, the amount of an expenditure is known (and therefore readily determinable) when the obligation is incurred, but in some cases the amount is not known until the receipt of a bill. An amount is readily determinable if the vendor can provide the amount at the filer's request.

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

   Example: Filers will generally not know the cost of a long-distance telephone call until receipt of a monthly (periodic) bill. In that case, the date of the expenditure for the telephone call would be the date the bill was received.

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

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

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

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

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

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

8. **PURPOSE OF EXPENDITURE**: If your expenditure was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report would know what goods or services were purchased or leased. If your expenditure was a contribution to another candidate or officeholder, or to a committee, enter "political contribution" and identify the recipient. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

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

   Advertising Expense
   Accounting/Banking
   Consulting Expense
   Contributions/Donations Made By Candidate/Officeholder/Political Committee
   Event Expense
   Fees
   Food/Beverage Expense
   Gifts/Awards/Memorials Expense
   Legal Services
   Loan Repayment/Reimbursement
   Office Overhead/Rental Expense

Polling Expense
Printing Expense
Salaries/Wages/Contract Labor
Solicitation/Fundraising Expense
Transportation Equipment and Related Expense
Travel In District
Travel Out Of District
Other (Enter your own category, if none of the listed categories apply.)

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

> **Description of Expenditure For Out-of-State Travel:** The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

(c) "Check if Austin, TX, officeholder living expense" Box: For expenditures made on or after July 1, 2014, check this box if the expenditure is an officeholder expense for living in Austin, Texas.

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 34.

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

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

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

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for candidates and officeholders using SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS. Enter on this schedule only information about political expenditures from personal funds that were made or authorized during the reporting period.

See the campaign finance guide for important restrictions regarding the use of political funds to rent or purchase real property.

If you intend to seek reimbursement *in any amount* from political contributions for a political expenditure made from personal funds, you must either report the expenditure as a loan to yourself on Schedule E 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.*** If you deposit personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, you must report the deposited amount as a loan on Schedule E. See the Schedule E instructions for additional information.

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

Even if you do not intend to seek reimbursement from political contributions for a political expenditure made out of personal funds, you must nonetheless itemize the political expenditure on this schedule if the expenditure exceeds $100 or if the expenditure along with other expenditures to the same person exceeds $100. (Exception: You are not required to report *officeholder* expenditures from personal funds if you do not intend to seek reimbursement from political contributions.) Although you are not required to do so, you may also report political expenditures from personal funds totaling $100 or less to a single person on this schedule, even if you do not intend to seek reimbursement. You must total all political expenditures from personal funds that you do not itemize on this schedule (except for officeholder expenditures for which you do not intend to seek reimbursement from political funds) and include them in the total of unitemized political expenditures on the C/OH Cover Sheet.

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

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

2. FILER NAME: Enter your full name.

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

4. DATE: Enter the date the expenditure was made. See the instructions for Schedule F, box 4.

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

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

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

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

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

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

8. **PURPOSE OF EXPENDITURE**: If your expenditure was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report would know what goods or services were purchased or leased. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

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

   Advertising Expense
   Accounting/Banking
   Consulting Expense
   Contributions/Donations Made By Candidate/Officeholder/Political Committee
   Event Expense
   Fees
   Food/Beverage Expense
   Gifts/Awards/Memorials Expense
   Legal Services
   Loan Repayment/Reimbursement
   Office Overhead/Rental Expense
   Polling Expense
   Printing Expense
   Salaries/Wages/Contract Labor
   Solicitation/Fundraising Expense
   Transportation Equipment and Related Expense
   Travel In District

Travel Out Of District

Other (Enter your own category, if none of the listed categories apply.)

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

> **Description of Expenditure For Out-of-State Travel:** The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

(c) **"Check if Austin, TX, officeholder living expense" Box:** For expenditures made on or after July 1, 2014, check this box if the expenditure is an officeholder expense for living in Austin, Texas.

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 34.

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

These instructions are for candidates and officeholders using SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH. Enter on this schedule only information about payments from political contributions that were made to a business in which you have an interest of more than 10%, a position on the governing body, or a position as an officer. Do not enter on this schedule other payments from political contributions authorized during the reporting period.

See the campaign finance guide for a discussion on the important restrictions on making and reporting payments from political contributions to a business in which you have an interest.

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

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

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

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

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

2. **FILER NAME**: Enter your full name.

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

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

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

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

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

8. **PURPOSE OF EXPENDITURE**: If your payment was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report could know what goods or services were purchased or leased. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

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

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

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

> **Description of Expenditure For Out-of-State Travel:** The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

(c) <u>"Check if Austin, TX, officeholder living expense" Box</u>: For expenditures made on or after July 1, 2014, check this box if the expenditure is an officeholder expense for living in Austin, Texas.

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 34.

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

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

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

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS. Enter on this schedule only information about non-political expenditures from political contributions made or authorized during the reporting period. Do not enter political expenditures on this schedule. (Report political expenditures on Schedule F. Report political expenditures made from personal funds on Schedule G.)

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

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

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

2. **FILER NAME**: Enter your full name.

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

4. **DATE**: Enter the date the expenditure was made. See the instructions for Schedule F, box 4.

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

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

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

8. **PURPOSE OF EXPENDITURE**: Enter the nature of the goods or services or other thing of value for which the expenditure was made so that a person reviewing your report would know what goods or services or other thing of value were purchased or leased. For expenditures made on or after July 1, 2010, you must disclose the purpose of the expenditure in two parts:

   (a) <u>Category</u>: Select a category of goods, services, or other thing of value for which an expenditure is made. Examples of possible categories of non-political expenditures are listed below. Remember, as a practical matter, ***very few*** expenditures made from political contributions are non-political expenditures.

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

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

For examples of acceptable ways to disclose the purpose of an expenditure, including both a description of the category of goods or services received in exchange for the expenditure and a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure, please see the "Examples of Expenditures" on page 34.

You Do Not Need Schedule J. *This schedule is for political committees to report contributions that were returned to the committee. Candidates and officeholders are required to report returned contributions and other types of gains from political contributions on Schedule K.*

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

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

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

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

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

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

2. **FILER NAME:** Enter your full name.

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

4. **DATE:** Enter the date the credit/gain/refund was received, the interest was earned, or the investment was purchased, as applicable.

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

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

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

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

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

These instructions are for candidates, officeholders, committees, or political parties using SCHEDULE T: IN-KIND CONTRIBUTION OR POLITICAL EXPENDITURE FOR TRAVEL OUTSIDE OF TEXAS. Enter on this schedule only information about contributions accepted or expenditures made during the reporting period. In addition to completing this schedule, you must also report the actual contribution or expenditure on the appropriate schedule or form.

NOTE: The law requires detailed information regarding in-kind contributions or political expenditures for travel outside of the state of Texas.

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

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

2. **FILER NAME**: Enter the full name of the candidate, committee, or party on whose report you are including this schedule.

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

4. **NAME OF CONTRIBUTOR / CORPORATION OR LABOR ORGANIZATION / PLEDGOR / PAYEE**: Enter the full name of the contributor / corporation or labor organization / pledgor / payee as it appears on the schedule or form on which you reported the actual contribution or expenditure.

5. **CONTRIBUTION / EXPENDITURE REPORTED ON:** Check the appropriate box for the schedule or form on which you reported the actual contribution or expenditure

6. **DATES OF TRAVEL**: Enter the dates on which the travel occurred.

7. **NAME OF PERSON(S) TRAVELING**: Enter the name of the person or persons traveling on whose behalf the travel was accepted or on whose behalf the expenditure was made.

8. **DEPARTURE CITY OR NAME OF DEPARTURE LOCATION**: Enter the name of the departure city or the name of each departure location.

9. **DESTINATION CITY OR NAME OF DESTINATION LOCATION**: Enter the name of the destination city or the name of each destination location.

10. **MEANS OF TRANSPORTATION**: Enter the method of travel (i.e. airplane, bus, boat, car, etc.)

11. **PURPOSE OF TRAVEL:** Enter the campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

These instructions are for candidates and officeholders using Form C/OH-FR: C/OH REPORT: DESIGNATION OF FINAL REPORT. A final report must include this form (Form C/OH-FR) and the CAMPAIGN FINANCE REPORT (Form C/OH) with the "Final Report" box checked on Page 1, Section 9. It must also include Schedules A, B, E, F, G, H, I, K, and T, as applicable.

GENERAL INFORMATION

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

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

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

If you are an officeholder at the time of filing a final report, you will not have to worry about surplus political funds and assets until you cease to be an officeholder. You may still be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are local officeholders who do not exceed $500 in contributions or expenditures during the reporting period. If you cease to be an officeholder at a time when you do not have a campaign treasurer appointment on file, *and you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions after filing the last required report as an officeholder*, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year following the year in which you filed the last required report as an officeholder. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder.

If you are not an officeholder at the time of filing a final report, you will no longer be required to file reports *unless you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions*. If you retain any of those items, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. You may not retain these unexpended funds longer than six years after the date of filing a final report.

At the end of the six-year period, you must dispose of unexpended political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions in one of the following ways:

1) You may give them to the political party with which you were affiliated when your name was last on the ballot.

2) You may give them to a candidate or a political committee. If you do so, however, you must file a report on Form SPAC as described in the instructions for the CANDIDATE/OFFICEHOLDER REPORT: UNEXPENDED CONTRIBUTIONS (Form C/OH-UC).

3) You may give them to the comptroller for deposit in the state treasury to be used to finance primary elections.

4) You may give them to one or more persons from whom you received political contributions, but the total returned to any person may not exceed the aggregate amount accepted from that person during the last two years during which you were accepting political contributions.

5) You may give them to a recognized charitable organization formed for educational, religious, or scientific purposes that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986, and its subsequent amendments.

6) You may give them to a public or private post-secondary educational institution or an institution of higher education as defined by Section 61.003(8), Education Code, for the purpose of assisting or creating a scholarship program.

You may dispose of unexpended contributions in any of those ways at any time during the six-year period.

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

COMPLETING THE FORM

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

1. C/OH NAME: Enter your full name.

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

3. SIGNATURE: You must sign this section to indicate that you understand the consequences of filing a final report.

4. FILER WHO IS NOT AN OFFICEHOLDER: Complete this section if you are <u>not</u> an officeholder at the time of filing your final report. Be sure to check the appropriate box in both sections A and B and sign on the "Signature" line.

5. OFFICEHOLDER: Complete this section if you are an officeholder at the time of filing your final report.

EXAMPLES OF EXPENDITURES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH
COVER SHEET PG 1

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

1 ACCOUNT # (Ethics Commission Filers)

2 Total pages filed:

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Receipt # | Amount

Date Processed

Date Imaged

3 CANDIDATE / OFFICEHOLDER NAME

MS / MRS / MR | FIRST | MI

NICKNAME | LAST | SUFFIX

4 CANDIDATE / OFFICEHOLDER MAILING ADDRESS

☐ change of address

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

5 CANDIDATE/ OFFICEHOLDER PHONE

AREA CODE ( ) | PHONE NUMBER | EXTENSION

6 CAMPAIGN TREASURER NAME

MS / MRS / MR | FIRST | MI

NICKNAME | LAST | SUFFIX

7 CAMPAIGN TREASURER ADDRESS (residence or business)

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

8 CAMPAIGN TREASURER PHONE

AREA CODE ( ) | PHONE NUMBER | EXTENSION

9 REPORT TYPE

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

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

10 PERIOD COVERED

Month / Day / Year THROUGH Month / Day / Year

11 ELECTION

ELECTION DATE Month / Day / Year

ELECTION TYPE

☐ Primary ☐ Runoff ☐ General ☐ Special

12 OFFICE

OFFICE HELD (if any)

13 OFFICE SOUGHT (if known)

GO TO PAGE 2

CANDIDATE / OFFICEHOLDER REPORT: SUPPORT & TOTALS

FORM C/OH
COVER SHEET PG 2

14 C/OH NAME

15 ACCOUNT # (Ethics Commission Filers)

16 NOTICE FROM POLITICAL COMMITTEE(S)

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

COMMITTEE TYPE

☐ **GENERAL**

☐ **SPECIFIC**

COMMITTEE NAME

COMMITTEE ADDRESS

COMMITTEE CAMPAIGN TREASURER NAME

COMMITTEE CAMPAIGN TREASURER ADDRESS

☐ additional pages

17 CONTRIBUTION TOTALS

1.	TOTAL POLITICAL CONTRIBUTIONS OF $50 OR LESS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS), UNLESS ITEMIZED	$
2.	**TOTAL POLITICAL CONTRIBUTIONS** (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	$
3.	TOTAL POLITICAL EXPENDITURES OF $100 OR LESS, UNLESS ITEMIZED	$
4.	**TOTAL POLITICAL EXPENDITURES**	$
5.	TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	$
6.	TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	$

EXPENDITURE TOTALS

CONTRIBUTION BALANCE

OUTSTANDING LOAN TOTALS

18 AFFIDAVIT

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

_____
Signature of Candidate or Officeholder

AFFIX NOTARY STAMP / SEAL ABOVE

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

Signature of officer administering oath | Printed name of officer administering oath | Title of officer administering oath

POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS

SCHEDULE A

The Instruction Guide explains how to complete this form.

1 Total pages Schedule A:

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

4 Date

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

6 Contributor address; City; State; Zip Code

7 Amount of contribution ($)

8 In-kind contribution description (if applicable)

(If travel outside of Texas, complete Schedule T)

9 Principal occupation / Job title (See Instructions)

10 Employer (See Instructions)

Date

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

Contributor address; City; State; Zip Code

Amount of contribution ($)

In-kind contribution description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

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

Contributor address; City; State; Zip Code

Amount of contribution ($)

In-kind contribution description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

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

Contributor address; City; State; Zip Code

Amount of contribution ($)

In-kind contribution description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

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

Contributor address; City; State; Zip Code

Amount of contribution ($)

In-kind contribution description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

PLEDGED CONTRIBUTIONS

SCHEDULE B

The Instruction Guide explains how to complete this form.

1 Total pages Schedule B:

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

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

5 Date

6 Full name of pledgor ☐ out-of-state PAC (ID#:_____)

7 Pledgor address; City; State; Zip Code

8 Amount of pledge ($)

9 In-kind description (if applicable)

(If travel outside of Texas, complete Schedule T)

10 Principal occupation / Job title (See Instructions)

11 Employer (See Instructions)

Date

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

Pledgor address; City; State; Zip Code

Amount of pledge ($)

In-kind description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

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

Pledgor address; City; State; Zip Code

Amount of pledge ($)

In-kind description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

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

Pledgor address; City; State; Zip Code

Amount of pledge ($)

In-kind description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

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

Pledgor address; City; State; Zip Code

Amount of pledge ($)

In-kind description (if applicable)

(If travel outside of Texas, complete Schedule T)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

LOANS

SCHEDULE E

The Instruction Guide explains how to complete this form.

1 Total pages Schedule E:

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

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

5 Date of loan

6 Is lender a financial Institution? Y N

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

8 Lender address; City; State; Zip Code

9 Loan Amount ($)

10 Interest rate

11 Maturity date

12 Principal occupation / Job title (See Instructions)

13 Employer (See Instructions)

14 Description of Collateral ☐ none

15 Check if personal funds were deposited into political account ☐

16 GUARANTOR INFORMATION ☐ not applicable

17 Name of guarantor

18 Guarantor address; City; State; Zip Code

19 Amount Guaranteed ($)

20 Principal Occupation (See Instructions)

21 Employer (See Instructions)

Date of loan

Is lender a financial Institution? Y N

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

Lender address; City; State; Zip Code

Loan Amount ($)

Interest rate

Maturity date

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Description of Collateral ☐ none

Check if personal funds were deposited into political account ☐

GUARANTOR INFORMATION ☐ not applicable

Name of guarantor

Guarantor address; City; State; Zip Code

Amount Guaranteed ($)

Principal Occupation (See Instructions)

Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

POLITICAL EXPENDITURES

SCHEDULE F

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F:	**2** FILER NAME	**3** ACCOUNT # (Ethics Commission Filers)
4 Date	**5** Payee name	
6 Amount ($)	**7** Payee address; City; State; Zip Code	
8 **PURPOSE OF EXPENDITURE**	**(a)** Category (See categories listed at the top of this schedule)	**(b)** Description (If travel outside of Texas, complete Schedule T) ☐ Check if Austin, TX, officeholder living expense
9 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

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

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

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

Date	Payee name	
Amount ($) ☐ Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T) ☐ Check if Austin, TX, officeholder living expense

Date	Payee name	
Amount ($) ☐ Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T) ☐ Check if Austin, TX, officeholder living expense

Date	Payee name	
Amount ($) ☐ Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T) ☐ Check if Austin, TX, officeholder living expense

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

SCHEDULE H

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule H:	**2** FILER NAME	**3** ACCOUNT # (Ethics Commission Filers)
4 Date	**5** Business name	
6 Amount ($)	**7** Business address; City; State; Zip Code	
8 **PURPOSE OF EXPENDITURE**	**(a)** Category (See categories listed at the top of this schedule)	**(b)** Description (If travel outside of Texas, complete Schedule T) ☐ Check if Austin, TX, officeholder living expense
9 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought / Office held

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

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE K

The Instruction Guide explains how to complete this form.

1 Total pages Schedule K:

2 FILER NAME

3 ACCOUNT # (Ethics Commission Filers)

4 Date	5 Name of person from whom amount is received 6 Address of person from whom amount is received; City; State; Zip Code	8 Amount ($)
	7 Purpose for which amount is received	

Date	Name of person from whom amount is received Address of person from whom amount is received; City; State; Zip Code	Amount ($)
	Purpose for which amount is received	

Date	Name of person from whom amount is received Address of person from whom amount is received; City; State; Zip Code	Amount ($)
	Purpose for which amount is received	

Date	Name of person from whom amount is received Address of person from whom amount is received; City; State; Zip Code	Amount ($)
	Purpose for which amount is received	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE T

The Instruction Guide explains how to complete this form.

1 Total pages Schedule T:

2 FILER NAME

3 ACCOUNT # **(**Ethics Commission Filers**)**

4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee

5 Contribution / Expenditure reported on:

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

6 Dates of travel

7 Name of person(s) traveling

8 Departure city or name of departure location

9 Destination city or name of destination location

10 Means of transportation

11 Purpose of travel (including name of conference, seminar, or other event)

Name of Contributor / Corporation or Labor Organization / Pledgor / Payee

Contribution / Expenditure reported on:

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

Dates of travel

Name of person(s) traveling

Departure city or name of departure location

Destination city or name of destination location

Means of transportation

Purpose of travel (including name of conference, seminar, or other event)

Name of Contributor / Corporation or Labor Organization / Pledgor / Payee

Contribution / Expenditure reported on:

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

Dates of travel

Name of person(s) traveling

Departure city or name of departure location

Destination city or name of destination location

Means of transportation

Purpose of travel (including name of conference, seminar, or other event)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM **C/OH - FR**

The Instruction Guide explains how to complete this form.
•• Complete only if "Report Type" on page 1 is marked "Final Report" ••

1 C/OH NAME

2 ACCOUNT # **(**Ethics Commission Filers**)**

3 SIGNATURE

I do not expect any further political contributions or political expenditures in connection with my candidacy. I understand that designating a report as a final report terminates my campaign treasurer appointment. I also understand that I may not accept any campaign contributions or make any campaign expenditures without a campaign treasurer appointment on file.

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

•• Complete A & B below *only* if you are not an officeholder. ••

A. CAMPAIGN FUNDS

Check only one:

☐ I do not have unexpended contributions or unexpended interest or income earned from political contributions.

☐ I have unexpended contributions or unexpended interest or income earned from political contributions. I understand that I may not convert unexpended political contributions or unexpended interest or income earned on political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain unexpended contributions or unexpended interest or income earned on political contributions longer than six years after filing this final report. Further, I understand that I must dispose of unexpended political contributions and unexpended interest or income earned on political contributions in accordance with the requirements of Election Code, § 254.204.

B. ASSETS

Check only one:

☐ I do not retain assets purchased with political contributions or interest or other income from political contributions.

☐ I do retain assets purchased with political contributions or interest or other income from political contributions. I understand that I may not convert assets purchased with political contributions or interest or other income from political contributions to personal use. I also understand that I must dispose of assets purchased with political contributions in accordance with the requirements of Election Code, § 254.204.

Signature of Candidate

5 OFFICEHOLDER

•• Complete this section *only* if you are an officeholder ••

☐ I am aware that I remain subject to filing requirements applicable to an officeholder who does not have a campaign treasurer on file. I am also aware that I will be required to file reports of unexpended contributions if, after filing the last required report as an officeholder, I retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.

Signature of Officeholder

Exhibit "G"

Chapter 130 - SIGNS

FOOTNOTE(S):

--- (**1**) ---

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.

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.

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;

(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 new residences and commercial and industrial buildings in the city shall be required to have address identification numerals. All owners of existing residences are encouraged to place address numerals in such a way that they are legible from the street in front of the residence. Owners of existing commercial and industrial establishments shall be required to place address numerals on the front of the premises in such a way that they are legible from the nearest street or driveway in front of the premises. 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.

(Code 1966, § 25½-86)

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.

(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.

(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 ENFORCEMENT

FOOTNOTE(S):

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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)

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.

(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.

(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:

(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 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 place 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

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

(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.

(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.

(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.
(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)

POLITICAL ADVERTISING
What You Need To Know

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

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

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

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

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REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

I. What Is Political Advertising?

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

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

Part A. What Does It Say?

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

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

Part B. Where Does It Appear?

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

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

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

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

II. When Is A Disclosure Statement Required?

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

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

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

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

III. What Should The Disclosure Statement Say?

A disclosure statement must include the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VI. The Fair Campaign Practices Act.

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

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

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

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

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

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

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

ROAD SIGNS

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

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

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

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

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

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

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

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

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

IV. What About Bumper Stickers?

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

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

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

MISREPRESENTATION

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

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

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

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

II. Misrepresentation Of Office Title.

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

Vote John Doe
for Attorney General

John Doe
For
Attorney General

III. Misrepresentation Of Identity Or Source.

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

IV. Use Of State Seal.

Only officeholders may use the state seal in political advertising.

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Exhibit "H"

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.

(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.

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.

(c) Expired.

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.

Exhibit "I"

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.

SENATE BILL 14 (82nd Legislature, 2011)

- Made multiple changes concerning voting procedures, among the most important of which is that, with certain limited exemptions, **voters are now required to show a photo ID when presenting themselves to vote**. SB 14 prescribes the list of acceptable forms of identification, as follows: (1) Texas Driver's License issued by the Department of Public Safety ("DPS"); (2) Texas Election Identification Certificate issued by DPS; (3) Texas Personal Identification Card issued by DPS; (4) Texas Concealed Handgun License issued by DPS; (5) United States Military Identification Card containing the person's photograph; (6) United States Citizenship Certificate containing the person's photograph; or (7) United States Passport.

NOTE: With the exception of the U.S. citizenship certificate, the identification must be current or have expired no more than 60 days before being presented for voter qualification at the polling place.

- Requires that if a voter's address is omitted due to participation in the Address Confidentiality Program, the election worker must ask the voter if the residence address listed on their acceptable form of identification is current and whether the voter has changed residence within the county.
- Requires the posting of a new Notice of Acceptable Identification on the outside door of the polling place. The Notice must be in a prominent place on the outside of the building separate from any other notice and must include the list of all forms of identification in at least 24-font.

2013 LEGISLATIVE UPDATE – Selected Bills

- **HB 259**: Amends Section 61.003 to provide that electioneering includes "the posting, use, or distribution of political signs or literature." Also provides that the entity that owns or controls a public building being used as an election day or early voting polling place may not, at any time during the voting period, prohibit electioneering on the building's premises outside of the 100-foot distance marker, but may enact reasonable regulations concerning the time, place, and manner of electioneering.

  Example: Electioneering may not be completely prohibited outside the 100-foot distance from the entrance to a school building being used as a polling place.

- **HB 1996**: Adds Section 172.1113 to the Code, and provides that 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."

- **HB 2110**: Concerns eligibility to serve as an election judge or clerk. This bill amends Section 32.054 to add the party office of precinct chair to the wording of the statute, so that an employee or relative of an opposed candidate for a public office, the party office of county chair, or the party office of precinct chair may not serve as an election judge or clerk.

- **HB 2373**: Amends Section 63.002 of the Code, to allow signatures to be captured digitally on an e-pollbook, rather than requiring the voter to sign a paper combination form or poll list.

- **HB 2475**: Amends Section 64.034 of the Code to modify the oath of assistance to include a statement that the assistant is not the voter's employer or an agent thereof or an officer or agent of a labor union to which the voter belongs.

- **SB 160**: Amends Section 33.051 to provide that upon accepting a poll watcher for service, an election official will provide the poll watcher with an ID (prescribed by the SOS), which the poll watcher must wear while serving as a watcher.

- **SB 910**: Made multiple changes to Texas election law. The change relevant to this guide is an amendment to Section 85.034 of the Code, providing that curbside voting during early voting is to be conducted in the same manner as on election day. That is, a voter will be allowed to vote directly on a ballot of his choosing, and the ballot will be deposited into a regular ballot box, as opposed to sealing the voted ballot in an envelope (or the voter will vote directly on a DRE voting machine, if one is used at the voting site).

- QUALIFICATIONS OF WATCHER

Q. What are the qualifications of a watcher?

A. A watcher must:

- be a registered voter of the territory (e.g., city, school district) covered by the election and of the county for November general elections, *primary elections*, or other countywide elections; [Sec. 33.031]
- not be a candidate for public office in an election held on the day the watcher seeks to serve; [Sec. 33.032]
- not hold an elective public office; [Sec. 33.034]
- not be an employee of an election judge or clerk serving at the same polling place; [Sec. 33.033]
- not been finally convicted of an offense in connection with conduct directly attributable to an election; [Sec. 33.035] and
- 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) 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 an election offense <u>cannot</u> serve as a watcher. [Sec. 33.035]

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, not if the person is a candidate running for 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. [Sec. 33.034].

Q. Can officers of a political party serve as watchers?

A. Yes. They may serve because they are not public officers. [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.

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 <u>or on the list of declared write-in candidates</u> in an election for any office (other than the office of Vice-President of the United States) may appoint a watcher. 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 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 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 system activities.
6. Signature verification committee activities.
7. Voter being assisted by an election official.
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 <u>reporting</u> 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 <u>until</u> 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. A poll watcher cannot obtain a copy of an application for a ballot to be voted by mail from the early voting clerk until after election day. [Sec. 86.014]. The information placed on the early voting roster is not available for public inspection by anyone until the first business day after election day or the day following the day the voter's ballot is received by the early voting clerk, except to the voter seeking to verify that the information is accurate. [Sec. 87.121].

3. At an early voting ballot board meeting (<u>including the signature verification committee</u>), 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 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 to 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:

- Name, residence address, voter registration number, and signature of the watcher;
- 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;
- The signature of the person(s) making the appointment;
- 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).
- 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)].
- 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 and also serves as the countersignature, which is discussed below.)
- 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:

- 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;
- 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; and [Sec. 33.004(b)]
- 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 serves 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, 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: **NEW LAW** (SB 160, 83rd Legislative Session, 2013). 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 <u>NOT</u> 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. Converse with other watchers. [Sec. 33.058].

4. Communicate in any manner with a voter regarding the election. [Sec. 33.058(a)(3)].

5. 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)].

6. 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. 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].
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)]

Q. Can a watcher leave the polling place <u>after</u> 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, if possible:

1. Election workers allowing voters who do not present an acceptable form of identification to vote. [Sec. 63.001(a)]

   -- **NOTE**: Under some circumstances, the voter will be required to submit their voter registration certificate (e.g., a voter with disability exemption status which should be noted on the face of the voter registration certificate, or a voter who presents an acceptable form of identification, but is not on the list of registered voters). [**Senate Bill 14, 82nd Legislature 2011**]. If the voter presents a certificate, the election official should check the effective date on the certificate to determine if the voter is qualified to vote in the election.

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:
   - 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 in the area is required to wear 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. [**New Law, SB 160, 83rd Legislature, 2013**].
   - unauthorized posting of signs, posters or other similar items. [Sec. 62.013]

NOTE: 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)].

3. 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]
4. Bribing voters [Sec. 36.02, Penal Code];
5. Tampering with a direct recording electronic voting machine [Sec. 33.05, Penal Code];
6. Unlawfully influencing voters [Sec. 61.008];
7. Coercing voters [Sec. 36.03, Penal Code];
8. Unlawfully telling another person information that was obtained at the polling place about how a voter has voted [Sec. 61.006];
9. 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];
10. Tampering with voting equipment [Sec. 127.127];
11. Voting illegally [Sec. 64.012];
12. Unlawfully removing ballots from ballot box [Sec. 276.003];
13. Harassing the election officials [Sec. 32.075];
14. Unlawfully assisting voters [Sec. 64.036];
15. Unlawfully accepting or refusing to accept voters [Sec. 63.012];
16. Using a wireless communication device within 100 feet of polling place [Secs. 33.052(b) and 61.014];
17. Interfering with the voting process; and
18. 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 or interpreting for a voter who is entitled to assistance or to an interpreter. [Secs. 61.032 & 64.032; 42 U.S.C. 197aa-6].
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, **NEW LAW, HB 1996, 83rd Legislature 2013]**

Provisional Voting:

Individuals who do not present an acceptable form of photo identification at the polling place or who do not present a voter certificate with a disability status indicated (shown as "E" on the voter registration certificate), are required to vote provisionally. Provisional ballots are not counted until the voter registrar and early voting ballot board verify the voter's eligibility. The affidavit which 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.

Q. Who is eligible to cast a provisional ballot?

A. The following individuals are eligible to cast a provisional ballot:

- A voter who does not provide an acceptable form of identification described by Section 63.0101 of the Texas Election Code (the "Code"), regardless of whether the voter presents a valid voter registration certificate.

- A voter whose name on the acceptable form of identification is determined by the polling place official to not exactly match or be substantially similar to the name as it appears on the official list of registered voters.

  NOTE: A voter's name as listed on the photo ID the voter presents 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 ID is slightly different from one or more of the name fields on the official list of registered voters; 2) The name on the voter's ID or on 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 voter's ID; 4) a first name, middle name, former name or initial of the voter's name occupies a different filed on the presented ID document than it does on the list of registered votes. 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 whose identity cannot be verified by the identification presented by the voter, as determined by the polling place official per Section 63.001(d) of the Code.

- A voter who has received a disability exemption under Section 13.002(i) of the Code, but does not have or otherwise fails to present the voter's voter registration certificate indicating such exemption.

- 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.

- A voter who has applied for a ballot by mail, but has not yet properly cancelled the mail ballot application.

- A voter who votes during the polling hours that are extended by a state or federal court as described in Section 63.011(e) of the Code.

- 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.

- A voter who is eligible to vote under Section 63.006(a)(2) of the Election Code (voter is a resident of the precinct in which he is offering to vote, was a resident of that precinct when voter's registration information was last provided to the voter registrar, and did not provide false information to secure registration in that precinct) <u>but failed to present a valid form of identification to the election official</u>.

Q. Who makes the determination if an individual is qualified to vote provisionally?

A. The election judge at the precinct makes that determination. If a voter is eligible to cast a provisional ballot, then the election judge immediately informs 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 identification to the county voter registrar within 6 days from election day [**Senate Bill 14, 82nd Legislature 2011**]; 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 same political subdivision).

Q. If a voter applied for a ballot by mail, may he 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.

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.

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 in turn is placed inside the Provisional Affidavit Ballot Envelope. Provisional ballots are placed either in a designated, secure container 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 voter registrar has 6 calendar days to review the voter's registration record (7 days in the general election for state and county officers). The voter will have 6 days to show a valid form of ID if lack of photo ID is their grounds for voting provisional. [**NEW LAW**: Senate Bill 14, 82nd Legislature 2011]. The early voting ballot board must complete the processing and counting, where applicable, of the provisional ballots by the seventh day after the election. 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. [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 voter's interpreter) understands. [Sec. 61.031(b)].

2. An interpreter may be used when the voter and the election official(s) helping the voter cannot speak the same language. [Sec. 61.032].

3. Upon taking the oath of interpreter, any registered voter of the county may act as an interpreter for one or more voters. [Secs. 61.035 & 61.033].

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. 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. 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

(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 posses a device capable of recording images or sound, unless the person agrees to disable or deactivate the device while present at the recount. [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. 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 www.texaspollworkertraining.com.

Thank you for your participation in the election process!

AW4-16
Prescribed by Secretary of State
Sections 33.002, 33.006, Texas Election Code
5/12

APPOINTMENT OF POLL WATCHER BY CANDIDATE ON THE BALLOT OR DECLARED WRITE-IN CANDIDATE

To the Presiding Judge:

The following person has been appointed to serve as a poll watcher on my behalf.

Name of Poll Watcher	Name of Candidate
Residence Address of Poll Watcher	Name and Date of Election
Voter Registration VUID Number of Poll Watcher	Precinct or other location Poll Watcher is to serve

_____
Signature of Candidate or Other Approving Authority

_____
Title of Approving Authority

_____
Signature of the Watcher

AFFIDAVIT OF POLL WATCHER

I, _____, a poll watcher for the above appointing authority, do hereby swear or affirm that I do not have in my possession any type of mechanical or electronic means of recording images or sound while serving as a watcher at this precinct or I will disable or deactivate the device while serving as a watcher.

_____
Signature of Poll Watcher

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

_____
Signature of Election Judge

_____
Printed Name of Election Judge

INSTRUCTIONS

The following persons have the authority to appoint a poll watcher on behalf of a candidate whose name appears on the ballot.

a. In an election for an office of the state government that is filled by voters of more than one county, by the candidate's campaign treasurer.

b. In an election for an office of the federal government that is filled by voters of more than one county, by the chair or treasurer of the candidate's principal campaign committee or by a designated agent of the chair or treasurer.

AW4-16
Prescribed by Secretary of State
Sections 33.002, 33.006, Texas Election Code
5/12

NOMBRAMIENTO DE OBSERVADOR(A) POR CANDIDATO EN LA BOLETA O CANDIDATO DECLARADO ELEGIBLE PARA RECIBIR VOTO POR INSERCIÓN ESCRITA

Al Juez Presidente:

La siguiente persona ha sido nombrada para servir como observador(a) por mí.

Nombre del/de la Observador(a)	Nombre del Candidato
Dirección Residencial del/de la Observador(a)	Tipo y Fecha de Elección
Núm. de VUID del/de la Observador(a)	Precinto u otro sitio en que servirá el/la Observador(a)

_____ Firma del Candidato o de la Autoridad Aprobadora

_____ Título de la Autoridad Aprobadora

_____ Firma del/de la Observador(a)

DECLARACIÓN JURADA DE OBSERVADOR(A)

Yo, _____, observador(a) de elección designado/a por la autoridad citada, por el presente juro o protesto que no tendré en mi poder, durante mi gestión de observador(a) en este precinto electoral, ningún dispositivo mecánico o electrónico, de cualquier tipo, para la grabación de imágenes o de sonidos, o que inhabilitaré o desactivaré el dispositivo al servir como Observador(a).

_____ Firma de Observador(a)

Jurado y suscrito ante mí, a los _____ días del mes de _____ de ____.

_____ Firma del/de la Juez Electoral

_____ Nombre del/de la Juez Electoral, en letras de molde

INSTRUCCIONES

Las siguientes personas están autorizadas para nombrar a un observador a favor del candidato cuyo nombre aparece sobre la boleta.

a. En una elección en que se ocupa un puesto oficial del gobierno estatal por los votantes de más de un condado, el/la tesorero(a) de la campaña electoral de cualquier candidato podrá nombrar a un observador.

b. En una elección en que se ocupa un puesto oficial del gobierno federal por los votantes de más de un condado, un observador podrá nombrarse por el presidente o el tesorero del comité principal de la campaña electoral de cualquier candidato o por un agente designado de dicho presidente o tesorero.

Exhibit "K"

TEXAS ETHICS COMMISSION

PERSONAL FINANCIAL STATEMENT

FORM PFS - INSTRUCTION GUIDE

Revised June 19, 2014

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

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

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

PERSONAL FINANCIAL STATEMENT

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GENERAL INSTRUCTIONS

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

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

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

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

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

WHO IS REQUIRED TO FILE?

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

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

1. Member of the Texas Legislature;
2. Statewide elected officer;
3. Justice of a court of appeals;
4. District judge;
5. District or criminal district attorney; and
6. Member of the State Board of Education;

- Former or retired judges sitting by assignment;[1] and
- State chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

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

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

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

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.

[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).

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

COMPLETING THE FORM

All forms 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 Filing Software: go to *www.ethics.state.tx.us/filinginfo/software_pfsfrm.htm* to obtain the software to create Form PFS and save it on your computer; or
2. Blank Fillable Form: Complete Form PFS on your computer by going to *www.ethics.state.tx.us/filinginfo/e_pfsfrm.htm* to access a fillable Form PFS without using the PFS software; or
3. Form PFS & Instructions: go to *www.ethics.state.tx.us/filinginfo/pfsforms_ins.htm*l to obtain Form PFS and the Instruction Guide. Form PFS cannot be filed electronically; therefore, once you complete the form, you must print it out, sign it, have it notarized, and mail it to the Texas Ethics Commission.

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, 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 2005 covers activity occurring between and including January 1 and December 31, 2004.

New Appointees. For a newly appointed officer, 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 a board effective December 15, 2008, is required to

file a personal financial statement due January 14, 2009. This personal financial statement covers activity occurring between and including January 1 and December 31, 2007.

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

SUBSTITUTION OF FORMS

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

FILING DEADLINES

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

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

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

TIMELY FILINGS

A personal financial statement filed 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. The Texas Ethics Commission is located on the 10th floor of the Sam Houston Building, 201 E. 14th St., Austin, Texas 78701. Our mailing address is P.O. Box 12070, Austin, TX 78711-2070.

EXTENSION OF THE APRIL 30TH DEADLINE

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

LATE FILING PENALTY

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

CHANGES IN INFORMATION

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

RECORDS RETENTION

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

COMPLETING FORM PFS

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. If you are listing your home address here, please indicate this by placing a check in the box provided.

Note for Judges and Justices: By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you provided your home address on previous PFS filings and you are checking this box for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

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.

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 will 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. 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. If you are listing your home address here, please indicate this by placing a check in the box provided.

Note for Judges and Justices: By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you provided your home address on previous PFS filings and you are checking this box for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

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.

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. If you are listing your home address here, please indicate this by placing a check in the box provided.

Note for Judges and Justices: By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you provided your home address on previous PFS filings and you are checking this box for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

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. If you are listing your home address here, please indicate this by placing a check in the box provided.

Note for Judges and Justices: By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you provided your home address on previous PFS filings and you are checking this box for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

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

PART 8. GIFTS

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

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

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

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

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

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

PART 9. TRUST INCOME

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

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

1. Source: Provide the name of the trust.

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

3. Income: Check the appropriate monetary category to indicate the amount of income received by the beneficiary.

4. Assets: Identify each asset of the trust from which more than $500 in income was received, *if you know the identity of the asset*. Accordingly, you are not required to identify the assets of a blind trust.

PART 10. BLIND TRUSTS

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

PART 10A. BLIND TRUSTS

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

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

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

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

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

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

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

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

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

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

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

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

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

PART 10B. TRUSTEE STATEMENT

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

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

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

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

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

4. Trustee Statement: Signature of the trustee.

PART 11. ASSETS AND LIABILITIES OF BUSINESS ASSOCIATIONS

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

PART 11A. ASSETS OF BUSINESS ASSOCIATIONS

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

1. Business Association: Provide the name and address of the business association. If you are listing your home address here, please indicate this by placing a check in the box provided.

Note for Judges and Justices: By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you provided your home address on previous PFS filings and you are checking this box for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

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

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

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

PART 11B. LIABILITIES OF BUSINESS ASSOCIATIONS

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

1. Business Association: Provide the name and address of the business association. If you are listing your home address here, please indicate this by placing a check in the box provided.

Note for Judges and Justices: By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you provided your home address on previous PFS filings and you are checking this box for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

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.

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.

2. Interest Held By: Check the appropriate box to indicate whether you, your spouse, or a dependent child have an interest with a person registered as a lobbyist.

PART 15. FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST'S EMPLOYER

If you received a fee for providing services to or on behalf of a person required to be registered as a lobbyist under chapter 305, Government Code, or for providing services to or on behalf of a person you ***actually know*** directly compensates or reimburses such a person, you must complete this section by providing the name of the person for whom you provided the services and the category of the amount of the fee you received. You are not required to disclose in this section fees received by your spouse for services rendered by your spouse although such fees may be required to be disclosed in Section 1. *See* Ethics Advisory Opinion No. 252. You are not required to disclose fees received from a business entity by which you are employed unless the business entity is merely an alter ego of the state officer. *See* Ethics Advisory Opinion No. 333. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Actual Knowledge. You "actually" know that someone directly compensates or reimburses a person required to be registered as a lobbyist if you personally know that the person does so or you could readily determine that fact by contacting the person or the Texas Ethics Commission. *See* Ethics Advisory Opinion No. 333 (1996).

Disclosing Confidential Information. State officers who are physicians are not required to include on their financial disclosure reports a patient's identity because that information is made confidential by the Medical Practices Act. *See* Ethics Advisory Opinion No. 21. The commission has declined to extend this exception to accountants who would be reporting information regulated by the Public Accountancy Act. *See* Ethics Advisory Opinion No. 22 (Public Accountancy Act does not make a client's identity confidential and therefore does not conflict with financial disclosure requirements). The commission has also indicated that this exception would not be extended to attorneys in cases where disclosing a client's identity would not reveal a confidential communication. *See id.*

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

1. Person or Entity for Whom Services Were Provided: Provide the name of the person or entity.

2. Fee Category: Check the appropriate fee category for the amount received.

PART 16. REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

This section applies only to members of the Texas Legislature. If you represented a person *for compensation* before a state agency in the executive branch, you must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

1. State Agency: Provide the name of the state agency.

2. Person Represented: Provide the name of the person you represented.

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

NOTE: Legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if:

1. the representation is pursuant to an attorney/client relationship in a criminal law matter;

2. the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or

3. the representation is in regard to a matter for which the legislator was hired before September 1, 2003.

PART 17. BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

Section 36.10 of the Penal Code provides that the gift prohibitions set out in Section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under chapter 572, Government Code, or title 15 of the Election Code, if: 1) the benefit and the source of any benefit over $50 in value are reported in the statement; and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office that are non-reimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

1. Source of Benefit: Provide the name and address of the person or entity that is the source of the benefit.

2. Benefit: Describe the benefit received.

PART 18. LEGISLATIVE CONTINUANCES

This section applies only to members of the Texas Legislature. Complete this schedule if you are a member or member-elect of the legislature licensed to practice law and represent a party to a civil or criminal case for compensation and on behalf of that party's behalf you have applied for or obtained a legislative continuance under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant a continuance on the grounds that an attorney for a party is a member or member-elect of the legislature. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

1. Name of Party Represented: Provide the name of the party on whose behalf you applied for or obtained a continuance.

2. Date Retained: Provide the date on which you were retained to represent the party.

3. Style, Cause Number, Court, and Jurisdiction: Provide the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought.

4. Date of Continuance Application: Provide the date on which you applied for a continuance.

5. Was Continuance Granted: Indicate whether the continuance was granted.

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires that the personal financial statement be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations.

PERSONAL FINANCIAL STATEMENT

FORM PFS
COVER SHEET
PAGE 1

Filed in accordance with chapter 572 of the Government Code.
For filings required in 2015, covering calendar year ending December 31, 2014.
Use FORM PFS--INSTRUCTION GUIDE when completing this form.

TOTAL NUMBER OF PAGES FILED:

ACCOUNT #

OFFICE USE ONLY

Date Received

Receipt #

HD / PM | Amount

Date Processed

Date Imaged

1 NAME

TITLE; FIRST; MI

NICKNAME; LAST; SUFFIX

2 ADDRESS

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

☐ (CHECK IF FILER'S HOME ADDRESS)

3 TELEPHONE NUMBER

AREA CODE PHONE NUMBER; EXTENSION

( )

4 REASON FOR FILING STATEMENT

☐ CANDIDATE _____ (INDICATE OFFICE)

☐ ELECTED OFFICER _____ (INDICATE OFFICE)

☐ APPOINTED OFFICER _____ (INDICATE AGENCY)

☐ EXECUTIVE HEAD _____ (INDICATE AGENCY)

☐ FORMER OR RETIRED JUDGE SITTING BY ASSIGNMENT

☐ STATE PARTY CHAIR _____ (INDICATE PARTY)

☐ OTHER _____ (INDICATE POSITION)

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

SPOUSE _____

DEPENDENT CHILD 1. _____

2. _____

3. _____

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

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL FINANCIAL STATEMENT

COVER SHEET
PAGE 2

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

6 PARTS NOT APPLICABLE TO FILER

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

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 ☐ (Check If Filer's Home Address) NATURE OF OCCUPATION
INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD ☐ (Check If Filer's Home Address) NATURE OF OCCUPATION
INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD ☐ (Check If Filer's Home Address) 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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BONDS, NOTES & OTHER COMMERCIAL PAPER

PART 3

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

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

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

1 DESCRIPTION OF INSTRUMENT	
2 HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

MUTUAL FUNDS

PART 4

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

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

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

1 MUTUAL FUND	NAME
2 SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	☐ 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 ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

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 ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

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 ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INCOME FROM INTEREST, DIVIDENDS, ROYALTIES & RENTS

PART 5

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

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

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

1 SOURCE OF INCOME	NAME AND ADDRESS
2 RECEIVED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 AMOUNT	☐ $500--$4,999 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
SOURCE OF INCOME	NAME AND ADDRESS
RECEIVED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
AMOUNT	☐ $500--$4,999 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
SOURCE OF INCOME	NAME AND ADDRESS
RECEIVED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
AMOUNT	☐ $500--$4,999 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL NOTES AND LEASE AGREEMENTS

PART 6

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

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

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

1 PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
2 LIABILITY OF	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 GUARANTOR	
4 AMOUNT	☐ $1,000--$4,999 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	☐ $1,000--$4,999 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	☐ $1,000--$4,999 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN REAL PROPERTY

PART 7A

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

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

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

1 HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
2 STREET ADDRESS ☐ NOT AVAILABLE ☐ CHECK IF FILER'S HOME ADDRESS	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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
STREET ADDRESS ☐ NOT AVAILABLE ☐ CHECK IF FILER'S HOME ADDRESS	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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN BUSINESS ENTITIES

PART 7B

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

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

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

1 HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
2 DESCRIPTION	NAME AND ADDRESS ☐ (Check If Filer's Home Address)
3 IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS ☐ (Check If Filer's Home Address)
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS ☐ (Check If Filer's Home Address)
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

GIFTS

PART 8

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

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

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

1 DONOR	NAME AND ADDRESS
2 RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 DESCRIPTION OF GIFT	

DONOR	NAME AND ADDRESS
RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION OF GIFT	

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 $500* in income, if the identity of the asset is known. For more information, *see* FORM PFS--INSTRUCTION GUIDE.

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

1 SOURCE	NAME OF TRUST
2 BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 INCOME	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
4 ASSETS FROM WHICH OVER $500 WAS RECEIVED ☐ UNKNOWN	
SOURCE	NAME OF TRUST
BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
INCOME	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
ASSETS FROM WHICH OVER $500 WAS RECEIVED ☐ UNKNOWN	
SOURCE	NAME OF TRUST
BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
INCOME	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
ASSETS FROM WHICH OVER $500 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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
5 DATE CREATED	

NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
FAIR MARKET VALUE	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
DATE CREATED	

NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
FAIR MARKET VALUE	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
DATE CREATED	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

TRUSTEE STATEMENT

PART 10B

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

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

1 NAME OF TRUST	
2 TRUSTEE NAME	
3 FILER ON WHOSE BEHALF STATEMENT IS BEING FILED	NAME
4 TRUSTEE STATEMENT	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. Trustee Signature

§ 572.023. Contents of Financial Statement in General

(b) The account of financial activity consists of:

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

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

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

(B) the date the trust was created;

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

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

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

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

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

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

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

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

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

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

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

ASSETS OF BUSINESS ASSOCIATIONS

PART 11A

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

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

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

1 BUSINESS ASSOCIATION	NAME AND ADDRESS ☐ (Check If Filer's Home Address)	
2 BUSINESS TYPE		
3 HELD, ACQUIRED, OR SOLD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD ———	
4 ASSETS	DESCRIPTION	CATEGORY
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

LIABILITIES OF BUSINESS ASSOCIATIONS

PART 11B

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

Describe all liabilities of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the 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 ☐ (Check If Filer's Home Address)	
2 BUSINESS TYPE		
3 HELD, ACQUIRED, OR SOLD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD ———	
4 LIABILITIES	DESCRIPTION	CATEGORY
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
		☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 that 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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--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 $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	☐ LESS THAN $5,000 ☐ $5,000--$9,999 ☐ $10,000--$24,999 ☐ $25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

PART 17

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

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

1 SOURCE OF BENEFIT	NAME AND ADDRESS
2 BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	

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.***

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

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, 2014, and is true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.

_____

Signature of Filer

AFFIX NOTARY STAMP / SEAL ABOVE

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

_____

Signature of officer administering oath | Printed name of officer administering oath | Title of officer administering oath