City of Bellaire

SPECIAL ELECTION

TO FILL A VACANCY

MAY 2, 2026

Council Member – Position No. 4



City of Bellaire

SPECIAL ELECTION
MAY 2, 2026

CANDIDATE FILING PACKET

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1. Letter of Instruction

2. Candidate Qualifications

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3. First Steps for a Candidate Running for a City Office (Texas Ethics Commission)

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City of Bellaire
City Clerk's Office

February 4, 2026

Dear Prospective Candidate:

The City of Bellaire, Texas, will conduct a Special Election to Fill a Vacancy on the next uniform election date, which is Saturday, May 2, 2026.

To inform you of dates that will be important to you, as well as applicable City ordinances and state legal requirements, the City Clerk's Office has prepared this "Candidate Notebook," which will serve as a reference for the election process in general.

Candidate Position

The following candidate position is open for the May 2, 2026, Special Election:

- **Council Member – Position No. 4**

  Unexpired term commencing on the date of the Official Canvass of the Special Election (anticipated to occur on Tuesday, May 12, 2026) and ending on Monday, January 3, 2028.

Candidate positions are elected from the City at large; however, each candidate seeking election as a Council Member is required to designate the position for which they are a candidate under the provisions outlined in *Article II, The Council, Section 1, Elections, Subsection c, Designation of Position,* of the *Charter of the City of Bellaire, Texas, as amended November 16, 2020.*

For a candidate to place their name on the City of Bellaire's Special Election ballot, an *Application for a Place on the City of Bellaire Special Election Ballot* (Secretary of State Form 2-50) must be completed by the candidate, the officer administering the oath (i.e., notary public, judge, etc.), and the City Clerk of the City of Bellaire (see tab 6 of this Candidate Notebook).

The application should be filed with the City Clerk no earlier than Monday, January 26, 2026, or later than 5:00 p.m. on Tuesday, March 3, 2026.

Bellaire Precincts

The City of Bellaire, Texas, is divided into five (5) election precincts: 128, 214, 215, 268, and 919. Maps depicting the City's election precincts are included in this Candidate Notebook (see Tab 13).

Appointment of a Campaign Treasurer by a Candidate

City of Bellaire
City Clerk's Office

An "Appointment of a Campaign Treasurer by a Candidate (CTA)" form must be on file with the City Clerk's Office before accepting any campaign contributions or making any campaign expenditures (including the expenditure of personal funds).

The form and instructions can be found in this Candidate Notebook (see Tab 8) or at:

https://www.ethics.state.tx.us/data/forms/coh/cta.pdf (form);
https://www.ethics.state.tx.us/data/forms/coh/e_cta.pdf (fillable form); and
https://www.ethics.state.tx.us/data/forms/coh/CTA_ins.pdf (instructions).

A candidate may appoint themself as their campaign treasurer. The appointment of a campaign treasurer is effective when it is filed with the City Clerk (if hand-delivered, on the date of delivery; if mailed, on the date of the postmark).

Candidate/Officeholder (C/OH) Campaign Finance Report

Candidates and officeholders are required to complete and file Candidate/Officeholder Campaign Finance Reports as follows:

April 2, 2026 (30th Day Before Election Report covering the reporting period beginning on January 26, 2026, or the date of campaign treasurer appointment, or the day after the last report ended and ending on March 23, 2026);

April 24, 2026 (8th Day Before Election Report covering the reporting period beginning on March 24, 2026, or the date of campaign treasurer appointment, or the day after the date the last report ended and ending on April 22, 2026); and

July 15, 2026 (July Semiannual Election Report covering the reporting period beginning January 26, 2026, or the date of campaign treasurer appointment, or the day after the date the last report ended and ending June 30, 2026).

City of Bellaire
City Clerk's Office

Campaign contribution and expenditure questions should be directed to the Texas Ethics Commission at (512) 463-5800 or www.ethics.state.tx.us. The City Clerk's Office is the filing repository for the reports and forms but does not provide legal or campaign advice.

If I may answer any questions or provide any information to assist you in the election process, please do not hesitate to call me at (713) 662-8275. You may also reach me by email (tdutton@bellairetx.gov).

If you have questions regarding City operations, do not hesitate to contact City Manager Sharon Citino at (713) 662-8228 or by email (scitino@bellairetx.gov).

Sincerely,

Tracy L. Dutton

Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

Special Election
2026

City of Bellaire

Candidate
Qualifications

CHARTER OF THE CITY OF BELLAIRE:

Article II, The Council, Section 2, Qualifications

To be eligible to be a candidate for, or elected to, office as Mayor or City Council Member of the City of Bellaire, or to continue to hold any such office, a person must:

(1) Be a United States citizen;

(2) Be twenty-one (21) years of age* or older on the first day of the term to be filled at the election;

(3) Have not been determined mentally incompetent by a final judgment of a court;

(4) Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

(5) Have resided continuously in the State of Texas and within the corporate limits of the City of Bellaire for twelve (12) months immediately preceding the filing deadline of the regular *(special)* election; and

(6) Be a qualified, registered voter of the State of Texas, County of Harris.

In addition, all candidates or persons elected to office as Mayor or City Council Member of the City of Bellaire shall meet all other requirements for office holders as may, from time to time, be specified by the Constitution and general laws of the State of Texas. If, at any time, any person holding the office of Mayor or City Council Member of the City of Bellaire no longer possesses all of the qualifications specified in this Section or is convicted of a felony or an offense involving moral turpitude while in office, such office shall, after a public hearing and determination by City Council pursuant to Section 16 be declared vacant.

TEXAS ELECTION CODE, TITLE 9, CANDIDATES, CHAPTER 141, CANDIDACY FOR PUBLIC OFFICE GENERALLY, SUBCHAPTER A, ELIGIBILITY FOR PUBLIC OFFICE, SEC. 141.001, ELIGIBILITY REQUIREMENTS FOR PUBLIC OFFICE:

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

(1) Be a United States citizen;

(2) Be 18 years of age* or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;

(3) Have not been determined by a final judgment of a court exercising probate jurisdiction to be: (a) totally mentally incapacitated; or (b) partially mentally incapacitated without the right to vote;

(4) Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

(5) Have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the date of the regular filing deadline for a candidate's application for a place on the ballot;

(6) On the date described by (5), be registered to vote in the territory from which the office elected; and

(7) Satisfy any other eligibility requirements prescribed by law for the office.

***Note:**

The age requirements for holding office under the City of Bellaire Charter and the Texas Election Code differ. Pursuant to Chapter 141, Section 141.003 of the Texas Election Code (Age and Residence Requirements for Home-Rule City Office), a home-rule city charter may prescribe age and residency requirements that differ from those set forth in Section 141.001; however, the minimum age may not exceed 21 years, and the minimum length of residency in the state or city may not exceed 12 months immediately preceding election day.

Accordingly, the City's age requirement would control, while the City's length-of-residence requirement would not.

First Steps for Candidates Running for a City Office

This quick-start guide for candidates seeking a city office is not intended to provide comprehensive information. For more details, including information on political advertising requirements, fundraising rules, and filing schedules, see the Texas Ethics Commission's (TEC) website at www.ethics.state.tx.us.

1. **All candidates must file a Campaign Treasurer Appointment (Form CTA).**
   All candidates must file Form CTA even if you do not intend to raise or spend any money. Form CTA is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. File Form CTA with the city clerk or city secretary, as applicable.

2. **Opposed Candidates: Will you accept or spend more than $1,140* for the election?**

   - YES:
     - You do not qualify to file on the modified reporting schedule.
     - You are ***required*** to file pre-election campaign finance reports using Form C/OH if you have an opponent on the ballot. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.
     - Pre-election reports are due 30 days and 8 days prior to each election. To be timely filed, pre-election reports must be *received* by the city clerk or city secretary no later than the due date.
   - NO:
     - You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of Form CTA. File Form CTA with the city clerk or city secretary.
     - If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.
   - Exceed $1,140*: If you elect to file on the modified reporting schedule but later exceed $1,140 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed $1,140*.
     - If you exceed $1,140* on or before the 30th day before the election, you are ***required*** to file pre-election campaign finance reports due 30 days and 8 days prior to an election using Form C/OH. To be timely filed, pre-election reports must be *received* by the city clerk or city secretary no later than the due date. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.
     - If you exceed $1,140* after the 30th day before the election, you are ***required*** to file an Exceeded Modified Reporting Limit report using Form C/OH. To be timely filed, this report must be filed with the city clerk or city secretary within 48 hours of exceeding $1,140.* You must also file the pre-election report due 8 days prior to an election. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage. If you exceed $1,140* on or before the 8th day before the election, you are ***required*** to file a pre-election campaign finance report due 8 days prior to an election using Form C/OH. To be timely filed, the pre-election

report must be *received* by the city clerk or city secretary no later than the due date. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.

3. **Unopposed Candidates.**

If you do not have an opponent whose name will appear on the ballot in the election, you are an unopposed candidate and are not required to file pre-election campaign finance reports prior to that election.

4. **All candidates must file semiannual campaign finance reports (Form C/OH).**

All candidates are ***required*** to file semiannual reports using Form C/OH even if you have no campaign activity or were unsuccessful in the election. Semiannual reports are due on January 15th and July 15th and must be filed with the city clerk or city secretary. To end your filing obligations, you must cease campaign activity and file a Final report using Form C/OH and attaching Form C/OH-FR (Designation of Final Report). Form C/OH-FR is found on the last page of Form C/OH. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage. For more information, see "Ending Your Campaign" for local filers.

5. **All candidates can use the TEC's Filing Application to prepare campaign finance reports (Form C/OH).**

You can use the TEC's Filing Application to prepare a PDF version of your campaign finance report (Form C/OH). Select "Local Authority" and follow the steps to set up an account and login to the application. Once you have completed your report, print out a copy, add your treasurer information, get it notarized, and file it with the city clerk or city secretary by the appropriate deadline.

6. **Need More Information?**

See the Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities, forms, instructions, examples on how to disclose contributions and expenditures, political advertising and fundraising guides, and other information you may find useful on our website at *www.ethics.state.tx.us* under the "Resources" and "Forms/Instructions" main menu items.

***NOTE:** The $1,140 threshold is specific to transactions made in 2026.*

NOTICE OF DEADLINE TO FILE APPLICATIONS FOR PLACE ON THE BALLOT

AVISO DE FECHA LÍMITE PARA PRESENTAR SOLICITUDES DE UN LUGAR EN LA BOLETA DE VOTACIÓN

THÔNG BÁO VỀ HẠN CHÓT NỘP ĐƠN XIN GHI TÊN TRANH CỬ TRÊN LÁ PHIẾU

申請登記選票席位截止公告

Notice is hereby given that an application for a place on the City of Bellaire Special Election ballot may be filed as indicated below:

Se notifica por el presente que la solicitud para un lugar en la boleta de votación de la Elección Especial de la Ciudad de Bellaire se puede presentar como se indica a continuación:

Theo đây xin thông báo thời gian có thể nộp đơn xin ghi tên tranh cử trên lá phiếu của Cuộc Bầu Cử Đặc Biệt của Thành Phố Bellaire là như sau:

特此通知，申請 Bellaire 市特別選舉之選票席位可於以下期間辦理登記：

Filing Dates and Times:
Fechas y horarios de presentación de solicitudes:
Ngày và Giờ Nộp Đơn:
申請日期及時間：

Start Date: Monday, January 26, 2026* After Election is Ordered	End Date: Tuesday, March 3, 2026, at 5:00 p.m.
Fecha de inicio: Lunes 26 de enero de 2026* Después de que se ordene la Elección	Fecha de cierre: Martes 3 de marzo de 2026 a las 5:00 p.m.
Ngày Bắt Đầu: Thứ Hai, ngày 26 tháng Một, 2026* Sau khi Cuộc Bầu Cử được ra lệnh tổ chức	Ngày Kết Thúc: Thứ Ba, ngày 3 tháng Ba, 2026, lúc 5 giờ chiều
開始日期：2026 年 1 月 26 日（週一）* 下令選舉後	截止日期：2026 年 3 月 3 日（週二）下午 5:00

Office Hours: 8:00 a.m. – 12:00 p.m. and 1:00 p.m. – 5:00 p.m., Monday through Friday, except for holidays.
Horario de atención: 8:00 a.m. a 12:00 p.m. y 1:00 p.m. a 5:00 p.m., de lunes a viernes, exceptuando feriados
Giờ Làm Việc: 8 giờ sáng - 12 giờ trưa và 1 giờ chiều - 5 giờ chiều, thứ Hai tới thứ Sáu, trừ các ngày lễ.
辦公時間：週一至週五上午 8:00 至中午 12:00 以及下午 1:00 至下午 5:00，節假日除外。

*It is anticipated that the City Council of the City of Bellaire, Texas, will call a Special Election to Fill a Vacancy on Monday, January 26, 2026. Because the filing period begins on the date the election is ordered, any change to the call date will result in a corresponding adjustment to the filing period.

*Se anticipa que el Consejo Municipal de la Ciudad de Bellaire, Texas, convocará una elección Especial para Cubrir una Vacante el lunes 26 de enero de 2026. Dado que el periodo de presentación comienza en la fecha en que se ordena la elección, cualquier cambio en la fecha de convocatoria resultará en un ajuste correspondiente al periodo de presentación.

*Dự kiến rằng Hội Đồng Thành Phố của Thành Phố Bellaire, Texas sẽ ra lệnh tổ chức một Cuộc Bầu Cử Đặc Biệt để Bầu Chọn Người Đảm Trách một Vị Trí Trống vào thứ Hai, ngày 26 tháng Một, 2026. Vì thời gian nộp đơn bắt đầu vào ngày ra lệnh tổ chức cuộc bầu cử này, nếu ngày ra lệnh tổ chức có bất kỳ thay đổi nào, thì sẽ khiến thời gian nộp đơn này được điều chỉnh tương ứng.

＊預計 Texas 州 Bellaire 市市議會將於 2026 年 1 月 26 日（週一）召開特別選舉，以填補空缺。由於候選人登記期間自下令選舉之日開始，對下令日期的任何變更都將導致候選人登記期間作出相應調整。

Physical address for filing an application in person for place on the ballot:
Dirección física para presentar en persona una solicitud para un lugar en la boleta de votación:
Địa chỉ nơi có thể đích thân tới nộp đơn xin ghi tên trên lá phiếu:
親自辦理選票席位申請的地址是：

City of Bellaire
City Clerk's Office
First Floor of City Hall
7008 South Rice Avenue
Bellaire, Texas 77401

Address to mail an application for place on the ballot (if filing by mail):
Dirección postal para enviar por correo una solicitud para un lugar en la boleta de votación (si la solicitud se presenta por correo):
Địa chỉ nhận đơn xin ghi tên trên lá phiếu (nếu gửi qua đường bưu điện):
郵寄辦理選票席位申請的地址是（若以郵寄方式申報）：

City of Bellaire
Attn: City Clerk
7008 South Rice Avenue
Bellaire, Texas 77401

Email to send an application for place on the ballot: tdutton@bellairetx.gov
Correo electrónico para enviar una solicitud para un lugar en la boleta de votación: tdutton@bellairetx.gov
Địa chỉ email để gửi đơn xin ghi danh trên lá phiếu: tdutton@bellairetx.gov
將選票席位申請通過電子郵件發送至：tdutton@bellairetx.gov

Tracy L. Dutton
Filing Officer/Funcionaria encargada
Viên Chức phụ trách Nộp Đơn/辦理申請官員

Tracy L Dutton
Signature of Filing Officer
Firma del funcionario encargado
Chữ Ký của Viên Chức phụ trách Nộp Đơn
辦理申請官員簽名

12/15/25 tld

Date Posted/Fecha de colocación
Ngày Niêm Yết/公告日期

Special Election
2026

City of Bellaire

Important Dates

Date	Action
December 15, 2025 (Monday)	Deadline to Post Notice of Candidate Filing Deadline
January 1, 2026 (Thursday)	First Day to Apply for a Ballot by Mail or Federal Post Card Application
January 26, 2026 (Monday)	First Day to Apply for Place on Special Election Ballot (After Call of Special Election by the City Council)
March 3, 2026 (Tuesday) by 5:00 p.m.	Last Day to File for Place on Special Election Ballot
March 4, 2026 (Wednesday) at 6:00 p.m.	Drawing for Place on Ballot (Determine Order on Ballot)
April 2, 2026 (Thursday)	Last Day to Register to Vote
April 20, 2026 (Monday)	First Day of Early Voting by Personal Appearance Last Day to Apply for Ballot by Mail
April 28, 2026 (Tuesday)	Last Day of Early Voting by Personal Appearance
May 2, 2026 (Saturday)	Election Day
May 2, 2026 (Saturday)	Last Day to Receive Ballot by Mail if Carrier Envelope is not Postmarked
May 12, 2026 (Tuesday) at 6:00 p.m.	Proposed Day to Canvass Special Election

2-50
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code; Section 11.055, Texas Education Code
07/2025

Name of Form:
Application for a Place on the Ballot for a Special Election for a City, School District or Other Political Subdivision.

Section Reference:
Section 141.031, Chapters 143 and 144, Texas Election Code; Section 11.055, Texas Education Code

Purpose:
To collect the legally required information from a candidate who seeks a place on a special election ballot for cities, schools and other political subdivisions.

Number of Copies Required:
One

Completed by:
Candidate, the person authorized to administer oaths and the City Secretary or Secretary of the Board of the political subdivision.

Filing Date:
Not later than the deadline stated in the election order, as governed by Section 201.054 of the Texas Election Code.

Filed with:
City Secretary or Secretary of the Board of the political subdivision.

Comments:
A candidate for office must indicate whether he or she was ever finally convicted of a felony. A candidate who was finally convicted, must show proof that he or she released from the resulting disabilities of a felony conviction. Please see the instructions attached to the application.

Version:
Current form is date 7/2025.

2-50
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code; Section 11.055, Texas Education Code
07/2025

APPLICATION FOR A PLACE ON THE BALLOT FOR A SPECIAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL[1] Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE _____ SPECIAL ELECTION BALLOT

TO: City Secretary/Secretary of Board **(name of election)**

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

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

FULL NAME (First, Middle, Last)	**PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT***

PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			**PUBLIC MAILING ADDRESS** (Address for which you receive campaign related correspondence, if available.)		
CITY	**STATE**	**ZIP**	**CITY**	**STATE**	**ZIP**

PUBLIC EMAIL ADDRESS (Address for which you receive campaign related emails, if available.)	**OCCUPATION (Do not leave blank)**	**DATE OF BIRTH** / /	**VOTER REGISTRATION VUID NUMBER[2] (Optional)**

TELEPHONE CONTACT INFORMATION (Optional)

Home: Office: Cell:

FELONY CONVICTION STATUS (You MUST check one)	**LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN**	
	IN THE STATE OF TEXAS	**IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED**
☐ I have not been finally convicted of a felony.		
☐ I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application.[3]	_____ year(s) _____ month(s)	_____ year(s) _____ month(s)

This Box Must ONLY be Completed by Candidates for School District Board of Trustees

Check the Box Below:

☐ I am aware that I am not eligible to serve as a trustee of an independent school district if I am required to register as a sex offender under Chapter 62, Code of Criminal Procedure.

*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.

Before me, the undersigned authority, on this day personally appeared (name of candidate)_____, who being by me here and now duly sworn, upon oath says:

"I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."

X _____
SIGNATURE OF CANDIDATE

Sworn to and subscribed before me this the _____ day of _____, _____, by _____.
(day) (month) (year) (name of candidate)

_____ _____
Signature of Officer Authorized to Administer Oath[4] Printed Name of Officer Authorized to Administer Oath

_____ Notarial or Official Seal
Title of Officer Authorized to Administer Oath

TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:

☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE.

This document and $_____ filing fee or a nominating petition of _____ pages received. ☐ **Voter Registration Status Verified**

_____/_____/_____ _____/_____/_____ **(See Section 1.007)** _____
Date Received Date Accepted Signature of Filing Officer or Designee

2-50
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code; Section 11.055, Texas Education Code
07/2025

INSTRUCTIONS

A special election can be used to fill a vacancy only if authorized by law.

An application for a special election may not be filed until after the election is ordered. The filing deadline is governed by Section 201.054 of the Texas Election Code, and by the date the special election was ordered. The filing deadline should be stated in the election order. Please review the Secretary of State's current election law calendars for Section 201.054 deadlines.

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

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

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

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

FOOTNOTES

[1]An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

[2]Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information.

[3]Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

One of the following documents must be submitted with this application:

Judicial Clemency under Texas Code of Criminal Procedure 42A.701
Executive Pardon under Texas Code of Criminal Procedure 48.01
Restoration of Rights under Texas Code of Criminal Procedure 48.05

[4]All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP
COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

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

POLITICAL COMMITTEE ☐ — *If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.*

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

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

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE ( ) | PHONE NUMBER | EXTENSION

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

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

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

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

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

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

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

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

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

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

_____ _____

Signature Date

ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 258. FAIR CAMPAIGN PRACTICES

Sec. 258.001. SHORT TITLE. This chapter may be cited as the Fair Campaign Practices Act.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.002. PURPOSE. (a) The purpose of this chapter is to encourage every candidate and political committee to subscribe to the Code of Fair Campaign Practices.

(b) It is the intent of the legislature that every candidate and political committee that subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.003. DELIVERY OF COPY OF CODE. (a) When a candidate or political committee files its campaign treasurer appointment, the authority with whom the appointment is filed shall give the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The authority shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with the authority and that subscription to the code is voluntary.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.004. TEXT OF CODE. The Code of Fair Campaign Practices reads as follows:

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens

may exercise their constitutional rights to a free and untrammeled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

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

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

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

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

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

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

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

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

_____ _____

Date Signature

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.005. FORMS. The commission shall print copies of the Code of Fair Campaign Practices and shall supply the forms to the authorities with whom copies of the code may be filed in quantities and at times requested by the authorities.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.006. ACCEPTANCE AND PRESERVATION OF COPIES. (a) An authority with whom a campaign treasurer appointment is filed shall accept each completed copy of the code submitted to the authority that is properly subscribed to by a candidate or the campaign treasurer of a political committee.

(b) Each copy of the code accepted under this section shall be preserved by the authority with whom it is filed for the period prescribed for the filer's campaign treasurer appointment.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.007. SUBSCRIPTION TO CODE VOLUNTARY. The subscription to the Code of Fair Campaign Practices by a candidate or a political committee is voluntary.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.008. INDICATION ON POLITICAL ADVERTISING. A candidate or a political committee that has filed a copy of the Code of Fair Campaign Practices may so indicate on political advertising in a form to be determined by the commission.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

Sec. 258.009. CIVIL CAUSE OF ACTION. This chapter does not create a civil cause of action for recovery of damages or for enforcement of this chapter.

Added by Acts 1997, 75th Leg., ch. 168, Sec. 1, eff. Sept. 1, 1997.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.

1 Total pages filed:

2 CANDIDATE NAME

MS / MRS / MR | FIRST | MI

NICKNAME | LAST | SUFFIX

3 CANDIDATE MAILING ADDRESS

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

4 CANDIDATE PHONE

AREA CODE | PHONE NUMBER | EXTENSION

( )

5 OFFICE HELD (if any)

6 OFFICE SOUGHT (if known)

7 CAMPAIGN TREASURER NAME

MS/MRS/MR | FIRST | MI | NICKNAME | LAST | SUFFIX

8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)

STREET ADDRESS; | APT / SUITE #; | CITY; | STATE; | ZIP CODE

9 CAMPAIGN TREASURER PHONE

AREA CODE | PHONE NUMBER | EXTENSION

( )

10 CANDIDATE SIGNATURE

I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.

I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.

I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.

Signature of Candidate

Date Signed

OFFICE USE ONLY

Filer ID #

Date Received

Date Hand-delivered or Postmarked

Receipt # | Amount $

Date Processed

Date Imaged

GO TO PAGE 2

CANDIDATE MODIFIED REPORTING DECLARATION

11 CANDIDATE NAME	
12 MODIFIED REPORTING DECLARATION	**COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING**

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

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

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

I do not intend to accept more than $1,140 in political contributions or make more than $1,140 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

_____ _____

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

Signature of Candidate

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

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

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

For more information about where to file go to:
https://www.ethics.state.tx.us/filinginfo/QuickFileAReport.php

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE

Revised January 1, 2026

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
www.ethics.state.tx.us
(512) 463-5800 • TDD (800) 735-2989
Promoting Public Confidence in Government

FORM CTA—INSTRUCTION GUIDE

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APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form CTA). Use Form CTA only for appointing your campaign treasurer. Use the AMENDMENT (Form ACTA) for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. Note: Candidates for most judicial offices use Form JCTA to file a campaign treasurer appointment.

DUTIES OF A CANDIDATE OR OFFICEHOLDER

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

QUALIFICATIONS OF CAMPAIGN TREASURER

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

DUTIES OF A CAMPAIGN TREASURER

State law does not impose any obligations on a candidate's campaign treasurer.

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

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

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

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

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

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

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

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

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

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

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

If you are an officeholder, you may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. If you do not have a campaign treasurer appointment on file and you wish to accept *campaign* contributions or make *campaign* expenditures in connection with your office or for a different office, you must file this form before doing so. In such a case, a sworn report of contributions, expenditures, and loans will be due no later than the 15th day after filing this form.

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT

The appropriate filing authority depends on the office sought or held.

a. **Texas Ethics Commission.** The Texas Ethics Commission (Commission) is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner.
- State Senator or State Representative.
- Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge.*

- State Board of Education.
- A multi-county district judge* or multi-county district attorney.
- A single-county district judge.*
- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
- A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
- A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.

* Judicial candidates use FORM JCTA to appoint a campaign treasurer.

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

- A county office.
- A precinct office.
- A district office (except for multi-county district offices).
- An office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.
- An elected position on the board of directors of an appraisal district.

c. Local Filing Authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

FILING WITH A DIFFERENT AUTHORITY

If you have a campaign treasurer appointment on file with one authority, and you wish to accept campaign contributions or make or authorize campaign expenditures in connection with another office that would require filing with a different authority, you must file a new campaign treasurer appointment *and* a copy of your old campaign treasurer appointment (certified by the old authority) with the new filing authority before beginning your campaign. You should also

provide written notice to the original filing authority that your future reports will be filed with another authority; use Form CTA-T for this purpose.

FORMING A POLITICAL COMMITTEE

As a candidate, you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA). You may also form a specific-purpose committee to support your candidacy. Remember that filing a campaign treasurer appointment for a political committee does not eliminate the requirement that a candidate file his or her own campaign treasurer appointment (FORM CTA) and the related reports.

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

CHANGING A CAMPAIGN TREASURER

If you wish to change your campaign treasurer, simply file an amended campaign treasurer appointment (FORM ACTA). This will automatically terminate the outgoing campaign treasurer appointment.

AMENDING A CAMPAIGN TREASURER APPOINTMENT

If *any* of the information reported on the campaign treasurer appointment (FORM CTA) changes, file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM ACTA) to report the change.

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

If you are an officeholder who appoints a campaign treasurer after a period of not having one, you must file a report of contributions, expenditures, and loans no later than the 15th day after your appointment is effective. This requirement is not applicable if you are a candidate or an officeholder who is merely changing campaign treasurers.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

You may terminate your campaign treasurer appointment at any time by:

1) filing a campaign treasurer appointment for a successor campaign treasurer, or

2) filing a final report.

Remember that you may not accept any campaign contributions or make or authorize any campaign expenditures without a campaign treasurer appointment on file. You may, however, accept officeholder contributions and make or authorize officeholder expenditures.

If your campaign treasurer quits, he or she must give written notice to both you and your filing authority. The termination will be effective on the date you receive the notice or on the date your filing authority receives the notice, whichever is later.

FILING A FINAL REPORT

For filing purposes, you are a "candidate" as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. If you have surplus funds, or if you retain assets purchased with political funds, you will be required to file annual reports. (*See instructions for FORM C/OH - UC.*) If you are an officeholder at the time of filing a final report, you may be required to file semiannual reports of contributions, expenditures, and loans as an officeholder.

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

To file a final report, you must complete the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (FORM C/OH), check the "final" box on Page 1, Section 9, and complete and attach the DESIGNATION OF FINAL REPORT (FORM C/OH-FR).

ELECTRONIC FILING

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

GUIDES

All candidates should review the applicable Commission's campaign finance guide. Guides are available on the Commission's website at *http://www.ethics.state.tx.us.*

SPECIFIC INSTRUCTIONS

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

PAGE 1

1. **TOTAL PAGES FILED**: After you have completed the form, enter the total number of pages of this form and any additional pages. A "page" is one side of a two-sided form. If you are not using a two-sided form, a "page" is a single sheet.

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

3. **CANDIDATE MAILING ADDRESS**: Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. We recommend using a PO Box or other address where you receive mail, rather than your home

address. This will be public information. If this information changes, please notify your filing authority immediately.

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

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

6. **OFFICE SOUGHT**: If you are a candidate, please enter the office you seek, if known. Include the district, precinct, or other designation for the office, if applicable.

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

8. **CAMPAIGN TREASURER STREET ADDRESS**: Enter the complete street address of your campaign treasurer, including the zip code. You may enter either the treasurer's business or residential street address. If you are your own treasurer, you may enter either your business or residential street address.

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

10. **CANDIDATE SIGNATURE**: Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.

    - The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.

    - A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.

    - A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.

    - Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The degree of consanguinity is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. Examples: (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent

to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

PAGE 2

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

12. MODIFIED REPORTING DECLARATION: Sign this option if you wish to report under the modified reporting schedule.

The modified reporting option is not available for candidates for the office of state chair of a political party and candidates for county chair of a political party.

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

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

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than $1,140 in political contributions or make more than $1,140 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the $1,140 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semiannual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The $1,140 maximums apply to each election within the cycle. In other words, you are limited to $1,140 in contributions and expenditures in connection with the primary, an additional $1,140 in contributions and expenditures in connection with the general election, and an additional $1,140 in contributions and expenditures in connection with a runoff.

EXCEEDING $1,140 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed $1,140 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the $1,140 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

Your selection is not valid for other elections or election cycles. Use the AMENDMENT (FORM ACTA) to renew your option to file under the modified schedule for a different election year or election cycle.

For more information, see the Commission's campaign finance guide that applies to you.

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA
PG 1

1 CANDIDATE NAME	2 FILER ID #	3 Total pages filed:

See ACTA Instruction Guide for detailed instructions.
Use this form for changes to existing information *only*. Do not provide information previously disclosed.

4 CANDIDATE NAME
NEW | MS / MRS / MR | FIRST | MI
NICKNAME | LAST | SUFFIX

5 CANDIDATE MAILING ADDRESS
NEW | ADDRESS / PO BOX; | APT / SUITE #; | CITY; | STATE; | ZIP CODE

6 CANDIDATE PHONE
NEW | AREA CODE | PHONE NUMBER | EXTENSION
( )

OFFICE USE ONLY
Date Received
Date Hand-delivered or Postmarked
Receipt # | Amount $
Date Processed
Date Imaged

7 OFFICE HELD (if any)
NEW

8 OFFICE SOUGHT (if known)
NEW

9 CAMPAIGN TREASURER NAME
NEW | MS / MRS / MR | FIRST | MI | NICKNAME | LAST | SUFFIX

10 CAMPAIGN TREASURER STREET ADDRESS (residence or business)
NEW | STREET ADDRESS (NO PO BOX PLEASE); | APT / SUITE #; | CITY; | STATE; | ZIP CODE

11 CAMPAIGN TREASURER PHONE
NEW | AREA CODE | PHONE NUMBER | EXTENSION
( )

12 CANDIDATE SIGNATURE

I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.

I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.

I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.

Signature of Candidate

Date Signed

GO TO PAGE 2

AMENDMENT:
CANDIDATE MODIFIED REPORTING DECLARATION

FORM **ACTA**
PG **2**

13 CANDIDATE NAME	
14 MODIFIED REPORTING DECLARATION	NEW

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

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

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

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

I do not intend to accept more than $1,140 in political contributions or make more than $1,140 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

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

_____ Signature of Candidate

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

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

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

For more information about where to file go to:
https://www.ethics.state.tx.us/filinginfo/QuickFileAReport.php

TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA–INSTRUCTION GUIDE

Revised January 1, 2026

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
www.ethics.state.tx.us
(512) 463-5800 • TDD (800) 735-2989
Promoting Public Confidence in Government

FORM ACTA–AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form ACTA). Use this form for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. The information you enter on this form will replace the information from your previous APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form (CTA).

If any of the information required to be reported on your CAMPAIGN TREASURER APPOINTMENT changes, you should file an amendment. Use the AMENDMENT form (Form ACTA) to report the changes. Do not use the APPOINTMENT form (Form CTA).

You must also use the AMENDMENT form to renew your option to file under the modified schedule.

Except for your name at the top of the form (and your filer account number, if you file with the Texas Ethics Commission (Commission)), enter only the information that is *different* from what is on your current campaign treasurer appointment. Do not repeat information that has not changed. The "NEW" boxes emphasize that the information entered on this form should only be information that is different from what was previously reported. Any information entered in a space with a "NEW" box will replace the existing information.

SPECIFIC INSTRUCTIONS

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

PAGE 1

1. **CANDIDATE NAME**: Enter your name as it is on your current campaign treasurer appointment. Enter your name in the same way on Page 2, Section 13, of this form. If you are reporting a name change, enter your new name under Section 4.

2. **FILER ID #**: If you are filing with the 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 "FILER ID #." If you do not file with the Ethics Commission, you are not required to enter an account number.

3. **TOTAL PAGES FILED**: After you have completed the form, enter the total number of pages of this form and any additional pages. A "page" is one side of a two-sided form. If you are not using a two-sided form, a "page" is a single sheet.

4. **CANDIDATE NAME**: Complete this section only if your name has *changed.* If your name has changed, enter your complete new name, including nicknames and suffixes (e.g., Sr., Jr., III) if applicable.

5. **CANDIDATE MAILING ADDRESS**: Complete this section only if your mailing address has *changed.* If your mailing address has changed, enter your complete new address, including zip code. This information will allow your filing authority to correspond with you. We recommend using a PO Box or other address where you receive mail, rather than your home address. This will be public information.

6. **CANDIDATE PHONE**: Complete this section only if your phone number has *changed.* If your phone number has changed, enter your new phone number, including the area code and extension, if applicable.

7. **OFFICE HELD**: If you are an officeholder, complete this section only if your office has *changed.* If your office has changed, please enter the new office held. Include the district, precinct, or other designation for the office, if applicable.

8. **OFFICE SOUGHT**: If you are a candidate, complete this section only if the office you seek has *changed.* If the office has changed, please enter the office you now seek, if known. Include the district, precinct, or other designation for the office, if applicable.

Note: Changing the office you are seeking may require you to file your reports with a different filing authority. See the Campaign Finance Guide for further information on filing with a different authority.

9. **CAMPAIGN TREASURER NAME**: Complete this section only if your campaign treasurer has *changed.* If your campaign treasurer has changed, enter the full name of your new campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.

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

10. **CAMPAIGN TREASURER STREET ADDRESS**: Complete this section only if your campaign treasurer's street address has *changed.* If your campaign treasurer's street address has changed, enter the complete new address of your campaign treasurer, including the zip code. You may enter either the treasurer's new business or residential street address. If you are your own treasurer, you may enter either your business or residential street address.

11. **CAMPAIGN TREASURER PHONE**: Complete this section only if your campaign treasurer's phone number has *changed.* If your campaign treasurer's phone number has

changed, enter the new phone number of your campaign treasurer, including the area code and extension, if applicable.

12. CANDIDATE SIGNATURE: Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.

- The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.

- A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.

- A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.

- Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The *degree of consanguinity* is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. **Examples**: (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

Note: The changes you have made on this form will replace the information on your previous APPOINTMENT form (Form CTA).

PAGE 2

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

14. MODIFIED REPORTING DECLARATION: Sign this option if you wish to report under the modified reporting schedule.

The modified reporting option is not available for candidates for the office of state chair of a political party.

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

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

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than $1,140 in political contributions or make more than $1,140 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the $1,140 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semi-annual reports, special pre-election reports, or special session reports, if applicable, are not affected by selecting the modified schedule.

The $1,140 maximums apply to each election within the cycle. In other words, you are limited to $1,140 in contributions and expenditures in connection with the primary, an additional $1,140 in contributions and expenditures in connection with the general election, and an additional $1,140 in contributions and expenditures in connection with a runoff.

Exceeding $1,140 in contributions or expenditures. If you exceed $1,140 in contributions or expenditures in connection with an election, you must file according to the regular schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the $1,140 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

Your selection is not valid for other elections or election cycles. Use another amendment form (ACTA) to renew your option to file under the modified schedule.

For more information, see the Commission's campaign finance guide that applies to you.

TEXAS ETHICS COMMISSION

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

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

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

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

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

Revised January 1, 2026

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
www.ethics.state.tx.us
(512) 463-5800 • TDD (800) 735-2989
Promoting Public Confidence in Government

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

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INTRODUCTION

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

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

IMPORTANT UPDATES

As directed by section 571.064 of the Texas Government Code, the Commission is required to annually adjust certain reporting thresholds upward to the nearest multiple of $10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor.

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

Verify that you are using the correct thresholds and forms that apply to your filing. For example, if you are filing a campaign finance report or lobby activities report that is due in January of 2025, you must use the forms and instructions that are applicable to the period ending December 31, 2024.

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

FEDERAL OFFICES

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

FILING AUTHORITIES

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

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

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

- a county office;
- a precinct office;
- a district office (except for multi-county district offices);
- 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; and
- An elected position on the board of directors of an appraisal district.

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

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

- Multi-county district offices. (Reminder: This guide does not apply to multi-county district offices.)

- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.

POLITICAL COMMITTEES (PACS)

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

FINANCIAL DISCLOSURE STATEMENTS

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

FEDERAL INCOME TAX

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

TEXAS ETHICS COMMISSION

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

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

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

APPOINTING A CAMPAIGN TREASURER

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

(A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the

automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;

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

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

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

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

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

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

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

NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT TREASURER APPOINTMENT ON FILE

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

APPOINTING TREASURER TRIGGERS REPORTING DUTIES

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

QUALIFICATIONS OF CAMPAIGN TREASURER

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

this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision.

DUTIES OF CAMPAIGN TREASURER

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

EFFECTIVE DATE OF APPOINTMENT

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

CODE OF FAIR CAMPAIGN PRACTICES

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

APPOINTMENT BY OFFICEHOLDER

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

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

FILING FOR A PLACE ON THE BALLOT

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

CHANGING TREASURERS

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

TRANSFERRING TO A DIFFERENT FILING AUTHORITY

If a candidate has a campaign treasurer appointment on file with one filing authority and wishes to accept campaign contributions or make campaign expenditures in connection with a candidacy for an office that would require reporting to a different filing authority, the candidate must file a new campaign treasurer appointment and a copy of the old campaign treasurer appointment (certified by original authority) with the second filing authority. The candidate should also

provide written notice to the original filing authority that future reports will be filed with another authority. In general, funds accepted in connection with one office may be used in connection with a campaign for a different office, as long as neither of the offices is a judicial office.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

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

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

DECIDING NOT TO RUN

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

THINGS TO REMEMBER

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

- A person may not accept a campaign contribution or make a campaign expenditure unless the person has a campaign treasurer appointment on file with the proper filing authority.

- Once a person files a form appointing a campaign treasurer, the person is a candidate for disclosure filing purposes and is responsible for filing periodic reports of contributions and expenditures with the proper filing authority until the person files a "final report."

- The candidate, not the campaign treasurer, is responsible for filing periodic reports of contributions and expenditures.

- Filing a campaign treasurer appointment does not automatically "sign you up" for a place on the ballot. The Secretary of State can provide information about getting on the ballot. Call (512) 463-5650 or (800) 252-8683.

POLITICAL CONTRIBUTIONS AND EXPENDITURES

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

CAMPAIGN CONTRIBUTIONS

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

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

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

CAMPAIGN EXPENDITURES

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

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

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

OFFICEHOLDER CONTRIBUTIONS

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

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

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

OFFICEHOLDER EXPENDITURES

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

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

CAMPAIGN EXPENDITURES BY OFFICEHOLDER

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

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

PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS

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

USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY

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

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

ACCEPTING CONTRIBUTIONS

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

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

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

REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

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

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

SEPARATE ACCOUNT REQUIRED

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

RESTRICTIONS INVOLVING LOBBYING

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

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

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

(1) the lobbyist as a candidate or officeholder;

(2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or

(3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made.

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

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

Lobby Expenditures from Political Contributions. Section 305.029 of the Government Code prohibits certain lobby expenditures made from political contributions. A lobbyist registered under Chapter 305 of the Government Code, or a person on behalf of the lobbyist and with the

lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by:

(1) the lobbyist as a candidate or officeholder;

(2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or

(3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure.

INFORMATION REQUIRED ON REPORTS

CONTRIBUTIONS

A report must disclose the amount of each contribution or the value and nature of any in-kind contribution, as well as the name and address of the individual or political committee making the contribution, and the date of the contribution. (Detailed information about a contributor is not required to be reported if the contributor contributed $110 or less during the reporting period. However, all contributions made electronically must be itemized with this information.)

PLEDGES

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

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

Example 1: In June a supporter promises that he will give Juan Garcia $1,000 in the last week before the November election. Juan accepts his promise. Juan must report the pledge on his July 15 report. Juan must also report a political contribution when the pledge is actually received. (**Note:** If Juan receives the pledge during the July semiannual reporting period then he does not report the pledge and only reports a political contribution. Also, if he never receives the $1,000, he does not amend his report to delete the entry for the pledge.)

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

LOANS

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

guarantor. (Detailed information is not required if a particular lender lent $110 or less during a reporting period.) If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan. *See* "Campaign Expenditures from Personal Funds" in this guide for additional information.

Note: A loan from an incorporated financial institution that has been in business for more than one year is not a contribution. Other loans are considered to be contributions. This distinction is important because of the prohibition on contributions from banks and certain other financial institutions. *See* "Campaign Finance Restrictions" in this guide. All loans are reported on the same schedule, regardless of whether they are contributions. Additionally, the forgiveness of a loan is a reportable in-kind contribution. *See* 1 Tex. Admin. Code § 20.64.

CONTRIBUTIONS OF PERSONAL SERVICES

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

CONTRIBUTIONS OF PERSONAL TRAVEL

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

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

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

Contributions over $1,140 in a reporting period. Before *accepting* more than $1,140 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 $230 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 $1,140 or less in a reporting period. For a contribution of $1,140 or less from an out-of-state committee in a reporting period, there is no requirement to obtain documentation *before accepting* the contribution. But there is a requirement to include certain documentation with the report of the contribution. The report must include *either* (1) a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee, *or* (2) the committee's name, address, and phone number; the name of the person appointing the

committee's campaign treasurer; and the name, address, and phone number of the committee's campaign treasurer.

EXPENDITURES

A filer must report any campaign expenditure (regardless of whether it is made from political contributions or from personal funds) and any political expenditure (campaign or officeholder) from political contributions (regardless of whether the expenditure is a political expenditure). A filer must also report unpaid incurred obligations. *See* "Unpaid Incurred Obligations" in this guide. If the total expenditures to a particular payee do not exceed $230 during the reporting period, a filer may report those expenditures as part of a lump sum. Otherwise, a filer must report the date of an expenditure, the name and address of the person to whom the expenditure is made, and the purpose of the expenditure.

UNPAID INCURRED OBLIGATIONS

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

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

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

EXPENDITURES MADE BY CREDIT CARD

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

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

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

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

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

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

OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS

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

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

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

DIRECT EXPENDITURES

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

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

SUPPORTING POLITICAL COMMITTEES

A political committee that accepts political contributions or makes political contributions on behalf of a candidate or officeholder is required to give the candidate or officeholder notice of

that fact. The candidate or officeholder must report the receipt of such a notice on the report covering the period in which he or she receives the notice.

PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER

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

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

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

INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS

A candidate or officeholder is required to disclose information regarding the following types of activity from political contributions:

- any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, the amount of which exceeds $140;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds $140; and
- any other gain from a political contribution, the amount of which exceeds $140.

A candidate or officeholder must use Schedule K to report such information. Although you are not required to do so, you may also report any credit/gain/refund or interest that does not exceed $140 in the period on this schedule. (Previously, this was an optional schedule because a candidate or officeholder was not required to report this information.) A candidate or officeholder may not use interest and other income from political contributions for personal purposes. Political expenditures made from such income must be reported on the expenditures schedule.

PURCHASE OF INVESTMENTS

A candidate or officeholder must report any investment purchased with a political contribution, the amount of which exceeds $140. This information must be disclosed on Schedule F3 of the campaign finance report.

TOTAL POLITICAL CONTRIBUTIONS MAINTAINED

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

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

TIME OF ACCEPTING CONTRIBUTION

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

TIME OF MAKING EXPENDITURE

For reporting purposes, an expenditure is made when the amount of the expenditure is readily determinable. An expenditure that is not paid during the reporting period in which the obligation to pay is incurred must be reported on the reporting schedule for "Unpaid Incurred Obligations," and then reported again on the appropriate expenditure schedule when payment is actually made. If a filer cannot determine the amount of an expenditure until a periodic bill, the date of the expenditure is the date the bill is received.

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

PREPARING REPORTS

FORMS

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

SIGNATURE REQUIRED

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

FILING DEADLINES

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

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

PERIODS COVERED BY REPORTS

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

DEADLINE ON WEEKEND OR HOLIDAY

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

5 P.M. DEADLINE

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

DELIVERY BY MAIL OR OTHER CARRIER

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

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

RETENTION OF RECORDS USED FOR REPORTS

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

REPORTS

SEMIANNUAL REPORTS

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

However, there is an exception to this requirement for officeholders who file with a local filing authority, do not have a campaign treasurer appointment on file, and do not accept more than $1,140 in officeholder contributions or make more than $1,140 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 $1,140 in contributions or $1,140 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 $1,140 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 $1,140 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 $1,140 in contributions or make more than $1,140 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 $1,140 in political contributions or make more than $1,140 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 $1,140 in contributions or made more than $1,140 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. Tex. 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. Tex. 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. Tex. 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.) Tex. 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. Tex. 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. Tex. Elec. Code § 253.001.

7. Personal use of political contributions is prohibited. Tex. 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* to Op. Tex. Ethics Comm'n No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions). Tex. Elec. Code § 253.041.

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

9. A candidate, officeholder, or political committee may not accept political contributions in the Capitol, the Capitol Extension, or a courthouse. "Courthouse" means any building owned by the state, a county, or a municipality, or an office or part

of a building leased to the state, a county, or a municipality, in which a justice or judge sits to conduct court proceedings. Tex. Elec. Code § 253.039.

10. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or making or authorizing a direct campaign expenditure, from political contributions accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made. Tex. Elec. Code § 253.006.

11. A person who makes a political contribution to another candidate, officeholder, or political committee, or makes a direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder is prohibited from engaging in activities that require registration as a lobbyist for two years thereafter. This does not apply to a person who does not receive compensation other than reimbursement for actual expenses to lobby on behalf of a nonprofit organization, a group of low-income individuals, or a group of individuals with disabilities. Tex. Elec. Code § 253.007.

12. A registered lobbyist, or a person on behalf of the lobbyist and with the lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure. Tex. Gov't Code § 305.029.

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

TEXAS ETHICS COMMISSION
2026 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH ELECTIONS HELD ON UNIFORM ELECTION DATES

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2026 are May 2 and November 3.

Candidates and officeholders must file semiannual reports (due on January 15, 2026, and July 15, 2026). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file two pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2026 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2026 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

EXPLANATION OF THE FILING SCHEDULE CHART

COLUMN I: REPORT DUE DATE - This is the date by which the report must be filed. 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. This schedule shows the extended deadline where applicable. A report transmitted to the Texas Ethics Commission over the Internet is considered timely filed if it is transmitted ***by midnight, Central Time Zone, on the night of the filing deadline***. For most filing deadlines, a report filed on paper is considered timely filed if it is deposited with the U.S. Post Office or a common or contract carrier properly addressed with postage and handling charges prepaid, or hand-delivered to the filing authority by the filing 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 timely filed.

COLUMN II: TYPE OF REPORT (WHO FILES) - This column gives the report type and explains which reporting form to use and which filers are required to file the report.

COLUMN III: BEGINNING DATE OF PERIOD COVERED - This column sets out the beginning date of the time period covered by the report. Use the latest one of the applicable dates. The "date of campaign treasurer appointment" is the beginning date only for the *first* report filed after filing a campaign treasurer appointment. For officeholders recently appointed to an elective office, the beginning date for the first report will be the date the officeholder took office, provided that he or she was not already filing as an officeholder or candidate at the time of the appointment. (*NOTE:* If you are ever confused about the beginning date for a required report, remember this rule: **There should never be gaps between reporting periods and, generally, there should not be overlaps.**)

COLUMN IV: ENDING DATE OF PERIOD COVERED - This column sets out the ending date of the time period covered by the report. The report must include reportable activity occurring on the ending date.

Please consult the CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES or the CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES for further information.

COLUMN I DUE DATE	COLUMN II TYPE OF REPORT (WHO FILES)	COLUMN III BEGINNING DATE OF PERIOD COVERED	COLUMN IV ENDING DATE OF PERIOD COVERED
Thursday, January 15, 2026	**January semiannual** [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed $1,110 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2025, *or* the date of campaign treasurer appointment, *or* the day after the date the last report ended.	December 31, 2025
Thursday, January 15, 2026	**Annual report of unexpended contributions** [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)	January 1, 2025, *or* the day after the date the final report was filed.	December 31, 2025

REPORTS DUE BEFORE THE MAY 2, 2026, UNIFORM ELECTION

Thursday, April 2, 2026 **NOTE: This report must be received by the appropriate filing authority no later than April 2, 2026.**	**30th day before the May 2, 2026, uniform election** [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 2 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved in the May 2 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 2 election)	January 1, 2026, *or* the date of campaign treasurer appointment, *or* the day after the date the last report ended.	March 23, 2026

NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

COLUMN I DUE DATE	COLUMN II TYPE OF REPORT (WHO FILES)	COLUMN III BEGINNING DATE OF PERIOD COVERED	COLUMN IV ENDING DATE OF PERIOD COVERED
Friday, April 24, 2026 **NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 24, 2026.**	**8th day before May 2, 2026, uniform election** [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 2 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that filed a "30th Day Before Election Report" or that are involved in the May 2 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a "30th Day Before Election Report" or that supported or opposed an opposed candidate or a measure in the May 2 election)	March 24, 2026, *or* the date of campaign treasurer appointment, *or* the day after the date the last report ended.	April 22, 2026 **NOTE:** Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 22, 2026, may be required. Please consult the Campaign Finance Guide for further information.
Wednesday, July 15, 2026	**July semiannual** [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed $1,140 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	January 1, 2026, *or* the date of campaign treasurer appointment, *or* the day after the date the last report ended.	June 30, 2026

NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

COLUMN I DUE DATE	COLUMN II TYPE OF REPORT (WHO FILES)	COLUMN III BEGINNING DATE OF PERIOD COVERED	COLUMN IV ENDING DATE OF PERIOD COVERED
REPORTS DUE BEFORE THE NOVEMBER 3, 2026, UNIFORM ELECTION			
Monday, October 5, 2026 *Deadline is extended because of weekend.* **NOTE: This report must be received by the appropriate filing authority no later than October 5, 2026.**	**30th day before the November 3, 2026, uniform election** [FORM C/OH] (all local candidates who have an opponent on the ballot in the November 3 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved in the November 3 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 3 election)	July 1, 2026, *or* the date of campaign treasurer appointment, *or* the day after the date the last report ended.	September 24, 2026
Monday, October 26, 2026 **NOTE: This report must be received by the appropriate filing authority no later than October 26, 2026.**	**8th day before the November 3, 2026, uniform election** [FORM C/OH] (all local candidates who have an opponent on the ballot in the November 3 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that filed a "30th Day Before Election Report" or that are involved in the November 3 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a "30th Day Before Election Report" or that supported or opposed an opposed candidate or a measure in the November 3 election)	September 25, 2026, *or* the date of campaign treasurer appointment, *or* the day after the date the last report ended.	October 24, 2026 **NOTE:** Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 24, 2026, may be required. Please consult the Campaign Finance Guide for further information.
NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.			

COLUMN I DUE DATE	COLUMN II TYPE OF REPORT (WHO FILES)	COLUMN III BEGINNING DATE OF PERIOD COVERED	COLUMN IV ENDING DATE OF PERIOD COVERED
Friday, January 15, 2027	**January semiannual** [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed $1,140 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2026, *or* the date of campaign treasurer appointment, *or* the day after the date the last report ended.	December 31, 2026
Friday, January 15, 2027	**Annual report of unexpended contributions** [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)	January 1, 2026, *or* the day after the date the final report was filed.	December 31, 2026

UNSWORN DECLARATION

FORM UD

Attach this unsworn declaration to the front of any campaign finance report or personal financial statement in lieu of a notarized signature. *See* Tex. Civil Practice and Remedies Code § 132.001.

OFFICE USE ONLY

Date Received

Method of Delivery

Date Processed

1 FILER ID: (Ethics Commission filers)	
2 NAME OF FILER (PLEASE TYPE OR PRINT)	
3 TYPE OF FILER	☐ CANDIDATE/ OFFICEHOLDER ☐ JUDICIAL CANDIDATE/ OFFICEHOLDER ☐ PERSONAL FINANCIAL STATEMENT ☐ DIRECT CAMPAIGN EXPENDITURE ☐ POLITICAL COMMITTEE ☐ POLITICAL PARTY ☐ STATE/COUNTY CHAIR
4 TYPE OF REPORT	
5 DUE DATE	

6 UNSWORN DECLARATION:

My name is _____, and my date of birth is _____.

My Address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I swear, or affirm, under penalty of perjury that the information in the attached report is in all things true and correct, and includes all information required to be reported by me under Title 15, Election Code, or Chapter 572, Government Code.

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.

_____
Signature of Filer/ Committee Representative
(Declarant)

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH
COVER SHEET PG 1

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

1 Filer ID (Ethics Commission Filers)

2 Total pages filed:

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
( )

OFFICE USE ONLY
Date Received
Date Hand-delivered or Date Postmarked
Receipt # | Amount $
Date Processed
Date Imaged

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 Modified Reporting 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 ☐ Other Description
☐ General ☐ Special

12 OFFICE
OFFICE HELD (if any)

13 OFFICE SOUGHT (if known)

14 NOTICE FROM POLITICAL COMMITTEE(S)
☐ Additional Pages

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

GO TO PAGE 2

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH
COVER SHEET PG 2

15 C/OH NAME	**16** Filer ID (Ethics Commission Filers)

17 CONTRIBUTION TOTALS	1. TOTAL UNITEMIZED POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS, OR CONTRIBUTIONS MADE ELECTRONICALLY)	$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	$
EXPENDITURE TOTALS	3. TOTAL UNITEMIZED POLITICAL EXPENDITURE.	$
	4. TOTAL POLITICAL EXPENDITURES	$
CONTRIBUTION BALANCE	5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	$
OUTSTANDING LOAN TOTALS	6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	$

18 SIGNATURE 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

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

20 _____, to certify which, witness my hand and seal of office.

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

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

_____
Signature of Candidate/Officeholder (Declarant)

SUBTOTALS - C/OH

FORM C/OH
COVER SHEET PG 3

19 FILER NAME	**20** Filer ID (Ethics Commission Filers)

21 SCHEDULE SUBTOTALS NAME OF SCHEDULE		SUBTOTAL AMOUNT
1.	☐ SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS	$
2.	☐ SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS	$
3.	☐ SCHEDULE B: PLEDGED CONTRIBUTIONS	$
4.	☐ SCHEDULE E: LOANS	$
5.	☐ SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	$
6.	☐ SCHEDULE F2: UNPAID INCURRED OBLIGATIONS	$
7.	☐ SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS	$
8.	☐ SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD	$
9.	☐ SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS	$
10.	☐ SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH	$
11.	☐ SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	$
12.	☐ SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER	$

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A1

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.

1 Total pages Schedule A1:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 Date

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

6 Contributor address; City; State; Zip Code

7 Amount of contribution ($)

8 Principal occupation / Job title (See Instructions)

9 Employer (See Instructions)

Date

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

Contributor address; City; State; Zip Code

Amount of contribution ($)

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 ($)

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 ($)

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.	**1** Total pages Schedule A2:
2 FILER NAME	**3** Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS	$

5 Date	**6** Full name of contributor ☐ out-of-state PAC (ID#:_____) **7** Contributor address; City; State; Zip Code	**8** Amount of Contribution $	**9** In-kind contribution description ☐ Check if travel outside of Texas. Complete Schedule T.

10 Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)	**11** Employer (FOR NON-JUDICIAL) (See Instructions)
12 Contributor's principal occupation (FOR JUDICIAL)	**13** Contributor's job title (FOR JUDICIAL) (See Instructions)
14 Contributor's employer/law firm (FOR JUDICIAL)	**15** Law firm of contributor's spouse (if any) (FOR JUDICIAL)
16 If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)	

Date	Full name of contributor ☐ out-of-state PAC (ID#:_____) Contributor address; City; State; Zip Code	Amount of Contribution $	In-kind contribution description ☐ Check if travel outside of Texas. Complete Schedule T.

Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)	Employer (FOR NON-JUDICIAL) (See Instructions)
Contributor's principal occupation (FOR JUDICIAL)	Contributor's job title (FOR JUDICIAL) (See Instructions)
Contributor's employer/law firm (FOR JUDICIAL)	Law firm of contributor's spouse (if any) (FOR JUDICIAL)
If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

PLEDGED CONTRIBUTIONS

SCHEDULE B

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.	**1** Total pages Schedule B:
2 FILER NAME	**3** Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED PLEDGES	$

5 Date	**6** Full name of pledgor ☐ out-of-state PAC (ID#:_____)	**8** Amount of Pledge $	**9** In-kind contribution description
	7 Pledgor address; City; State; Zip Code	☐ Check if travel outside of Texas. Complete Schedule T.	
10 Principal occupation / Job title (See Instructions)		**11** Employer (See Instructions)	

Date	Full name of pledgor ☐ out-of-state PAC (ID#:_____)	Amount of Pledge $	In-kind contribution description
	Pledgor address; City; State; Zip Code	☐ Check 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#:_____)	Amount of Pledge $	In-kind contribution description
	Pledgor address; City; State; Zip Code	☐ Check 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#:_____)	Amount of Pledge $	In-kind contribution description
	Pledgor address; City; State; Zip Code	☐ Check if travel outside of Texas. Complete Schedule T.	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

LOANS

SCHEDULE E

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.

1 Total pages Schedule E:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 TOTAL OF UNITEMIZED LOANS $

5 Date of loan

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 (See Instructions)

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 (See Instructions)

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 MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F1

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By Candidate/Officeholder/Political Committee
Credit Card Payment
Event Expense
Fees
Food/Beverage Expense
Gift/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 & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F1:	**2** FILER NAME	**3** Filer ID (Ethics Commission Filers)
4 Date	**5** Payee name	
6 Amount ($)	**7** Payee address; City; State; Zip Code ☐ Check if individual's residence address.	
8 PURPOSE OF EXPENDITURE	**(a)** Category (See Categories listed at the top of this schedule)	**(b)** Description
	(c) ☐ Check 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 ☐ Check if individual's residence address.	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	☐ Check 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 ☐ Check if individual's residence address.	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	☐ Check 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

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By Candidate/Officeholder/Political Committee
Event Expense
Fees
Food/Beverage Expense
Gift/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 & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F2:	**2** FILER NAME	**3** Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS		**$**

5 Date	**6** Payee name			
7 Amount ($)	**8** Payee address;	City;	State;	Zip Code
	☐ Check if individual's residence address.			
9 TYPE OF EXPENDITURE	☐ Political	☐ Non-Political		
10 PURPOSE OF EXPENDITURE	**(a)** Category (See Categories listed at the top of this schedule)	**(b)** Description		
	(c) ☐ Check if travel outside of Texas. Complete Schedule T.	☐ Check if Austin, TX, officeholder living expense		
11 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
	☐ Check if individual's residence address.			
TYPE OF EXPENDITURE	☐ Political	☐ Non-Political		
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description		
	☐ Check 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

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.	**1** Total pages Schedule F3:
2 FILER NAME	**3** Filer ID (Ethics Commission Filers)

4 Date

5 Name of person from whom investment is purchased

6 Address of person from whom investment is purchased; City; State; Zip Code

☐ Check if individual's residence address.

7 Description of investment

8 Amount of investment ($)

Date

Name of person from whom investment is purchased

Address of person from whom investment is purchased; City; State; Zip Code

☐ Check if individual's residence address.

Description of investment

Amount of investment ($)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

The Instruction Guide explains how to complete this form. **USE A NEW PAGE FOR EACH CREDIT CARD ISSUER**

1 TOTAL PAGES SCHEDULE F4:	**2 FILER NAME**	**3 FILER ID (Ethics Commission Filers)**
4 TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD		$
5 CREDIT CARD ISSUER	Name of financial institution	

6 PAYMENT	(a) Amount Charged $	(b) Date Expenditure Charged	(c) Date(s) Credit Card Issuer Paid
7 PAYEE	(a) Payee name	(b) Payee address; City, State, Zip Code ☐ Check if individual's residence address.	
8 PURPOSE OF EXPENDITURE ☐ Political ☐ Non-Political	(a) Category (See Categories listed at the top of this schedule)	(b) Description	
	(c) ☐ Check 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

PAYMENT	(a) Amount Charged $	(b) Date Expenditure Charged	(c) Date(s) Credit Card Issuer Paid
PAYEE	(a) Payee name	(b) Payee address; City, State, Zip Code ☐ Check if individual's residence address.	
PURPOSE OF EXPENDITURE ☐ Political ☐ Non-Political	(a) Category (See Categories listed at the top of this schedule)	(b) Description	
	(c) ☐ Check 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

PAYMENT	(a) Amount Charged $	(b) Date Expenditure Charged	(c) Date(s) Credit Card Issuer Paid
PAYEE	(a) Payee name	(b) Payee address; City, State, Zip Code ☐ Check if individual's residence address.	
PURPOSE OF EXPENDITURE ☐ Political ☐ Non-Political	(a) Category (See Categories listed at the top of this schedule)	(b) Description	
	(c) ☐ Check 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

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By Candidate/Officeholder/Political Committee
Credit Card Payment
Event Expense
Fees
Food/Beverage Expense
Gift/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 & Related Expense
Travel In District
Travel Out Of District
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 Filer ID (Ethics Commission Filers)

4 Date

5 Payee name

6 Amount ($)

☐ Reimbursement from political contributions intended

7 Payee address; City; State; Zip Code

☐ Check if individual's residence address.

8 PURPOSE OF EXPENDITURE

(a) Category (See Categories listed at the top of this schedule)

(b) Description

(c) ☐ Check 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 ($)

☐ Reimbursement from political contributions intended

Payee address; City; State; Zip Code

☐ Check if individual's residence address.

PURPOSE OF EXPENDITURE

Category (See Categories listed at the top of this schedule)

Description

☐ Check 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 ($)

☐ Reimbursement from political contributions intended

Payee address; City; State; Zip Code

☐ Check if individual's residence address.

PURPOSE OF EXPENDITURE

Category (See Categories listed at the top of this schedule)

Description

☐ Check 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

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

SCHEDULE H

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By Candidate/Officeholder/Political Committee
Credit Card Payment
Event Expense
Fees
Food/Beverage Expense
Gift/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 & Related Expense
Travel In District
Travel Out Of District
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** Filer ID (Ethics Commission Filers)
4 Date	**5** Business name	
6 Amount ($)	**7** Business address; City; State; Zip Code ☐ Check if individual's residence address.	
8 PURPOSE OF EXPENDITURE	**(a)** Category (See Categories listed at the top of this schedule)	**(b)** Description
	(c) ☐ Check 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 ☐ Check if individual's residence address.	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	☐ Check 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 ☐ Check if individual's residence address.	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	☐ Check 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

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE K

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.	**1** Total pages Schedule K:
2 FILER NAME	**3** Filer ID (Ethics Commission Filers)

4 Date	**5** Name of person from whom amount is received	**8** Amount ($)
	6 Address of person from whom amount is received; City; State; Zip Code	
	7 Purpose for which amount is received ☐ Check if political contribution returned to filer	

Date	Name of person from whom amount is received	Amount ($)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received ☐ Check if political contribution returned to filer	

Date	Name of person from whom amount is received	Amount ($)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received ☐ Check if political contribution returned to filer	

Date	Name of person from whom amount is received	Amount ($)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received ☐ Check if political contribution returned to filer	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE T

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.

1 Total pages Schedule T:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

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

5 Contribution / Expenditure reported on:

☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1
☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ Schedule B-SS

6 Dates of travel

7 Name of person(s) traveling

8 Departure city or name of departure location

9 Destination city or name of destination location

10 Means of transportation

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

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

Contribution / Expenditure reported on:

☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1
☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ Schedule B-SS

Dates of travel

Name of person(s) traveling

Departure city or name of departure location

Destination city or name of destination location

Means of transportation

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

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

Contribution / Expenditure reported on:

☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1
☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ Schedule B-SS

Dates of travel

Name of person(s) traveling

Departure city or name of departure location

Destination city or name of destination location

Means of transportation

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.

•• Complete only if "Report Type" on page 1 is marked "Final Report" ••

1 C/OH NAME	2 Filer ID (Ethics Commission Filers)

3 SIGNATURE

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

_____

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

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

A. CAMPAIGN FUNDS

Check only one:

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

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

B. ASSETS

Check only one:

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

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

_____

Signature of Candidate

5 OFFICEHOLDER

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

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

_____

Signature of Officeholder

AFFIDAVIT FOR CANDIDATE OR OFFICEHOLDER: ELECTRONIC FILING EXEMPTION

An exemption affidavit must be submitted with each paper report.

Beginning on January 1, 2026, a candidate or officeholder who has accepted more than $34,890 in political contributions or made more than $34,890 in political expenditures in any calendar year must file all subsequent reports electronically.

OFFICE USE ONLY	
Date Received	
Date Hand-delivered or Date Postmarked	
Receipt #	Amount $
Date Processed	
Date Imaged	

Filer name	Filer ID #

1. I swear or affirm that I have not accepted more than $34,890 in political contributions or made more than $34,890 in political expenditures in a calendar year.
2. I further swear or affirm that I do not use computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
3. I further swear or affirm that no person acting as my agent or consultant, and no person with whom I contract, uses computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
4. I further swear or affirm that I understand that I am required to file my campaign finance reports electronically if I, my agent or consultant, or a person with whom I contract exceeds $34,890 in political contributions or political expenditures in a calendar year, or uses computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
5. I am filing this affidavit with the _____ report due on _____. I understand that this affidavit is required to be filed with each campaign finance report for which I am claiming an exemption from electronic filing.

Please complete either option below:

(1) Affidavit

_____
Signature of Filer

NOTARY STAMP / SEAL

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

20 _____, to certify which, witness my hand and seal of office.

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

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

_____
Signature of Filer (Declarant)

FILERS WHO ARE EXEMPT FROM THE ELECTRONIC FILING REQUIREMENT ARE STILL REQUIRED TO FILE CAMPAIGN FINANCE REPORTS ON PAPER

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE

(TEC PAPER FILERS ONLY)

For Reports Due on or after January 1, 2026

Revised January 1, 2026

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
www.ethics.state.tx.us
(512) 463-5800 • TDD (800) 735-2989
Promoting Public Confidence in Government

FORM C/OH – INSTRUCTION GUIDE

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

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GENERAL INSTRUCTIONS

These general instructions apply to all C/OH forms required to be filed under title 15, Texas Election Code, for activity that occurs on or after January 1, 2026. For a report that includes activity occurring before January 1, 2026, you must use the instructions applicable before that time, which are available on the Texas Ethics Commission's website at https://www.ethics.state.tx.us/forms/coh/cohfrm.php.

IMPORTANT UPDATES

Increased Disclosure Thresholds

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

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

Verify that you are using the correct thresholds and forms that apply to your filing. For example, if you are filing a campaign finance report or lobby activities report that is due in January of 2025, you must use the forms and instructions that are applicable to the period ending December 31, 2024.

Contributions Made Electronically Must Be Itemized

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

ELECTRONIC FILING

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

FILLING OUT THE FORMS

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

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

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

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

If you have questions, contact our legal department at helpline@ethics.state.tx.us.

TEXAS ETHICS COMMISSION GUIDES

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

PHOTOCOPIES OF FORMS

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

FILING DATE

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

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

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

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

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

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

GENERAL INFORMATION

Use Form C/OH for filing the following reports:

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

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

OFFICEHOLDER ACTIVITY

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

DUTIES OF CANDIDATE OR OFFICEHOLDER

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

DUTIES OF CAMPAIGN TREASURER

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

WHERE TO FILE

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

FILING A FINAL REPORT

For filing purposes, you are a "candidate" as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a Final Report of contributions and expenditures. A Final Report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports ***as a candidate***. If you are an officeholder at the time of filing a Final Report, you may be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are officeholders who file locally, who do not have a campaign treasurer appointment on file, ***and*** who do not exceed $1,140 in contributions or expenditures during the reporting period.

You are required to file a report of unexpended contributions (using Form C/OH-UC) if ***all*** of the following apply to you: you are not a current officeholder, you have filed a final report, and you retain political contributions. Officeholders who leave office, no longer have a treasurer appointment on file, file a final report, and still retain political contributions will also owe this report. See Instructions for Form C/OH-UC for further information. To file a Final Report, you must complete the "C/OH CAMPAIGN FINANCE REPORT" (Form C/OH), check the "final" box in section 9 on the Cover Sheet, and complete and attach the "C/OH REPORT: DESIGNATION OF FINAL REPORT" (Form C/OH- FR).

COMPLETING THE COVER SHEET

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

PAGE 1

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

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

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

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

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

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

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

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

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

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

   January 15 (Semiannual) 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 $1,140 in contributions or expenditures during the reporting period.

All candidates and officeholders who file with the Commission must file this report by midnight Central Time on the January 15 report due date. All candidates and officeholders who file locally must file this report by 5 p.m. on the January 15 report due date.

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

July 15 (Semiannual) 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 $1,140 in contributions or expenditures during the reporting period.

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

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

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

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

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

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

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

Runoff Report: Opposed candidates who are participating in a runoff election and who did not choose the modified reporting schedule must file this runoff report. The report is due no later than 8 days before the runoff election. For all candidates and officeholders who file with Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

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

Exceeded Modified Reporting Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded $1,140 in contributions or $1,140 in expenditures in connection with the election must file this Exceeded Modified Reporting Limit report within 48 hours after exceeding the $1,140 limit. The candidate must meet this deadline even if it falls on a weekend or a holiday.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): An officeholder must file this report if he or she appoints a campaign treasurer after a period of not having a campaign treasurer appointment (Form CTA) on file. For all officeholders who file with Commission, this report is due no later than midnight Central Time on the 15th day after an officeholder files Form CTA with the Commission. For all officeholders who file locally, this report is due no later than 5 p.m. on the 15th day after an officeholder files Form CTA with the filing authority. It is not required of officeholders who are merely changing their campaign treasurer. It is not required of an officeholder who files locally if the officeholder did not exceed $1,140 in either contributions or expenditures during the period covered by the report. Candidates who are not officeholders do not file this report.

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

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

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

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

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

Legislative Special Session Report: All statewide candidates and officeholders and members of and candidates for the legislature who accept a political contribution during the period beginning on the date the governor signs the proclamation calling a special legislative session and continuing through the date of final adjournment are required to file a report after a special session of the legislature. This information can be disclosed on Form C/OH-SS. For more information, see the instructions for Form C/OH-SS.

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

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

    - If you are a candidate (a person who has filed a Form CTA) and you are filing your first report, the start date will be the date your Form CTA was filed.

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

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

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

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

    8th Day Before Election Report: The start date is the 39th day before the election if you filed a 30th Day Before Election Report. If you did not file the 30th Day Before Election Report, the day after the last day covered by your last required report is the start date. If this is the first report you have filed, see the "First Reports" section above. The end date is

the 10th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

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

Exceeded Modified Reporting Limit Report: The start date for the report is either the day you appointed your campaign treasurer or the day after the last day covered by your last required report, whichever is later. The end date is the day you exceeded the $1,140 limit for contributions or expenditures.

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

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

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

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

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

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

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

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

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

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

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

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

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

12. **OFFICE HELD:** If you are an officeholder, 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, enter the office you seek. If you were a candidate in a recently held election, but were unsuccessful or are not currently an officeholder, enter the office you sought during the election that most immediately precedes the deadline for this report. Include the district, precinct, or other designation for the office, if applicable.

14. **NOTICE FROM POLITICAL COMMITTEE(S):** Complete this section if you received notice from a political committee that it accepted political contributions or made political expenditures on your behalf. You are required to disclose the receipt of such a notice in the report covering the period in which you receive the notice. If you have not received such notice, you may skip this section.

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

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

    Committee Type:

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

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

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

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

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

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

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

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

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

Line 1- Total Unitemized Political Contributions: Enter the total of all unitemized contributions (other than pledges, loans, guarantees of loans, or contributions made electronically) of $110 or less. Do not include any contributions itemized on Schedules A1 or A2 or any contributions made electronically. Enter a "0" if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you are required to itemize political contributions that totaled more than $110 from one person during the reporting period and any political contribution that is made electronically. (Remember: If the committee received contributions *totaling* more than $110 from one person during the reporting period, you are required to itemize all of those contributions, even if individual contributions were $110 or less.) You may also itemize contributions of $110 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

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

Line 3- Total Unitemized Political Expenditures: Enter the total of all unitemized political expenditures of $230 or less. Do not include any expenditures itemized on Schedules F1, F2, F3, F4, G, or H. Enter a "0" if you did not make any unitemized expenditures during the period covered.

On Schedule F1, you are required to itemize political expenditures that totaled more than $230 to one payee. (Remember: If the committee made expenditures *totaling* more than $230 to one person during the reporting period, you are required to itemize all of those expenditures, even if individual expenditures were $230 or less.) You may also itemize expenditures totaling $230 or less to one payee. Do not include any expenditures itemized on Schedule F1 in the total entered on line 3, regardless of amount.

On Schedule F2, you are required to itemize incurred but not yet paid political expenditures that totaled more than $230 to one payee. You may also itemize incurred but not yet paid political expenditures totaling $230 or less to one payee. Do not

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

On Schedule F4, you are required to itemize political expenditures made by a credit card that totaled more than $230 to one payee. You may also itemize political expenditures made by a credit card totaling $230 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F4 in the total entered on line 3, regardless of amount.

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

Line 4- Total Political Expenditures: Add the following:

(a) the total expenditures itemized on Schedule F1;

(b) the total political expenditures itemized on Schedule F2;

(c) the total political expenditures itemized on Schedule F4;

(d) the total political expenditures itemized on Schedule G;

(e) the total political expenditures itemized on Schedule H; and

(f) the amount you entered on line 3.

Enter that total on line 4.

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

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

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

The "total amount of political contributions maintained" includes: the total amount of political contributions maintained in one or more accounts, including the balance on

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

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

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

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

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

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

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

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

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

Line 1- Schedule A1: Add the total amount of contributions itemized on Schedule A1. Enter that total on line 1. Enter a "0" if you did not accept any contributions during the period covered.

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

Line 3- Schedule B: Add the total amount of pledged contributions itemized on Schedule B to the amount of unitemized pledged contributions accepted during the period covered. Enter that total on line 3. Enter a "0" if you did not accept any pledged contributions during the period covered.

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

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

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

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

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

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

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

Line 11- Schedule I: Add the total amount of non-political expenditures from political contributions itemized on Schedule I. Enter that total on line 11. Enter a "0" if you did

not make any non-political expenditures from political contributions during the period covered.

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

SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

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

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

Itemization: You must enter incoming monetary contributions that exceed $110 from one person, and any monetary contribution made electronically, during the reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds $110, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed $110 in the period on this schedule. If you do not itemize contributions of $110 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

1. **TOTAL PAGES SCHEDULE A1:** After you have completed Schedule A1, count the total number of pages. Each side of a two-sided form counts as one page.

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

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

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

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

   Failure to make a determination about acceptance or refusal: If you fail to make a determination to accept or refuse a contribution by the end of the reporting period, the contribution is considered to have been accepted.

   Returning refused contributions: If you receive a political contribution but do not accept it, you must return the contribution not later than the 30th day after the end of the reporting period in which the contribution was received. If you fail to do so, the contribution is considered to have been accepted.

5. **FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor. If the contributor is an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable. If the contributor is an entity, enter the full name of the entity.

   "Out-of-State PAC" box: If the contributor is an out-of-state political committee, check the box. Certain restrictions apply to contributions from out-of-

state PACs. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state PAC for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state PAC. A political committee that makes most of its political expenditures outside of Texas may be an out-of-state PAC. A political committee must determine if it is an out-of-state PAC.

If the contributor is an out-of-state political committee from which you accepted more than $1,140 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 $230 to the out-of-state political committee during the 12 months immediately preceding the contribution; ***or***

- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee.

If the contributor is an out-of-state political committee from which you accepted $1,140 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee; ***or***

- a document listing the committee's name, address and phone number; the name of the person appointing the committee's campaign treasurer; and the name, address and phone number of the committee's campaign treasurer.

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

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

7. **AMOUNT OF CONTRIBUTION:** Enter the exact amount of the contribution.

8. **PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of $1,140 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

9. **EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the employer of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of $1,140 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

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

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

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

Itemization: You must enter non-monetary (in-kind) contributions of goods, services, or other things of value that exceed $110 from one person, and any non-monetary contribution made electronically, during the reporting period on this schedule. If you accepted two or more non-monetary contributions from the same person, the total of which exceeds $110, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed $110 in the period on this schedule. If you do not itemize contributions of $110 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

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

1. **TOTAL PAGES SCHEDULE A2:** After you have completed Schedule A2, count the total number of pages. Each side of a two-sided form counts as one page.

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

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

4. **TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS:** Enter the total amount of in-kind political contributions of $110 or less that you accepted during the period covered that are not itemized on this schedule. If you choose to itemize an in-kind contribution of $110 or less on this schedule, do not include it in this total. All contributions made electronically must be itemized.

5. **DATE:** See instructions for Schedule A1, section 4.

6. **FULL NAME OF CONTRIBUTOR:** See instructions for Schedule A1, section 5.

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

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

8. **AMOUNT OF CONTRIBUTION:** Enter the fair market value of the in-kind contribution.

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

   "Check if Travel Outside of Texas" box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. Report this information on Schedule T.

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

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

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

SCHEDULE B: PLEDGED CONTRIBUTIONS

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

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

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

Itemization: You must itemize pledges that exceed $110 in the aggregate from one person during the reporting period. If you accepted two or more pledges from the same person during the reporting period, the total of which exceeds $110, enter each pledge separately. Although you are not required to do so, you may also itemize pledges for $110 or less from one person. You must also disclose the receipt of the pledged contribution on Schedule A1 (used for monetary contributions) or A2 (used for non-monetary contributions), as applicable, in the reporting period in which you actually receive the pledged money or thing of value. If the pledge is accepted and received in the same reporting period, it is no longer a pledge disclosed here; it becomes a contribution disclosed on the applicable contributions schedule

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

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

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

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

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

4. **TOTAL OF UNITEMIZED PLEDGES:** Enter the total amount of pledges that you accepted during the period that did not exceed $110 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of $110 or less on this schedule. If you itemize some pledges of $110 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of $110 or less, enter a "0" here.

5. **DATE:** Enter the date you ***accepted*** the pledge. Accepting a pledge is different from receiving a contribution. You accept a pledge when you decide to accept it rather than reject it.

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

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

Pledge received in same reporting period as accepted: If you receive payment of a pledged contribution in the same reporting period in which the pledge was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (such as monetary or non-monetary contributions, or loans). For a pledged contribution paid in the same reporting period, the date of the contribution will be the date your committee ***accepted*** the pledge, regardless of what date within the reporting period that the pledged contribution was actually ***received***.

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

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

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

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

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

8. **AMOUNT OF PLEDGE:** Enter the exact 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.

   "Check if Travel Outside of Texas" box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. Report this information on Schedule T.

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

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

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

SCHEDULE E: LOANS

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

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

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

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

Itemization: You must itemize loans (including loans from personal funds) that exceed $110 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 $110, itemize each loan separately. You must also itemize loans that are made electronically by a person other than a financial institution, regardless of amount. Although you are not required to do so, you may also itemize any other loans that do not exceed $110.

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

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

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

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

4. **TOTAL OF UNITEMIZED LOANS:** Enter the total amount of loans accepted during the reporting period that did not exceed $110 in the aggregate per person and were not from financial institutions, unless the loans were made electronically.

   Although you are not required to do so, you may itemize loans of $110 or less from persons other than financial institutions on this schedule. If you itemize some loans of $110 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of $110 or less, enter a "0" here.

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

6. **IS LENDER A FINANCIAL INSTITUTION?:** If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, choose "Y" for yes. If you accepted the loan from any other source, choose "N" for no. A loan from a corporation that has not been legally engaged in the business of making loans for more than one year is a corporate contribution. Candidates and officeholders may not accept corporate contributions.

7. **NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan. If the lender is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the lender is an entity, enter the full name of the entity.

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

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

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

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

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

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

12. **PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch, and candidates for and holders of legislative offices, must disclose the principal occupation or job title of each individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of $1,140 or more during the reporting period. Other types of filers are not required to report this information but may do so.

13. **EMPLOYER:** Candidates for and holders of statewide offices in the executive branch, and candidates for and holders of legislative offices, must disclose the full name of the employer of an individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of $1,140 or more during the reporting period. Other types of filers are not required to report this information but may do so.

14. **DESCRIPTION OF COLLATERAL:** If there is no collateral for the loan, check the "none" box and go to section 15. If there is collateral for the loan, enter a description of the collateral for the loan.

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

16. **GUARANTOR INFORMATION:** If there are no guarantors for the loan, check the "Not Applicable" box and skip sections 17 through 21. 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 the applicable contributions schedule.

17. **NAME OF GUARANTOR:** Enter the full name of the person guaranteeing the loan. If the guarantor is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the guarantor is an entity, enter the full name of the entity.

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

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

20. **PRINCIPAL OCCUPATION:** Enter the principal occupation of the guarantor.

21. **EMPLOYER:** Enter the employer of the guarantor.

SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS

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

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

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

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

Itemization: You must enter expenditures paid to one individual or entity during the reporting period that in the aggregate exceed $230 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded $230, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed $230 in the period on this schedule. If you choose not to itemize expenditures of $230 and less on this schedule, you must total all unitemized expenditures and report them on the Cover Sheet, page 2, section 17, line 3.

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

1. **TOTAL PAGES SCHEDULE F1:** After you have completed Schedule F1, count the total number of pages. Each side of a two-sided form counts as one page.

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

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

4. **DATE:** Enter the date the expenditure was made. Remember: expenditure obligations you incurred in this reporting period ***but have not yet paid*** are entered on Schedule F2. Expenditures made by credit card are entered on Schedule F4.

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

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

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

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

   "Check if individual's residence address" box: Check the box if the payee's address is the payee's residence.

8. **PURPOSE OF EXPENDITURE:** You must disclose the purpose of the expenditure in two parts: Category and Description. Merely disclosing the category of goods, services, or other thing of value for which the expenditure was made does not adequately describe the purpose of an expenditure.

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

   Advertising Expense

   Accounting/Banking

   Consulting Expense

   Contributions/Donations Made By Candidate/Officeholder/Political Committee

   Credit Card Payment

   Event Expense

   Fees

   Food/Beverage Expense

   Gifts/Awards/Memorials Expense

   Legal Services

   Loan Repayment/Reimbursement

   Office Overhead/Rental Expense

   Polling Expense

   Printing Expense

   Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense

Transportation Equipment and Related Expense

Travel In District

Travel Out Of District

Other (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 was 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.

"Check if travel outside of Texas" box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. Report this information on Schedule T.

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

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

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

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

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

SCHEDULE F2: UNPAID INCURRED OBLIGATIONS

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

Use this schedule to disclose information about obligations to make an expenditure that you incurred during the reporting period but have not yet paid. If under normal business practices, the amount of an expenditure is not known or readily ascertainable until receipt of a periodic bill, do not report it on this schedule. Do not enter on this schedule obligations that were incurred and paid during the reporting period, or other outgoing funds. (Report obligations incurred and paid during the reporting period on Schedule F1, F3, G, H, or I as appropriate, and report expenditures made by credit card on Schedule F4.)

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

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

> Unpaid Incurred Political Obligations: You must enter political obligations incurred but not yet paid to one individual or entity during the reporting period that in the aggregate exceed $230 on this schedule. If you incurred more than one obligation to the same payee during the reporting period, the total of which exceeded $230, enter each expenditure separately. Although you are not required to do so, you may also report political obligations incurred to one person that do not exceed $230 in the period on this schedule. If you choose not to itemize incurred political obligations of $230 and less on this schedule, you must total all unitemized obligations and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of $230 or less on the Cover Sheet, page 2, section 17, line 3.

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

1. **TOTAL PAGES SCHEDULE F2**: After you have completed Schedule F2, count the total number of pages. Each side of a two-sided form counts as one page.

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

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

4. **TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS:** Enter the total amount of political obligations incurred during the reporting period that do not exceed $230 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of $230 or less, but if you choose to do so, do not include those unpaid incurred obligations in the total you enter here.

5. **DATE:** Enter the date the obligation was incurred. Remember: expenditure obligations you incurred ***and*** paid during the reporting period are entered on Schedule F1, G, H or I, as applicable. Expenditures made by credit card are disclosed on Schedule F4.

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

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

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

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

   "Check if individual's residence address" box: Check the box if the payee's address is the payee's residence.

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

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

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

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

SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS

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

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

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

Itemization: You must enter investments purchased with political contributions during the reporting period that in the aggregate exceed $140 on this schedule. If you made two or more payments to the same payee to purchase an investment, the total of which exceeded $140, enter each payment separately. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed $140 in the period on this schedule.

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

1. **TOTAL PAGES SCHEDULE F3**: After you have completed Schedule F3, count the total number of pages. Each side of a two-sided form counts as one page.

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

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

4. **DATE:** Enter the date you purchased the investment.

5. **NAME OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the full name of the person or entity from whom you purchased the investment. If you purchased the investment from an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable (title is optional). If you purchased the investment from an entity, enter the full name of the entity.

6. **ADDRESS OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the complete address of the person or entity from whom you purchased the investment.

   "Check if individual's residence address" box: Check the box if the payee's address is the payee's residence.

7. **DESCRIPTION OF INVESTMENT:** Enter a brief statement or description of the investment. For example, "Ten shares of stock in ABC Company."

8. **AMOUNT OF INVESTMENT:** Enter the exact amount of the investment purchased.

SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD

These instructions are for candidates and officeholders using SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD. ***Note: significant changes were made to Schedule F4 in 2022.***

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

Do not enter on this schedule: political expenditures from political contributions that were paid for with cash, check, or debit card; unpaid incurred obligations; political expenditures made from personal funds; or payments from political contributions made to a business that a candidate or officeholder owns or controls on this schedule. (Report political expenditures from political contributions that were paid for with cash, check or debit card on Schedule F1; report unpaid incurred obligations on Schedule F2; report the purchase of investments from political contributions on Schedule F3; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that a candidate or officeholder owns or controls on Schedule H.)

For examples regarding the disclosure of expenditures made by credit card, see "Examples: Reporting Expenditures Made by Credit Card."

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

> Political Expenditures Made by Credit Card: You must itemize political expenditures made by credit card that exceed $230 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee during the reporting period, the total of which exceeded $230, enter each expenditure made by credit card separately. Although you are not required to do so, you may also report political expenditures made by credit card that do not exceed $230 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of $230 and less on this schedule, you must total all unitemized political expenditures and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of $230 or less on the Cover Sheet, page 2, section 17, line 3.

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

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

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

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

4. **TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO ALL CREDIT CARDS:** Enter the total amount of political expenditures charged to all credit cards you used during the reporting period that do not exceed $230 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of $230 or less, but if you choose to do so, do not include those political expenditures made by credit card in the total you enter here.

5. **CREDIT CARD ISSUER:** Enter the full name of the financial institution that issued the credit card. Use a separate page of Schedule F4 for each credit card used.

Sections 6 through 9 are used to report information about each itemized expenditure made using the credit card listed in item #5 above. Each expenditure must have its own entry. If you made more than three expenditures using that same credit card during the period covered by the report, include additional pages of Schedule F4 and include the name of the credit card issuer in Item 5 on every page. Leave Item 4 blank except for the first page for that credit card issuer.

6. **PAYMENT**

(a) Amount Charged: Report the exact amount of the credit card expenditure.

(b) Date Expenditure Charged: Enter the date you charged the credit card.

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

(c) Date(s) Credit Card Issuer Paid: List the date(s) that you made payments to the credit card issuer during the period covered by the report for this expenditure. If you made multiple payments to the credit card issuer during the period covered by the report, list the first and last dates that you made payments.

7. **PAYEE**

(a) Payee Name: See instructions for Schedule F1, section 5. Disclose the name of the vendor who sold you the goods or services as the payee, NOT the credit card issuer.

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

(b) Payee Address: Enter the complete address of the payee of the credit card expenditure.

"Check if individual's residence address" box: Check the box if the payee's address is the payee's residence.

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

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

(a) Purpose of Expenditure: See instructions for Schedule F1, section 8.

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

(b) Description: See instructions for Schedule F1, section 8.

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

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

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

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

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

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

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

Itemization: If you choose to report political expenditures from personal funds on this schedule, you must itemize political expenditures paid to one individual or entity during the reporting period that in the aggregate exceed $230 on this schedule. If you made more than one expenditure to the same payee during the reporting period, the total of which exceeded $230, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed $230 in the period on this schedule. You must total all political expenditures from personal funds that you do not itemize on this schedule and include them in the total of unitemized political expenditures on the Cover Sheet, page 2, section 17, line 3.

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

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

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

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

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

4. **DATE:** Enter the date the expenditure was made.

5. **PAYEE NAME:** See instructions for Schedule F1, section 7.

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

   "Reimbursement from Political Contributions Intended" box: Check this box if you intend to reimburse yourself for the expenditure. (In order to be reimbursed from political contributions in any amount for an expenditure made out of personal funds, you must itemize the expenditure on this schedule and check this box, or you must report the expenditure as a loan to yourself on Schedule E.) If you do not check this box at the time you file your report, you cannot correct/amend your report later to check this box without subjecting yourself to a possible penalty.

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

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

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

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

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

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

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

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

1) a participating interest of more than 10%;

2) a position on the governing body of the business; *or*

3) a position as an officer of the business.

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

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

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

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

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

4. **DATE:** Enter the date you made the payment.

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

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

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

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

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

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

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

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

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

Itemization: You must enter all non-political expenditures from political contributions on this schedule, regardless of the amount. A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure, as defined in section 251.001 of the Election Code. As a practical matter, ***very few*** expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures. You may not convert political contributions to personal use.

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

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

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

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

4. **DATE:** Enter the date the expenditure was made.

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

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:** See instructions for Schedule F1, section 8.

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

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

Use this schedule to report information regarding any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, any proceeds from the sale of an asset purchased with a political contribution, the amount of which exceeds $140, and any other gain from a political contribution received during the reporting period.

Itemization: You must enter interest, credits, gains, refunds and returned contributions received during the reporting period that in the aggregate exceed $140 on this schedule. Although you are not required to do so, you may also report any interest/credit/gain/refund that does not exceed $140 in the period on this schedule.

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

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

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

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

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

5. **NAME OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the full name of the person or business from whom the interest/credit/gain/refund or returned contribution was received. If the person is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the person or business is an entity, enter the full name of the entity.

6. **ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the interest/credit/gain/refund or returned contribution was received.

7. **PURPOSE FOR WHICH AMOUNT IS RECEIVED:** Enter a brief statement or description of the purpose for which the amount was received (for example, "phone service deposit return," "returned contribution" or "interest on savings account").

   "Check if political contribution returned to filer" box: If the incoming credit/gain was originally made by you in the form of a political contribution to another candidate or political committee and was returned to you in this reporting period, check this box.

8. **AMOUNT:** Enter the exact amount of the interest/credit/gain/refund or returned contribution.

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

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

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

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

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

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

3. **FILER ID:** If you are filing with the Commission, enter your filer identification number. If you do not file with the Commission, you are not required to enter a filer identification 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 date(s) on which the travel occurred.

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

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

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

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

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

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

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

GENERAL INFORMATION

For filing purposes, you are a "candidate" as long as you have an active 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 active 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 active appointment of campaign treasurer on file may accept ***officeholder*** contributions and make ***officeholder*** expenditures.

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

Officeholders Filing a Final Report: You will not have to worry about surplus political funds and assets until you cease to be an officeholder. You may still be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are local officeholders who do not exceed $1,140 in contributions or $1,140 in expenditures during the reporting period.

If you cease to be an officeholder at a time when you do not have an active 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 (Form C/OH-UC) 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. If your unexpended contribution report shows that your contributions maintained is now "$0.00," then you may file that unexpended contribution report at any time. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide for Candidates and Officeholders.

Non-Officeholders Filing a Final Report: You will no longer be required to file reports ***unless*** you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions. If you retain any of those items, you must file an annual report of unexpended contributions (Form C/OH-UC) not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. If your unexpended contribution report shows that your contributions maintained is now "$0.00," then you may file that unexpended contribution report

at any time. You may not retain these unexpended funds longer than six years after the date of filing a final report. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide for Candidates and Officeholders.

COMPLETING THE FORM

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

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

2. **FILER ID:** If you are filing with the Commission, enter your Filer ID. If you do not file with the Commission, you are not required to enter a Filer ID.

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

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

5. **OFFICEHOLDER:** Complete this section if you are an officeholder at the time of filing your final report. You must check the box to indicate awareness of further filing requirements.

ADDITIONAL INFORMATION REGARDING EXPENDITURES

EXAMPLES: REPORTING EXPENDITURES MADE BY CREDIT CARD

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

Keep in mind that this reporting system is not an accounting system and duplication of expenditures is not uncommon when reporting transactions related to expenditures made by credit card.

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

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

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

1. The candidate fills out one page of the "Expenditures Made by Credit Card" Schedule (F4). The credit card issuer's name is included in section 5. The candidate fills out sections 6 through 9 twice, once for the $1,000 expenditure and again for the $500 expenditure.

2. For the $1,000 expenditure, the candidate reports an amount charged of $1,000 in section 6(a), the date the expenditure was made in section 6(b), and the date the credit card issuer was paid $1,500 in section 6(c). She identifies the office store in section 7 as the payee of the expenditure and includes their address. Section 8's category for the expenditure is "Office Overhead/Rental Expense," and the description is "Campaign Office Supplies." In Section 8 of the schedule, the box for "Political" is also checked.

3. For the $500 expenditure, the candidate reports an amount charged of $500 in section 6(a), the date the expenditure was made in section 6(b), and the date the credit card issuer was paid $1,500 in section 6(c). She identifies the sign company in section 7 as the payee of the expenditure and includes their address. Section 8's category for the expenditure is "Advertising Expense," and the description is "Political Advertising Signs." In Section 8 of the schedule, the box for "Political" is also checked.

4. For the payment to the credit card issuer: a $1,500 expenditure is reported on the "Political Expenditures from Political Contributions" Schedule (F1). The schedule identifies the credit card issuer as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as "Credit Card Payment," and a description as "Payment of credit card bill for credit card expenditures."

5. Both $1,500 amounts reported on Schedules F4 and F1 are also included in the appropriate totals sections of Cover Sheet Pages 2 and 3.

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

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

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

1. The candidate fills out one page of the "Expenditures Made by Credit Card" Schedule (F4). The credit card issuer's name is included in section 5. The candidate fills out sections 6 through 9 once, for the $3,000 expenditure.

2. The candidate reports an amount charged of $3,000 in section 6(a), the date the expenditure was made in section 6(b), and the date the credit card issuer was paid $3,000 in section 6(c). He identifies the print shop in section 7 as the payee of the expenditure and includes their address. Section 8's category for the expenditure is "Advertising Expense," and the description is "Political Advertising Materials." In Section 8 of the schedule, the box for "Political" is also checked.

3. For the payment to the credit card issuer: a $3,000 expenditure is reported on the "Political Expenditures Made from Personal Funds" Schedule (G). The schedule identifies the credit card issuer as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as "Credit Card Payment," and a description as "Payment of credit card bill for political advertising materials." If the candidate intends to seek reimbursement from political contributions, the candidate may also check the appropriate box in Section 6.

4. Both $3,000 amounts reported on Schedules F4 and G are also included in the appropriate sections of Cover Sheet Pages 2 and 3.

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

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

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

1. The GPAC fills out one page of the "Expenditures Made by Credit Card" Schedule (F4). The credit card issuer's name is included in section 5. The GPAC fills out sections 6 through 9 once, for the $500 expenditure.

2. The GPAC reports an amount charged of $500 in section 6(a), the date the expenditure was made in section 6(b), and leaves section 6(c) blank. They identify the newspaper in section 7 as the payee of the expenditure and include their address. Section 8's category for the expenditure is "Advertising Expense," and the description is "Political Advertising." In Section 8 of the schedule, the box for "Political" is also checked.

3. The $500 amount reported on the "Expenditures Made by Credit Card" Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

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

1. The GPAC reports a $500 expenditure on the "Political Expenditures from Political Contributions" Schedule (F1). The schedule identifies the credit card issuer as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as "Credit Card Payment," and a description as "Payment of credit card bill for political advertising."

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

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

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

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

1. The judicial candidate fills out one page of the "Expenditures Made by Credit Card" Schedule (F4). The credit card issuer's name is included in section 5. The candidate fills out sections 6 through 9 once, for the $500 expenditure.

2. The judicial candidate reports an amount charged of $500 in section 6(a), the date the expenditure was made in section 6(b), and leaves section 6(c) blank. She identifies the newspaper in section 7 as the payee of the expenditure and includes their address. Section 8's category for the expenditure is "Advertising Expense," and the description is "Political Advertising." In Section 8 of the schedule, the box for "Political" is also checked.

3. The $500 amount reported on the "Expenditures Made by Credit Card" Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

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

1. The judicial candidate reports a $500 expenditure on the "Political Expenditures from Political Contributions" Schedule (F1). The schedule identifies the credit card issuer as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as "Credit Card Payment," and a description as "Payment of credit card bill for political advertising."

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

Example #5: Political Committee Using Credit Card to Make a Political Expenditure and Using Political Contributions to Make Partial Payments of the Credit Card Bill in Different Reporting Periods

A general-purpose committee (GPAC) uses its credit card to buy $5,000 in political advertising for a mailer from a printing company. The committee receives the statement from the credit card issuer and makes one or more partial payments from political contributions of $2,000 in that same reporting period. The committee pays the remaining $3,000 from political contributions to the credit card issuer in a different reporting period.

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

1. The GPAC fills out one page of the "Expenditures Made by Credit Card" Schedule (F4). The credit card issuer's name is included in section 5. The GPAC fills out sections 6 through 9 once, for the $5,000 expenditure.

2. The GPAC reports an amount charged of $5,000 in section 6(a), the date the expenditure was made in section 6(b), and reports the date (or dates) during that reporting period on which the $2,000 was paid in section 6(c). They identify the printing company in section 7 as the payee of the expenditure and include their address. Section 8's category for the expenditure is "Advertising Expense," and the description is "Political Advertising." In Section 8 of the schedule, the box for "Political" is also checked.

3. The $5,000 amount reported on "Expenditures Made by Credit Card" Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payments to the credit card issuer, the committee's campaign treasurer would also report all of the following on a campaign finance report (Form GPAC):

1. For the $2,000 payment(s) made during the same period that the expenditure was made, the GPAC reports a $2,000 expenditure on the "Political Expenditures from Political

Contributions" Schedule (F1). The schedule identifies the credit card issuer as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as "Credit Card Payment," and a description as "Payment of credit card bill for political advertising."

2. For the $3,000 payment made during a different reporting period, the GPAC reports a $3,000 expenditure on the "Political Expenditures from Political Contributions" Schedule (F1). The schedule identifies the credit card issuer as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as "Credit Card Payment," and a description as "Payment of credit card bill for political advertising."

3. The $2,000 and $3,000 amounts reported on the "Political Expenditures from Political Contributions" Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3 for each reporting period.

EXAMPLES: PURPOSE OF EXPENDITURES

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

(1) Example: Candidate X is seeking the office of State Representative, District 2000. She purchases an airline ticket from ABC Airlines to attend a campaign rally within District 2000. The acceptable category for this expenditure is "travel in district." An acceptable brief description 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." An acceptable brief description 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 category is "travel out of district" and an acceptable brief description is "airline ticket to attend [name of seminar] in [city,] [state]. You must also complete "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." An acceptable brief description 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 description 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 description 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 description 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 description is "meeting to discuss campaign/officeholder issues."

EXAMPLES: REPORTING EXPENDITURES FROM PERSONAL FUNDS

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

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

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

> **Example:** On December 1, 2025, Candidate A spends $500 of her own personal funds to purchase political advertising signs. She does not use a credit card for this purchase; the purchase is made using cash, check or a debit card. She reports the expenditure to the vendor on Schedule G and checks the box to indicate that reimbursement is intended. One year later, Candidate A reimburses herself from political contributions. She reports the reimbursement on Schedule F1. Candidate A is the payee and the purpose of the expenditure is to reimburse herself for a political expenditure made from personal funds on December 1, 2025.

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

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

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

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

expenditure made from personal funds reported as a loan" is an acceptable brief description.

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

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

EXAMPLES: REPORTING STAFF REIMBURSEMENT

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

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

Example #1: The payment out of the staff worker's personal funds does not exceed $5,000 in the reporting period ***and*** you reimburse the staff worker from political funds in the same reporting period – Itemize the payment (if over the $230 itemization threshold) on Schedule F1 as if you made the expenditure directly to the vendor out of your political funds, with the name of the vendor who sold the goods or services as the payee for the expenditure. ***Do not*** disclose as the payee the name of your staff worker.

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

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

CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

FORM C/OH-UC
COVER SHEET PG 1

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

1 Filer ID (Ethics Commission Filers)

2 CANDIDATE / OFFICEHOLDER NAME

MS/MRS/MR | FIRST | MI

NICKNAME | LAST | SUFFIX

3 CANDIDATE / OFFICEHOLDER ADDRESS

☐ change of address

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

4 REPORT TYPE

☐ Annual ☐ Final Disposition

5 PERIOD COVERED

Month / Day / Year THROUGH Month / Day / Year

6 TOTALS

1. TOTAL AMOUNT OF UNEXPENDED POLITICAL CONTRIBUTIONS AS OF DECEMBER 31 OF THE PREVIOUS YEAR. $

2. TOTAL AMOUNT OF INTEREST AND OTHER INCOME EARNED ON UNEXPENDED POLITICAL CONTRIBUTIONS DURING THE PREVIOUS YEAR. $

OFFICE USE ONLY

Date Received

Date Hand-delivered or Date Postmarked

Receipt # | Amount $

Date Processed

Date Imaged

7 SIGNATURE 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/Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

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

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

_____
Signature of Candidate/Officeholder (Declarant)

C/OH REPORT OF UNEXPENDED CONTRIBUTIONS: EXPENDITURES

FORM C/OH-UC
PG 2

8 C/OH NAME

9 Filer ID (Ethics Commission Filers)

10 Date

11 Payee name

12 Payee address; City; State; Zip Code

☐ Check if individual's residence address.

13 Amount ($)

14 Purpose of expenditure (See instructions regarding type of information required.)

☐ Check if travel outside of Texas. Complete Schedule T.

15 Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No

Date

Payee name

Payee address; City; State; Zip Code

☐ Check if individual's residence address.

Amount ($)

Purpose of expenditure (See instructions regarding type of information required.)

☐ Check if travel outside of Texas. Complete Schedule T.

Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No

Date

Payee name

Payee address; City; State; Zip Code

☐ Check if individual's residence address.

Amount ($)

Purpose of expenditure (See instructions regarding type of information required.)

☐ Check if travel outside of Texas. Complete Schedule T.

Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No

Date

Payee name

Payee address; City; State; Zip Code

☐ Check if individual's residence address.

Amount ($)

Purpose of expenditure (See instructions regarding type of information required.)

☐ Check if travel outside of Texas. Complete Schedule T.

Is expenditure a contribution to a candidate, officeholder, or political committee? ☐ Yes ☐ No

ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

AFFIDAVIT FOR CANDIDATE OR OFFICEHOLDER: ELECTRONIC FILING EXEMPTION

An exemption affidavit must be submitted with each paper report.

Beginning on January 1, 2026, a candidate or officeholder who has accepted more than $34,890 in political contributions or made more than $34,890 in political expenditures in any calendar year must file all subsequent reports electronically.

OFFICE USE ONLY	
Date Received	
Date Hand-delivered or Date Postmarked	
Receipt #	Amount $
Date Processed	
Date Imaged	

Filer name	Filer ID #

1. I swear or affirm that I have not accepted more than $34,890 in political contributions or made more than $34,890 in political expenditures in a calendar year.
2. I further swear or affirm that I do not use computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
3. I further swear or affirm that no person acting as my agent or consultant, and no person with whom I contract, uses computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
4. I further swear or affirm that I understand that I am required to file my campaign finance reports electronically if I, my agent or consultant, or a person with whom I contract exceeds $34,890 in political contributions or political expenditures in a calendar year, or uses computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
5. I am filing this affidavit with the _____ report due on _____. I understand that this affidavit is required to be filed with each campaign finance report for which I am claiming an exemption from electronic filing.

Please complete either option below:

(1) Affidavit

_____
Signature of Filer

NOTARY STAMP / SEAL

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

20 _____, to certify which, witness my hand and seal of office.

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

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____ (street), _____ (city), _____ (state), _____ (zip code), _____ (country).

Executed in _____ County, State of _____, on the _____ day of _____ (month), 20_____ (year).

_____
Signature of Filer (Declarant)

FILERS WHO ARE EXEMPT FROM THE ELECTRONIC FILING REQUIREMENT ARE STILL REQUIRED TO FILE CAMPAIGN FINANCE REPORTS ON PAPER

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

FORM C/OH-UC – INSTRUCTION GUIDE

(TEC PAPER FILERS ONLY)

For Reports Due on or after January 1, 2026

Revised July 1, 2025

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
www.ethics.state.tx.us
(512) 463-5800 • TDD (800) 735-2989
Promoting Public Confidence in Government

FORM C/OH-UC: CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

These instructions are for candidates and officeholders using FORM C/OH-UC: CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS. Use Form C/OH-UC for filing either an annual report of unexpended contributions or a report of the final disposition of unexpended contributions.

GENERAL INSTRUCTIONS

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS. You must file this report if one of the following descriptions applies to you:

(1) You filed a final report as a candidate at a time when you were not an officeholder and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you filed the final report; *or*

(2) You ceased to be an officeholder at a time when you did not have a campaign treasurer on file, and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you ceased to be an officeholder.

You must file an Unexpended Contributions - Annual report not earlier than January 1 and not later than January 15 of the year after each year in which you maintained unexpended contributions or assets. You must complete Form C/OH-UC and designate the report as an annual report by checking the "Annual" box.

You must continue to file Unexpended Contributions - Annual reports until you have disposed of all your unexpended contributions or assets. Once you have disposed of all your contributions or assets, you must file an Unexpended Contributions - Final report.

You may not retain unexpended contributions or assets longer than six years after the date you filed your final report or ceased being an officeholder, as applicable. If you still maintain unexpended assets at the end of the six-year period, you must dispose of the assets in one of the following ways:

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

(2) You may give them to a candidate or a political committee. If you do so, however, you must file a report on Form AS IF-SPAC as described below under "Extra Reporting for a Contribution to a Candidate or Political Committee."

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

(4) You may give them to one or more persons from whom you received political contributions, but the total returned to any person may not exceed the aggregate

amount accepted from that person during the last two years during which you were accepting political contributions.

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

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

You may dispose of unexpended contributions or assets in this manner at any time during the six-year period.

EXTRA REPORTING FOR CONTRIBUTION TO CANDIDATE OR POLITICAL COMMITTEE. If you contribute unexpended contributions or assets to another candidate or political committee, you must report the contribution twice. You must include the contribution on your Annual Report and you must also report the contribution on a AS IF-SPECIFIC-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form AS IF-SPAC). You must file the AS IF-SPAC report with the filing authority with whom the candidate or political committee files reports by the date by which the candidate or political committee receiving the contribution must report the receipt of the contribution.

NOTE: If the candidate or political committee files with the Texas Ethics Commission (Commission), you will need a separate "AS IF-SPAC" filer ID to file the AS IF-SPAC report. Please contact the Commission for help in establishing an AS IF-SPAC filer ID.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT. You must file a report of the final disposition of your unexpended contributions or assets. Complete Form C/OH-UC and designate the report as an "Unexpended Contributions – Final" report by checking the "Final Disposition" box. The report is due no later than the 30th day after the end of the six-year period.

SPECIFIC INSTRUCTIONS

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

PAGE 1

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

2. **CANDIDATE/OFFICEHOLDER NAME**: Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Your entry here should be the same as in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). Enter your name in the same way wherever you see "C/OH NAME".

3. **CANDIDATE/OFFICEHOLDER ADDRESS**: Enter your complete mailing address. Your entry here should be the same as the address in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). If your mailing address has changed since you last gave notice of your address, check the "Change of Address" box.

4. **REPORT TYPE**: Check the appropriate box.

   "Annual" Box: Check this box if you are filing an Unexpended Contributions - Annual report.

   "Final Disposition" Box: Check this box if you are filing an Unexpended Contributions - Final report.

5. **PERIOD COVERED**:

   Annual Reports. For your first Unexpended Contributions - Annual report, the start date is the day after the day you filed your Final Report. The start date for all other Unexpended Contributions - Annual reports is January 1 of the previous year. The end date for all Unexpended Contributions - Annual reports is December 31 of the previous year.

   Final Disposition Report. For an Unexpended Contributions – Final report, the start date is the day after the period covered by your most recent Unexpended Contributions - Annual report. The end date is the date you file the report.

6. **TOTALS**: Complete this section only if you are filing an Annual Report. If you are not filing an Annual Report, go to section 7.

   Line 1. Enter the total amount of unexpended political contributions and assets that you maintained as of December 31 of the previous year. (Note: Unlike other reports, you are not required to also disclose the total amount of expenditures entered in this Unexpended Contributions report. You are only required to disclose your unexpended balance as of December 31.)

   Line 2. Enter the total amount of interest and other income earned on unexpended political contributions and assets during the previous year ending December 31.

7. **SIGNATURE**: Complete this section only after you have completed all other appropriate sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. ONLY THE CANDIDATE OR OFFICEHOLDER FILING THE REPORT MAY SIGN THE AFFIDAVIT.

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

PAGE 2

8. **C/OH (CANDIDATE/OFFICEHOLDER) NAME**: Enter your full name as you did on Form C/OH-UC, Page 1.

9. **FILER ID**: If you are filing with the Commission, enter your filer ID number. If you do not file with the Commission, you are not required to enter a filer ID number.

10. **DATE**: Enter the date the expenditure was made.

    Credit Card Expenditures: There is a special reporting rule for expenditures made by credit card. The date of a credit card expenditure is either the date of the charge or the date the credit card statement is received. *A filer can never go wrong by disclosing the date of the expenditure as the date of the charge.*

11. **PAYEE NAME**: Enter the full name of the payee. If the payee is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the payee is an entity, enter the full name of the entity.

12. **PAYEE ADDRESS**: Enter the complete address of the payee.

    "Check if individual's residence address" box: Check the box if the payee's address is the payee's residence.

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

14. **PURPOSE OF EXPENDITURE**: Enter a brief statement or description of the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific to make the reason for the expenditure clear.

    "Check if Travel Outside of Texas" box: The law requires detailed information regarding in-kind contributions and political expenditures for travel outside of Texas. This information should be reported on Schedule T and attached to this form. Schedule T can be found on the Commission's website at *https://www.ethics.state.tx.us/forms/Schedule_T.pdf*.

15. **IS THE EXPENDITURE A CONTRIBUTION TO A CANDIDATE, OFFICEHOLDER, OR POLITICAL COMMITTEE?** If the expenditure was a contribution to a candidate, officeholder, or political committee, check the "Yes" box. If you check "Yes," you must file an additional report for this expenditure on Form AS IF-SPAC. See the "**Extra Reporting For Contribution To Candidate Or Political Committee**" section in the General Instructions for this form.

    If the expenditure was not a contribution to a candidate, officeholder, or political committee, check the "No" box.

TEXAS ETHICS COMMISSION

TITLE 15, ELECTION CODE

REGULATING POLITICAL FUNDS AND CAMPAIGNS

All Amendments Effective on September 1, 2023

(Revised 8/1/2023)

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
www.ethics.state.tx.us
(512) 463-5800 • TDD (800) 735-2989
Promoting Public Confidence in Government

TITLE 15, ELECTION CODE

REGULATING POLITICAL FUNDS AND CAMPAIGNS

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ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 251. GENERAL PROVISIONS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 251.001. DEFINITIONS. In this title:

(1) "Candidate" means 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 a 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.

(2) "Contribution" means a direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by this subdivision, and a guarantee of a loan or extension of credit, including a loan described by this subdivision. The term does not include:

(A) a loan made in the due course of business by a corporation that is legally engaged in the business of lending money and that has conducted the business continuously for more than one year before the loan is made; or

(B) an expenditure required to be reported under Section 305.006(b), Government Code.

(3) "Campaign contribution" means a contribution to a candidate or political committee that is offered or given with the intent that it be used in connection with a campaign for elective office or on a measure. Whether a contribution is made before, during, or after an election does not affect its status as a campaign contribution.

(4) "Officeholder contribution" means a contribution to an officeholder or political committee that is offered or given with the intent that it be used to defray expenses that:

(A) are incurred by the officeholder in performing a duty or engaging in an activity in connection with the office; and

(B) are not reimbursable with public money.

(5) "Political contribution" means a campaign contribution or an officeholder contribution.

(6) "Expenditure" means a payment of money or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a payment.

(7) "Campaign expenditure" means an expenditure made by any person in connection with a campaign for an elective office or on a measure. Whether an expenditure is made before, during, or after an election does not affect its status as a campaign expenditure.

(8) "Direct campaign expenditure" means a campaign expenditure that does not constitute a campaign contribution by the person making the expenditure. A campaign expenditure does not constitute a contribution by the person making the expenditure to a candidate or officeholder if the expenditure is made without the prior consent or approval of the candidate or officeholder on whose behalf the expenditure is made. A campaign expenditure made in connection with a measure does not constitute a contribution by the person making the expenditure if it is not made as a political contribution to a political committee supporting or opposing the measure.

(9) "Officeholder expenditure" means an expenditure made by any person to defray expenses that:

(A) are incurred by an officeholder in performing a duty or engaging in an activity in connection with the office; and

(B) are not reimbursable with public money.

(10) "Political expenditure" means a campaign expenditure or an officeholder expenditure.

(11) "Reportable activity" means a political contribution, political expenditure, or other activity required to be reported under this title.

(12) "Political committee" means two or more persons acting in concert with a principal purpose of accepting political contributions or making political expenditures. The term does not include a group composed exclusively of two or more individual filers or political committees required to file reports under this title who make reportable expenditures for a joint activity.

(13) "Specific-purpose committee" means a political committee that does not have among its principal purposes those of a general-purpose committee but does have among its principal purposes:

(A) supporting or opposing one or more:

(i) candidates, all of whom are identified and are seeking offices that are known; or

(ii) measures, all of which are identified;

(B) assisting one or more officeholders, all of whom are identified; or

(C) supporting or opposing only one candidate who is unidentified or who is seeking an office that is unknown.

(14) "General-purpose committee" means a political committee that has among its principal purposes:

(A) supporting or opposing:

(i) two or more candidates who are unidentified or are seeking offices that are unknown; or

(ii) one or more measures that are unidentified; or

(B) assisting two or more officeholders who are unidentified.

(15) "Out-of-state political committee" means a political committee that:

(A) makes political expenditures outside this state; and

(B) in the 12 months immediately preceding the making of a political expenditure by the committee inside this state (other than an expenditure made in connection with a campaign for a federal office or made for a federal officeholder), makes 80 percent or more of the committee's total political expenditures in any combination of elections outside this state and federal offices not voted on in this state.

(16) "Political advertising" means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that:

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or

(B) appears:

(i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or

(ii) on an Internet website.

(17) "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.

(18) "Labor organization" means an agency, committee, or any other organization in which employees participate that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(19) "Measure" means a question or proposal submitted in an election for an expression of the voters' will and includes the circulation and submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters' will.

(20) "Commission" means the Texas Ethics Commission.

(21) "In-kind contribution" means a contribution of goods, services, or any other thing of value that is not money, and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make the contribution. The term does not include a direct campaign expenditure.

Sec. 251.0015. COMMUNICATION WITH CANDIDATE. For purposes of Section 251.001(8), communication between a person and a candidate, officeholder, or candidate's or officeholder's agent is not evidence that the person obtained the candidate's or officeholder's consent or approval for a campaign expenditure made after the communication by the person on behalf of the candidate or officeholder unless the communication establishes that:

(1) the expenditure is incurred at the request or suggestion of the candidate, officeholder, or candidate's or officeholder's agent;

(2) the candidate, officeholder, or candidate's or officeholder's agent is materially involved in decisions regarding the creation, production, or distribution of a campaign communication related to the expenditure; or

(3) the candidate, officeholder, or candidate's or officeholder's agent shares information about the candidate's or officeholder's plans or needs that is:

(A) material to the creation, production, or distribution of a campaign communication related to the expenditure; and

(B) not available to the public.

Sec. 251.0016. COMMON VENDOR. A person using the same vendor as a candidate, officeholder, or political committee established or controlled by a candidate or officeholder is not acting in concert with the candidate, officeholder, or committee to make a campaign expenditure unless the person makes the expenditure using information from the vendor about the campaign plans or needs of the candidate, officeholder, or committee that is:

(1) material to the expenditure; and

(2) not available to the public.

Sec. 251.002. OFFICEHOLDERS COVERED. (a) The provisions of this title applicable to an officeholder apply only to a person who holds an elective public office and to the secretary of state.

(b) For purposes of this title, a state officer-elect or a member-elect of the legislature is considered an officeholder beginning on the day after the date of the general or special election at which the officer-elect or member-elect was elected. This subsection does not relieve a state officer-elect or member-elect of the legislature of any reporting requirements the person may have as a candidate under this title.

Sec. 251.003. PROHIBITION OF DOCUMENT FILING FEE. A charge may not be made for filing a document required to be filed under this title.

Sec. 251.004. VENUE. (a) Venue for a criminal offense prescribed by this title is in the county of residence of the defendant, unless the defendant is not a Texas resident, in which case venue is in Travis County.

(b) Venue for the recovery of delinquent civil penalties imposed by the commission under this title is in Travis County.

Sec. 251.005. OUT-OF-STATE COMMITTEES EXCLUDED.

(a) An out-of-state political committee is not subject to Chapter 252 or 254, except as provided by Subsection (b), (c), or (d).

(b) If an out-of-state committee decides to file a campaign treasurer appointment under Chapter 252, at the time the appointment is filed the committee becomes subject to this title to the same extent as a political committee that is not an out-of-state committee.

(c) If an out-of-state committee performs an activity that removes the committee from out-of-state status as defined by Section 251.001(15), the committee becomes subject to this title to the same extent as a political committee that is not an out-of-state committee.

(d) An out-of-state political committee that does not file a campaign treasurer appointment shall comply with Section 254.1581.

Sec. 251.006. FEDERAL OFFICE EXCLUDED.

(a) Except as provided by Subsection (b), this title does not apply to a candidate for an office of the federal government.

(b) A candidate for an elective office of the federal government shall file with the commission a copy of each document relating to the candidacy that is required to be filed under federal law. The document shall be filed within the same period in which it is required to be filed under the federal law.

Sec. 251.007. TIMELINESS OF ACTION BY MAIL. When this title requires a notice, report, or other document or paper to be delivered, submitted, or filed within a specified period or before a specified deadline, a delivery, submission, or filing by first-class United States mail or common or contract carrier is timely, except as otherwise provided by this title, 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 of a common or contract carrier indicating a time within the period or before the deadline, or if the person required to take the action furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier within the period or before the deadline.

Sec. 251.008. CERTAIN POLITICAL CLUB MEETINGS EXCLUDED.

(a) An expense incurred in connection with the conduct of a meeting of an organization or club affiliated with a political party at which a candidate for an office regularly filled at the general election for state and county officers, or a person holding that office, appears before the members of the organization or club is not considered to be a political contribution or political expenditure if no political contributions are made to or solicited for the candidate or officeholder at the meeting.

(b) In this section, an organization or club is affiliated with a political party if it:

(1) supports the nominees of that political party but does not support any candidate seeking the party's nomination for an office over any other candidate seeking that nomination; and

(2) is recognized by the political party as an auxiliary of the party.

Sec. 251.009. LEGISLATIVE CAUCUS CONTRIBUTION OR EXPENDITURE NOT CONSIDERED TO BE OFFICEHOLDER CONTRIBUTION OR EXPENDITURE. A contribution to or expenditure by a legislative caucus, as defined by Section 253.0341, is not considered to be an officeholder contribution or officeholder expenditure for purposes of this title.

SUBCHAPTER B. DUTIES OF COMMISSION

Sec. 251.032. FORMS. In addition to furnishing samples of the appropriate forms to the authorities having administrative duties under this title, the commission shall furnish the forms to each political party's state executive committee and county chair of each county executive committee.

Sec. 251.033. NOTIFICATION OF DEADLINE FOR FILING REPORTS.

(a) The commission shall notify each person responsible for filing a report with the commission under Subchapters C through F, Chapter 254, of the deadline for filing a report, except that notice of the deadline is not required for a political committee involved in an election other than a primary election or the general election for state and county officers. Notification under this subsection may be sent by electronic mail.

(b) If the commission is unable to notify a person of a deadline after two attempts, the commission is not required to make any further attempts to notify the person of that deadline or any future deadlines until the person has notified the commission of the person's current address or electronic mail address.

(c) Chapter 552, Government Code, does not apply to a notification under this section sent by electronic mail.

CHAPTER 252. CAMPAIGN TREASURER

Sec. 252.001. APPOINTMENT OF CAMPAIGN TREASURER REQUIRED. Each candidate and each political committee shall appoint a campaign treasurer as provided by this chapter.

Sec. 252.0011. INELIGIBILITY FOR APPOINTMENT AS CAMPAIGN TREASURER.

(a) Except as provided by Subsection (b) or (c), a person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that does not file a report required by Chapter 254.

(b) The period for which a person is ineligible under Subsection (a) for appointment as a campaign treasurer ends on the date on which the political committee in connection with which the person's ineligibility arose has filed each report required by Chapter 254 that was not timely filed or has paid all fines and penalties in connection with the failure to file the report.

(c) Subsection (a) does not apply to a person if, in any semiannual reporting period prescribed by Chapter 254:

(1) the political committee in connection with which the person's ineligibility arose did not accept political contributions that in the aggregate exceed $5,000 or make political expenditures that in the aggregate exceed $5,000; and

(2) the candidate who or political committee that subsequently appoints the person does not accept political contributions that in the aggregate exceed $5,000 or make political expenditures that in the aggregate exceed $5,000.

(d) Subsection (c) applies to a person who is the campaign treasurer of a general-purpose committee regardless of whether the committee files monthly reports under Section 254.155. For purposes of this subsection, political contributions accepted and political expenditures made during a monthly reporting period are aggregated with political contributions accepted and political expenditures made in each other monthly reporting period that corresponds to the semiannual reporting period that contains those months.

(e) A candidate or political committee is considered to have not appointed a campaign treasurer if the candidate or committee appoints a person as campaign treasurer whose appointment is prohibited by Subsection (a).

(f) A person who violates this section 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 section.

Sec. 252.002. CONTENTS OF APPOINTMENT.

(a) A campaign treasurer appointment must be in writing and include:

(1) the campaign treasurer's name;

(2) the campaign treasurer's residence or business street address;

(3) the campaign treasurer's telephone number; and

(4) the name of the person making the appointment.

(b) A political committee that files its campaign treasurer appointment with the commission must notify the commission in writing of any change in the campaign treasurer's address not later than the 10th day after the date on which the change occurs.

Sec. 252.003. CONTENTS OF APPOINTMENT BY GENERAL-PURPOSE COMMITTEE.

(a) In addition to the information required by Section 252.002, a campaign treasurer appointment by a general-purpose committee must include:

(1) the full name, and any acronym of the name that will be used in the name of the committee as provided by Subsection (d), of each corporation, labor organization, or other association or legal entity that directly establishes, administers, or controls the committee, if applicable, or the name of each person who determines to whom the committee makes contributions or the name of each person who determines for what purposes the committee makes expenditures;

(2) the full name and address of each general-purpose committee to whom the committee intends to make political contributions;

(3) the name of the committee and, if the name is an acronym, the words the acronym represents; and

(4) before the committee may use a political contribution from a corporation or a labor organization to make a direct campaign expenditure in connection with a campaign for an elective office, an affidavit stating that:

(A) the committee is not established or controlled by a candidate or an officeholder; and

(B) the committee will not use any political contribution from a corporation or a labor organization to make a political contribution to:

(i) a candidate for elective office;

(ii) an officeholder; or

(iii) a political committee that has not filed an affidavit under this subdivision or Section 252.0031(a)(2).

(a-1) Filing an affidavit under Subsection (a)(4) does not create any additional reporting requirements under Section 254.261.

(b) If any of the information required to be included in a general-purpose committee's appointment changes, excluding changes reported under Section 252.002(b), the committee shall file an amended appointment with the commission not later than the 30th day after the date the change occurs.

(c) The name of a general-purpose committee may not be the same as or deceptively similar to the name of any other general-purpose committee whose campaign treasurer appointment is filed with the commission. The commission shall determine whether the name of a general-purpose political committee is in violation of this prohibition and shall immediately notify the campaign treasurer of the offending political committee of that determination. The campaign treasurer of the political committee must file a name change with the commission not later than the 14th day after the date of notification. A campaign treasurer who fails to file a name change as provided by this subsection or a political committee that continues to use a prohibited name after its campaign treasurer has been notified by the commission commits an offense. An offense under this subsection is a Class B misdemeanor.

(d) The name of a general-purpose committee must include the name of each corporation, labor organization, or other association or legal entity other than an individual that directly establishes, administers, or controls the committee. The name of an entity that is required to be included in the name of the committee may be a commonly recognized acronym by which the entity is known.

Sec. 252.0031. CONTENTS OF APPOINTMENT BY SPECIFIC-PURPOSE COMMITTEE.

(a) In addition to the information required by Section 252.002, a campaign treasurer appointment by a specific-purpose committee for supporting or opposing a candidate for an office specified by Section 252.005(1) must include:

(1) the name of and the office sought by the candidate; and

(2) before the committee may use a political contribution from a corporation or a labor organization to make a direct campaign expenditure in connection with a campaign for an elective office, an affidavit stating that:

(A) the committee is not established or controlled by a candidate or an officeholder; and

(B) the committee will not use any political contribution from a corporation or a labor organization to make a political contribution to:

(i) a candidate for elective office;

(ii) an officeholder; or

(iii) a political committee that has not filed an affidavit under this subdivision or Section 252.003(a)(4).

(a-1) If the information required to be provided under Subsection (a) changes, the committee shall immediately file an amended appointment reflecting the change.

(a-2) Filing an affidavit under Subsection (a)(2) does not create any additional reporting requirements under Section 254.261.

(b) The name of a specific-purpose committee for supporting a candidate for an office specified by Section 252.005(1) must include the name of the candidate that the committee supports.

Sec. 252.0032. CONTENTS OF APPOINTMENT BY CANDIDATE.

(a) In addition to the information required by Section 252.002, a campaign treasurer appointment by a candidate must include:

(1) the candidate's telephone number; and

(2) a statement, signed by the candidate, that the candidate is aware of the nepotism law, Chapter 573, Government Code.

(b) A campaign treasurer appointment that is filed in a manner other than by use of an officially prescribed form is not invalid because it fails to comply with Subsection (a)(2).

Sec. 252.004. DESIGNATION OF ONESELF. An individual may appoint himself or herself as campaign treasurer.

Sec. 252.005. AUTHORITY WITH WHOM APPOINTMENT FILED: CANDIDATE. An individual must file a campaign treasurer appointment for the individual's own candidacy with:

(1) the commission, if the appointment is made for candidacy for:

(A) a statewide office;

(B) a district office filled by voters of more than one county;

(C) a judicial district office filled by voters of only one county;

(D) state senator;

(E) state representative; or

(F) the State Board of Education;

(2) the county clerk, if the appointment is made for candidacy for a county office, a precinct office, or a district office other than one included in Subdivision (1);

(3) the clerk or secretary of the governing body of the political subdivision or, if the political subdivision has no clerk or secretary, with the governing body's presiding officer, if the appointment is made for candidacy for an office of a political subdivision other than a county;

(4) the county clerk if:

(A) the appointment is made for candidacy for an office of a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) no boundary of the political subdivision crosses a boundary of the county; or

(5) the commission if:

(A) the appointment is made for candidacy for an office of a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) the political subdivision is situated in more than one county.

Sec. 252.006. AUTHORITY WITH WHOM APPOINTMENT FILED: SPECIFIC-PURPOSE COMMITTEE FOR SUPPORTING OR OPPOSING CANDIDATE OR ASSISTING OFFICEHOLDER. A specific-purpose committee for supporting or opposing a candidate or assisting an officeholder must file its campaign treasurer appointment with the same authority as the appointment for candidacy for the office.

Sec. 252.007. AUTHORITY WITH WHOM APPOINTMENT FILED: SPECIFIC-PURPOSE COMMITTEE FOR SUPPORTING OR OPPOSING MEASURE. A specific-purpose committee for supporting or opposing a measure must file its campaign treasurer appointment with:

(1) the commission, if the measure is to be submitted to voters of the entire state;

(2) the county clerk, if the measure is to be submitted to voters of a single county in an election ordered by a county authority;

(3) the secretary of the governing body of the political subdivision or, if the political subdivision has no secretary, with the governing body's presiding officer, if the measure is to be submitted at an election ordered by an authority of a political subdivision other than a county;

(4) the county clerk if:

(A) the measure concerns a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) no boundary of the political subdivision crosses a boundary of a county; or

(5) the commission if:

(A) the measure concerns a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) the political subdivision is situated in more than one county.

Sec. 252.008. MULTIPLE FILINGS BY SPECIFIC-PURPOSE COMMITTEE NOT REQUIRED. If under this chapter a specific-purpose committee is required to file its campaign treasurer appointment with more than one authority, the appointment need only be filed with the commission and, if so filed, need not be filed with the other authorities.

Sec. 252.009. AUTHORITY WITH WHOM APPOINTMENT FILED: GENERAL-PURPOSE COMMITTEE. A general-purpose committee must file its campaign treasurer appointment with the commission.

Sec. 252.010. TRANSFER OF APPOINTMENT.

(a) If a candidate who has filed a campaign treasurer appointment decides to seek a different office that would require the appointment to be filed with another authority, a copy of the appointment certified by the authority with whom it was originally filed must be filed with the other authority in addition to the new campaign treasurer appointment.

(b) The original appointment terminates on the filing of the copy with the appropriate authority or on the 10th day after the date the decision to seek a different office is made, whichever is earlier.

Sec. 252.011. TIME APPOINTMENT TAKES EFFECT; PERIOD OF EFFECTIVENESS.

(a) A campaign treasurer appointment takes effect at the time it is filed with the authority specified by this chapter.

(b) A campaign treasurer appointment continues in effect until terminated.

Sec. 252.012. REMOVAL OF CAMPAIGN TREASURER.

(a) A campaign treasurer appointed under this chapter may be removed at any time by the appointing authority by filing the written appointment of a successor in the same manner as the original appointment.

(b) The appointment of a successor terminates the appointment of the campaign treasurer who is removed.

(c) If the campaign treasurer of a specific-purpose political committee required to file its campaign treasurer appointment with the commission or of a general-purpose political committee is removed by the committee, the departing campaign treasurer shall immediately file written notification of the termination of appointment with the commission.

Sec. 252.013. TERMINATION OF APPOINTMENT ON VACATING POSITION.

(a) If a campaign treasurer resigns or otherwise vacates the position, the appointment is terminated at the time the vacancy occurs.

(b) A campaign treasurer who vacates the treasurer's position shall immediately notify the appointing authority in writing of the vacancy.

(c) If the campaign treasurer of a specific-purpose political committee required to file its campaign treasurer appointment with the commission or of a general-purpose political

committee resigns or otherwise vacates the position, the campaign treasurer shall immediately file written notification of the vacancy with the commission.

Sec. 252.0131. TERMINATION OF CAMPAIGN TREASURER APPOINTMENT.

(a) The commission by rule shall adopt a process by which the commission may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the commission. The governing body of a political subdivision by ordinance or order may adopt a process by which the clerk or secretary, as applicable, of the political subdivision may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the clerk or secretary. For purposes of this section, a candidate or political committee is inactive if the candidate or committee:

(1) has never filed or has ceased to file reports under Chapter 254;

(2) in the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the authority who is seeking to terminate the candidate's campaign treasurer appointment; and

(3) has not filed:

(A) a final report under Section 254.065 or 254.125; or

(B) a dissolution report under Section 254.126 or 254.159.

(b) Before the commission may terminate a campaign treasurer appointment, the commission must consider the proposed termination in a regularly scheduled open meeting. Before the clerk or secretary of a political subdivision may terminate a campaign treasurer appointment, the governing body of the political subdivision must consider the proposed termination in a regularly scheduled open meeting.

(c) Rules or an ordinance or order adopted under this section must:

(1) define "inactive candidate or political committee" for purposes of terminating the candidate's or committee's campaign treasurer appointment; and

(2) require written notice to the affected candidate or committee of:

(A) the proposed termination of the candidate's or committee's campaign treasurer appointment;

(B) the date, time, and place of the meeting at which the commission or governing body of the political subdivision, as applicable, will consider the proposed termination; and

(C) the effect of termination of the candidate's or committee's campaign treasurer appointment.

(d) The termination of a campaign treasurer appointment under this section takes effect on the 30th day after the date of the meeting at which the commission or governing body, as applicable, votes to terminate the appointment. Following that meeting, the commission or the clerk or secretary of the political subdivision, as applicable, shall promptly notify the affected candidate or political committee that the appointment has been terminated. The notice must state the effective date of the termination.

Sec. 252.014. PRESERVATION OF FILED APPOINTMENTS. The authority with whom a campaign treasurer appointment is filed under this chapter shall preserve the appointment for two years after the date the appointment is terminated.

Sec. 252.015. ASSISTANT CAMPAIGN TREASURER.

(a) Each specific-purpose committee for supporting or opposing a candidate for an office specified by Section 252.005(1) or a statewide or district measure and each general-purpose committee may appoint an assistant campaign treasurer by written appointment filed with the commission.

(b) In the campaign treasurer's absence, the assistant campaign treasurer has the same authority as a campaign treasurer.

(c) Sections 252.011, 252.012, 252.013, and 252.014 apply to the appointment and removal of an assistant campaign treasurer.

CHAPTER 253. RESTRICTIONS ON CONTRIBUTIONS AND EXPENDITURES

SUBCHAPTER A. GENERAL RESTRICTIONS

Sec. 253.001. CONTRIBUTION OR EXPENDITURE IN ANOTHER'S NAME PROHIBITED.

(a) A person may not knowingly make or authorize a political contribution in the name of or on behalf of another unless the person discloses in writing to the recipient the name and address of the person actually making the contribution in order for the recipient to make the proper disclosure.

(b) A person may not knowingly make or authorize a political expenditure in the name of or on behalf of another unless the person discloses in writing to the person on whose behalf the expenditure is made the name and address of the person actually making the expenditure in order for the person on whose behalf the expenditure is made to make the proper disclosure.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.003. UNLAWFULLY MAKING OR ACCEPTING CONTRIBUTION.

(a) A person may not knowingly make a political contribution in violation of this chapter.

(b) A person may not knowingly accept a political contribution the person knows to have been made in violation of this chapter.

(c) This section does not apply to a political contribution made or accepted in violation of Subchapter F.

(d) Except as provided by Subsection (e), a person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(e) A violation of Subsection (a) or (b) is a felony of the third degree if the contribution is made in violation of Subchapter D.

Sec. 253.004. UNLAWFULLY MAKING EXPENDITURE.

(a) A person may not knowingly make or authorize a political expenditure in violation of this chapter.

(b) This section does not apply to a political expenditure made or authorized in violation of Subchapter F.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.005. EXPENDITURE FROM UNLAWFUL CONTRIBUTION.

(a) A person may not knowingly make or authorize a political expenditure wholly or partly from a political contribution the person knows to have been made in violation of this chapter.

(b) This section does not apply to a political expenditure that is:

(1) prohibited by Section 253.101; or

(2) made from a political contribution made in violation of Subchapter F.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.006. CERTAIN CONTRIBUTIONS AND EXPENDITURES BY LOBBYISTS RESTRICTED. Notwithstanding any other provision of law, a person required to register under Chapter 305, Government Code, may not knowingly make or authorize a political contribution or political expenditure that is a political contribution to another candidate, officeholder, or political committee, or direct campaign expenditure, from political contributions accepted by:

(1) the person as a candidate or officeholder;

(2) a specific-purpose committee for the purpose of supporting the person as a candidate or assisting the person as an officeholder; or

(3) a political committee that accepted a political contribution from a source described by Subdivision (1) or (2) during the two-year period immediately before the date the political contribution or expenditure was made.

Sec. 253.007. PROHIBITION ON LOBBYING BY PERSON MAKING OR AUTHORIZING CERTAIN POLITICAL CONTRIBUTIONS AND DIRECT CAMPAIGN EXPENDITURES.

(a) In this section, "administrative action," "communicates directly with," "legislation," "member of the executive branch," and "member of the legislative branch" have the meanings assigned by Section 305.002, Government Code.

(b) Notwithstanding any other provision of law and except as provided by Subsection (c), a person who knowingly makes or authorizes a political contribution or political expenditure that is a political contribution to another candidate, officeholder, or political committee, or direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder may not engage in any activities that require the person to register under Chapter 305, Government Code, during the two-year period after the date the person makes or authorizes the political contribution or direct campaign expenditure.

(c) Subsection (b) does not apply to a person who:

(1) communicates directly with a member of the legislative or executive branch only to influence legislation or administrative action on behalf of:

(A) a nonprofit organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code;

(B) a group of low-income individuals; or

(C) a group of individuals with disabilities; and

(2) does not receive compensation other than reimbursement for actual expenses for engaging in communication described by Subdivision (1).

SUBCHAPTER B. CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES

Sec. 253.031. CONTRIBUTION AND EXPENDITURE WITHOUT CAMPAIGN TREASURER PROHIBITED.

(a) A candidate may not knowingly accept a campaign contribution or make or authorize a campaign expenditure at a time when a campaign treasurer appointment for the candidate is not in effect.

(b) A political committee may not knowingly accept political contributions totaling more than $500 or make or authorize political expenditures totaling more than $500 at a time when a campaign treasurer appointment for the committee is not in effect.

(c) A political committee may not knowingly make or authorize a campaign contribution or campaign expenditure supporting or opposing a candidate for an office specified by Section 252.005(1) in a primary or general election unless the committee's campaign treasurer appointment has been filed not later than the 30th day before the appropriate election day.

(d) This section does not apply to a political party's county executive committee that accepts political contributions or makes political expenditures, except that:

(1) a county executive committee that accepts political contributions or makes political expenditures shall maintain the records required by Section 254.001; and

(2) a county executive committee that accepts political contributions or makes political expenditures that, in the aggregate, exceed $25,000 in a calendar year shall file:

(A) a campaign treasurer appointment as required by Section 252.001 not later than the 15th day after the date that amount is exceeded; and

(B) the reports required by Subchapter F, Chapter 254, including in the political committee's first report all political contributions accepted and all political expenditures made before the effective date of the campaign treasurer appointment.

(e) This section does not apply to an out-of-state political committee unless the committee is subject to Chapter 252 under Section 251.005.

(f) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.032. LIMITATION ON CONTRIBUTION BY OUT-OF-STATE COMMITTEE.

(a) In a reporting period, a candidate, officeholder, or political committee may not knowingly accept political contributions totaling more than $500 from an out-of-state political committee unless, before accepting a contribution that would cause the total to exceed $500, the candidate, officeholder, or political committee, as applicable, receives from the out-of-state committee:

(1) a written statement, certified by an officer of the out-of-state committee, listing the full name and address of each person who contributed more than $100 to the out-of-state committee during the 12 months immediately preceding the date of the contribution; or

(2) a copy of the out-of-state 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.

(b) This section does not apply to a contribution from an out-of-state political committee if the committee appointed a campaign treasurer under Chapter 252 before the contribution was made and is subject to the reporting requirements of Chapter 254.

(c) A person who violates Subsection (a) commits an offense. An offense under this section is a Class A misdemeanor.

(d) A candidate, officeholder, or political committee shall include the statement or copy required by Subsection (a) as a part of the report filed under Chapter 254 that covers the reporting period to which Subsection (a) applies.

(e) A candidate, officeholder, or political committee that accepts political contributions totaling $500 or less from an out-of-state political committee shall include as part of the report filed under Chapter 254 that covers the reporting period in which the contribution is accepted:

(1) the same information for the out-of-state political committee required for general-purpose committees by Sections 252.002 and 252.003; or

(2) a copy of the out-of-state 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.

Sec. 253.033. CASH CONTRIBUTIONS EXCEEDING $100 PROHIBITED.

(a) A candidate, officeholder, or specific-purpose committee may not knowingly accept from a contributor in a reporting period political contributions in cash that in the aggregate exceed $100.

(b) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.034. RESTRICTIONS ON CONTRIBUTIONS DURING AND FOLLOWING REGULAR LEGISLATIVE SESSION.

(a) During the period beginning on the 30th day before the date a regular legislative session convenes and continuing through the 20th day after the date of final adjournment, a person may not knowingly make a political contribution to:

(1) a statewide officeholder;

(2) a member of the legislature; or

(3) a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature.

(b) A statewide officeholder, a member of the legislature, or a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature may not knowingly accept a political contribution, and shall refuse a political contribution that is received, during the period prescribed by Subsection (a). A political contribution that is received and refused during that period shall be returned to the contributor not later than the 30th day after the date of receipt. A contribution made by United States mail or by common or contract carrier is not considered received during that period if it was properly addressed and placed with postage or carrier charges prepaid or prearranged in the mail or delivered to the contract carrier before the beginning of the period. The date indicated by the post office cancellation mark or the common or contract carrier documents is considered to be the date the contribution was placed in the mail or delivered to the common or contract carrier unless proven otherwise.

(c) This section does not apply to a political contribution that was made and accepted with the intent that it be used:

(1) in an election held or ordered during the period prescribed by Subsection (a) in which the person accepting the contribution is a candidate if the contribution was made after the person appointed a campaign treasurer with the appropriate authority and before the person was sworn in for that office;

(2) to defray expenses incurred in connection with an election contest; or

(3) by a person who holds a state office or a member of the legislature if the person or member was defeated at the general election held immediately before the session is convened or by a specific-purpose political committee that supports or assists only that person or member.

(d) This section does not apply to a political contribution made to or accepted by a holder of an office to which Subchapter F applies.

(e) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.0341. RESTRICTIONS ON CONTRIBUTIONS TO LEGISLATIVE CAUCUSES DURING AND FOLLOWING REGULAR LEGISLATIVE SESSION.

(a) During the period beginning on the 30th day before the date a regular legislative session convenes and continuing through the 20th day after the date of final adjournment, a person not a member of the caucus may not knowingly make a contribution to a legislative caucus.

(b) A legislative caucus may not knowingly accept from a nonmember a contribution, and shall refuse a contribution from a nonmember that is received, during the period prescribed by Subsection (a). A contribution that is received and refused during that period shall be returned to the contributor not later than the 30th day after the date of receipt. A contribution made by United States mail or by common or contract carrier is not considered received during that period if it was properly addressed and placed with postage or carrier charges prepaid or prearranged in the mail or delivered to the contract carrier before the beginning of the period. The date indicated by the post office cancellation mark or the common or contract carrier documents is considered to be the date the contribution was placed in the mail or delivered to the common or contract carrier unless proven otherwise.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(d) A person who knowingly makes or accepts a contribution in violation of this section is liable for damages to the state in the amount of triple the value of the unlawful contribution.

(e) In this section, "legislative caucus" means an organization that is composed exclusively of members of the legislature, that elects or appoints officers and recognizes identified legislators as members of the organization, and that exists for research and other support of policy development and interests that the membership hold in common. The term includes an entity established by or for a legislative caucus to conduct research, education, or any other caucus activity. An organization whose only nonlegislator members are the lieutenant governor or the governor remains a "legislative caucus" for purposes of this section.

Sec. 253.035. RESTRICTIONS ON PERSONAL USE OF CONTRIBUTIONS.

(a) A person who accepts a political contribution as a candidate or officeholder may not convert the contribution to personal use.

(b) A specific-purpose committee that accepts a political contribution may not convert the contribution to the personal use of a candidate, officeholder, or former candidate or officeholder.

(c) The prohibitions prescribed by Subsections (a) and (b) include the personal use of an asset purchased with the contribution and the personal use of any interest and other income earned on the contribution.

(d) In this section, "personal use" means a use that primarily furthers individual or family purposes not connected with the performance of duties or activities as a candidate for or holder of a public office. The term does not include:

(1) payments made to defray ordinary and necessary expenses incurred in connection with activities as a candidate or in connection with the performance of duties or activities as a public officeholder, including payment of rent, utility, and other reasonable housing or household expenses incurred in maintaining a residence in Travis County by

members of the legislature who do not ordinarily reside in Travis County, but excluding payments prohibited under Section 253.038; or

(2) payments of federal income taxes due on interest and other income earned on political contributions.

(e) Subsection (a) applies only to political contributions accepted on or after September 1, 1983. Subsection (b) applies only to political contributions accepted on or after September 1, 1987.

(f) A person who converts a political contribution to the person's personal use in violation of this section is civilly liable to the state for an amount equal to the amount of the converted contribution plus reasonable court costs.

(g) A specific-purpose committee that converts a political contribution to the personal use of a candidate, officeholder, or former candidate or officeholder in violation of this section is civilly liable to the state for an amount equal to the amount of the converted contribution plus reasonable court costs.

(h) Except as provided by Section 253.0351 or 253.042, a candidate or officeholder who makes political expenditures from the candidate's or officeholder's personal funds may reimburse those personal funds from political contributions in the amount of those expenditures only if:

(1) the expenditures from personal funds were fully reported as political expenditures, including the payees, dates, purposes, and amounts of the expenditures, in the report required to be filed under this title that covers the period in which the expenditures from personal funds were made; and

(2) the report on which the expenditures from personal funds are disclosed clearly designates those expenditures as having been made from the person's personal funds and that the expenditures are subject to reimbursement.

(i) "Personal use" does not include the use of contributions for:

(1) defending a criminal action or prosecuting or defending a civil action brought by or against the person in the person's status as a candidate or officeholder; or

(2) participating in an election contest or participating in a civil action to determine a person's eligibility to be a candidate for, or elected or appointed to, a public office in this state.

(j), (k) Repealed by Acts 1991, 72nd Leg., ch. 304, Sec. 5.20, eff. Jan. 1, 1992.

Sec. 253.0351. LOANS FROM PERSONAL FUNDS.

(a) A candidate or officeholder who makes political expenditures from the candidate's or officeholder's personal funds may report the amount expended as a loan and may reimburse those personal funds from political contributions in the amount of the reported loan.

(b) Section 253.035(h) applies if the person does not report an amount as a loan as authorized by Subsection (a).

(c) A candidate or officeholder who deposits personal funds in an account in which political contributions are held shall report the amount of personal funds deposited as a loan and may reimburse the amount deposited as a loan from political contributions or unexpended personal funds deposited in the account. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to Section 253.035 and must be included in the reports of the total amount of political contributions maintained required by Sections 254.031(a)(8) and 254.0611(a).

Sec. 253.036. OFFICEHOLDER CONTRIBUTIONS USED IN CONNECTION WITH CAMPAIGN. An officeholder who lawfully accepts officeholder contributions may use those contributions in connection with the officeholder's campaign for elective office after appointing a campaign treasurer.

Sec. 253.037. RESTRICTIONS ON CONTRIBUTION OR EXPENDITURE BY GENERAL-PURPOSE COMMITTEE.

(a) Repealed by Acts 2019, 86th Leg., R.S., Ch. 209 (H.B. 3580), Sec. 5(1), eff. September 1, 2019.

(b) A general-purpose committee may not knowingly make a political contribution to another general-purpose committee unless the other committee is listed in the campaign treasurer appointment of the contributor committee.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 209 (H.B. 3580), Sec. 5(1), eff. September 1, 2019.

(d) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 253.038. PAYMENTS MADE TO PURCHASE REAL PROPERTY OR TO RENT CERTAIN REAL PROPERTY PROHIBITED.

(a) A candidate or officeholder or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not knowingly make or authorize a payment from a political contribution to purchase real property or to pay the interest on or principal of a note for the purchase of real property.

(a-1) A candidate or officeholder or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not knowingly make or authorize a payment from a political contribution for the rental or purchase of real property from:

(1) a person related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to the candidate or officeholder; or

(2) a business in which the candidate or officeholder or a person described by Subdivision (1) has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer.

(b) A person who violates this section commits an offense. An offense under this subsection is a Class A misdemeanor.

(c) This section does not apply to a payment made in connection with real property that was purchased before January 1, 1992.

Sec. 253.039. CONTRIBUTIONS IN CERTAIN PUBLIC BUILDINGS PROHIBITED.

(a) A person may not knowingly make or authorize a political contribution while in the Capitol or a courthouse to:

(1) a candidate or officeholder;

(2) a political committee; or

(3) a person acting on behalf of a candidate, officeholder, or political committee.

(b) A candidate, officeholder, or political committee or a person acting on behalf of a candidate, officeholder, or political committee may not knowingly accept a political contribution, and shall refuse a political contribution that is received, in the Capitol or a courthouse.

(c) This section does not prohibit contributions made in the Capitol or a courthouse through the United States postal service or a common or contract carrier.

(d) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(h) In this section, "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.

Sec. 253.040. SEPARATE ACCOUNTS.

(a) Except as provided by Section 253.0351(c), each candidate or officeholder shall keep the person's campaign and officeholder contributions in one or more accounts that are separate from any other account maintained by the person.

(b) A person who violates this section commits an offense. An offense under this section is a Class B misdemeanor.

Sec. 253.041. RESTRICTIONS ON CERTAIN PAYMENTS.

(a) A candidate or officeholder or a specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not knowingly make or authorize a payment from a political contribution if the payment is made for personal services rendered by the candidate or officeholder or by the spouse or dependent child of the candidate or officeholder to:

(1) a business in which the candidate or officeholder has a participating interest of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business; or

(2) the candidate or officeholder or the spouse or dependent child of the candidate or officeholder.

(b) A payment that is made from a political contribution to a business described by Subsection (a) and that is not prohibited by that subsection may not exceed the amount necessary to reimburse the business for actual expenditures made by the business.

(c) A person who violates this section commits an offense. An offense under this subsection is a Class A misdemeanor.

Sec. 253.042. RESTRICTIONS ON REIMBURSEMENT OF PERSONAL FUNDS AND PAYMENTS ON CERTAIN LOANS.

(a) A candidate or officeholder who makes political expenditures from the candidate's or officeholder's personal funds may not reimburse those personal funds from political contributions in amounts that in the aggregate exceed the following amounts for each election in which the person's name appears on the ballot:

(1) for a statewide office other than governor, $250,000; and

(2) for governor, $500,000.

(b) A candidate or officeholder who accepts one or more political contributions in the form of loans, including an extension of credit or a guarantee of a loan or extension of credit, from one or more persons related to the candidate or officeholder within the second degree by affinity or consanguinity may not use political contributions to repay the loans in amounts that in the aggregate exceed the amount prescribed by Subsection (a).

(c) The total amount of both reimbursements and repayments made by a candidate or officeholder under this section may not exceed the amount prescribed by Subsection (a).

(d) A person who is both a candidate and an officeholder covered by Subsection (a) may reimburse the person's personal funds or repay loans from political contributions only in one capacity.

(e) This section does not prohibit the payment of interest on loans covered by this section at a commercially reasonable rate, except that interest on loans from a candidate's or officeholder's personal funds or on loans from the personal funds of any person related to the candidate or officeholder within the second degree by affinity or consanguinity is included in the amount prescribed by Subsection (a), (b), or (c).

(f) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(g) The commission shall study possible restrictions on amounts of reimbursements under Subsection (a) in connection with the offices of state senator and state representative and shall make appropriate recommendations to the legislature on those matters.

Sec. 253.043. POLITICAL CONTRIBUTIONS USED IN CONNECTION WITH APPOINTIVE OFFICE. A former candidate or former officeholder who lawfully accepts political contributions may use those contributions to make an expenditure to defray expenses incurred by the person in performing a duty or engaging in an activity in connection with an appointive office of a state board or commission.

SUBCHAPTER D. CORPORATIONS AND LABOR ORGANIZATIONS

Sec. 253.091. CORPORATIONS COVERED. This subchapter applies only to corporations that are organized under the Texas Business Corporation Act, the Texas For-Profit Corporation Law, the Texas Non-Profit Corporation Act, the Texas Nonprofit Corporation Law, federal law, or law of another state or nation.

Sec. 253.092. TREATMENT OF INCORPORATED POLITICAL COMMITTEE. If a political committee the only principal purpose of which is accepting political contributions and making political expenditures incorporates for liability purposes only, the committee is not considered to be a corporation for purposes of this subchapter.

Sec. 253.093. CERTAIN ASSOCIATIONS COVERED.

(a) For purposes of this subchapter, the following associations, whether incorporated or not, are considered to be corporations covered by this subchapter: banks, trust companies, savings and loan associations or companies, insurance companies, reciprocal or interinsurance exchanges, railroad companies, cemetery companies, government-regulated cooperatives, stock companies, and abstract and title insurance companies.

(b) For purposes of this subchapter, the members of the associations specified by Subsection (a) are considered to be stockholders.

Sec. 253.094. CONTRIBUTIONS PROHIBITED.

(a) A corporation or labor organization may not make a political contribution that is not authorized by this subchapter.

(b) A corporation or labor organization may not make a political contribution in connection with a recall election, including the circulation and submission of a petition to call an election.

(c) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.095. PUNISHMENT OF AGENT. An officer, director, or other agent of a corporation or labor organization who commits an offense under this subchapter is punishable for the grade of offense applicable to the corporation or labor organization.

Sec. 253.096. CONTRIBUTION ON MEASURE. A corporation or labor organization may make campaign contributions from its own property in connection with an election on a measure only to a political committee for supporting or opposing measures exclusively.

Sec. 253.097. CONTRIBUTION FROM CORPORATION OR LABOR ORGANIZATION. A corporation or labor organization may make campaign contributions from its own property to a political committee that has filed an affidavit with the committee's campaign treasurer appointment in accordance with Section 252.003(a)(4) or 252.0031(a)(2).

Sec. 253.098. COMMUNICATION WITH STOCKHOLDERS OR MEMBERS.

(a) A corporation or labor organization may make one or more direct campaign expenditures from its own property for the purpose of communicating directly with its stockholders or members, as applicable, or with the families of its stockholders or members.

(b) An expenditure under this section is not reportable under Chapter 254.

Sec. 253.099. NONPARTISAN VOTER REGISTRATION AND GET-OUT-THE-VOTE CAMPAIGNS.

(a) A corporation or labor organization may make one or more expenditures to finance nonpartisan voter registration and get-out-the-vote campaigns aimed at its stockholders or members, as applicable, or at the families of its stockholders or members.

(b) An expenditure under this section is not reportable under Chapter 254.

Sec. 253.100. EXPENDITURES FOR GENERAL-PURPOSE COMMITTEE.

(a) A corporation, acting alone or with one or more other corporations, may make one or more political expenditures to finance the establishment or administration of a general-purpose committee. In addition to any other expenditure that is considered permissible under this section, a corporation may make an expenditure for the maintenance and operation of a general-purpose committee, including an expenditure for:

(1) office space maintenance and repairs;

(2) telephone and Internet services;

(3) office equipment;

(4) utilities;

(5) general office and meeting supplies;

(6) salaries for routine clerical, data entry, and administrative assistance necessary for the proper administrative operation of the committee;

(7) legal and accounting fees for the committee's compliance with this title;

(8) routine administrative expenses incurred in establishing and administering a general-purpose political committee;

(9) management and supervision of the committee, including expenses incurred in holding meetings of the committee's governing body to interview candidates and make endorsements relating to the committee's support;

(10) the recording of committee decisions;

(11) expenses incurred in hosting candidate forums in which all candidates for a particular office in an election are invited to participate on the same terms;

(12) expenses incurred in preparing and delivering committee contributions;

(13) creation and maintenance of the committee 's public Internet web pages that do not contain political advertising.

(b) A corporation may make political expenditures, including fully or partially matching contributions to an organization that is exempt from federal income tax under Section 501(c)(3), Internal Revenue Code of 1986, to finance the solicitation of political contributions to a general-purpose committee assisted under Subsection (a) from the stockholders, employees, or families of stockholders or employees of one or more corporations.

(c) A labor organization may engage in activity authorized for a corporation by this section. For purposes of this section, the members of a labor organization are considered to be corporate stockholders.

(d) A corporation or labor organization may not make expenditures under this section for:

(1) political consulting to support or oppose a candidate;

(2) telephoning or telephone banks to communicate with the public;

(3) brochures and direct mail supporting or opposing a candidate;

(4) partisan voter registration and get-out-the-vote drives;

(5) political fund-raising other than from its stockholders or members, as applicable, or the families of its stockholders or members;

(6) voter identification efforts, voter lists, or voter databases that include persons other than its stockholders or members, as applicable, or the families of its stockholders or members;

(7) polling designed to support or oppose a candidate other than of its stockholders or members, as applicable, or the families of its stockholders or members; or

(8) recruiting candidates.

(e) Subsection (d) does not apply to a corporation or labor organization making a campaign contribution to a political committee under Section 253.097 or an expenditure to communicate with its stockholders or members, as applicable, or with the families of its stockholders or members as provided by Section 253.098.

Sec. 253.101. UNLAWFUL CONTRIBUTION OR EXPENDITURE BY COMMITTEE.

(a) A political committee assisted by a corporation or labor organization under Section 253.100 may not make a political contribution or political expenditure in whole or part from money that is known by a member or officer of the political committee to be dues, fees, or other money required as a condition of employment or condition of membership in a labor organization.

(a-1) Subsection (a) does not prohibit a political committee from making a political contribution or political expenditure wholly or partly from a campaign contribution made by a corporation or labor organization to the political committee under Section 253.096 or 253.097.

(b) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.102. COERCION PROHIBITED.

(a) A corporation or labor organization or a political committee assisted by a corporation or labor organization under Section 253.100 commits an offense if it uses or threatens to use physical force, job discrimination, or financial reprisal to obtain money or any other thing of value to be used to influence the result of an election or to assist an officeholder.

(b) A political committee assisted by a corporation or labor organization under Section 253.100 commits an offense if it accepts or uses money or any other thing of value that is known by a member or officer of the political committee to have been obtained in violation of Subsection (a).

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

Sec. 253.103. CORPORATE LOANS.

(a) A corporation may not make a loan to a candidate, officeholder, or political committee for campaign or officeholder purposes unless:

(1) the corporation has been legally and continuously engaged in the business of lending money for at least one year before the loan is made; and

(2) the loan is made in the due course of business.

(b) This section does not apply to a loan covered by Section 253.096.

(c) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.104. CONTRIBUTION TO POLITICAL PARTY.

(a) A corporation or labor organization may make a contribution from its own property to a political party to be used as provided by Chapter 257.

(b) A corporation or labor organization may not knowingly make a contribution authorized by Subsection (a) during a period beginning on the 60th day before the date of a general election for state and county officers and continuing through the day of the election.

(c) A corporation or labor organization that knowingly makes a contribution in violation of this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 253.105. CONTRIBUTIONS TO DIRECT EXPENDITURE ONLY COMMITTEES.

(a) A corporation or labor organization may make a political contribution from its own property to a political committee that:

(1) is not established or controlled by a candidate or an officeholder;

(2) makes or intends to make direct campaign expenditures;

(3) does not make or intend to make political contributions to:

(A) a candidate;

(B) an officeholder;

(C) specific-purpose committee established or controlled by a candidate or an officeholder; or

(D) a political committee that makes or intends to make political contributions to a candidate, an officeholder, or a specific-purpose committee established or controlled by a candidate or an officeholder; and

(4) has filed an affidavit with the commission stating the committee's intention to operate as described by Subdivisions (2) and (3).

(b) A political contribution made by a corporation or labor organization under this section does not constitute a violation of Section 253.094(a) and the acceptance of the political contribution does not constitute a violation of Section 253.003(b).

SUBCHAPTER E. CIVIL LIABILITY

Sec. 253.131. LIABILITY TO CANDIDATES.

(a) A person who knowingly makes or accepts a campaign contribution or makes a campaign expenditure in violation of this chapter is liable for damages as provided by this section.

(b) If the contribution or expenditure is in support of a candidate, each opposing candidate whose name appears on the ballot is entitled to recover damages under this section.

(c) If the contribution or expenditure is in opposition to a candidate, the candidate is entitled to recover damages under this section.

(d) In this section, "damages" means:

(1) twice the value of the unlawful contribution or expenditure; and

(2) reasonable attorney's fees incurred in the suit.

(e) Reasonable attorney's fees incurred in the suit may be awarded to the defendant if judgment is rendered in the defendant's favor.

Sec. 253.132. LIABILITY TO POLITICAL COMMITTEES.

(a) A corporation or labor organization that knowingly makes a campaign contribution to a political committee or a direct campaign expenditure in violation of Subchapter D is liable for damages as provided by this section to each political committee of opposing interest in the election in connection with which the contribution or expenditure is made.

(b) In this section, "damages" means:

(1) twice the value of the unlawful contribution or expenditure; and

(2) reasonable attorney's fees incurred in the suit.

(c) Reasonable attorney's fees incurred in the suit may be awarded to the defendant if judgment is rendered in the defendant's favor.

Sec. 253.133. LIABILITY TO STATE. A person who knowingly makes or accepts a political contribution or makes a political expenditure in violation of this chapter is liable for damages to the state in the amount of triple the value of the unlawful contribution or expenditure.

Sec. 253.134. CIVIL PENALTIES IMPOSED BY COMMISSION. This title does not prohibit the imposition of civil penalties by the commission in addition to criminal penalties or other sanctions imposed by law.

SUBCHAPTER F. JUDICIAL CAMPAIGN FAIRNESS ACT

Sec. 253.151. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a political contribution or political expenditure in connection with the office of:

(1) chief justice or justice, supreme court;
(2) presiding judge or judge, court of criminal appeals;
(3) chief justice or justice, court of appeals;
(4) district judge;
(5) judge, statutory county court; or
(6) judge, statutory probate court.

Sec. 253.152. DEFINITIONS. In this subchapter:

(1) "Child" means a person under 18 years of age who is not and has not been married or who has not had the disabilities of minority removed for general purposes.

(2) "In connection with an election" means:

(A) with regard to a contribution that is designated in writing for a particular election, the election designated; or

(B) with regard to a contribution that is not designated in writing for a particular election, the next election for that office occurring after the contribution is made.

(3) "Judicial district" means the territory from which a judicial candidate is elected or appointed.

(4) "Law firm" means a partnership, limited liability partnership, limited liability company, professional corporation, or other entity organized for the practice of law.

(5) "Law firm group" means:

(A) a law firm;

(B) a general-purpose committee established or controlled by the law firm or a member of the law firm;

(C) a member of the law firm; and

(D) the spouse of a member of the law firm.

(6) "Member of a law firm" means:

(A) a person designated "of counsel" or "of the firm";

(B) a partner of the law firm, whether an individual or an entity;

(C) an associate of the law firm;

(D) a shareholder of the law firm, whether an individual or an entity; or

(E) an employee of the law firm

(7) "Statewide judicial office" means the office of chief justice or justice, supreme court, or presiding judge or judge, court of criminal appeals.

Sec. 253.153. CONTRIBUTION PROHIBITED EXCEPT DURING ELECTION PERIOD.

(a) A judicial candidate or officeholder, a specific-purpose committee for supporting or opposing a judicial candidate, or a specific-purpose committee for assisting a judicial officeholder may not knowingly accept a political contribution except during the period:

(1) beginning on:

(A) the 210th day before the date an application for a place on the ballot or for nomination by convention for the office is required to be filed, if the election is for a full term; or

(B) the later of the 210th day before the date an application for a place on the ballot or for nomination by convention for the office is required to be filed or the date a vacancy in the office occurs, if the election is for an unexpired term; and

(2) ending on the 120th day after the date of the election in which the candidate or officeholder last appeared on the ballot, regardless of whether the candidate or officeholder has an opponent in that election.

(b) Subsection (a)(2) does not apply to a political contribution that was made and accepted with the intent that it be used to defray expenses incurred in connection with an election, including the repayment of any debt that is:

(1) incurred directly by the making of a campaign expenditure during the period beginning on the date the application for a place on the ballot or for nomination by convention was required to be filed for the election in which the candidate last appeared on the ballot and ending on the date of that election; and

(2) subject to the restrictions prescribed by Sections 253.162 and 253.1621.

(c) Repealed by Acts 2009, 81st Leg., R.S., Ch. 1329, Sec. 2, eff. September 1, 2009.

(d) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

Sec. 253.154. WRITE-IN CANDIDACY.

(a) A write-in candidate for judicial office or a specific-purpose committee for supporting a write-in candidate for judicial office may not knowingly accept a political contribution before the candidate files a declaration of write-in candidacy.

(b) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

Sec. 253.1541. ACCEPTANCE OF POLITICAL CONTRIBUTIONS BY PERSON APPOINTED TO FILL VACANCY.

(a) This section applies only to a person appointed to fill a vacancy in an office covered by this subchapter who, at the time of appointment, does not hold another office covered by this subchapter.

(b) Notwithstanding Section 253.153, a person to whom this section applies may accept political contributions beginning on the date the person assumes the duties of office and ending on the 60th day after that date.

Sec. 253.155. CONTRIBUTION LIMITS.

(a) A judicial candidate or officeholder may not knowingly accept political contributions from a person that in the aggregate, exceed the contribution limits prescribed by Subsection (b) in connection with each election in which the judicial candidate's name appears on the ballot.

(b) The contribution limits under this section are:

(1) for a statewide judicial office, $5,000; or

(2) for any other judicial office:

(A) $1,000, if the population of the judicial district is less than 250,000;

(B) $2,500, if the population of the judicial district is 250,000 to one million; or

(C) $5,000, if the population of the judicial district is more than one million.

(c) This section does not apply to a political contribution made by a general-purpose committee.

(d) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(1), eff. June 2, 2019.

(d-1) In addition to the contribution limits imposed on each contributor under this section, a judicial candidate or officeholder may not accept a political contribution in excess of $50 from a person if:

(1) the person is part of a law firm group; and

(2) the contribution, when aggregated with all political contributions accepted by the candidate or officeholder from the same law firm group in connection with the election, would exceed six times the applicable contribution limit under this section.

(e) A person who receives a political contribution that violates this section shall return the contribution to the contributor not later than the later of:

(1) the last day of the reporting period in which the contribution is received; or

(2) the fifth day after the date the contribution is received.

(f) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

Sec. 253.157. LIMIT ON CONTRIBUTION BY GENERAL-PURPOSE COMMITTEES.

(a) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(2), eff. June 2, 2019.

(a-1) A judicial candidate or officeholder may not knowingly accept political contributions from a general-purpose committee that, in the aggregate, exceed the contribution limits prescribed by this subsection in connection with an election in which the judicial candidate's name appears on the ballot. The contribution limits under this subsection are:

(1) for a statewide judicial office, $25,000; or

(2) for any other judicial office, $5,000.

(a-2) In addition to the contribution limits imposed on each contribution in Subsection (a-1), a judicial candidate or officeholder may not accept a political contribution in excess of $50 from a general-purpose committee if the contribution, when aggregated with all political contributions from all general-purpose committees in connection with an election, would exceed:

(1) for a statewide judicial office, $300,000;

(2) for the office of chief justice or justice, court of appeals:

(A) $75,000, if the population of the judicial district is more than one million; or

(B) $52,500, if the population of the judicial district is one million or less; or

(3) for an office other than an office included under Subdivision (1) or (2):

(A) $52,500, if the population of the judicial district is more than one million;

(B) $30,000, if the population of the judicial district is 250,000 to one million; or

(C) $15,000, if the population of the judicial district is less than 250,000.

(b) A person who receives a political contribution that violates this section shall return the contribution to the contributor not later than the later of:

(1) the last day of the reporting period in which the contribution is received; or

(2) the fifth day after the date the contribution is received.

(c) A person who violates this section is liable for a civil penalty not to exceed three times the amount of the political contributions accepted in violation of this section.

(d) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(2), eff. June 2, 2019.

(e) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(2), eff. June 2, 2019.

Sec. 253.158. CONTRIBUTION BY SPOUSE OR CHILD.

(a) For purposes of this subchapter, a contribution by the spouse of an individual is not considered to be a contribution by the individual.

(b) For purposes of this subchapter, a contribution by a child of an individual is considered to be a contribution by the individual.

Sec. 253.159. EXCEPTION TO CONTRIBUTION LIMITS. Section 253.155 does not apply to an individual who is related to the candidate or officeholder within the second degree by consanguinity, as determined under Subchapter B, Chapter 573, Government Code.

Sec. 253.1601. CONTRIBUTION TO CERTAIN COMMITTEES CONSIDERED CONTRIBUTION TO CANDIDATE OR OFFICEHOLDER. For purposes of Sections 253.155 and 253.157, a contribution to a specific-purpose committee for the purpose of supporting a judicial candidate, opposing the candidate's opponent, or assisting a judicial officeholder is considered to be a contribution to the candidate or officeholder.

Sec. 253.161. USE OF CONTRIBUTION FROM NONJUDICIAL OR JUDICIAL OFFICE PROHIBITED.

(a) A judicial candidate or officeholder, a specific-purpose committee for supporting or opposing a judicial candidate, or a specific-purpose committee for assisting a judicial officeholder may not use a political contribution to make a campaign expenditure for judicial office or to make an officeholder expenditure in connection with a judicial office if the contribution was accepted while the candidate or officeholder:

(1) was a candidate for an office other than a judicial office; or

(2) held an office other than a judicial office, unless the person had become a candidate for judicial office and the contribution was made in connection with an election for judicial office.

(b) A candidate, officeholder, or specific-purpose committee for supporting, opposing, or assisting the candidate or officeholder may not use a political contribution to make a campaign expenditure for an office other than a judicial office or to make an officeholder expenditure in connection with an office other than a judicial office if the contribution was accepted while the candidate or officeholder:

(1) was a candidate for a judicial office; or

(2) held a judicial office, unless the person had become a candidate for another office and the contribution was made in connection with an election for judicial office.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(4), eff. June 2, 2019.

(d) A person who violates this section is liable for a civil penalty not to exceed three times the amount of political contributions used in violation of this section.

Sec. 253.1611. CERTAIN CONTRIBUTIONS BY JUDICIAL CANDIDATES, OFFICEHOLDERS, AND COMMITTEES RESTRICTED.

(a) A judicial candidate or officeholder or a specific-purpose committee for supporting or opposing a judicial candidate or assisting a judicial officeholder may not use a political contribution to knowingly make political contributions that in the aggregate exceed $100 in a calendar year to a candidate or officeholder.

(b) A judicial candidate or a specific-purpose committee for supporting or opposing a judicial candidate may not use a political contribution to knowingly make political contributions to a political committee in connection with a primary election.

(c) A judicial candidate or a specific-purpose committee for supporting or opposing a judicial candidate may not use a political contribution to knowingly make a political contribution to a political committee that, when aggregated with each other political contribution to a political committee in connection with a general election, exceeds $500.

(d) A judicial officeholder or a specific-purpose committee for assisting a judicial officeholder may not, in any calendar year in which the office held is not on the ballot, use a political contribution to knowingly make a political contribution to a political committee that, when aggregated with each other political contribution to a political committee in that calendar year, exceeds $250.

(e) This section does not apply to a political contribution made to the principal political committee of the state executive committee or a county executive committee of a political party that *provides* goods or services, including political advertising or a campaign communication, to or for the benefit of judicial candidates.

(e-1) This subsection applies only to a political party required to nominate candidates by primary election. This section does not apply to a political contribution made, for the purpose of sponsoring or attending an event, to a political committee affiliated with:

(1) an organization that has been designated as an auxiliary, coalition, or county chair association of a political party as provided by political party rule or state executive committee bylaw; or

(2) a local chapter of an organization described by Subdivision (1).

(f) Repealed by Acts 2017, 85th Leg., R.S., Ch. 905 (H.B. 3903), Sec. 2, eff. June 15, 2017.

(g) A person who violates this section is liable for a civil penalty not to exceed three times the amount of political contributions used in violation of this section.

Sec. 253.1612. CERTAIN CAMPAIGN ACTIVITIES AUTHORIZED. The Code of Judicial Conduct may not prohibit, and a judicial candidate may not be penalized for, a joint campaign activity conducted by two or more judicial candidates.

Sec. 253.162. RESTRICTIONS ON REIMBURSEMENT OF PERSONAL FUNDS AND PAYMENTS ON CERTAIN LOANS.

(a) A judicial candidate or officeholder who makes political expenditures from the person's personal funds or who accepts one or more political contributions in the form of a loan, including an extension of credit or guarantee of a loan or extension of credit, from one or more persons related to the candidate or officeholder within the second degree of affinity or

consanguinity, as determined under Subchapter B, Chapter 573, Government Code, may not reimburse those personal funds or repay those loans from political contributions in amounts that in the aggregate exceed, for each election in which the person's name appears on the ballot:

(1) for a statewide judicial office, $100,000; or

(2) for an office other than a statewide judicial office, five times the applicable contribution limit under Section 253.155.

(b) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(5), eff. June 2, 2019.

(c) A person who is both a candidate and an officeholder may reimburse the person's personal funds in only one capacity.

(d) A person who violates this section is liable for a civil penalty not to exceed three times the amount by which the reimbursement made in violation of this section exceeds the applicable limit prescribed by Subsection (a).

Sec. 253.1621. APPLICATION OF CONTRIBUTION AND REIMBURSEMENT LIMITS TO CERTAIN CANDIDATES.

(a) For purposes of the contribution limits prescribed by Section 253.155 or 253.157 and the limit on reimbursement of personal funds and repayment of certain loans prescribed by Section 253.162, the general and primary elections are considered separate elections for a candidate whose name appears on the ballot.

(b) For purposes of the contribution limits prescribed by Sections 253.155 and 253.157 and the limits on reimbursement of personal funds and repayment of certain loans prescribed by Section 253.162, a runoff election in which the candidate's name is on the ballot is considered a separate election.

Sec. 253.167. CERTIFICATION OF POPULATION; NOTICE OF CONTRIBUTION LIMITS.

(a) For purposes of this subchapter only, not later than June 1 of each odd-numbered year, the commission shall:

(1) make a written certification of the population of each judicial district for which a candidate for judge or justice must file a campaign treasurer appointment with the commission; and

(2) deliver to the county clerk of each county a written certification of the county's population, if the county:

(A) comprises an entire judicial district under Chapter 26, Government Code; or

(B) has a statutory county court or statutory probate court, other than a multicounty statutory county court created under Subchapter D, Chapter 25, Government Code.

(b) Following certification of population under Subsection (a), the commission or county clerk, as appropriate, shall make available to each candidate for an office covered by this subchapter written notice of the contribution limits applicable to the office the candidate seeks.

(c) The commission shall post the written certification required by this section on the commission's Internet website.

Sec. 253.171. CONTRIBUTION FROM OR DIRECT CAMPAIGN EXPENDITURE BY POLITICAL PARTY. A political expenditure that is made by the principal political committee of the state executive committee or a county executive committee

of a political party for a generic get-out-the-vote campaign or to create and distribute a written list of two or more candidates is not considered a contribution to a judicial candidate who benefits from the get-out-the-vote campaign or is included in the written list and is not subject to the limits of Section 253.155 or 253.157 if the get-out-the-vote campaign or written list:

(1) identifies the party's candidates by name and office sought, office held, or photograph;

(2) does not include any reference to the judicial philosophy or positions on issues of the party's judicial candidates; and

(3) is not broadcast, cablecast, published in a newspaper or magazine, or placed on a billboard.

Sec. 253.176. CIVIL PENALTY.

(a) The commission may impose a civil penalty against a person as provided by this subchapter only after a formal hearing as provided by Subchapter E, Chapter 571, Government Code.

(b) The commission shall base the amount of the penalty on:

(1) the seriousness of the violation;

(2) the history of previous violations;

(3) the amount necessary to deter future violations; and

(4) any other matter that justice may require.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 384 (H.B. 3233), Sec. 17(7), eff. June 2, 2019.

CHAPTER 254. POLITICAL REPORTING

SUBCHAPTER A. RECORDKEEPING

Sec. 254.001. RECORDKEEPING REQUIRED. (a) Each candidate and each officeholder shall maintain a record of all reportable activity.

(b) Each campaign treasurer of a political committee shall maintain a record of all reportable activity.

(c) The record must contain the information that is necessary for filing the reports required by this chapter.

(d) A person required to maintain a record under this section shall preserve the record for at least two years beginning on the filing deadline for the report containing the information in the record.

(e) A person who violates this section commits an offense. An offense under this section is a Class B misdemeanor.

SUBCHAPTER B. POLITICAL REPORTING GENERALLY

Sec. 254.031. GENERAL CONTENTS OF REPORTS.

(a) Except as otherwise provided by this chapter, each report filed under this chapter must include:

(1) the amount of political contributions, other than political contributions described by Subdivision (1-a), from each person that in the aggregate exceed $50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions;

(1-a) the amount of political contributions from each person that are made electronically and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions;

(2) the amount of loans that are made during the reporting period for campaign or officeholder purposes to the person or committee required to file the report and that in the aggregate exceed $50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period;

(3) the amount of political expenditures that in the aggregate exceed $100 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures;

(4) the amount of each payment made during the reporting period from a political contribution if the payment is not a political expenditure, the full name and address of the person to whom the payment is made, and the date and purpose of the payment;

(5) the total amount or a specific listing of the political contributions of $50 or less accepted and the total amount or a specific listing of the political expenditures of $100 or less made during the reporting period;

(6) the total amount of all political contributions accepted and the total amount of all political expenditures made during the reporting period;

(7) the name of each candidate or officeholder who benefits from a direct campaign expenditure made during the reporting period by the person or committee required to file the report, and the office sought or held, excluding a direct campaign expenditure that is made by the principal political committee of a political party on behalf of a slate of two or more nominees of that party;

(8) as of the last day of a reporting period for which the person is required to file a report, 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;

(9) 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 that is received during the reporting period and the amount of which exceeds $100;

(10) any proceeds of the sale of an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds $100;

(11) any investment purchased with a political contribution that is received during the reporting period and the amount of which exceeds $100;

(12) any other gain from a political contribution that is received during the reporting period and the amount of which exceeds $100; and

(13) the full name and address of each person from whom an amount described by Subdivision (9), (10), (11), or (12) is received, the date the amount is received, and the purpose for which the amount is received.

(a-1) A de minimis error in calculating or reporting a cash balance under Subsection (a)(8) is not a violation of this section.

(b) If no reportable activity occurs during a reporting period, the person required to file a report shall indicate that fact in the report.

Sec. 254.0311. REPORT BY LEGISLATIVE CAUCUS.

(a) A legislative caucus shall file a report of contributions and expenditures as required by this section.

(b) A report filed under this section must include:

(1) the amount of contributions from each person, other than a caucus member, that in the aggregate exceed $50 and that are accepted during the reporting period by the legislative caucus, the full name and address of the person making the contributions, and the dates of the contributions;

(2) the amount of loans that are made during the reporting period to the legislative caucus and that in the aggregate exceed $50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period;

(3) the amount of expenditures that in the aggregate exceed $50 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures;

(4) the total amount or a specific listing of contributions of $50 or less accepted from persons other than caucus members and the total amount or a specific listing of expenditures of $50 or less made during the reporting period; and

(5) the total amount of all contributions accepted, including total contributions from caucus members, and the total amount of all expenditures made during the reporting period.

(c) If no reportable activity occurs during a reporting period, the legislative caucus shall indicate that fact in the report.

(d) A legislative caucus shall file with the commission two reports for each year.

(e) The first report shall be filed not later than July 15. The report covers the period beginning January 1 or the day the legislative caucus is organized, as applicable, and continuing through June 30.

(f) The second report shall be filed not later than January 15. The report covers the period beginning July 1 or the day the legislative caucus is organized, as applicable, and continuing through December 31.

(g) A legislative caucus shall maintain a record of all reportable activity under this section and shall preserve the record for at least two years beginning on the filing deadline for the report containing the information in the record.

(h) In this section, "legislative caucus" has the meaning assigned by Section 253.0341.

Sec. 254.0312. BEST EFFORTS.

(a) A person required to file a report under this chapter is considered to be in compliance with Section 254.0612, 254.0912, or 254.1212 only if the person or the person's campaign treasurer shows that the person has used best efforts to obtain, maintain, and report the information required by those sections. A person is considered to have used best efforts to obtain, maintain, and report that information if the person or the person's campaign treasurer complies with this section.

(b) Each written solicitation for political contributions from an individual must include:

(1) a clear request for the individual's full name and address, the individual's principal occupation or job title, and the full name of the individual's employer; and

(2) an accurate statement of state law regarding the collection and reporting of individual contributor information, such as:

(A) "State law requires (certain candidates, officeholders, or political committees, as applicable) to use best efforts to collect and report the full name and address, principal occupation or job title, and full name of employer of individuals whose contributions equal or exceed $500 in a reporting period."; or

(B) "To comply with state law, (certain candidates, officeholders, or political committees, as applicable) must use best efforts to obtain, maintain, and report the full name and address, principal occupation or job title, and full name of employer of individuals whose contributions equal or exceed $500 in a reporting period.".

(c) For each political contribution received from an individual that, when aggregated with all other political contributions received from the individual during the reporting period, equals or exceeds $500 and for which the information required by Section 254.0612, 254.0912, or 254.1212 is not provided, the person must make at least one oral or written request for the missing information. A request under this subsection:

(1) must be made not later than the 30th day after the date the contribution is received;

(2) must include a clear and conspicuous statement that complies with Subsection (b);

(3) if made orally, must be documented in writing; and

(4) may not be made in conjunction with a solicitation for an additional political contribution.

(d) A person must report any information required by Section 254.0612, 254.0912, or 254.1212 that is not provided by the individual making the political contribution and that the person has in the person's records of political contributions or previous reports under this chapter.

(e) A person who receives information required by Section 254.0612, 254.0912, or 254.1212 after the filing deadline for the report on which the contribution is reported must include the missing information on the next report the person is required to file under this chapter.

Sec. 254.0313. OMISSION OF ADDRESS FOR JUDGE AND FAMILY MEMBER. (a) In this section, "family member" has the meaning assigned by Section 31.006, Finance Code.

(b) On receiving notice from the Office of Court Administration of the Texas Judicial System of a judge's qualification for office or on receipt of a written request from a federal judge, including a federal bankruptcy judge, a state judge, or a family member of a federal judge, including a federal bankruptcy judge, or a state judge, the commission shall remove or redact the residence address of a federal judge, including a federal bankruptcy judge, a state judge, or the family member of a federal judge, including a federal bankruptcy judge, or a state judge from any report filed by the judge in the judge's capacity or made available on the Internet under this chapter.

Sec. 254.032. NONREPORTABLE PERSONAL TRAVEL EXPENSE. A political contribution consisting of personal travel expense incurred by an individual is not required to be reported under this chapter if the individual receives no reimbursement for the expense.

Sec. 254.033. NONREPORTABLE PERSONAL SERVICE. A political contribution consisting of an individual's personal service is not required to be reported under this chapter if the individual receives no compensation for the service.

Sec. 254.034. TIME OF ACCEPTING CONTRIBUTION.

(a) A determination to accept or refuse a political contribution that is received by a candidate, officeholder, or political committee shall be made not later than the end of the reporting period during which the contribution is received.

(b) If the determination to accept or refuse a political contribution is not made before the time required by Subsection (a), for purposes of this chapter, the contribution is considered to have been accepted on the last day of that reporting period.

(c) A political contribution that is received but not accepted shall be returned to the contributor not later than the 30th day after the deadline for filing a report for the reporting period during which the contribution is received. A contribution not returned within that time is considered to be accepted.

(d) A candidate, officeholder, or political committee commits an offense if the person knowingly fails to return a political contribution as required by Subsection (c).

(e) An offense under this section is a Class A misdemeanor.

Sec. 254.035. TIME OF MAKING EXPENDITURE.

(a) For purposes of reporting under this chapter, a political expenditure is not considered to have been made until the amount is readily determinable by the person making the expenditure, except as provided by Subsection (b).

(b) If the character of an expenditure is such that under normal business practice the amount is not disclosed until receipt of a periodic bill, the expenditure is not considered made until the date the bill is received.

(c) The amount of a political expenditure made by credit card is readily determinable by the person making the expenditure on the date the person receives the credit card statement that includes the expenditure.

(d) Subsection (c) does not apply to a political expenditure made by credit card during the period covered by a report required to be filed under Section 254.064(b) or (c), 254.124(b) or (c), or 254.154(b) or (c).

Sec. 254.036. FORM OF REPORT; AFFIDAVIT; MAILING OF FORMS.

(a) Each report filed under this chapter with an authority other than the commission must be in a format prescribed by the commission. A report filed with the commission that is not required to be filed by computer diskette, modem, or other means of electronic transfer must be on a form prescribed by the commission and written in black ink or typed with black typewriter ribbon or, if the report is a computer printout, the printout must conform to the same format and paper size as the form prescribed by the commission.

(b) Except as provided by Subsection (c) or (e), each report filed under this chapter with the commission must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

(c) A candidate, officeholder, or political committee that is required to file reports with the commission may file reports that comply with Subsection (a) if:

(1) the candidate, officeholder, or campaign treasurer of the committee files with the commission an affidavit stating that the candidate, officeholder, or committee, an agent of the candidate, officeholder, or committee, or a person with whom the candidate, officeholder, or committee contracts does not use computer equipment to keep the current records of political contributions, political expenditures, or persons making political contributions to the candidate, officeholder, or committee; and

(2) the candidate, officeholder, or committee does not, in a calendar year, accept political contributions that in the aggregate exceed $20,000 or make political expenditures that in the aggregate exceed $20,000.

(c-1) An affidavit under Subsection (c) must be filed with each report filed under Subsection (a). The affidavit must include a statement that the candidate, officeholder, or political committee understands that the candidate, officeholder, or committee shall file reports as required by Subsection (b) if:

(1) the candidate, officeholder, or committee, a consultant of the candidate, officeholder, or committee, or a person with whom the candidate, officeholder, or committee contracts uses computer equipment for a purpose described by Subsection (c); or

(2) the candidate, officeholder, or committee exceeds $20,000 in political contributions or political expenditures in a calendar year.

(d) Repealed by Acts 2003, 78th Leg., ch. 249, Sec. 2.26.

(e) A candidate for an office described by Section 252.005(5) or a specific-purpose committee for supporting or opposing only candidates for an office described by Section 252.005(5) or a measure described by Section 252.007(5) may file reports that comply with Subsection (a).

(f) In prescribing the format of a report filed under this chapter with an authority other than the commission, the commission shall ensure that:

(1) a report may be filed:

(A) by first class United States mail or common or contract carrier;

(B) by personal delivery; or

(C) by electronic filing, if the authority with whom the report is required to be filed has adopted rules and procedures to provide for the electronic filing of the report and the report is filed in accordance with those rules and procedures; and

(2) an authority with whom a report is electronically filed issues an electronic receipt for the report to the person filing the report.

(g) In prescribing the format of a report filed under this chapter, including a report filed with an authority other than the commission under Subsection (a), the commission shall ensure that the report requires for political expenditures made with a credit card that:

(1) the expenditures be reported in a single itemized list; and

(2) the list include, stated by credit card issuer:

(A) the name of the credit card issuer;

(B) the date and amount of each expenditure; and

(C) the date the credit card issuer was repaid for the expenditure.

(h) Each report filed under this chapter that is not filed by electronic transfer must be accompanied by an affidavit executed by the person required to file the report. The affidavit must contain the statement: "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." Each report filed under this chapter by electronic transfer must be under oath by the person required to file the report and must contain, in compliance with commission specifications, the digitized signature of the person required to file the report. A report filed under this chapter is considered to be under oath by the person required to file the report, and the person is subject to prosecution under Chapter 37, Penal Code, regardless of the absence of or a defect in the affidavit.

(i) Each person required to file reports with the commission that comply with Subsection (b) shall file with the commission a written statement providing the manner of electronic transfer that the person will use to file the report. A statement under this subsection must be filed not later than the 30th day before the filing deadline for the first report a person is required to file under Subsection (b). A person who intends to change the manner of filing described by the person's most recent statement shall notify the commission of the change not later than the 30th day before the filing deadline for the report to which the change applies. If a person does not file a statement under this subsection, the commission may accept as authentic a report filed in any manner that complies with Subsection (b). If the commission receives a report that is not filed in the manner described by the person's most recent statement under this

subsection, the commission shall promptly notify the person in writing that the commission has received a report filed in a different manner than expected.

(j) As part of the notification required by Section 251.033, the commission shall mail the appropriate forms to each person required to file a report with the commission during that reporting period.

(k) The commission shall prescribe forms for purposes of legislative caucus reports under Section 254.0311 that are separate and distinct from forms for other reports under this chapter.

(l) This section applies to a report that is filed electronically or otherwise.

Sec. 254.0362. USE OF PUBLICLY ACCESSIBLE COMPUTER TERMINAL FOR PREPARATION OF REPORTS.

(a) Except as provided by Subsection (d), a person who is required to file reports under this chapter may use a publicly accessible computer terminal that has Internet access and web browser software to prepare the reports.

(b) A public entity may prescribe reasonable restrictions on the use of a publicly accessible computer terminal for preparation of reports under this chapter, except that a public entity may not prohibit a person from using a computer terminal for preparation of reports during the public entity's regular business hours if the person requests to use the computer terminal less than 48 hours before a reporting deadline to which the person is subject.

(c) This section does not require a public entity to provide a person with consumable materials, including paper and computer diskettes, in conjunction with the use of a publicly accessible computer terminal.

(d) An officeholder may not use a computer issued to the officeholder for official use to prepare a report under this title.

(e) In this section:

(1) "Public entity" means a state agency, city, county, or independent school district.

(2) "Publicly accessible computer terminal" means a computer terminal that is normally available for use by members of the public and that is owned by a state agency, an independent school district, or a public library operated by a city or county.

Sec. 254.037. FILING DEADLINE.

(a) Except as provided by Subsection (b), the deadline for filing a report required by this chapter is 5 p.m. on the last day permitted under this chapter for filing the report.

(b) The deadline for filing a report electronically with the commission as required by this chapter is midnight on the last day for filing the report.

Sec. 254.038. SPECIAL REPORT NEAR ELECTION BY CERTAIN CANDIDATES AND POLITICAL COMMITTEES.

(a) In addition to other reports required by this chapter, the following persons shall file additional reports during the period beginning the ninth day before election day and ending at 12 noon on the day before election day:

(1) a candidate for an office specified by Section 252.005(1) who accepts political contributions from a person that in the aggregate exceed $1,000 during that reporting period; and

(2) a specific-purpose committee for supporting or opposing a candidate described by Subdivision (1) and that accepts political contributions from a person that in the aggregate exceed $1,000 during that reporting period.

(b) Each report required by this section must include the amount of the contributions specified by Subsection (a), the full name and address of the person making the contributions, and the dates of the contributions.

(c) A report under this section shall be filed electronically, by [~~telegram or~~] telephonic facsimile machine, or by hand, in the form required by Section 254.036. The commission must receive a report under this section filed by [~~telegram,~~] telephonic facsimile machine or hand not later than 5 p.m. of the first business day after the date the contribution is accepted. The commission must receive a report under this section filed electronically not later than midnight of the first business day after the date the contribution is accepted. A report under this section is not required to be accompanied by the affidavit required under Section 254.036(h) or to be submitted on a form prescribed by the commission. A report under this section that complies with Section 254.036(a) must be accompanied by an affidavit under Section 254.036(c)(1) unless the candidate or committee has submitted an affidavit under Section 254.036(c)(1) with another report filed in connection with the election for which a report is required under this section.

(d) To the extent of a conflict between this section and Section 254.036, this section controls.

Sec. 254.039. SPECIAL REPORT NEAR ELECTION BY CERTAIN GENERAL-PURPOSE COMMITTEES.

(a) In addition to other reports required by this chapter, a general-purpose committee shall file additional reports during the period beginning the ninth day before election day and ending at 12 noon on the day before election day if the committee:

(1) accepts political contributions from a person that in the aggregate exceed $5,000 during that reporting period; or

(2) makes direct campaign expenditures supporting or opposing either a single candidate that in the aggregate exceed $1,000 or a group of candidates that in the aggregate exceed $15,000 during that reporting period.

(a-1) A report under this section shall be filed electronically, by [~~telegram or~~] telephonic facsimile machine, or by hand, in the form required by Section 254.036. The commission must receive a report under this section not later than 5 p.m. of the first business day after the date the contribution is accepted or the expenditure is made. A report under this section is not required to be accompanied by the affidavit required under Section 254.036(h) or to be submitted on a form prescribed by the commission. A report under this section that complies with Section 254.036(a) must be accompanied by an affidavit under Section 254.036(c)(1) unless the committee has submitted an affidavit under Section 254.036(c)(1) with another report filed in connection with the election for which a report is required under this section.

(a-2) Each report required by Subsection (a)(1) must include the amount of the contributions specified by that subsection, the full name and address of the person making the contributions, and the dates of the contributions.

(b) Each report required by Subsection (a)(2) must include the amount of the expenditures, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures.

(c) To the extent of a conflict between this section and Section 254.036, this section controls.

Sec. 254.0391. REPORT DURING SPECIAL LEGISLATIVE SESSION.

(a) A statewide officeholder, a member of the legislature, or a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or member of the legislature, or a candidate for statewide office or the legislature or a specific-purpose committee for supporting or opposing the candidate, that accepts a political contribution during the period beginning on the date the governor signs the proclamation calling a special legislative session and continuing through the date of final adjournment shall report the contribution to the commission not later than the 30th day after the date of final adjournment.

(b) A determination to accept or refuse the political contribution shall be made not later than the third day after the date the contribution is received.

(c) Each report required by this section must include the amount of the political contribution, the full name and address of the person making the contribution, and the date of the contribution.

(d) A report is not required under this section if a person covered by Subsection (a) is required to file another report under this chapter not later than the 10th day after the date a report required under this section would be due.

Sec. 254.040. PRESERVATION OF REPORTS; RECORD OF INSPECTION.

(a) Each report filed under this chapter shall be preserved by the authority with whom it is filed for at least two years after the date it is filed.

(b) Each time a person requests to inspect a report, the commission shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The commission shall retain that statement in the file for one year after the date the requested report is filed. This subsection does not apply to a request to inspect a report by:

(1) a member or employee of the commission acting on official business; or

(2) an individual acting on the individual's own behalf.

Sec. 254.0401. AVAILABILITY OF REPORTS ON INTERNET.

(a) The commission shall make each report filed with the commission under Section 254.036(b) available to the public on the Internet not later than the second business day after the date the report is filed.

(a-1) *Repealed.*

(b) The clerk or secretary of a political subdivision's governing body or, if the governing body does not have a clerk or secretary, the governing body's presiding officer shall make a report filed with the political subdivision by a candidate, officeholder, or specific-purpose committee under this subchapter available to the public on the political subdivision's Internet website not later than the 10th business day after the date the report is received..

(c) *Repealed.*

(d) The access allowed by this section to reports is in addition to the public's access to the information through other electronic or print distribution of the information.

(e) Before making a report filed under Section 254.036(b) available on the Internet, the commission shall remove each portion, other than city, state, and zip code, of the address of a person listed as having made a political contribution to the person filing the report. The address information removed must remain available on the report maintained in the commission's office but may not be available electronically at that office.

(e-1) Before making a report available on the Internet as required by Subsection (b), the authority with whom the report is filed may remove each portion, other than city, state, and zip

code, of the address of a person listed as having made a political contribution to the person filing the report. The address information removed must remain available on the report maintained in the authority's office.

(f) The commission shall clearly state on the Internet website on which reports are provided that reports filed by an independent candidate, a third-party candidate, or a specific-purpose committee for supporting or opposing an independent or third-party candidate will not be available if the candidate or committee has not yet filed a report.

(g) Electronic report data saved in a temporary storage location of the authority with whom the report is filed for later retrieval and editing before the report is filed is confidential and may not be disclosed. After the report is filed with the authority, the information disclosed in the filed report is public information to the extent provided by this title.

(h) A report made available on an Internet website under this section must be accessible on that website until the fifth anniversary of the date the report is first made available.

Sec. 254.04011. Repealed.

Sec. 254.0402. PUBLIC INSPECTION OF REPORTS.

(a) Notwithstanding Section 552.222(a), Government Code, the authority with whom a report is filed under this chapter may not require a person examining the report to provide any information or identification.

(b) The commission shall make information from reports filed with the commission under Section 254.036(b) available by electronic means, including:

(1) providing access to computer terminals at the commission's office;

(2) providing information on computer diskette for purchase at a reasonable cost; and

(3) providing modem or other electronic access to the information.

Sec. 254.0405. AMENDMENT OF FILED REPORT.

(a) A person who files a semiannual report under this chapter may amend the report.

(b) A semiannual report that is amended before the eighth day after the date the original report was filed is considered to have been filed on the date on which the original report was filed.

(c) A semiannual report that is amended on or after the eighth day after the original report was filed is considered to have been filed on the date on which the original report was filed if:

(1) the amendment is made before any complaint is filed with regard to the subject of the amendment; and

(2) the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

Sec. 254.041. CRIMINAL PENALTY FOR UNTIMELY OR INCOMPLETE REPORT.

(a) A person who is required by this chapter to file a report commits an offense if the person knowingly fails:

(1) to file the report on time;

(2) to file a report by computer diskette, modem, or other means of electronic transfer, if the person is required to file reports that comply with Section 254.036(b); or

(3) to include in the report information that is required by this title to be included.

(b) Except as provided by Subsection (c), an offense under this section is a Class C misdemeanor.

(c) A violation of Subsection (a)(3) by a candidate or officeholder is a Class A misdemeanor if the report fails to include information required by Section 254.061(3) or Section 254.091(2), as applicable.

(d) It is an exception to the application of Subsection (a)(3) that:

(1) the information was required to be included in a semiannual report; and

(2) the person amended the report within the time prescribed by Section 254.0405(b) or under the circumstances described by Section 254.0405(c).

Sec. 254.042. CIVIL PENALTY FOR LATE REPORT.

(a) The commission shall determine from any available evidence whether a report required to be filed with the commission under this chapter is late. On making that determination, the commission shall immediately mail a notice of the determination to the person required to file the report.

(b) If a report other than a report under Section 254.064(c), 254.124(c), or 254.154(c) or the first report under Section 254.063 or 254.123 that is required to be filed following the primary or general election is determined to be late, the person required to file the report is liable to the state for a civil penalty of $500. If a report under Section 254.064(c), 254.124(c), or 254.154(c) or the first report under Section 254.063 or 254.153 that is required to be filed following the primary or general election is determined to be late, the person required to file the report is liable to the state for a civil penalty of $500 for the first day the report is late and $100 for each day thereafter that the report is late. If a report is more than 30 days late, the commission shall issue a warning of liability by registered mail to the person required to file the report. If the penalty is not paid before the 10th day after the date on which the warning is received, the person is liable for a civil penalty in an amount determined by commission rule, but not to exceed $10,000.

(c) A penalty paid voluntarily under this section shall be deposited in the State Treasury to the credit of the General Revenue Fund.

(d) Repealed by Acts 1991, 72nd Leg., ch. 304, Sec. 5.20, eff. Jan. 1, 1992.

Sec. 254.043. ACTION TO REQUIRE COMPLIANCE.

(a) This section applies only to:

(1) a person required to file reports under this chapter with the commission; or

(2) a person required to file reports under this chapter with an authority other than the commission in connection with an office of a political subdivision in a county with a population of at least 500,000.

(b) A resident of the territory served by an office may bring an action for injunctive relief against a candidate for or holder of that office or a specific-purpose committee for supporting or opposing such a candidate or assisting such an officeholder to require the person to file a report under this chapter that the person has failed to timely file.

(c) An action under this section may be brought against a person required to file reports under this chapter only if:

(1) the report is not filed before the 60th day after the date on which the report was required to be filed;

(2) not earlier than the 60th day after the date on which the report was required to be filed, the person bringing the action delivers written notice by certified mail to the person required to file the report, stating:

(A) the person's intention to bring an action under this section if the report is not filed; and

(B) that an action to require the filing of the report may be filed if the report is not filed before the 30th day after the date on which the person required to file the report receives the notice; and

(3) the report is not filed before the 30th day after the date on which the person required to file the report receives the notice required by Subdivision (2).

(d) The court shall award a plaintiff who prevails in an action under this section reasonable attorney's fees and court costs.

Sec. 254.044. REPORTING OF POLITICAL CONTRIBUTIONS AND EXPENDITURES MADE USING CREDIT CARD.

(a) A candidate or officeholder who accepts a political contribution made using a credit card shall:

(1) for a political contribution for which a processing fee is deducted by the credit card issuer from the political contribution amount:

(A) report as a political contribution the full amount, including the deducted amount; and

(B) report as a political expenditure the deducted amount; and

(2) for a political contribution for which a processing fee is paid by the person making the political contribution in excess of the political contribution amount, report only as a political contribution the full amount the candidate or officeholder accepts, not including the amount paid in excess of the political contribution amount.

(b) A candidate or officeholder who accepts a political contribution described by Subsection (a)(2) is not required to report the excess amount paid as a processing fee by the person making the political contribution.

SUBCHAPTER C. REPORTING BY CANDIDATE

Sec. 254.061. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by a candidate must include:

(1) the candidate's full name and address, the office sought, and the identity and date of the election for which the report is filed;

(2) the campaign treasurer's name, residence or business street address, and telephone number;

(3) for each political committee from which the candidate received notice under Section 254.128 or 254.161:

(A) the committee's full name and address;

(B) an indication of whether the committee is a general-purpose committee or a specific-purpose committee; and

(C) the full name and address of the committee's campaign treasurer; and

(4) on a separate page or pages of the report, the identification of any payment from political contributions made to a business in which the candidate has a participating interest

of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business.

Sec. 254.0611. ADDITIONAL CONTENTS OF REPORTS BY CERTAIN JUDICIAL CANDIDATES.

(a) In addition to the contents required by Sections 254.031 and 254.061, each report by a candidate for a judicial office covered by Subchapter F, Chapter 253, must include:

(1) the total amount of political contributions, including interest or other income, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period;

(2) for each individual from whom the person filing the report has accepted political contributions that in the aggregate exceed $50 and that are accepted during the reporting period:

(A) the principal occupation and job title of the individual and the full name of the employer of the individual or of the law firm of which the individual or the individual's spouse is a member, if any; or

(B) if the individual is a child, the full name of the law firm of which either of the individual's parents is a member, if any;

(3) a specific listing of each asset valued at $500 or more that was purchased with political contributions and on hand as of the last day of the reporting period;

(4) for each political contribution accepted by the person filing the report but not received as of the last day of the reporting period:

(A) the full name and address of the person making the contribution;

(B) the amount of the contribution; and

(C) the date of the contribution; and

(5) for each outstanding loan to the person filing the report as of the last day of the reporting period:

(A) the full name and address of the person or financial institution making the loan; and

(B) the full name and address of each guarantor of the loan other than the candidate.

(b) In this section:

(1) "Child" and "law firm" have the meanings assigned by Section 253.152.

(2) "Member" has the meaning assigned to "member of a law firm" by Section 253.152.

Sec. 254.0612. ADDITIONAL CONTENTS OF REPORTS BY CANDIDATE FOR STATEWIDE EXECUTIVE OFFICE OR LEGISLATIVE OFFICE. In addition to the contents required by Sections 254.031 and 254.061, each report by a candidate for a statewide office in the executive branch or a legislative office must include, for each individual from whom the person filing the report has accepted political contributions that in the aggregate equal or exceed $500 and that are accepted during the reporting period:

(1) the individual's principal occupation or job title; and

(2) the full name of the individual's employer.

Sec. 254.062. CERTAIN OFFICEHOLDER ACTIVITY INCLUDED. If an officeholder who becomes a candidate has reportable activity that is not reported under Subchapter D before the end of the period covered by the first report the candidate is required to file under this subchapter, the reportable activity shall be included in the first report filed under this subchapter instead of in a report filed under Subchapter D.

Sec. 254.063. SEMIANNUAL REPORTING SCHEDULE FOR CANDIDATE.

(a) A candidate shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31.

Sec. 254.064. ADDITIONAL REPORTS OF OPPOSED CANDIDATE.

(a) In addition to other required reports, for each election in which a person is a candidate and has an opponent whose name is to appear on the ballot, the person shall file two reports.

(b) The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the candidate's campaign treasurer appointment is filed or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through the 40th day before election day.

(c) The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

(d) If a person becomes an opposed candidate after a reporting period prescribed by Subsection (b) or (c), the person's first report must be received by the authority with whom the report is required to be filed not later than the regular deadline for the report covering the period during which the person becomes an opposed candidate. The period covered by the first report begins the day the candidate's campaign treasurer appointment is filed.

(e) In addition to other required reports, an opposed candidate in a runoff election shall file one report for that election. The runoff election report must be received by the authority with whom the report is required to be filed not later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the date of the main election and continuing through the 10th day before runoff election day.

Sec. 254.065. FINAL REPORT.

(a) If a candidate expects no reportable activity in connection with the candidacy to occur after the period covered by a report filed under this subchapter, the candidate may designate the report as a "final" report.

(b) The designation of a report as a final report:

(1) relieves the candidate of the duty to file additional reports under this subchapter, except as provided by Subsection (c); and

(2) terminates the candidate's campaign treasurer appointment.

(c) If, after a candidate's final report is filed, reportable activity with respect to the candidacy occurs, the candidate shall file the appropriate reports under this subchapter and is otherwise subject to the provisions of this title applicable to candidates. A report filed under this subsection may be designated as a final report.

Sec. 254.066. AUTHORITY WITH WHOM REPORTS FILED. Reports under this subchapter shall be filed with the authority with whom the candidate's campaign treasurer appointment is required to be filed.

SUBCHAPTER D. REPORTING BY OFFICEHOLDER

Sec. 254.091. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by an officeholder must include:

(1) the officeholder's full name and address and the office held;

(2) for each political committee from which the officeholder received notice under Section 254.128 or 254.161:

(A) the committee's full name and address;

(B) an indication of whether the committee is a general-purpose committee or a specific-purpose committee; and

(C) the full name and address of the committee's campaign treasurer; and

(3) on a separate page or pages of the report, the identification of any payment from political contributions made to a business in which the officeholder has a participating interest of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business.

Sec. 254.0911. ADDITIONAL CONTENTS OF REPORTS BY CERTAIN JUDICIAL OFFICEHOLDERS. In addition to the contents required by Sections 254.031 and 254.091, each report by a holder of a judicial office covered by Subchapter F, Chapter 253, must include the contents prescribed by Section 254.0611.

Sec. 254.0912. ADDITIONAL CONTENTS OF REPORTS BY STATEWIDE EXECUTIVE OFFICEHOLDERS AND LEGISLATIVE OFFICEHOLDERS. In addition to the contents required by Sections 254.031 and 254.091, each report by a holder of a statewide office in the executive branch or a legislative office must include the contents prescribed by Section 254.0612.

Sec. 254.092. CERTAIN OFFICEHOLDER EXPENDITURES EXCLUDED. An officeholder is not required to report officeholder expenditures made from the officeholder's personal funds, except as provided by Section 253.035(h).

Sec. 254.093. SEMIANNUAL REPORTING SCHEDULE FOR OFFICEHOLDER.

(a) An officeholder shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the officeholder takes office, or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the officeholder takes office, or the first day after the period covered by the last report required to be filed under this chapter, as applicable, and continuing through December 31.

Sec. 254.094. REPORT FOLLOWING APPOINTMENT OF CAMPAIGN TREASURER.

(a) An officeholder who appoints a campaign treasurer shall file a report as provided by this section.

(b) The report covers the period beginning the first day after the period covered by the last report required to be filed under this chapter or the day the officeholder takes office, as applicable, and continuing through the day before the date the officeholder's campaign treasurer is appointed.

(c) The report shall be filed not later than the 15th day after the date the officeholder's campaign treasurer is appointed.

Sec. 254.095. REPORT NOT REQUIRED. If at the end of any reporting period prescribed by this subchapter an officeholder who is required to file a report with an authority other than the commission has not accepted political contributions that in the aggregate exceed $500 or made political expenditures that in the aggregate exceed $500, the officeholder is not required to file a report covering that period.

Sec. 254.096. OFFICEHOLDER WHO BECOMES CANDIDATE. An officeholder who becomes a candidate is subject to Subchapter C during each period covered by a report required to be filed under Subchapter C.

Sec. 254.097. AUTHORITY WITH WHOM REPORTS FILED. Reports under this subchapter shall be filed with the authority with whom a campaign treasurer appointment by a candidate for the office held by the officeholder is required to be filed.

SUBCHAPTER E. REPORTING BY SPECIFIC-PURPOSE COMMITTEE

Sec. 254.121. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by a campaign treasurer of a specific-purpose committee must include:

(1) the committee's full name and address;

(2) the full name, residence or business street address, and telephone number of the committee's campaign treasurer;

(3) the identity and date of the election for which the report is filed, if applicable;

(4) the name of each candidate and each measure supported or opposed by the committee, indicating for each whether the committee supports or opposes;

(5) the name of each officeholder assisted by the committee;

(6) the amount of each political expenditure in the form of a political contribution that is made to a candidate, officeholder, or another political committee and that is returned to the committee during the reporting period, the name of the person to whom the expenditure was originally made, and the date it is returned;

(7) on a separate page or pages of the report, the identification of any payment from political contributions made to a business in which the candidate or officeholder has a participating interest of more than 10 percent, holds a position on the governing body of the business, or serves as an officer of the business; and

(8) on a separate page or pages of the report, the identification of any contribution from a corporation or labor organization made and accepted under Subchapter D, Chapter 253.

Sec. 254.1211. ADDITIONAL CONTENTS OF REPORTS OF CERTAIN COMMITTEES. In addition to the contents required by Sections 254.031 and 254.121, each report by a specific-purpose committee for supporting or opposing a candidate for or assisting a holder of a judicial office covered by Subchapter F, Chapter 253, must include the contents prescribed by Section 254.0611.

Sec. 254.1212. ADDITIONAL CONTENTS OF REPORTS OF COMMITTEE SUPPORTING OR OPPOSING CANDIDATE FOR STATEWIDE EXECUTIVE OFFICEHOLDERS OR LEGISLATIVE OFFICEHOLDERS OR ASSISTING STATEWIDE EXECUTIVE OFFICEHOLDERS OR LEGISLATIVE OFFICEHOLDERS. In addition to the contents required by Sections 254.031 and 254.121, each report by a specific-purpose committee for supporting or opposing a candidate for or assisting a holder of a statewide office in the executive branch or a legislative office must include the contents prescribed by Section 254.0612.

Sec. 254.122. INVOLVEMENT IN MORE THAN ONE ELECTION BY CERTAIN COMMITTEES. If a specific-purpose committee for supporting or opposing more than one candidate becomes involved in more than one election for which the reporting periods prescribed by Section 254.124 overlap, the reportable activity that occurs during the overlapping period is not required to be included in a report filed after the first report in which the activity is required to be reported.

Sec. 254.123. SEMIANNUAL REPORTING SCHEDULE FOR COMMITTEE.

(a) The campaign treasurer of a specific-purpose committee shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31.

Sec. 254.124. ADDITIONAL REPORTS OF COMMITTEE FOR SUPPORTING OR OPPOSING CANDIDATE OR MEASURE.

(a) In addition to other required reports, for each election in which a specific-purpose committee supports or opposes a candidate or measure, the committee's campaign treasurer shall file two reports.

(b) The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable, and continuing through the 40th day before election day.

(c) The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

(d) If a specific-purpose committee supports or opposes a candidate or measure in an election after a reporting period prescribed by Subsection (b) or (c), the first report must be received by the authority with whom the report is required to be filed not later than the regular deadline for the report covering the period during which the committee becomes involved in the election. The period covered by the first report begins the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable.

(e) In addition to other required reports, the campaign treasurer of a specific-purpose committee that supports or opposes a candidate in a runoff election shall file one report for the runoff election. The runoff election report must be received by the authority with whom the report is required to be filed not later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the date of the main election and continuing through the 10th day before runoff election day.

(f) This section does not apply to a specific-purpose committee supporting only candidates who do not have opponents whose names are to appear on the ballot.

Sec. 254.125. FINAL REPORT OF COMMITTEE FOR SUPPORTING OR OPPOSING CANDIDATE OR MEASURE.

(a) If a specific-purpose committee for supporting or opposing a candidate or measure expects no reportable activity in connection with the election to occur after the period covered by a report filed under this subchapter, the committee's campaign treasurer may designate the report as a "final" report.

(b) The designation of a report as a final report:

(1) relieves the campaign treasurer of the duty to file additional reports under this subchapter, except as provided by Subsection (c); and

(2) terminates the committee's campaign treasurer appointment.

(c) If, after a committee's final report is filed, reportable activity with respect to the election occurs, the committee must file the appropriate reports under this subchapter and is otherwise subject to the provisions of this title applicable to political committees. A report filed under this subsection may be designated as a final report.

Sec. 254.126. DISSOLUTION REPORT OF COMMITTEE FOR ASSISTING OFFICEHOLDER.

(a) If a specific-purpose committee for assisting an officeholder expects no reportable activity to occur after the period covered by a report filed under this subchapter, the committee's campaign treasurer may designate the report as a "dissolution" report.

(b) The filing of a report designated as a dissolution report:

(1) relieves the campaign treasurer of the duty to file additional reports under this subchapter; and

(2) terminates the committee's campaign treasurer appointment.

(c) A dissolution report must contain an affidavit, executed by the committee's campaign treasurer, that states that all the committee's reportable activity has been reported.

Sec. 254.127. TERMINATION REPORT.

(a) If the campaign treasurer appointment of a specific-purpose committee is terminated, the terminated campaign treasurer shall file a termination report.

(b) A termination report is not required if the termination occurs on the last day of a reporting period under this subchapter and a report for that period is filed as provided by this subchapter.

(c) The report covers the period beginning the day after the period covered by the last report required to be filed under this subchapter and continuing through the day the campaign treasurer appointment is terminated.

(d) The report shall be filed not later than the 10th day after the date the campaign treasurer appointment is terminated.

(e) Reportable activity contained in a termination report is not required to be included in any subsequent report of the committee that is filed under this subchapter. The period covered by the committee's first report filed under this subchapter after a termination report begins the day after the date the campaign treasurer appointment is terminated.

Sec. 254.128. NOTICE TO CANDIDATE AND OFFICEHOLDER OF CONTRIBUTIONS AND EXPENDITURES.

(a) If a specific-purpose committee accepts political contributions or makes political expenditures for a candidate or officeholder, the committee's campaign treasurer shall deliver written notice of that fact to the affected candidate or officeholder not later than the end of the period covered by the report in which the reportable activity occurs.

(b) The notice must include the full name and address of the political committee and its campaign treasurer and an indication that the committee is a specific-purpose committee.

(c) A campaign treasurer commits an offense if the campaign treasurer fails to comply with this section. An offense under this section is a Class A misdemeanor.

Sec. 254.129. NOTICE OF CHANGE IN COMMITTEE STATUS.

(a) If a specific-purpose committee changes its operation and becomes a general-purpose committee, the committee's campaign treasurer shall deliver written notice of the change in status to the authority with whom the specific-purpose committee's reports under this chapter are required to be filed.

(b) The notice shall be delivered not later than the next deadline for filing a report under this subchapter that:

(1) occurs after the change in status; and

(2) would be applicable to the political committee if the committee had not changed its status.

(c) The notice must indicate the filing authority with whom future filings are expected to be made.

(d) A campaign treasurer commits an offense if the campaign treasurer fails to comply with this section. An offense under this section is a Class B misdemeanor.

Sec. 254.130. AUTHORITY WITH WHOM REPORTS FILED.

(a) Except as provided by subsection (b), reports filed under this subchapter shall be filed with the authority with whom the political committee's campaign treasurer appointment is required to be filed.

(b) A specific-purpose committee created to support or oppose a measure on the issuance of bonds by a school district shall file reports under this subchapter with the commission.

SUBCHAPTER F. REPORTING BY GENERAL-PURPOSE COMMITTEE

Sec. 254.151. ADDITIONAL CONTENTS OF REPORTS. In addition to the contents required by Section 254.031, each report by a campaign treasurer of a general-purpose committee must include:

(1) the committee's full name and address;

(2) the full name, residence or business street address, and telephone number of the committee's campaign treasurer;

(3) the identity and date of the election for which the report is filed, if applicable;

(4) the name of each identified candidate or measure or classification by party of candidates supported or opposed by the committee, indicating whether the committee supports or opposes each listed candidate, measure, or classification by party of candidates;

(5) the name of each identified officeholder or classification by party of officeholders assisted by the committee;

(6) the principal occupation of each person from whom political contributions that in the aggregate exceed $50 are accepted during the reporting period;

(7) the amount of each political expenditure in the form of a political contribution made to a candidate, officeholder, or another political committee that is returned to the committee during the reporting period, the name of the person to whom the expenditure was originally made, and the date it is returned;

(8) on a separate page or pages of the report, the identification of any contribution from a corporation or labor organization made and accepted under Subchapter D, Chapter 253; and

(9) on a separate page or pages of the report, the identification of the name of the donor, the amount, and the date of any expenditure made by a corporation or labor organization to:

(A) establish or administer the political committee; or

(B) finance the solicitation of political contributions to the committee under Section 253.100.

Sec. 254.152. TIME FOR REPORTING CERTAIN EXPENDITURES. If a general-purpose committee makes a political expenditure in the form of a political contribution to another general-purpose committee or to an out-of-state political committee and the contributing committee does not intend that the contribution be used in connection with a particular election, the contributing committee shall include the expenditure in the first report required to be filed under this subchapter after the expenditure is made.

Sec. 254.153. SEMIANNUAL REPORTING SCHEDULE FOR COMMITTEE.

(a) The campaign treasurer of a general-purpose committee shall file two reports for each year as provided by this section.

(b) The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through June 30.

(c) The second report shall be filed not later than January 15. The report covers the period beginning July 1, the day the committee's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31.

Sec. 254.154. ADDITIONAL REPORTS OF COMMITTEE INVOLVED IN ELECTION.

(a) In addition to other required reports, for each election in which a general-purpose committee is involved, the committee's campaign treasurer shall file two reports.

(b) The first report must be received by the authority with whom the report is required to be filed not later than the 30th day before election day. The report covers the period beginning the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable, and continuing through the 40th day before election day.

(c) The second report must be received by the authority with whom the report is required to be filed not later than the eighth day before election day. The report covers the period beginning the 39th day before election day and continuing through the 10th day before election day.

(d) If a general-purpose committee becomes involved in an election after a reporting period prescribed by Subsection (b) or (c), the first report must be received by the authority with whom the report is required to be filed not later than the regular deadline for the report covering the period during which the committee becomes involved in the election. The period covered by the first report begins the day the committee's campaign treasurer appointment is filed or the first day after the period covered by the committee's last required report, as applicable.

(e) In addition to other required reports, the campaign treasurer of a general-purpose committee involved in a runoff election shall file one report for the runoff election. The runoff election report must be received by the authority with whom the report is required to be filed not earlier than the 10th day or later than the eighth day before runoff election day. The report covers the period beginning the ninth day before the date of the main election and continuing through the 10th day before runoff election day.

Sec. 254.1541. ALTERNATE REPORTING REQUIREMENTS FOR CERTAIN COMMITTEES.

(a) This section applies only to a general-purpose committee with less than $20,000 in one or more accounts maintained by the committee in which political contributions are deposited, as of the last day of the preceding reporting period for which the committee was required to file a report.

(b) A report by a campaign treasurer of a general-purpose committee to which this section applies may include, instead of the information required under Sections 254.031(a)(1) and (5) and Section 254.151(6):

(1) the amount of political contributions from each person that in the aggregate exceed $100 and that are accepted during the reporting period by the committee, the full name and address of the person making the contributions, the person's principal occupation, and the dates of the contributions; and

(2) the total amount or a specific listing of the political contributions of $100 or less accepted and the total amount or a specific listing of the political expenditures of $100 or less made during the reporting period.

Sec. 254.155. OPTION TO FILE MONTHLY; NOTICE.

(a) As an alternative to filing reports under Sections 254.153 and 254.154, a general-purpose committee may file monthly reports.

(b) To be entitled to file monthly reports, the committee must deliver written notice of the committee's intent to file monthly to the commission not earlier than January 1 or later than January 15 of the year in which the committee intends to file monthly. The notice for a committee formed after January 15 must be delivered at the time the committee's campaign treasurer appointment is filed.

(c) A committee that files monthly reports may revert to the regular filing schedule prescribed by Sections 254.153 and 254.154 by delivering written notice of the committee's intent not earlier than January 1 or later than January 15 of the year in which the committee intends to revert to the regular reporting schedule. The notice must include a report of all political contributions accepted and all political expenditures made that were not previously reported.

Sec. 254.156. CONTENTS OF MONTHLY REPORTS. Each monthly report filed under this subchapter must comply with Sections 254.031 and 254.151 except that the maximum amount of a political contribution, expenditure, or loan that is not required to be individually reported is:

(1) $10 in the aggregate; or

(2) $20 in the aggregate for a contribution accepted by a general-purpose committee to which Section 254.1541 applies.

Sec. 254.157. MONTHLY REPORTING SCHEDULE.

(a) The campaign treasurer of a general-purpose committee filing monthly reports shall file a report not later than the fifth day of the month following the period covered by the report. A report covering the month preceding an election in which the committee is involved must be received by the authority with whom the report is required to be filed not later than the fifth day of the month following the period covered by the report.

(b) A monthly report covers the period beginning the 26th day of each month and continuing through the 25th day of the following month, except that the period covered by the first report begins January 1 and continues through January 25.

Sec. 254.158. EXCEPTION TO MONTHLY REPORTING SCHEDULE. If the campaign treasurer appointment of a general-purpose committee filing monthly reports is filed after January 1 of the year in which monthly reports are filed, the period covered by the first monthly report begins the day the appointment is filed and continues through the 25th day of the month in which the appointment is filed unless the appointment is filed the 25th or a succeeding day of the month. In that case, the period continues through the 25th day of the month following the month in which the appointment is filed.

Sec. 254.1581. REPORTING BY OUT-OF-STATE POLITICAL COMMITTEE. For each reporting period under this subchapter in which an out-of-state political committee accepts political contributions or makes political expenditures, the committee shall file with the commission a copy of one or more reports filed with the Federal Election Commission or with the proper filing authority of at least one other state that shows the political contributions accepted, political expenditures made, and other expenditures made by the committee. A report must be filed within the same period in which it is required to be filed under federal law or the law of the other state.

Sec. 254.159. DISSOLUTION REPORT. If a general-purpose committee expects no reportable activity to occur after the period covered by a report filed under this subchapter, the report may be designated as a "dissolution" report as provided by Section 254.126 for a specific-purpose committee and has the same effect.

Sec. 254.160. TERMINATION REPORT. If the campaign treasurer appointment of a general-purpose committee is terminated, the campaign treasurer shall file a termination report as prescribed by Section 254.127 for a specific-purpose committee.

Sec. 254.161. NOTICE TO CANDIDATE AND OFFICEHOLDER OF CONTRIBUTIONS AND EXPENDITURES. If a general-purpose committee other than the principal political committee of a political party or a political committee established by a political party's county executive committee accepts political contributions or makes political expenditures for a candidate or officeholder, notice of that fact shall be given to the affected candidate or officeholder as provided by Section 254.128 for a specific-purpose committee.

Sec. 254.162. NOTICE OF CHANGE IN COMMITTEE STATUS. If a general-purpose committee changes its operation and becomes a specific-purpose committee, notice of the change in status shall be given to the commission as provided by Section 254.129 for a specific-purpose committee.

Sec. 254.163. AUTHORITY WITH WHOM REPORTS FILED. Reports filed under this subchapter shall be filed with the commission.

Sec. 254.164. CERTAIN COMMITTEES EXEMPT FROM CIVIL PENALTIES. The commission may not impose a civil penalty on a general-purpose committee for a violation of this chapter if the report filed by the committee that is the subject of the violation discloses

that the committee did not accept political contributions totaling $3,000 or more, accept political contributions from a single person totaling $1,000 or more, or make or authorize political expenditures totaling $3,000 or more during:

(1) the reporting period covered by the report that is the subject of the violation; or

(2) either of the two reporting periods preceding the reporting period described by Subdivision (1).

SUBCHAPTER G. MODIFIED REPORTING PROCEDURES; $500 MAXIMUM IN CONTRIBUTIONS OR EXPENDITURES

Sec. 254.181. MODIFIED REPORTING AUTHORIZED.

(a) An opposed candidate or specific-purpose committee required to file reports under Subchapter C or E may file a report under this subchapter instead if the candidate or committee does not intend to accept political contributions that in the aggregate exceed $500 or to make political expenditures that in the aggregate exceed $500 in connection with the election.

(b) The amount of a filing fee paid by a candidate is excluded from the $500 maximum expenditure permitted under this section.

Sec. 254.182. DECLARATION OF INTENT REQUIRED.

(a) To be entitled to file reports under this subchapter, an opposed candidate or specific-purpose committee must file with the campaign treasurer appointment a written declaration of intent not to exceed $500 in political contributions or political expenditures in the election.

(b) The declaration of intent must contain a statement that the candidate or committee understands that if the $500 maximum for contributions and expenditures is exceeded, the candidate or committee is required to file reports under Subchapter C or E, as applicable.

Sec. 254.183. MAXIMUM EXCEEDED.

(a) An opposed candidate or specific-purpose committee that exceeds $500 in political contributions or political expenditures in the election shall file reports as required by Subchapter C or E, as applicable.

(b) If a candidate or committee exceeds the $500 maximum after the filing deadline prescribed by Subchapter C or E for the first report required to be filed under the appropriate subchapter, the candidate or committee shall file a report not later than 48 hours after the maximum is exceeded.

(c) A report filed under Subsection (b) covers the period beginning the day the campaign treasurer appointment is filed and continuing through the day the maximum is exceeded.

(d) The reporting period for the next report filed by the candidate or committee begins on the day after the last day of the period covered by the report filed under Subsection (b).

Sec. 254.184. APPLICABILITY OF REGULAR REPORTING REQUIREMENTS.

(a) Subchapter C or E, as applicable, applies to an opposed candidate or specific-purpose committee filing under this subchapter to the extent that the appropriate subchapter does not conflict with this subchapter.

(b) A candidate or committee filing under this subchapter is not required to file any reports of political contributions and political expenditures other than the semiannual reports required to be filed not later than July 15 and January 15.

SUBCHAPTER H. UNEXPENDED CONTRIBUTIONS

Sec. 254.201. ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS.

(a) This section applies to:

(1) a former officeholder who has unexpended political contributions after filing the last report required to be filed by Subchapter D; or

(2) a person who was an unsuccessful candidate who has unexpended political contributions after filing the last report required to be filed by Subchapter C.

(b) A person covered by this section shall file an annual report for each year in which the person retains unexpended contributions.

Sec. 254.202. FILING OF REPORT; CONTENTS.

(a) A person shall file the report required by Section 254.201 not earlier than January 1 or later than January 15 of each year following the year in which the person files a final report under this chapter.

(b) The report shall be filed with the authority with whom the person's campaign treasurer appointment was required to be filed.

(c) The report must include:

(1) the person's full name and address;

(2) the full name and address of each person to whom a payment from unexpended political contributions was made during the previous year;

(3) the date, amount, and purpose of each payment made under Subdivision (2);

(4) the total amount of unexpended political contributions as of December 31 of the previous year; and

(5) the total amount of interest and other income earned on unexpended political contributions during the previous year.

Sec. 254.203. RETENTION OF CONTRIBUTIONS.

(a) A person may not retain political contributions covered by this title, assets purchased with the contributions, or interest and other income earned on the contributions for more than six years after the date the person either ceases to be an officeholder or candidate or files a final report under this chapter, whichever is later.

(b) If the person becomes an officeholder or candidate within the six-year period, the prohibition in Subsection (a) does not apply until the person again ceases to be an officeholder or candidate.

(c) A person who violates Subsection (a) commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 254.204. DISPOSITION OF UNEXPENDED CONTRIBUTIONS.

(a) At the end of the six-year period prescribed by Section 254.203, the former officeholder or candidate shall remit any unexpended political contributions to one or more of the following:

(1) the political party with which the person was affiliated when the person's name last appeared on a ballot;

(2) a candidate or political committee;

(3) the comptroller for deposit in the state treasury;

(4) one or more persons from whom political contributions were received, in accordance with Subsection (d);

(5) 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; or

(6) a public or private postsecondary educational institution or an institution of higher education as defined by Section 61.003(8), Education Code, solely for the purpose of assisting or creating a scholarship program.

(b) A person who disposes of unexpended political contributions under Subsection (a)(2) shall report each contribution as if the person were a campaign treasurer of a specific-purpose committee.

(c) Political contributions disposed of under Subsection (a)(3) may be appropriated only for financing primary elections.

(d) The amount of political contributions disposed of under Subsection (a)(4) to one person may not exceed the aggregate amount accepted from that person during the last two years that the candidate or officeholder accepted contributions under this title.

Sec. 254.205. REPORT OF DISPOSITION OF UNEXPENDED CONTRIBUTIONS.

(a) Not later than the 30th day after the date the six-year period prescribed by Section 254.203 ends, the person required to dispose of unexpended political contributions shall file a report of the disposition.

(b) The report shall be filed with the authority with whom the person's campaign treasurer appointment was required to be filed.

(c) The report must include:

(1) the person's full name and address;

(2) the full name and address of each person to whom a payment from unexpended political contributions is made; and

(3) the date and amount of each payment reported under Subdivision (2).

SUBCHAPTER I. CIVIL LIABILITY

Sec. 254.231. LIABILITY TO CANDIDATES.

(a) A candidate or campaign treasurer or assistant campaign treasurer of a political committee who fails to report in whole or in part a campaign contribution or campaign expenditure as required by this chapter is liable for damages as provided by this section.

(b) Each opposing candidate whose name appears on the ballot is entitled to recover damages under this section.

(c) In this section, "damages" means:

(1) twice the amount not reported that is required to be reported; and

(2) reasonable attorney's fees incurred in the suit.

(d) Reasonable attorney's fees incurred in the suit may be awarded to the defendant if judgment is rendered in the defendant's favor.

Sec. 254.232. LIABILITY TO STATE. A candidate, officeholder, or campaign treasurer or assistant campaign treasurer of a political committee who fails to report in whole or in part a political contribution or political expenditure as required by this chapter is liable in damages to the state in the amount of triple the amount not reported that is required to be reported.

SUBCHAPTER J. REPORTING BY CERTAIN PERSONS MAKING DIRECT CAMPAIGN EXPENDITURES

Sec. 254.261. DIRECT CAMPAIGN EXPENDITURE EXCEEDING $100.

(a) A person not acting in concert with another person who makes one or more direct campaign expenditures in an election from the person's own property shall comply with this chapter as if the person were the campaign treasurer of a general-purpose committee that does not file monthly reports under Section 254.155.

(b) A person is not required to file a report under this section if the person is required to disclose the expenditure in another report required under this title within the time applicable under this section for reporting the expenditure.

(c) This section does not require a general-purpose committee that files under the monthly reporting schedule to file reports under Section 254.154.

(d) A person is not required to file a campaign treasurer appointment for making expenditures for which reporting is required under this section, unless the person is otherwise required to file a campaign treasurer appointment under this title.

Sec. 254.262. TRAVEL EXPENSE. A direct campaign expenditure consisting of personal travel expenses incurred by a person may be made without complying with Section 254.261.

CHAPTER 255. REGULATING POLITICAL ADVERTISING AND CAMPAIGN COMMUNICATIONS

Sec. 255.001. REQUIRED DISCLOSURE ON POLITICAL ADVERTISING.

(a) A person may not knowingly cause to be published, distributed, or broadcast political advertising containing express advocacy that does not indicate in the advertising:

(1) that it is political advertising; and

(2) the full name of:

(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.

(b) Political advertising that is authorized by a candidate, an agent of a candidate, or a political committee filing reports under this title shall be deemed to contain express advocacy.

(c) A person may not knowingly use, cause or permit to be used, or continue to use any published, distributed, or broadcast political advertising containing express advocacy that the person knows does not include the disclosure required by Subsection (a). A person is presumed to know that the use of political advertising is prohibited by this subsection if the commission notifies the person in writing that the use is prohibited. A person who learns that political advertising signs, as defined by Section 259.001, that have been distributed do not include the disclosure required by Subsection (a) or include a disclosure that does not comply with Subsection (a) does not commit a continuing violation of this subsection if the person makes a good faith attempt to remove or correct those signs. A person who learns that printed political advertising other than a political advertising sign that has been distributed does not include the disclosure required by Subsection (a) or includes a disclosure that does not comply with Subsection (a) is not required to attempt to recover the political advertising and does not commit a continuing violation of this subsection as to any previously distributed political advertising.

(d) This section does not apply to:

(1) tickets or invitations to political fund-raising events;

(2) campaign buttons, pins, hats, or similar campaign materials; or

(3) circulars or flyers that cost in the aggregate less than $500 to publish and distribute.

(e) A person who violates this section is liable to the state for a civil penalty in an amount determined by the commission not to exceed $4,000.

Sec. 255.002. RATES FOR POLITICAL ADVERTISING.

(a) The rate charged for political advertising by a radio or television station may not exceed:

(1) during the 45 days preceding a general or runoff primary election and during the 60 days preceding a general or special election, the broadcaster's lowest unit charge for advertising of the same class, for the same time, and for the same period; or

(2) at any time other than that specified by Subdivision (1), the amount charged other users for comparable use of the station.

(b) The rate charged for political advertising that is printed or published may not exceed the lowest charge made for comparable use of the space for any other purposes.

(c) In determining amounts charged for comparable use, the amount and kind of space or time used, number of times used, frequency of use, type of advertising copy submitted, and any other relevant factors shall be considered.

(d) Discounts offered by a newspaper or magazine to its commercial advertisers shall be offered on equal terms to purchasers of political advertising from the newspaper or magazine.

(e) A person commits an offense if the person knowingly demands or receives or knowingly pays or offers to pay for political advertising more consideration than permitted by this section.

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

Sec. 255.003. UNLAWFUL USE OF PUBLIC FUNDS FOR POLITICAL ADVERTISING.

(a) An officer or employee of a political subdivision may not knowingly spend or authorize the spending of public funds for political advertising.

(b) Subsection (a) does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure.

(b-1) An officer or employee of a political subdivision may not spend or authorize the spending of public funds for a communication describing a measure if the communication contains information that:

(1) the officer or employee knows is false; and

(2) is sufficiently substantial and important as to be reasonably likely to influence a voter to vote for or against the measure.

(c) A person who violates Subsection (a) or (b-1) commits an offense. An offense under this section is a Class A misdemeanor.

(d) It is an affirmative defense to prosecution for an offense under this section or the imposition of a civil penalty for conduct under this section that an officer or employee of a political subdivision reasonably relied on a court order or an interpretation of this section in a written opinion issued by:

(1) a court of record;

(2) the attorney general; or

(3) the commission.

(e) On written request of the governing body of a political subdivision that has ordered an election on a measure, the commission shall prepare an advance written advisory opinion as to whether a particular communication relating to the measure does or does not comply with this section.

(f) Subsections (d) and (e) do not apply to a port authority or navigation district.

Sec. 255.0031. UNLAWFUL USE OF INTERNAL MAIL SYSTEM FOR POLITICAL ADVERTISING.

(a) An officer or employee of a state agency or political subdivision may not knowingly use or authorize the use of an internal mail system for the distribution of political advertising.

(b) Subsection (a) does not apply to:

(1) the use of an internal mail system to distribute political advertising that is delivered to the premises of a state agency or political subdivision through the United States Postal Service; or

(2) the use of an internal mail system by a state agency or municipality to distribute political advertising that is the subject of or related to an investigation, hearing, or other official proceeding of the agency or municipality.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(d) In this section:

(1) "Internal mail system" means a system operated by a state agency or political subdivision to deliver written documents to officers or employees of the agency or subdivision.

(2) "State agency" means:

(A) a department, commission, board, office, or other agency that is in the legislative, executive, or judicial branch of state government;

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

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

Sec. 255.004. TRUE SOURCE OF COMMUNICATION.

(a) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person enters into a contract or other agreement to print, publish, or broadcast political advertising that purports to emanate from a source other than its true source.

(b) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person knowingly represents in a campaign communication that the communication emanates from a source other than its true source.

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

(d) A person commits an offense if the person, with intent to injure a candidate or influence the result of an election:

(1) creates a deep fake video; and

(2) causes the deep fake video to be published or distributed within 30 days of an election.

(e) In this section, "deep fake video" means a video, created with the intent to deceive, that appears to depict a real person performing an action that did not occur in reality.

Sec. 255.005. MISREPRESENTATION OF IDENTITY.

(a) A person commits an offense if, with intent to injure a candidate or influence the result of an election, the person misrepresents the person's identity or, if acting or purporting to act as an agent, misrepresents the identity of the agent's principal, in political advertising or a campaign communication.

(b) An offense under this section is a Class A misdemeanor.

Sec. 255.006. MISLEADING USE OF OFFICE TITLE.

(a) A person commits an offense if the person knowingly enters into a contract or other agreement to print, publish, or broadcast political advertising with the intent to represent to an ordinary and prudent person that a candidate holds a public office that the candidate does not hold at the time the agreement is made.

(b) A person commits an offense if the person knowingly represents in a campaign communication that a candidate holds a public office that the candidate does not hold at the time the representation is made.

(c) For purposes of this section, a person represents that a candidate holds a public office that the candidate does not hold if:

(1) the candidate does not hold the office that the candidate seeks; and

(2) the political advertising or campaign communication states the public office sought but does not include the word "for" in a type size that is at least one-half the type size used for the name of the office to clarify that the candidate does not hold that office.

(d) A person other than an officeholder commits an offense if the person knowingly uses a representation of the state seal in political advertising.

(e) An offense under this section is a Class A misdemeanor.

Sec. 255.008. DISCLOSURE ON POLITICAL ADVERTISING FOR JUDICIAL OFFICE.

(a) This section applies only to a candidate or political committee covered by Subchapter F, Chapter 253.

(b) Political advertising by a candidate who files a declaration of intent to comply with the limits on expenditures under Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate may include the following statement: "Political advertising paid for by (name of candidate or committee) in compliance with the voluntary limits of the Judicial Campaign Fairness Act."

(c) Political advertising by a candidate who files a declaration of intent to comply with the limits on expenditures under Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate that does not contain the statement prescribed by Subsection (b) must comply with Section 255.001.

(d) Political advertising by a candidate who files a declaration of intent to exceed the limits on expenditures under Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate must include 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."

(e) The commission shall adopt rules providing for:

(1) the minimum size of the disclosure required by this section in political advertising that appears on television or in writing; and

(2) the minimum duration of the disclosure required by this section in political advertising that appears on television or radio.

(f) A person who violates this section or a rule adopted under this section is liable for a civil penalty not to exceed:

(1) $15,000, for a candidate for a statewide judicial office or a specific-purpose committee for supporting such a candidate;

(2) $10,000, for a candidate for chief justice or justice, court of appeals, or a specific-purpose committee for supporting such a candidate; or

(3) $5,000, for a candidate for any other judicial office covered by Subchapter F, Chapter 253, or a specific-purpose committee for supporting such a candidate.

(g) Section 253.176 applies to the imposition and disposition of a civil penalty under this section.

CHAPTER 257. POLITICAL PARTIES

Sec. 257.001. PRINCIPAL POLITICAL COMMITTEE OF POLITICAL PARTY. The state or county executive committee of a political party may designate a general-purpose committee as the principal political committee for that party in the state or county, as applicable.

Sec. 257.002. REQUIREMENTS RELATING TO CORPORATE OR LABOR UNION CONTRIBUTIONS.

(a) A political party that accepts a contribution authorized by Section 253.104 may use the contribution only to:

(1) defray normal overhead and administrative or operating costs incurred by the party; or

(2) administer a primary election or convention held by the party.

(b) A political party that accepts contributions authorized by Section 253.104 shall maintain the contributions in a separate account.

Sec. 257.003. REPORT REQUIRED.

(a) A political party that accepts contributions authorized by Section 253.104 shall report all contributions and expenditures made to and from the account required by Section 257.002.

(b) The report must be filed with the commission and must include the information required under Section 254.031 as if the contributions or expenditures were political contributions or political expenditures.

(c) Sections 254.001 and 254.032-254.037 apply to a report required by this section as if the party chair were a campaign treasurer of a political committee and as if the contributions or expenditures were political contributions or political expenditures.

(d) The commission shall prescribe by rule reporting schedules for each primary election held by the political party and for the general election for state and county officers.

Sec. 257.004. RESTRICTIONS ON CONTRIBUTIONS BEFORE GENERAL ELECTION.

(a) Beginning on the 60th day before the date of the general election for state and county officers and continuing through the day of the election, a political party may not knowingly accept a contribution authorized by Section 253.104 or make an expenditure from the account required by Section 257.002.

(b) A person who violates this section commits an offense. An offense under this section is a felony of the third degree.

Sec. 257.005. CANDIDATE FOR STATE OR COUNTY CHAIR OF POLITICAL PARTY.

(a) Except as provided by this section, the following are subject to the requirements of this title that apply to a candidate for public office:

(1) a candidate for state chair of a political party with a nominee on the ballot in the most recent gubernatorial general election; and

(2) a candidate for election to the office of county chair of a political party with a nominee on the ballot in the most recent gubernatorial general election if the county has a population of 350,000 or more.

(b) A political committee that supports or opposes a candidate covered by Subsection (a) is subject to the provisions of this title that apply to any other committee that supports or opposes candidates for public office, except as provided by this section.

(c) The reporting schedules for a candidate covered by Subsection (a) or a political committee supporting or opposing the candidate shall be prescribed by commission rule.

(d) Except as provided by this section, each contribution to and expenditure by a candidate covered by Subsection (a) is subject to the same requirements of this title as a political contribution to or a political expenditure by a candidate for public office. Each contribution to and expenditure by a political committee supporting or opposing a candidate covered by Subsection (a) is subject to the same requirements of this title as a political contribution to or political expenditure by any other specific-purpose committee.

(e) Section 251.001(1) does not apply to this section.

Sec. 257.006. CRIMINAL PENALTY FOR FAILURE TO COMPLY.

(a) Except as provided by Section 257.004, a person who knowingly uses a contribution in violation of Section 257.002 or who knowingly fails to otherwise comply with this chapter commits an offense.

(b) An offense under this section is a Class A misdemeanor.

Sec. 257.007. RULES. The commission shall adopt rules to implement this chapter.

CHAPTER 258. FAIR CAMPAIGN PRACTICES

Sec. 258.001. SHORT TITLE. This chapter may be cited as the Fair Campaign Practices Act.

Sec. 258.002. PURPOSE.

(a) The purpose of this chapter is to encourage every candidate and political committee to subscribe to the Code of Fair Campaign Practices.

(b) It is the intent of the legislature that every candidate and political committee that subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents.

Sec. 258.003. DELIVERY OF COPY OF CODE.

(a) When a candidate or political committee files its campaign treasurer appointment, the authority with whom the appointment is filed shall give the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The authority shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with the authority and that subscription to the code is voluntary.

Sec. 258.004. TEXT OF CODE. The Code of Fair Campaign Practices reads as follows:

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

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

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

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

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

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

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

VOID – COPY ONLY - VOID[1]

_____ _____

Date Signature

Sec. 258.005. FORMS. The commission shall print copies of the Code of Fair Campaign Practices and shall supply the forms to the authorities with whom copies of the code may be filed in quantities and at times requested by the authorities.

Sec. 258.006. ACCEPTANCE AND PRESERVATION OF COPIES.

(a) An authority with whom a campaign treasurer appointment is filed shall accept each completed copy of the code submitted to the authority that is properly subscribed to by a candidate or the campaign treasurer of a political committee.

(b) Each copy of the code accepted under this section shall be preserved by the authority with whom it is filed for the period prescribed for the filer's campaign treasurer appointment.

Sec. 258.007. SUBSCRIPTION TO CODE VOLUNTARY. The subscription to the Code of Fair Campaign Practices by a candidate or a political committee is voluntary.

Sec. 258.008. INDICATION ON POLITICAL ADVERTISING. A candidate or a political committee that has filed a copy of the Code of Fair Campaign Practices may so indicate on political advertising in a form to be determined by the commission.

Sec. 258.009. CIVIL CAUSE OF ACTION. This chapter does not create a civil cause of action for recovery of damages or for enforcement of this chapter.

[1] This document is a copy of chapter 258, Election Code. To subscribe to the Code of Fair Campaign Practices, a candidate or campaign treasurer of a political committee must submit Texas Ethics Commission FORM CFCP, not a signed copy of this document.

CHAPTER 259. POLITICAL SIGNS

[Section 259.001, Election Code, was moved from Section 255.007, Election Code, with amendments indicated.]

Sec. 259.001. NOTICE REQUIREMENT ON POLITICAL ADVERTISING SIGNS. (a) The following notice must be written on each political advertising sign:

"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."

(b) A person commits an offense if the person:

(1) knowingly enters into a contract to print or make a political advertising sign that does not contain the notice required by Subsection (a); or

(2) instructs another person to place a political advertising sign that does not contain the notice required by Subsection (a).

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

(d) It is an exception to the application of Subsection (b) that the political advertising sign was printed or made before September 1, 1997, and complied with Subsection (a) as it existed immediately before that date.

(e) In this section, "political advertising sign" means a written form of political advertising designed to be seen from a road but does not include a bumper sticker.

[Section 259.002, Election Code, was moved from Section 202.009, Property Code, with amendments indicated.]

Sec. 259.002. REGULATION OF DISPLAY OF POLITICAL SIGNS BY PROPERTY OWNERS' ASSOCIATIONS.

(a) In this section, "property owners' association" has the meaning assigned by Section 202.001, Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

(1) on or after the 90th day before the date of the election to which the sign relates; or

(2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

(1) requires a sign to be ground-mounted; or

(2) limits a property owner to displaying only one sign for each candidate or measure.

(d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

(1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

(2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;

(3) includes the painting of architectural surfaces;

(4) threatens the public health or safety;

(5) is larger than four feet by six feet;

(6) violates a law;

(7) contains language, graphics, or any display that would be offensive to the ordinary person; or

(8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

(e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

[Section 259.003, Election Code, was moved from Section 216.903, Local Government Code, with amendments indicated.]

Sec. 259.003. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY.

(a) In this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(b) A municipal charter provision or ordinance that regulates signs may not, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner:

(1) prohibit the sign from being placed;

(2) require a permit or approval of the municipality or impose a fee for the sign to be placed;

(3) restrict the size of the sign; or

(4) provide for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance.

(c) Subsection (b) does not apply to a 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.

(d) Subsection (b) does not apply to a sign that:

(1) has an effective area greater than 36 feet;

(2) is more than eight feet high;

(3) is illuminated; or

(4) has any moving elements.

ARTICLE X. SIGNS[1]

Sec. 24-1001. Purpose.

The purpose of this article is to provide uniform sign standards which promote a positive City image reflecting order, harmony and pride, thereby strengthening the economic stability of Bellaire's business, cultural and residential areas. Objectives to be pursued in applying specific standards are as follows:

A. To identify individual business, residential and public uses without creating confusion, unsightliness or visual obscurity of adjacent uses;

B. To assure that the size, scale, height and location of all signs are directly related to the size and character of the sites upon which the signs are located and to further assure compatibility of all such signs, including the design features herein specified, with existing land uses on adjacent properties; and

C. To assure that all signs, sign supports and sign bases shall be so constructed and designed to provide for safety and for design compatibility with the development site; where possible, the materials, form, color, lighting and design used should be similar to those used in the development.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1002. Construction.

This sign ordinance is to be construed as prohibiting any sign not specifically allowed.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1003. General Definitions and Definitions of and Requirements for Signs.

The following definitions shall apply in the interpretation and enforcement of this article. In the event a word or term is not defined in this article but is defined in Article II of this chapter, the definition set forth in Article II shall be deemed controlling. In the event of a conflict between the definition of a word or term set forth in this article and the definition of the same word or term set forth in Article II of this chapter, the definition set forth in this article shall be deemed controlling as to the interpretation and enforcement of this article.

(1) *Advertise.* To seek the attraction of or to direct the attention of the public to any goods, services or merchandise whatsoever.

(2) *Area.* The area of a sign shall be computed by calculating the area enclosed within the boundaries created by connected straight lines, which straight lines shall connect all outermost points of the frame

[1]Editor's note(s)—Section 2 of Ord. No. 11-059, adopted Aug. 1, 2011, repealed and replaced Art. X in its entirety to read as herein set out. Former Art. X pertained to the same subject matter, was comprised of §§ 24-1001—24-1012, and derived from Ord. No. 07-072, adopted Dec. 3, 2007; and Ord. No. 10-025, adopted April 5, 2010.

State law reference(s)—Regulation of signs by home-rule municipality, V.T.C.A., Local Government Code § 216.901; regulation of political signs by municipality, V.T.C.A., Local Government Code § 216.903.

of the sign and any extremities thereof (excluding sign supports) and of any wording, numbers, figures, devices, designs or trademarks set out on the sign, by which anything is made known; provided that where it is possible to connect such outermost points in more than one (1) manner, thereby creating boundaries enclosing differing areas, those boundaries producing the lowest calculated area shall be used. For signs having displays on more than one (1) side, the area shall be that calculated on one (1) side.

(3) *Board of sign control.* A board appointed by City Council, which determines appropriate owner compensation for the removal of non-conforming signs. See also Section 24-1011(5) of this article.

(4) *Business entity.* A person, corporation or group of persons associated for the common purpose of engaging in a commercial or mercantile activity legally permissible under federal, state and local laws, including, but not limited to, partnerships, corporations, joint ventures, professional associations or sole proprietorships.

(5) *Commercial vehicle.* A vehicle which is used on a regular basis during working hours to transport persons, goods or services for the purpose of engaging in business activities.

(6) *Development site.* A parcel or abutting parcels of land that have definite boundaries, which are improved or which is to be improved as a single unit of development which may have one (1) or more uses.

(7) *District.* An enumerated zoning district.

(8) *Fully shielded light fixture.* From The International Dark Sky Association (IDA) Outdoor Lighting Code Handbook, a lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed. A fixture that conforms to the Illuminating Engineering Society of North America (IESNA) definition of "full cutoff" is also considered "fully shielded."

(9) *Glare.* A light ray emanating directly from a lamp, reflector or lens such that it falls directly on the eye of the observer.

(10) *Grand opening.* The initial thirty-day period during which a business entity is open to the public.

(11) *Height.* The vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the curb of the street which is closest to the sign, or in cases where there is no curb, six (6) inches above the edge of the pavement of the street closest to the sign.

(12) *Institution.* A church, school or other public service non-profit entity.

(13) *Mansard roof.* A roof having two (2) slopes on all sides, with the lower slope steeper than the upper slope.

(14) *Primary use or service.* The use or service that is the principal use or service provided.

(15) *School.* As defined in Section 24-202(152) in the Code of Ordinances of the City of Bellaire, Texas ("Code"), but not including a home school, a discreet research facility associated with a school, or one having fewer than seventy-five (75) students per term.

(16) *Secondary use or service.* A use or service that is subordinate and incidental to and serves a primary use or service.

(17) *Setback.* The required distance between a sign and the street frontage property line, such distance being measured along a horizontal line extending from that point on a vertical plane projecting from

said street frontage property line, to such nearest point on a vertical plane projecting from the sign, whether on the face or surface of the sign or sign supports.

(18) *Sign.* A display containing words, numbers, figures, devices, designs, trademarks or other symbols, which attracts attention to or makes known such things as an individual, firm, profession, business, commodity, service, institution or residence and which is visible from any public street, including any structure designed to be used for said display.

(19) *Sign, abandoned.* A sign which no longer correctly directs or exhorts any person or advertises a bona fide business lessor, owner, product, service or activity.

(20) *Sign, address identification.* A sign showing the street number of a building. Such sign shall be legible and plainly visible from the street directly in front of the building, and utilize numbers between four (4) inches and eight (8) inches high.

(21) *Sign appendage.* A subordinate or accessory sign or object attached to a primary sign.

(22) *Sign, auxiliary/public information.* A window sign or wall sign indicating general information, such as pricing, trading stamps, credit cards, official notices or services required by law, trade associations, and signs giving directions to offices, restrooms, exits and like facilities. The combined area of all auxiliary/public information signs for any entity may not exceed ten (10) square feet.

(23) *Sign, banner/pennant.* A sign made from cloth or other flexible material.

(24) *Sign, billboard.* Outdoor advertising by poster panels or bulletins, multi-prism signs, or painted or printed bulletins, either on or off the premises being advertised.

(25) *Sign, business entity or institutional development site.* A sign displaying information related to construction on the property of a business entity or institution. Such sign(s) may have an area and height no greater than thirty-two (32) square feet and ten (10) feet, respectively. One (1) such sign may be placed along the frontage of each side of the property fronting a public street or on the corner of a corner lot (as defined in Section 24-202 of the Code). Such signs must be removed within thirty (30) days of the issuance of a certificate of occupancy.

(26) *Sign, electronic message display.* A sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.

(27) *Sign, for sale, business entity.* A sign displaying information related to the sale of a business entity. Such sign(s) may have an area and height no greater than thirty-two (32) square feet and ten (10) feet, respectively. One such sign may be placed along the frontage of each side of the property fronting a public street or on the corner of a corner lot (as defined in Section 24-202 of the City of Bellaire Planning and Zoning regulations). Such signs must be removed within ten (10) days of the closing of a sale.

(28) *Sign, canopy.* A sign affixed to an ornamental and/or functional roof type structure extending or projecting from the main building structure ("canopy"). Such signs must be entirely contained within the canopy fascia, identify only the business entity's or institution's name, be mounted perpendicular to the building's front wall, have an area no greater than four and one-half (4½) square feet and provide clearance from grade of at least eight (8) feet.

(29) *Sign, changeable copy.* A sign with letters, characters, or graphics that are not permanently affixed to the structure, framing or background of the sign, allowing the letters, characters or graphics to be manually modified from time to time. An electronic message display is not considered a changeable copy sign.

(30) *Sign, community event.* A temporary sign or banner that advertises an event to be held on the premises of a church or school. Temporary community event signs, located on the premises of churches and

schools in any district are allowed for a period of not more than thirty (30) days per event. A no-fee permit obtained from the City is required prior to the installation of such signs. No more than two (2) community events may be advertised on the premises of a church or school at any given time.

(31) *Sign, community service.* A window sign or wall sign which solicits support for or advertises a nonprofit community use, public use or social institution. Such signs shall be limited in area to ten (10) percent of the area of the window or wall in which they are mounted and shall be removed within ten (10) days after the event or use to which they refer has concluded.

(32) *Sign, construction.* A sign displaying information related to the construction of a building or buildings. A construction sign may have an area no greater than eight (8) square feet and must be removed within forty-five (45) days after a certificate of occupancy has been issued.

(33) *Sign, damaged.* A sign which has become deteriorated or dilapidated and requires reconditioning to restore it to an average, normal state of repair.

(34) *Sign, destroyed.* A sign that has been damaged to the point where the cost of repairing the sign is more than sixty (60) percent of the cost of erecting a new sign of the same type at the same location.

(34.5) *Sign, disaster.* A temporary banner/pennant designed to indicate that a business entity or institution is open for business following a disaster or significant event as designated by the Mayor or City Manager.

(35) *Sign, electrical.* A sign containing electrical wiring within or attached to the sign.

(36) *Sign, flag, business.* A flag displaying an emblem or logo of a business entity.

(37) *Sign, flag, government.* A flag of a nation, state, or political subdivision.

(38) *Sign, garage sale.* A sign advertising the sale of used personal property from a residence as defined in Chapter 15.

(39) *Sign, government.* A sign indicating public works projects, public services or other programs or activities conducted or required by any governmental subdivision.

(40) *Sign, institutional.* A sign showing names, activities and/or services provided by an institution, located on property occupied by such institution.

(41) *Sign, leasing.* A sign displaying information relating to the rental or lease of part or all of a business entity building.

(42) *Sign, monument.* A sign with a display surface that is an integral part of the support structure which, in turn, is affixed or permanently fixed in the ground.

(43) *Sign, multi-party.* A sign used by more than one (1) business entity. No more than twenty-five (25) percent of the area of a multi-party sign may be devoted to secondary uses or products sold on the premises.

(44) *Sign, nonconforming.* Any sign lawfully erected and maintained prior to such time as it came within the purview of this Code and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this Code. A nonconforming sign shall be kept in good repair and visual appearance. No structural alterations shall be made thereto. If the sign is damaged to the extent that the cost of repair exceeds sixty (60) percent of the original cost of the sign, the damaged sign shall be replaced in compliance with the Code in effect at the time the damage occurred to the nonconforming sign.

(45) *Sign, open house.* A sign indicating that a prospective buyer or lessor is welcome to inspect the residential property upon which said sign is placed. Such sign may have an area no greater than three (3) square feet.

(46) *Sign, outfield.* A sign attached to or a part of an outfield fence or outfield wall associated with a sports field has an area no greater than thirty (30) percent of the total area of the outfield fence or outfield wall. The top of the sign may not be more than ten (10) feet above ground level.

(47) *Sign, pole.* A sign supported above grade by an exposed pole or poles anchored in or upon the ground.

(48) *Sign, political.* A sign, conforming to the requirements of Chapter 216, Texas Local Government Code, erected on private property by or with approval of the property owner solely for the purpose of advocating certain political candidates or containing primarily a political message. However, such political signs may not have an effective area greater than thirty-six (36) square feet, may not be higher than eight (8) feet, may not be illuminated and may not have moving elements.

(49) *Sign, portable.* A sign that is not permanently anchored or affixed to the ground, building or other structure.

(50) *Sign, promotional.* A temporary sign, banner or pennant intended to call attention to a business' special promotion or sale, grand opening, or reopening under new management. Such signs for which a written permit issued by the City of Bellaire is required, are limited to no more than two (2) separate promotional and/or sales events within a calendar year or for a cumulative number of thirty (30) days or less during a calendar year.

(51) *Sign, realty.* A sign located on real property that is for rent, lease or sale, said sign being for the purpose of advertising the rent, lease or sale of said property. A realty sign may have an area no greater than eight (8) square feet.

(52) *Sign, residential development.* A sign displaying information relating to the construction and identity of a new residential development. A residential development sign may have an area and height no greater than thirty-two (32) square feet and ten (10) feet, respectively, and must be removed promptly upon the first sale of the last residential unit to be sold at such site.

(53) *Sign, residential name.* A sign indicating the name of the occupant of a residential unit. A residential name sign may have an area no greater than one (1) square foot and may either be attached to a building or freestanding. If freestanding, its height may not exceed eighteen (18) inches.

(54) *Sign, roof.* A sign which is affixed to a building roof, except a sloping or mansard roof.

(55) *Sign, scoreboard.* A large board used for indicating the score and other game related information during an athletic event. Such score indications may be made either with or without lights. The scoreboard (including donor name) may be lit only during athletic events and as necessary for maintenance purposes, with changing or moving displays used only for score changes and team names. The scoreboard may also show the name of the field or institution at which it is located, the name of the donor of the scoreboard, and team accolades, if applicable. The donor sign shall be affixed to the support structure of the scoreboard fixture and shall conform to the following sizing specifications:

a) *Overall size of scoreboard.* not more than two (2) square feet of scoreboard face, including, but not limited to sponsor, donor, or accolade signage, per one (1) linear foot of the playing field that the scoreboard faces.

b) *Overall height of scoreboard structure.* from ground level to top of scoreboard may not exceed twenty-five (25) feet.

(56) *Sign, sloping or mansard roof.* A sign affixed to a sloping or mansard roof.

(57) *Sign, traffic control.* A privately erected sign, signal or device that provides information or direction to motorists. A traffic control sign may have an area no greater than five (5) square feet and a height no greater than five (5) feet, except for clearance bars located over entrances to private parking areas, and may be a pole sign.

(58) *Sign, wall.* A sign affixed flat against and parallel to a building wall and projecting no more than one (1) foot perpendicular from the building wall.

(59) *Sign, window.* A sign which is applied or attached to a window, or located within three (3) feet of the interior of a window, on a structure which can be seen through or from the window.

(60) *Sign, windscreen.* A sign which is applied to a porous fabric designed to limit airflow and/or sight. Windscreen signs are limited to outfields, dugouts and tennis courts. A windscreen sign may only display the name of the institution and the institution's mascot, either in written or pictorial form. Windscreen signs used as outfield signs are subject to the height and area restrictions in place for outfield signs.

(61) *Site frontage.* That frontage under one (1) common plan of development at the time of application for a sign permit.

(62) *Visibility triangle.* That area along an intersection of either two (2) streets or a street and a driveway that assures that drivers and pedestrians have an unobstructed view. A triangle formed by a diagonal line extending through points on the two (2) property lines twenty-five (25) feet from the street corner intersection of the property lines. In the case of an intersection of a street and a driveway, the visibility triangle is a triangle formed by the intersection of a street and driveway measuring ten (10) feet in each direction from the point of intersection of the ultimate right-of-way line and the outer edges of the driveway approach. Both configurations are illustrated in Diagram 24-1003(61).

Intersection to intersection:

- From the inside corner of the intersection measure along the property line twenty-five (25) feet in both directions.
- Connect the twenty-five-foot mark on each side with an imaginary line to form a triangle.
- The sign must be located behind that line.

Driveway to intersection:

- From the inside corner of the intersection, measure along the property line ten (10) feet in both directions.
- Connect the ten-foot mark on each side with an imaginary line to form a triangle.
- The sign must be placed behind that line.

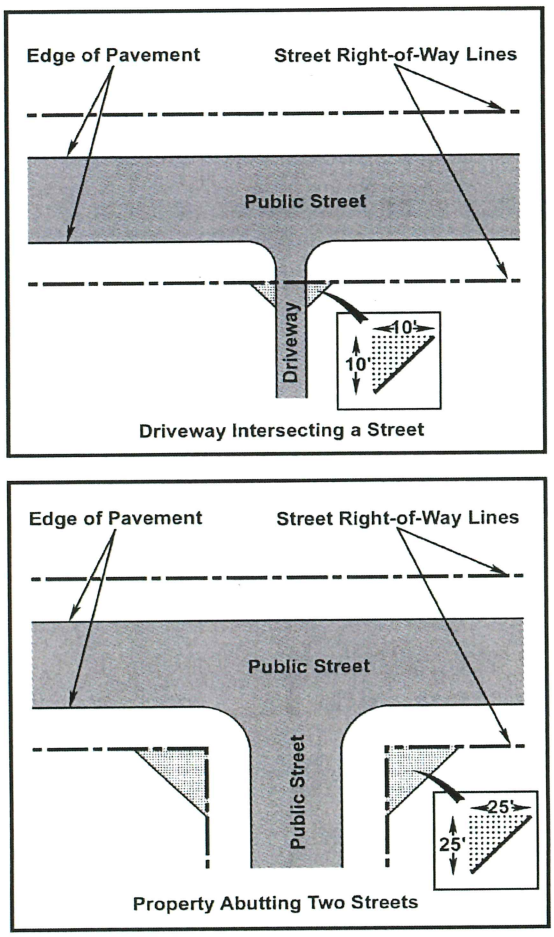


Figure 1. Visibility Triangles

Diagram 24-1003(61)

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011; Ord. No. 23-061, § 2(App. A), 9-11-2023)

Sec. 24-1004. Enforcement Responsibility.

The City Manager of the City of Bellaire shall have the responsibility for enforcement of the provisions of this article and may designate a member of his staff as his representative. The City Manager shall have the authority to adopt regulations and procedures consistent with the terms of this chapter necessary to implement the provisions of this article.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1005. Violations.

It shall be unlawful for any person or business entity to erect, construct, enlarge, alter, repair, move, improve, convert, equip, use or maintain any sign or structure in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this article. The regulations of this article are not intended to permit any violation of the provisions of any other lawful ordinance or regulation of the City. Any violation of this article shall constitute a Class C misdemeanor. Each day in which any violation shall occur shall constitute a separate offense.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1006. General Provisions.

A. *Primary uses identified.* All signs, other than address identification and auxiliary/public information signs, shall pertain to the identification of the primary uses, by name of the occupant or business, and/or primary services provided or primary products sold on the premises.

B. *Permit required.* No sign shall be displayed without a permit obtained from the City of Bellaire, except residential name, address identification, realty, construction, political, auxiliary/public information, and community service signs, for which permits are not required. No permit shall be issued except to the owner, occupant or a bonded sign contractor.

C. *Address identification.* An address identification sign is required for each building.

D. *Visibility triangle.* No sign may be placed in a visibility triangle.

E. *Moving displays.* Other than a scoreboard or an electronic message display sign, no sign or appendage thereto may contain a changing or moving display. No sign may emit audible sound, perceptible odor or visible matter.

F. *Maintenance.* All signs, including those painted on the walls of buildings, shall be permanently maintained in a safe, presentable condition. All signs shall be kept in good repair and, unless of galvanized or non-corroding metal or treated with appropriate wood preservative, shall be thoroughly painted as often as is necessary, consistent with good maintenance. All braces, bolts, clips, supporting frames and fastenings shall be free from deterioration, termite infestation, rot or loosening. All signs shall further be maintained in compliance with any additional requirements for signs as are specified in Chapter 9 of the Code and any other applicable requirements of said Code.

G. *Copy faces limited.* No sign shall have more than two (2) sides of copy, except when the site upon which the sign is located is bounded on three (3) or more sides by street rights-of-way, in which case there may be three (3) sides of copy.

H. *Projection limited.* No sign shall project over any property line or public sidewalk or hide from view any street sign, signal or device erected by a municipality for traffic control.

I. *Traffic control sign confusion prohibited.* No sign, which by reason of its size, location, movement, content, coloring or manner of illumination, resembles, may be confused with or construed as a traffic control sign, is permitted.

J. *Portable signs.* No portable sign, including a sign affixed to a vehicle, is permitted, except typical display meant to identify a business entity on a commercial vehicle.

K. *City of Bellaire.* Nothing in this ordinance is to be construed in such a manner that would prohibit the City of Bellaire from placing signs upon property under the ownership or control of the City of Bellaire.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1007. Sign Illumination.

A. *Monument and wall signs for business entities and institutions* may be either internally or externally illuminated.

B. *Scoreboards.* Scoreboards may be internally illuminated.

C. *Internally illuminated signs.* Illumination of an internally illuminated sign shall be by a light source that is contained inside such sign's structure comprising the display surface area and consisting of its frame and face(s).

D. *Externally illuminated signs.* Illumination of an externally illuminated sign shall conform to the following:

(1) Illumination shall be by an externally located, steady, stationary fully shielded light fixture directed solely at the sign;

(2) The light source shall not:

a) Be visible from any street right-of-way;

b) Cause glare to pedestrians or vehicle drivers; or

c) Create a nuisance to adjacent properties.

(3) Lighting shall be limited to one (1) fully shielded light fixture per sign side for a sign having an area no greater than forty (40) square feet and not more than two (2) fully shielded light fixtures for a sign having an area greater than forty (40) square feet.

(4) The intensity of the light shall not exceed twenty foot-candles (20 fc) at any point on the sign face.

(5) A sign may not have a light-reflecting background but may use light-reflecting lettering.

(6) Colored lamps are not permitted.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1008. Prohibited Signs.

Signs prohibited in all zoning districts include, but are not limited to:

A. All signs, other than address identification signs, which do not identify the primary uses, by name of the occupant or business, or the primary services provided or products sold on premises, except for auxiliary and public information signs as hereinafter provided;

B. Appendages which have flashing, blinking or traveling lights to primary signs;

C. Signs or posters of miscellaneous character, not otherwise regulated, which are tacked, painted, pasted or otherwise affixed and totally visible from any public right-of-way or pedestrian passageway or plaza, located on the walls of buildings or sheds, on trees, poles, posts, fences or other structures;

D. Banners, pennants, searchlights, twirling signs, sandwich or "A" frame signs, balloons, tethered balloons, or any other advertising sign of a similar nature, located anywhere upon the development site or upon the sidewalk, curb or right-of-way adjacent to the development site;

EXCEPTION: Banners and pennants, as specifically permitted in Section 24-1010;

(E) Flags, other than flags of any nation, state or political subdivision;

EXCEPTION: One (1) flag of a standard customary size that shows an emblem or logo of a firm, corporation, religious or educational or organizational shall be permitted, provided all other regulations of this article are met;

F. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, resemble, may be confused with or construed as traffic-control signs, signals or devices, or the lights of an emergency or road equipment vehicle, or which hide from view any traffic-control or street signs, signals or devices, except as permitted in accordance with Sections 24-1009 and 24-1010 of this article;

G. Any sign or advertising device attached to or located on any vehicle or trailer parked on a public right-of-way, on public property or on private property so as to be totally visible from a public right-of-way, the basic purpose of which sign or advertising device is to provide advertisement of products or to direct people to a business or activity located on the same property or other property or premises;

EXCEPTION: This subsection shall not be construed so as to prohibit typical vehicular signage such as is lettered on a commercial vehicle;

H. Portable signs;

I. Any sign that emits audible sound, odor or visible matter;

J. Billboards;

K. Pole signs; and

L. Changeable copy signs.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1009. Permitted Signs—Residential.

The following signs are permitted on property in or for residential use (see Section 24-1003, general definitions and definitions and requirements for signs for specifications):

A. Two (2) address identification signs.

B. One (1) construction sign.

C. One (1) realty sign; two (2) on a corner lot.

D. Three (3) open house signs.

E. Political signs.

F. Garage sale sign(s) permitted by Chapter 15 of the Code.

G. One (1) residential development sign per development site.

H. Notice of public hearing signs required under Section 24-611, Required Signs.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1010. General Provisions for Signs.

The type, number and size of Signs, and the limitations thereon, permitted to a business entity and an institution, are listed in Section 24-1011 and Section 24-1012, respectively. In addition, the following provisions are applicable.

A. *Extensions.* No sign may extend over the roof line or parapet line of the building on which it is located.

B. *Address identification.* An address identification sign may be displayed separately or incorporated into any permitted sign.

C. *City logo.* Any official City of Bellaire logo may be displayed separately or incorporated into any Sign permitted in the City Center District. Any official City of Bellaire logo and/or an address identification sign may be incorporated into one (1) other sign ("incorporating sign") permitted on the property. The maximum allowable area of such incorporating sign may be increased by up to ten (10) percent for each such incorporation, provided that the area of each incorporation may not constitute more than ten (10) percent of the total area of the incorporating sign.

D. *Design compatibility.* Each sign must be designed and constructed so as to reflect design compatibility with the development or structure to which it refers.

E. *Leasing signs.* On those properties where a leasing sign is permitted, such sign may be either temporary or permanent. A temporary sign may have an area no greater than fifty (50) square feet with a maximum height of eight (8) feet, and may be displayed for no longer than six (6) months in a calendar year during which less than ninety-five (95) percent of the rentable floor area is occupied. A permanent sign may be a monument sign that has an area no greater than thirty-two (32) square feet and a maximum height of six (6) feet.

F. *Banners/pennants.* Banners/pennants shall be permitted under the following circumstances:

(1) *Grand openings, special promotions and/or sales.* A permit to display these temporary signs must be obtained annually from the City of Bellaire. The permit covers one (1) calendar year during which a banner/pennant may be displayed for one (1) event for a period not to exceed thirty (30) days or for two (2) separate events cumulatively not to exceed thirty (30) days in total.

(2) *Disaster.* A temporary banner/pennant for a period not to exceed ten (10) days is allowed due to a disaster or significant event as designated by the City Manager or the Mayor of Bellaire. A permit may be issued to grant an extension for displaying such temporary banner/pennant in fourteen (14) day increments, as needed, following the initial ten (10) day period in which a permit is not required.

(3) *Construction.*

a) When a business entity is undergoing remodeling or renovation to include the replacement of the sign or that portion of the roof where the sign is attached requiring the temporary removal of the sign, a temporary banner may be permitted until such time that the sign is replaced, the roof is repaired, or for thirty (30) days, whichever is the shortest amount of time. Extensions may be granted in fourteen (14) day increments as needed.

b) If construction or renovation to an adjoining property or a building on the same site results in a sign that is temporary hidden or obscured from a person's field of vision then a banner may be permitted until such time that the sign is no longer obscured or for thirty (30) days, whichever is the shortest amount of time. Extensions may be granted in fourteen (14) day increments as needed.

(4) No more than one (1) Disaster or Construction banner/pennant may be displayed at a time and may not exceed a maximum area of twenty-five (25) square feet.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1010.5. Electronic Message Display Signs.

A. An electronic message display sign may only be integrated into a permitted monument sign as regulated under Section 24-1011. The total area of the changeable copy message is limited to twenty (20) square feet and shall be limited to no more than fifty (50) percent of the area of the total sign face allowed.

B. No more than one (1) electronic message display sign is permitted per development site, limited to two (2) sides of copy.

C. An electronic message display sign may be no closer than one hundred (100) feet to a residence. The minimum spacing between changeable message signs is two hundred (200) feet irrespective of property lines.

D. The minimum display time for a message is fifteen (15) minutes. The transition time between messages shall appear instantaneous without the illusion of flashing, scrolling, animation or movement of any kind.

E. The following display features are prohibited: continuous scrolling and/or travelling, flashing, spinning, fade, dissolve, rotating, and similar moving effects, and all dynamic frame effects or patterns of illusionary movement or simulating movement.

F. All electronic message display signs shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness level based on ambient light conditions.

G. No electronic message display sign shall exceed a brightness level of 0.3 foot-candles above ambient light as measured using a foot-candle (Lux) meter at a distance based on sign area, measured as follows:

(1) Measurement Distance = √Area of Sign Square Footage x 100

H. Only monochrome electronic message display signs are permitted with black backgrounds and message colors limited to red or amber.

I. An electronic message display sign is not permitted on a site with an existing changeable copy sign or a pole sign, unless the electronic message display sign is replacing either of these signs in conformance with the provisions of this section.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1011. Permitted Signs for Commercial or Mixed-Use Buildings.

The following signs are permitted on property in or for a commercial use.

A. *Wall Signs.*

(1) *Districts.* L-610, LI and TRP.

a) *Number allowed.* One (1) sign permitted per building wall.

b) *Maximum area.* Two and one-half (2½) square feet per foot of wall length.

(2) *Districts.* All other commercial and mixed-use districts.

a) *Number allowed.* One (1) sign per business entity.

1) A building located at the corner of an intersection may have one (1) additional sign per intersection on the wall that faces such secondary street, unless the wall is directly across from a residential zoned district.

2) A multi-tenant building that faces a parking lot may have one (1) additional sign on the wall that faces the street from which the property is primarily accessed.

3) A multi-tenant building that provides a minimum of twenty-five (25) percent of the required parking to the rear of the building, and is located on a site with street frontage along the front and rear of the site, may have one (1) additional sign per business entity to be located on the rear of the building, however such signs shall not exceed the maximum area allowed for a one-story building regardless of the number of stories.

b) *Maximum area.*

1) *One-story building.* One (1) square foot per linear foot of wall length.

2) *Two (2) or more stories.* One and one-half (1½) square feet per linear foot of wall length.

B. *Window Signs.*

(1) *Districts.* All commercial and mixed-use districts.

a) *Number allowed.*

1) Up to twenty (20) percent of the total window area for a business entity may include window signs. Percentage is based on total window area on the first floor.

2) Window signs are only permitted on the first floor.

b) *Maximum area.* Total of all window signs for a business entity may not exceed forty (40) square feet.

C. *Monument Signs.*

(1) *Districts.* All commercial and mixed-use districts.

a) *Number allowed.*

1) *Generally.* One (1) per building.

2) Two (2) monument signs are allowable:

(a) When the building fronts two (2) of the following streets: Bellaire Blvd., S. Rice Ave., Bissonnet St., or the 5700 and 5800 blocks of Newcastle, provided that neither sign is located within one hundred (100) feet of a residential property and the minimum spacing between the signs is three hundred (300) feet; or

(b) On automobile service stations on a corner lot with frontage on at least two (2) streets.

b) *Maximum area.* Sixty (60) square feet.

c) *Maximum height.* Eight (8) feet above curb.

d) *Minimum setback.* The greater of two (2) feet from the property line or six (6) feet from the edge of the street, whichever is more restrictive.

e) *Spacing limitations.* Only one (1) monument sign per one hundred (100) feet of linear feet or part hereof shall be permitted, except when more than one (1) freestanding building is located on one (1) site.

D. *Canopy Signs.*

(1) *Districts.* All commercial and mixed use districts except L-610, LI and TRP.

a) *Maximum area.* Four and one-half (4½) square feet.

b) *Minimum clearance.* Eight (8) feet above ground.

c) *Allowable locations.* On ground floor abutting street, parking lot or public walkway, excluding alleys and driveways.

E. *Other Allowable Signs.*

(1) *Districts.* L-610 and TRP.

a) Business flag.

b) Community event.

c) Community service.

d) For sale.

e) Governmental.

f) Leasing.

g) Multi-party.

h) Political.

i) Traffic control.

(2) *Districts.* All other commercial and mixed use districts.

a) Auxiliary/public information.

b) Business entity or institutional development site.

c) Business flag.

d) Community event.

e) Community service.

f) Construction.

g) For sale.

h) Governmental.

i) Multi-party.

j) Political.

k) Temporary promotional.

l) Traffic control.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1012. Permitted Signs for Institutions.

A. *Wall Signs.*

(1) *Districts.* L-610, TRP and UV-T.

a) Number allowed. One (1) per wall.

b) Maximum area. Two and one-half (2½) square feet per foot of wall length.

(2) *Districts.* UVD, CMU, and LI.

a) Number allowed. One (1) per institution.

b) Maximum area.

1) One-story building. One (1) square foot per linear foot of wall length.

2) Two (2) or more stories. One and one-half (1½) square feet per linear foot of wall length.

(3) *Districts.* All other zoning districts.

a) Number allowed. One (1) per institution.

b) Maximum area.

1) One-story building. One (1) square foot per linear foot of wall length.

2) Two (2) or more stories. One and one-half (1½) square feet per linear foot of wall length.

B. *Monument Signs.*

(1) *Districts.* All zoning districts.

a) Number allowed.

1) Generally. One (1) per building.

2) Two (2) monument signs are allowable:

(a) When a building site fronts two (2) of the following streets: Bellaire Blvd., S. Rice Ave., Bissonnet St., or the 5700 and 5800 blocks of Newcastle, provided that neither sign is located within one hundred (100) feet of a residential property and the minimum spacing between the signs is three hundred (300) feet; or

b) *Maximum area.* Sixty (60) square feet.

c) *Maximum height.* Eight (8) feet above curb.

d) *Minimum setback.* The greater of two (2) feet from the property line or six (6) feet from the edge of the street, whichever is more restrictive.

e) *Spacing limitations.* Only one (1) monument sign per one hundred (100) feet of linear feet or part hereof shall be permitted, except when more than one (1) freestanding building is located on one (1) site.

C. *Canopy Signs.*

(1) *Districts.* UVD, CMU, and LI Districts.

a) *Maximum area.* Four and one-half (4½) square feet.

b) *Minimum clearance.* Eight (8) feet above ground.

c) *Allowable locations.* On ground floor abutting street, parking lot or public walkway, excluding alleys and driveways.

D. *Other Allowable Signs.*

(1) *Districts.* L-610, TRP and UV-T.

a) Community service.

b) Community event.

c) Outfield.

d) Political.

e) Scoreboard.

f) Traffic control.

g) Windscreen.

(2) *Districts.* UVD, CMU, and LI Districts.

a) Auxiliary/public information.

b) Business entity or institution development site.

c) Community event.

d) Community service.

e) Construction.

f) Outfield.

g) Political.

h) Scoreboard.

i) Traffic control.

j) Windscreen.

(3) *Districts.* All other zoning districts.

a) Community event.

b) Community service.

c) Outfield.

d) Political.

e) Public information.

f) Scoreboard.

g) Windscreen.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011; Ord. No. 14-041, § 1, 8-18-2014)

Sec. 24-1013. Stop Orders; Revocation of Permit; Repair or Removal Required.

The City of Bellaire shall have the power to issue stop orders, to require the repair or removal of certain signs and/or to revoke sign permits, as provided in this section. In so doing, the City shall comply with all procedural requirements specified in Chapter 9 of this Code for the giving of notice, the issuance of orders, the removal of signs and storage and/or sale thereof by the City, and the conduct of hearings on permit revocations.

A. *Stop orders.* If the City shall determine that work on any sign is being performed in a dangerous or unsafe manner, upon written notice and issuance of a stop order by the City, such work shall be immediately stopped. Such notice shall be given to the owner of the property or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. However, where an emergency exists, written notice shall not be required.

Following the issuance of a stop order, the City shall initiate proceedings to revoke any permit issued for the work covered by such stop order unless the cause of the stop order is resolved to the City's satisfaction.

B. *Revocation of permit.* The City shall have, and is hereby granted, the power and authority to revoke any and all licenses or permits authorized by this Code for violation of the terms and provisions of this Code, subject to the procedural requirements of Chapter 9 of this Code for notice and hearing.

C. *Repair required.* The City is authorized to require the repair of signs within the City under the following conditions.

(1) *Damaged sign.* A damaged sign shall be repaired within ninety (90) days of receipt of notification from the City.

(2) *Sign not properly maintained.* If the City shall determine that a sign is not being maintained as required by the terms and provisions of this Code, the City shall give written notice to the owner or lessee thereof to so maintain the sign.

(3) *Unsafe signs.* Should a sign, in the opinion of the City, become insecure or in danger of falling or otherwise unsafe, the City shall give written notice of the condition of the sign to the person owning, leasing or responsible for the sign; and said person so notified shall correct the unsafe condition in a manner approved by the City and in conformity with the provisions of this Code. However, where an emergency exists, written notice shall not be required.

D. *Removal required without compensation to owner.* The City is authorized to require the removal of a sign within the City without providing compensation to its owner under the following conditions:

(1) *Sign erected without permit.* In the event a sign shall be erected within the City without a permit, when such sign shall require a permit, the City is authorized to remove said sign and to store and dispose of the same in accordance with the procedural requirements of this Code.

(2) *Unlawful sign.* Should a sign be installed, erected, constructed or maintained in violation of any of the terms of this Code, the City shall give written notice to the owner, lessee or person responsible for said sign, ordering that the sign be altered so as to comply with this Code or to remove the sign.

(3) *Destroyed or dismantled sign.* A sign which has been allowed to remain in place as non-conforming shall be removed if the sign, or a substantial part (sixty (60) percent or more) of it, is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols or other matter on the sign.

(4) *Abandoned or discontinued business.* On or after the first anniversary of the date the business, person or activity that a sign identifies or advertises ceases to operate on the premises on which the sign or sign structure is located, the City may require the removal of said sign and sign structure, provided, however, that if said premises is leased, the City may require removal of said sign and sign structure on or after the second anniversary of the date the most recent tenant ceases to operate on the premises.

E. *Removal required with compensation to owner.* In addition to the circumstances described in subsection (D) above in which the City may require removal of a sign without providing compensation

to its owner, the City is authorized to require the removal of a nonconforming sign within the City if compensation is provided as follows:

(1) The compensation is an amount computed by a board of sign control by determining a reasonable balance between the original cost of the sign, less depreciation, and the current replacement cost of the sign, less an adjustment for the present age and condition of the sign.

(2) Said board of sign control shall be composed of the following members, each appointed by the City Council for a period of two (2) years:

a) Two (2) real estate appraisers, each of whom must be a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program;

b) One (1) person engaged in the sign business in the municipality;

c) One (1) employee of the Texas Department of Transportation who is familiar with real estate valuations in eminent domain proceedings; and

d) One (1) architect or landscape architect licensed by the State of Texas.

(3) Compensation may be provided either by:

a) Abatement of City of Bellaire property taxes that would otherwise be owed on any real or personal property, except residential property, by the owner of the sign; or

b) Cash.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Sec. 24-1014. Variances and Special Exceptions.

Applications for variances and special exceptions from the terms and provisions of this article shall be heard by the board of adjustment pursuant to the provisions of Article VII of this chapter. In addition to the provisions of Article VII, Division 2, providing requirements and procedures for the granting of special exceptions, the board of adjustment may further grant a special exception from the terms and provisions of this article for the following:

(1) If strict adherence to such terms and provisions would result in a sign that is hidden or obscured from a person's field of vision when in a motor vehicle approaching and/or passing the street frontage of the property upon which the sign is located, or

(2) The allowance and use of electronic message display sign by an institution located within a residential zoned district. In any special exception granted by the Board of Adjustment pursuant to this subsection, the Board of Adjustment shall include hours of operation and any other conditions the Board of Adjustment may deem appropriate in accordance with Section 24-721.

(Ord. No. 11-059, § 2(Exh. A), 8-1-2011)

Secs. 24-1015—24-1099. Reserved.

LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

SUBTITLE A. MUNICIPAL REGULATORY AUTHORITY

CHAPTER 216. REGULATION OF SIGNS BY MUNICIPALITIES

SUBCHAPTER A. RELOCATION, RECONSTRUCTION, OR REMOVAL OF SIGN

Sec. 216.001. LEGISLATIVE INTENT. (a) This subchapter is not intended to require a municipality to provide for the relocation, reconstruction, or removal of any sign in the municipality, nor is it intended to prohibit a municipality from requiring the relocation, reconstruction, or removal of any sign. This subchapter is intended only to authorize a municipality to take that action and to establish the procedure by which the municipality may do so.

(b) This subchapter is not intended to require a municipality to make a cash payment to compensate the owner of a sign that the municipality requires to be relocated, reconstructed, or removed. Cash payment is established as only one of several methods from which a municipality may choose in compensating the owner of a sign.

(c) This subchapter is not intended to affect any eminent domain proceeding in which the taking of a sign is only an incidental part of the exercise of the eminent domain power.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.002. DEFINITIONS. In this subchapter:

(1) "Sign" means an outdoor structure, sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other thing that is designed, intended, or used to advertise or inform.

(2) "On-premise sign" means a freestanding sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises as the business, person, or activity.

(3) "Off-premise sign" means a sign displaying

advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.003. MUNICIPAL REGULATION. (a) Subject to the requirements of this subchapter, a municipality may require the relocation, reconstruction, or removal of any sign within its corporate limits or extraterritorial jurisdiction.

(b) Except as provided by Subsection (e), the owner of a sign that is required to be relocated, reconstructed, or removed is entitled to be compensated by the municipality for costs associated with the relocation, reconstruction, or removal.

(c) If application of a municipal regulation would require reconstruction of a sign in a manner that would make the sign ineffective for its intended purpose, such as by substantially impairing the sign's visibility, application of the regulation is treated as the required removal of the sign for purposes of this subchapter.

(d) In lieu of paying compensation, a municipality may exempt from required relocation, reconstruction, or removal those signs lawfully in place on the effective date of the requirement.

(e) A municipality that exercises authority under this subchapter may, without paying compensation as provided by this subchapter, require the removal of an on-premise sign or sign structure not sooner than the first anniversary of the date the business, person, or activity that the sign or sign structure identifies or advertises ceases to operate on the premises on which the sign or sign structure is located. If the premises containing the sign or sign structure is leased, a municipality may not require removal under this subsection sooner than the second anniversary after the date the most recent tenant ceases to operate on the premises. The removal of a sign or sign structure as described by this subsection does not require the appointment of a board under Section 216.004.

(f) A municipality acting under Subsection (e) may agree

with the owner of the sign or sign structure to remove only a portion of the sign or sign structure.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 87(m), eff. Aug. 28, 1989; Acts 2003, 78th Leg., ch. 865, Sec. 1, eff. Sept. 1, 2003.

Sec. 216.0035. REGULATORY AUTHORITY NOT APPLICABLE TO ON-PREMISES SIGNS UNDER CERTAIN CIRCUMSTANCES. The authority granted to a municipality by this subchapter to require the relocation, reconstruction, or removal of signs does not apply to:

(1) on-premises signs in the extraterritorial jurisdiction of municipalities in a county described by Section 394.063, Transportation Code, if the circumstances described by that section occur; and

(2) on-premises signs in a municipality's extraterritorial jurisdiction in a county that borders a county described by that law.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 54(e), eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 482, Sec. 1, eff. Aug. 30, 1993; Acts 1997, 75th Leg., ch. 165, Sec. 30.218, eff. Sept. 1, 1997.

Sec. 216.004. MUNICIPAL BOARD. (a) If a municipality requires the relocation, reconstruction, or removal of a sign within its corporate limits or extraterritorial jurisdiction, the presiding officer of the governing body of the municipality shall appoint a municipal board on sign control. The board must be composed of:

(1) two real estate appraisers, each of whom must be a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program;

(2) one person engaged in the sign business in the municipality;

(3) one employee of the Texas Department of Transportation who is familiar with real estate valuations in

eminent domain proceedings; and

(4) one architect or landscape architect licensed by this state.

(b) A member of the board is appointed for a term of two years.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 951, Sec. 2, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 165, Sec. 22(47), eff. Sept. 1, 1995.

Sec. 216.005. DETERMINATION OF AMOUNT OF COMPENSATION. (a) The municipal board on sign control shall determine the amount of the compensation to which the owner of a sign that is required to be relocated, reconstructed, or removed is entitled. The determination shall be made after the owner of the sign is given the opportunity for a hearing before the board about the issues involved in the matter.

(b) In any court proceeding in which the reasonableness of compensation is at issue and the compensation is to be provided over a period longer than one year, the court shall consider whether the duration of the period is reasonable under the circumstances.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.006. COMPENSATION FOR RELOCATED SIGN. The compensable costs for a sign that is required to be relocated include the expenses of dismantling the sign, transporting it to another site, and reerecting it. The board shall determine the compensable costs according to the standards applicable in a proceeding under Chapter 21, Property Code. In addition, the municipality shall issue to the owner of the sign an appropriate permit or other authority to operate a substitute sign of the same type at an alternative site of substantially equivalent value. Whether an alternative site is of substantially equivalent value is determined by standards generally accepted in the outdoor advertising industry, including visibility, traffic count, and demographic factors. The municipality shall compensate the owner for any increased operating costs, including increased rent, at the new location. The owner is responsible for designating an

alternative site where the erection of the sign would be in compliance with the sign ordinance.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.007. COMPENSATION FOR RECONSTRUCTED SIGN. The compensable costs for a sign that is required to be reconstructed include expenses of labor and materials and any loss in the value of the sign due to the reconstruction in excess of 15 percent of that value. The board shall determine the compensable costs according to standards applicable in a proceeding under Chapter 21, Property Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.008. COMPENSATION FOR REMOVAL OF OFF-PREMISE SIGN. (a) For an off-premise sign that is required to be removed, the compensable cost is an amount computed by determining the average annual gross revenue received by the owner from the sign during the two years preceding September 1, 1985, or the two years preceding the month in which the removal date of the sign occurs, whichever is less, and by multiplying that amount by three. If the sign has not been in existence for all of either two-year period, the average annual gross revenue for that period, for the purpose of this computation, is an amount computed by dividing 12 by the number of months that the sign has been in existence, and multiplying that result by the total amount of the gross revenue received for the period that the sign has been in existence. However, if the sign did not generate revenue for at least one month preceding September 1, 1985, this computation of compensable costs is to be made using only the average annual gross revenue received during the two years preceding the month in which the removal date of the sign occurs, and by multiplying that amount by three. In determining the amounts under this paragraph, a sign is treated as if it were in existence for the entire month if it was in existence for more than 15 days of the month and is treated as if it were not in existence for any part of the month if it was in existence for 15 or fewer days of the month.

(b) The owner of the real property on which the sign was

located is entitled to be compensated for any decrease in the value of the real property. The compensable cost is to be determined by the board according to standards applicable in a proceeding under Chapter 21, Property Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.009. COMPENSATION FOR REMOVAL OF ON-PREMISE SIGN. For an on-premise sign that is required to be removed, the compensable cost is an amount computed by determining a reasonable balance between the original cost of the sign, less depreciation, and the current replacement cost of the sign, less an adjustment for the present age and condition of the sign.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.010. METHOD OF COMPENSATION. (a) To pay the compensable costs required under this subchapter, the governing body of a municipality may use only a method, or a combination of the methods, prescribed by this section.

(b) If any sign is required to be relocated or reconstructed, or an on-premise sign is required to be removed, the municipality, acting pursuant to the Property Redevelopment and Tax Abatement Act (Chapter 312, Tax Code), may abate municipal property taxes that otherwise would be owed by the owner of the sign. The abated taxes may be on any real or personal property owned by the owner of the sign except residential property. The right to the abatement of taxes is assignable by the holder, and the assignee may use the right to abatement with respect to taxes on any nonresidential property in the same taxing jurisdiction. In a municipality where tax abatement is used to pay compensable costs, the costs include reasonable interest and the abatement period may not exceed five years.

(c) The municipality may allocate to a special fund in the municipal treasury, to be known as the sign abatement and community beautification fund, all or any part of the municipal property taxes paid on signs, on the real property on which the signs are located, or on other real or personal property owned by the owner of the sign. The municipality may make payments from that fund to

reimburse compensable costs to owners of signs required to be relocated, reconstructed, or removed.

(d) The municipality may provide for the issuance of sign abatement revenue bonds and use the proceeds to make payments to reimburse costs to the owners of signs within the corporate limits of such municipality that are required to be relocated, reconstructed, or removed.

(e) The municipality may pay compensable costs in cash.

(f) Except as prohibited by federal law, a municipality with a population of more than 1.9 million may pay the compensable costs to the owner of an on-premise sign by allowing the sign to remain in place for a period sufficient to recover the compensable cost of the sign as determined under Section 216.009, based on a determination by the municipal board of the average annual gross revenue as determined under Section 216.008 that would be generated by the sign in its specific location if the sign were used as an off-premise sign rather than an on-premise sign. During the period in which a sign remains in place under this subsection, the owner of the sign shall maintain the sign in compliance with all other regulations applicable to the sign, including structural regulations.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 51(a), eff. Aug. 28, 1989; Acts 2003, 78th Leg., ch. 865, Sec. 2, eff. Sept. 1, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 742 (H.B. 2945), Sec. 1, eff. September 1, 2007.

Sec. 216.011. TAX APPRAISAL OF PROPERTY WITH NONCONFORMING SIGN. For each nonconforming sign, the board shall file with the appropriate property tax appraisal office the board's compensable costs value appraisal of the sign. The appraisal office shall consider the board's appraisal when the office, for property tax purposes, determines the appraised value of the real property to which the sign is attached.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.012. SPECIAL PROVISIONS FOR SIGNS UNDER SIGN ORDINANCE IN EFFECT ON JUNE 1, 1985. (a) This section applies to compensation for the required relocation, reconstruction, or removal of a sign under a municipal ordinance in effect on June 1, 1985, that provided for compensation to the sign owner under an amortization plan.

(b) For a nonconforming sign erected after September 1, 1985, or for a sign in place on that date that later is made nonconforming by an extension of or strengthening of an ordinance that was in effect on June 1, 1985, and that provided an amortization plan, the amortization period is the entire useful life of the sign. If it has not already done so, the board shall determine the entire useful life of signs by type or category, such as mono-pole signs, metal signs, and wood signs. The useful life may not be solely determined by the natural life expectancy of a sign.

(c) Compensation for the relocation, reconstruction, or removal of a sign that, on September 1, 1985, was not in compliance with the sign ordinance shall be made in accordance with the applicable procedures of Section 6, Chapter 221, Acts of the 69th Legislature, Regular Session, 1985 (Article 1015o, Vernon's Texas Civil Statutes), and that law is continued in effect for this purpose.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.013. EXCEPTIONS. (a) The requirements of this subchapter do not apply to a sign that was erected in violation of local ordinances, laws, or regulations applicable at the time of its erection.

(b) The requirements of this subchapter do not apply to a sign that, having been permitted to remain in place as a nonconforming use, is required to be removed by a municipality because the sign, or a substantial part of it, is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign.

(c) For purposes of Subsection (b), a sign or substantial

part of it is considered to have been destroyed only if the cost of repairing the sign is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

(d) This subchapter does not limit or restrict the compensation provisions of the highway beautification provisions contained in Chapter 391, Transportation Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1991, 72nd Leg., ch. 14, Sec. 284(82), eff. Sept. 1, 1991; Acts 1997, 75th Leg., ch. 165, Sec. 30.219, eff. Sept. 1, 1997.

Sec. 216.014. APPEAL. (a) Any person aggrieved by a decision of the board may file in district court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed within 20 days after the date the decision is rendered by the board.

(b) On the filing of the petition, the court may issue a writ of certiorari directed to the board to review the decision of the board and shall prescribe in the writ the time within which a return must be made, which must be longer than 10 days and may be extended by the court.

(c) The board is not required to return the original papers acted on by it, but it shall be sufficient to return certified or sworn copies of the papers. The return must concisely set forth all other facts as may be pertinent and material to show the grounds of the decision appealed from and must be verified.

(d) The court may reverse or affirm, wholly or partly, or modify the decision brought up for review.

(e) Costs may not be allowed against the board unless it appears to the court that the board acted with gross negligence, in bad faith, or with malice in making the decision appealed from.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.015. EFFECT OF PARTIAL INVALIDITY. (a) The legislature declares that it would not have enacted the following without the inclusion of Section 216.010(a), to the extent that provision excludes methods of compensation not specifically

authorized by that provision:

(1) this subchapter;

(2) Section 216.902;

(3) Article 2, Chapter 221, Acts of the 69th Legislature, Regular Session, 1985 (codified as Chapter 394, Transportation Code); and

(4) the amendments made to Section 3, Property Redevelopment and Tax Abatement Act (codified as Chapter 312, Tax Code) by Article 4, Chapter 221, Acts of the 69th Legislature, Regular Session, 1985.

(b) If that exclusion of alternative methods of compensation is held invalid for any reason by a final judgment of a court of competent jurisdiction, the enactments described by Subsection (a) are void.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.220, eff. Sept. 1, 1997.

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 216.901. REGULATION OF SIGNS BY HOME-RULE MUNICIPALITY. (a) A home-rule municipality may license, regulate, control, or prohibit the erection of signs or billboards by charter or ordinance.

(b) Subsection (a) does not authorize a municipality to regulate the relocation, reconstruction, or removal of a sign in violation of Subchapter A.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 216.902. REGULATION OF OUTDOOR SIGNS IN MUNICIPALITY'S EXTRATERRITORIAL JURISDICTION. (a) A municipality may extend the provisions of its outdoor sign regulatory ordinance and enforce the ordinance within its area of extraterritorial jurisdiction as defined by Chapter 42. However, any municipality, in lieu of the regulatory ordinances, may allow the Texas Transportation Commission to regulate outdoor signs in the municipality's extraterritorial jurisdiction by filing a written notice with the commission.

(b) If a municipality extends its outdoor sign ordinance within its area of extraterritorial jurisdiction, the municipal ordinance supersedes the regulations imposed by or adopted under Chapter 394, Transportation Code.

(c) The authority granted to a municipality by this section to extend its outdoor sign ordinance does not apply to:

(1) on-premises signs in the extraterritorial jurisdiction of municipalities in a county described by Section 394.063, Transportation Code, if the circumstances described by that section occur;

(2) on-premises signs in a municipality's extraterritorial jurisdiction in a county that borders a county described by that law; and

(3) on-premises signs in the extraterritorial jurisdiction of a municipality with a population of 1.5 million or more that are located in a county that is adjacent to the county in which the majority of the land of the municipality is located.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 54(f), eff. Aug. 28, 1989; Acts 1993, 73rd Leg., ch. 482, Sec. 2, eff. Aug. 30, 1993; Acts 1995, 74th Leg., ch. 165, Sec. 22(48), eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 165, Sec. 30.221, eff. Sept. 1, 1997.

Political and Campaign Signs

Right of Way Division

Interstate and Primary Highways

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers which are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful.

TxDOT only controls the location of commercial signs, and never controls the content of any signage. If you have questions about what may be on a political sign, please contact the Texas Ethics Commission at (512) 463-5800.

Frequently Asked Questions

Where can I place political signs?
You can place your signs anywhere so long as they are:

1) not in the highway right of way;
2) not in a location that poses a safety hazard (e.g. blocking sight to a driveway); and
3) placed with the landowner's permission.

Always make sure to check with local authorities (cities, counties, etc.) as they may have their own restrictions on sign placement.

When can I place political signs?
Cities and counties may have their own time restrictions for political signs, however TxDOT does not enforce any timing restrictions.

There is a sign on private property posing a safety hazard
If you believe a sign or signs create a safety hazard, contact local law enforcement as they can have the owner remove or relocate their sign(s).

There are signs located on the Right of Way (ROW)
Signs cannot be placed on the ROW as per Texas Transportation Code §393.002. "A sheriff, constable, or other trained volunteer authorized by the commissioners court of a county may confiscate a sign placed in violation of Section 393.002." [TEX. TRANS. CODE §393.003]. For state-maintained highways, your local TxDOT district office also has the authority to remove signs located on state owned right of way.

Where is the ROW?
If you are unsure where the ROW starts or ends, you should contact your local TxDOT district office.

Online Information
This same information is available online on TxDOT's website and can be accessed by the below method:

Go to
www.txdot.gov

↓
Select "Do business"

↓
Select "Right of Way"

↓
Select "View campaign sign laws"

OR

Search Online:
"TxDOT Campaign Signs"

Contact Us

The contact information for your local TxDOT office can be found online at:

www.txdot.gov → About → TxDOT Districts

Then find your county and select the "Discover" link for specific contact information.

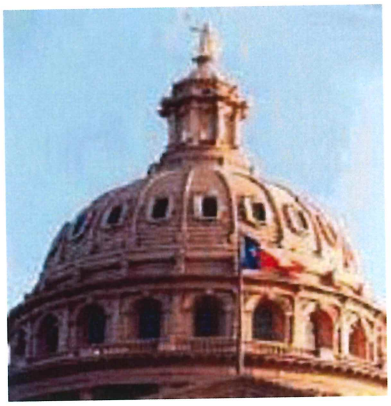
For any other questions concerning signs along Texas highways, contact the TxDOT Commercial Signs Regulatory Section:

ROW_OutdoorAdvertising@txdot.gov

or by phone:

(512) 416-3030

POLITICAL ADVERTISING
What You Need to Know



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

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

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

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

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

(512) 463-5800

TDD (800) 735-2989

Visit us at *www.ethics.state.tx.us*.

Revised July 16, 2019

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. Wis. Right to Life, Inc., 551 U.S. 449 (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 or be clearly spoken if the political advertising is audio only and does not include written text.

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

IV. Are There Any Exceptions to the Disclosure Statement Requirement?

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

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

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

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

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

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.)

6. postings or re-postings on an Internet website if the person posting or re-posting is not an officeholder, candidate, or political committee and did not make an expenditure exceeding $100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth;

7. an Internet social media profile webpage of a candidate or officeholder, if the webpage clearly and conspicuously displays the full name of the candidate or officeholder; and

8. postings or re-postings on an Internet website if the advertising is posted with a link to a publicly viewable Internet webpage that either contains the disclosure statement or is an Internet social media profile webpage of a candidate or officeholder that clearly and conspicuously displays the candidate's or officeholder's full name.

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 Notice to Political Subdivisions and School Districts.

You may not use public funds or resources for political advertising. Please see our "Publications and Guides" section of our website for more information.

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 259.001 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 or your homeowner's association. The Texas Ethics Commission does not have

jurisdiction over matters involving the location of signs, and the length of time that they may be posted.

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**

A non-incumbent may not be allowed to use the following verbiage:

Elect John Doe Attorney General	**John Doe 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 current officeholders may use the state seal in political advertising.

V. Criminal Offenses.

Be aware that many violations of the Election Code are criminal offenses. For example, unlawfully using public funds for political advertising can be a Class A misdemeanor. So can misrepresenting one's identity or office title in political advertising. For more details on these offenses and political advertising in general, see Chapter 255 of the Election Code.

POLITICAL FUNDRAISERS:
What You Need to Know



A GUIDE FOR CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES

January 1, 2026

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
www.ethics.state.tx.us
(512) 463-5800 • TDD (800) 735-2989
Promoting Public Confidence in Government

Fundraising Events

Rule No. 1

File a Campaign Treasurer Appointment

All candidates must file a campaign treasurer appointment with the proper filing authority before accepting a campaign contribution or making or authorizing a campaign expenditure, including an expenditure from personal funds.

All political committees must file a campaign treasurer appointment before accepting or spending over $1,140, and additional requirements may also apply.

Rule No. 2

No Raffles

Texas law allows only certain charitable and nonprofit organizations to conduct raffles to support their charitable causes. An unlawful raffle may constitute illegal gambling, which may carry criminal penalties.

For more information see: *texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights* on the Office of the Attorney General's website.

Rule No. 3

No Cash Contributions Over $100

Texas law prohibits a candidate, officeholder, or specific-purpose committee from accepting political contributions in cash (excluding checks) that in the aggregate exceed $100 from a single contributor in a reporting period.

Rule No. 4

Auction Activity is Reportable

Donations to a candidate or political committee at a fundraiser are campaign contributions.

An item donated to be auctioned at a fundraiser is an "in-kind" campaign contribution. The purchase of the item at the auction is also a contribution. Both the item and the purchase price must be reported as political contributions.

Rule No. 5

No Anonymous Contributions

Texas law requires filers to know the name of each contributor and the amount of each contribution, even for small contributions. Do not "pass the hat" or use a contribution jar. Depending on the filer and the amount of the contribution, additional information may be required.

Rule No. 6

No Contributions from Corporations or Labor Organizations

Texas law prohibits corporations and labor organizations from making political contributions to candidates, officeholders, and related specific-purpose committees. Contributions to GPACs are also restricted. Limited exceptions also exist.

The prohibition also applies to other organizations, such as partnerships and limited liability companies (LLC), if they are owned by a corporation or include an incorporated member or partner.

Rule No. 7

No Contributions from Foreign Nationals

The Federal Election Campaign Act (FECA) prohibits certain foreign nationals from contributing, donating, or spending funds in connection with any federal, state, or local election in the U.S., either directly or indirectly. It is also unlawful to help foreign nationals violate that ban or to solicit, receive, or accept contributions or donations from them.

Rule No. 8

No Misuse of Government Property to Campaign

Chapter 39 of the Penal Code prohibits a public servant from using government property, services, personnel, or any other thing of value belonging to the government to obtain a benefit or to harm or defraud another. The commission has held that the use of state computers to prepare campaign finance reports, or to use state resources to gather information for a campaign fundraiser, constitutes a misuse of government property.

Texas Ethics Commission

P.O. Box 12070

Austin, Texas 78711-2070

(512) 463-5800

Note: This brochure is not intended to encompass all the rules, but is intended to give a broad overview of the most common questions involving fundraisers. Be sure to check with the Texas Ethics Commission and your local municipality for any additional limits that might apply.

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

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PART I
CHARTER OF THE CITY OF BELLAIRE[1]

ARTICLE I. INCORPORATION; FORM OF GOVERNMENT CORPORATE AND GENERAL POWERS

Sec. 1. Incorporation.

The inhabitants of the City of Bellaire, Texas, within the corporate limits as now established or as hereafter established in the manner provided by this Charter, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the "City of Bellaire, Texas."

The boundaries of the City are those that have been legally established, a full description of which is available in the office of the City Clerk. These boundaries may be changed through annexation, as described in this Article.

Sec. 2. Form of Government.

The municipal government provided by this Charter shall be known as the "council-manager government." Pursuant to its provisions, and subject only to the limitations imposed by the State Constitution and by this Charter, all powers of the City shall be vested in an elective council, hereinafter referred to as "the Council," which shall enact local legislation, adopt budgets, determine policies, and appoint the City Manager, who shall execute the laws and administer the government of the City.

State law reference(s)—Form of government in home rule municipality, V.T.C.A., Local Government Code § 26.001.

Sec. 3. Powers of the City.

The City shall have all the powers granted to municipal corporations and to cities by the Constitution and laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers granted. The City may acquire property within or without its corporate limits for any City purpose in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation, and may sell, lease mortgage, hold, manage and control such property as its interests may require; may furnish municipal services, both within and without its corporate limits; and, except as prohibited by the Constitution of this State or restricted by this Charter, the City shall and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever. The City may use a corporate seal; may sue and be sued; may contract and be contracted with; may implead and be impleaded in all courts and places and in all matters whatever; may cooperate with the government of the State of Texas or any agency thereof, the Federal Government, or any agency thereof, or any

[1]Editor's note(s)—Printed herein is the Charter of the City, as amended through the election of November 7, 2017. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original document. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform. Additions made for clarity are indicated by brackets.

political subdivision of the State of Texas, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety, security and convenience of the City or its inhabitants; and may pass such ordinances as may be expedient for maintaining and promoting the peace, welfare and government of the City, and for the performance of the functions thereof.

The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City of Bellaire shall have, and may exercise, all powers of local self-government, as well as all powers enumerated for Home Rule municipalities in the Texas Local Government Code, and amendments thereto and hereafter enacted; and any other powers which, under the Constitution and laws of the State of Texas, or the United States, it would be competent for this Charter specifically to enumerate.

State law reference(s)—Home rule municipality has full powers of self government, V.T.C.A., Local Government Code § 51.072; powers of Charter municipalities, Tex. Const. art. 11, sec. 5.

Sec. 4. Special Provision for Damage Suits.

Before the City of Bellaire shall be liable for damages from any cause, the claimant, or someone in the claimant's behalf, shall give the City notice in writing within six (6) months after the occurring of the alleged injury or damage, stating specifically in such notice when, where and how the injury or damage was sustained, and setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the City for personal injury or damage to property prior to the expiration of sixty (60) days after the notice hereinbefore described has been filed with the City Manager or City Clerk.

Sec. 5. Liability of the City.

The City of Bellaire shall not be liable for personal injury or property loss or damage from any cause, including the negligence of City officials or City employees, in the performance of governmental functions, except as set forth in the Texas Civil Practices and Remedies Code, Title 5, Governmental Liability, Chapter 101 tort claims.

Sec. 6. Eminent Domain.

(a) *General Provisions.* The City shall have the right, power and authority to exercise the power of eminent domain when necessary or desirable to carry out any of the powers conferred upon it by this Charter, or by the Constitution or laws of the State of Texas, except as provided in subsection (b) and (c). The City may also exercise the power of eminent domain in any other manner authorized or permitted by the Constitution and laws of this State, or in the manner and form that may be provided by ordinance of the governing body of the City, except as provided in subsection (b) and (c). The power of eminent domain hereby conferred shall include the right of the City to take the fee in the lands so condemned; and such power and authority shall include the right to condemn public property for such purposes.

(b) *Limitations to Eminent Domain.* The City's power of eminent domain shall be limited to the taking of private property exclusively for the ownership and the use by the City, Eminent Domain shall be prohibited in those cases.

(1) in which the taking is motivated by economic development which involves the intent to resell any interest in the property acquired; and

(2) which involves a joint venture or a collaborative arrangement with a private entity.

(c) *Exceptions to Limitations.* The limitations in subsection (b) of this section are not intended to apply to:

(1) a non-adverse (or a willing and friendly) condemnation or a condemnation when the majority of partial interest owners consider the condemnation to be non-adverse; and

(2) a condemnation necessary to cure the cloud on title to real estate or any other condition where a condemnation is deemed necessary in lieu of the transfer of title from a willing seller.

State law reference(s)—Municipal power of eminent domain, procedure, V.T.C.A., Local Government Code §§ 251.001—251.002; eminent domain, V.T.C.A., Property Code § 21.001 et seq.

Sec. 7. Street Powers and Improvements.

(a) *Generally.* The City of Bellaire shall have exclusive dominion, control and jurisdiction in, upon, and over and under the public streets, avenues, alleys and highways of the City, and may provide for the improvement thereof by paving, re-paving, raising, draining, or otherwise and shall also include, but not limited to, the right to supervise, regulate and otherwise control, locate, relocate, remove, or prohibit the location of, all utility pipes, lines, wires, or other property. In addition, the City shall have the power to lay out, establish, open, alter, widen, lower, extend, grade, abandon, discontinue, abolish, close, care for, pave, supervise, maintain and improve streets, alleys, sidewalks, parks, squares, public places and bridges; and regulate and/or restrict the use thereof; and require the removal from the streets, sidewalks, alleys and other public property or places of all obstructions, trespasses and/or encroachments of every nature or character.

(b) *Limitation on the Construction of Sidewalks.* The City of Bellaire must, prior to consideration of any ordinance by the City Council for the construction of any sidewalk on any block zoned by the City for residential use, deliver by certified mail to each of the owners of real property located on such block, detailed written information consisting of the exact location of such sidewalk in relationship to all trees, landscaping, fencing, sprinkler systems, and drainage lines, and a hydrological study performed by an independent engineer not otherwise affiliated with the City or the project, such written information to be provided to each such owner on or before the date that is six (6) months prior to the City Council's consideration of the ordinance for construction of such sidewalk.

(Ord. No. 20-047, 11-16-2020)

Sec. 8. [Deleted.]

Sec. 9. Extending and Contracting City Limits by Action of the City Council.

The City Council shall have power by ordinance to fix the boundary limits of the City of Bellaire, and to provide for the extension of said boundary limits and the annexation of additional territory lying adjacent to said City, with or without the consent of the territory and/or inhabitants annexed. Upon the passage of such an ordinance by the city council one time, it shall be published in the official newspaper of the City of Bellaire one time. After at least thirty (30) days have elapsed from the date of such publication, said ordinance in original or amended form as said city council in its judgment may determine, shall be acted upon again, and if passed the territory so annexed shall thereupon become a part of the City of Bellaire, and any inhabitants thereof shall be entitled to all rights and privileges of other citizens of said City, and shall be bound by the acts, ordinances, resolutions and regulations of said City.

Any amendment to an ordinance annexing additional territory shall be advertised at least ten (10) days before final passage of the annexing ordinance, but any amendment eliminating from any such annexing ordinance property proposed to be annexed in the original ordinance or any amendment thereto need not be advertised.

Any area of the City may be disannexed pursuant to any procedure allowed under state law and whenever, in the opinion of the City Council, there exists within the corporate limits of the City a territory not suitable or

necessary for City purposes, the City Council may discontinue said territory as part of the City by ordinance after conducting a public hearing on the matter.

State law reference(s)—General authority to annex, V.T.C.A., Local Government Code, § 43.021 et seq.

Sec. 10. Sanitary Sewer System.

The City shall have the power to provide for a sanitary sewer system and to require property owners to connect their premises with such sewer system; to provide for and fix penalties for failure to make sanitary sewer connections; and shall further have the right to fix charges and compensation to be charged by the City for sewage service, and to provide rules and regulations for the collection thereof.

State law reference(s)—State law references: Relocation or replacement of water or sewer laterals, V.T.C.A., Local Government Code, § 402.901.

Sec. 11. Garbage Disposal.

The City Council shall have the right by ordinance to adopt and prescribe rules and regulations for the handling and disposition of all recycling, garbage, trash and rubbish within the City of Bellaire, and shall further have the right to fix charges and compensation to be charged by the City for the removal of recycling, garbage, trash and rubbish, and to provide rules and regulations for the collection of such charges and compensation.

Sec. 12. Indemnification of Elected Officials and City Employees.

The City shall provide for the indemnification of all elected and appointed officers and employees of the City, as well as volunteers appointed to serve the City in various capacities, against all claims, demands, causes of action and judgments that may be brought about as a result of their performance of their duties for and on behalf of the City, save and except any such claims, demands or judgments incurred by reason of willful, intentional or illegal acts. The City shall provide for the payment of the costs incurred in the defense of any such covered claims by the said officers, employees and volunteers; provided, however, that refusal to accept defense counsel as provided by the City may, at the discretion of the City, constitute a waiver of any such individual's right to indemnification.

ARTICLE II. THE COUNCIL

Sec. 1. Elections.

(a) *Compliance with Law.* All municipal elections in the City of Bellaire, whether regular or special, shall be conducted in accordance with the Texas Election Code, the federal Voting Rights Act and other applicable provisions of law. All elections shall be called by the City Council of the City of Bellaire, pursuant to the provisions of state law, and all candidates for municipal office shall comply fully with the requirements set forth in the Texas Election Code and this Charter.

(b) *Composition of Council.* The City Council shall be composed of a Mayor and six (6) Councilmen, all of whom shall be elected from the City at large.

(c) *Designation of Position.* The Councilmen shall be designated and denominated as follows:

Councilman—Position No. 1

Councilman—Position No. 2

Councilman—Position No. 3

Councilman—Position No. 4

Councilman—Position No. 5

Councilman—Position No. 6

Each candidate for municipal office shall, at the time of filing of reelection, designate the position for which the candidate is a candidate.

(d) *Terms of Office and Limitations Thereon.* Except as provided in the procedure for implementation as hereinafter set forth, the Mayor shall be elected for regular terms of two (2) years each, and Councilmen shall be elected for regular terms of four (4) years each, with the Mayor and three (3) Councilmen being elected at each regular election.

The Mayor shall not serve more than four (4) consecutive terms in that position, and no member of City Council shall serve more than two (2) consecutive terms as a Councilman. Any portion of a term served shall count as one (1) term in calculating the total number of consecutive terms served.

(e) *Election Dates.* Regular elections of the Mayor and the City Council shall be held in every odd-numbered year on the uniform election date specified by the Texas Election Code for the month of November. The Mayor shall be elected at each such election. Beginning in November of 1989 and continuing every four (4) years thereafter, Council Member-Position No. 1, Council Member-Position No. 3 and Council Member-Position No. 5 shall be elected for four (4) year terms; and beginning in November of 1991 and continuing every four (4) years thereafter, Council Member-Position No. 2, Council Member-Position No. 4 and Council Member-Position No. 6 shall be elected for four (4) year terms.

Dates for run-off elections, if any, shall be established by ordinance duly enacted by the City Council of the City of Bellaire, calling the regular election which is the basis for any such run-off as may be required.

(f) *Election by Majority Vote.* The candidate for each office who received a majority of the votes cast for that office shall be declared elected to the office. When the number of candidates for any office is more than two (2) and no candidate received a majority of the votes cast for that office at the regular election, then a run-off election for such office shall be held at a time designated by ordinance duly enacted by the City Council of the City of Bellaire, at which run-off election the names of the two (2) candidates for said office who received the largest number of votes at the regular election shall be printed on the ballot. The candidate receiving the highest number of votes at the regular election shall be placed first on the run-off ballot, and the candidate receiving the next highest number of votes shall be placed second. In the event of a tie vote between the two (2) candidates receiving the highest number of votes at the regular election, then a drawing shall be held for places on the run-off ballot. The candidate receiving a majority of the votes cast for said office at the run-off election shall be declared duly elected.

(g) *Induction of Council into Office.* Any person elected to office as Mayor or as a member of the City Council shall, prior to assuming such position, take an oath of office as prescribed by the Constitution of the State of Texas. Said oath may be taken before an officer of this State authorized to administer oaths.

All candidates elected to office at regular elections held in November of odd-numbered years shall qualify and assume the duties of office at the first regular meeting in January next following the date of the regular election.

Sec. 2. Qualifications.

To be eligible to be a candidate for, or elected to, office as Mayor or City Council Member of the City of Bellaire, or to continue to hold any such office, a person must:

(1) Be a United States citizen;

(2) Be twenty-one (21) years of age or older on the first day of the term to be filled at the election;

(3) Have not been determined mentally incompetent by a final judgment of a court;

(4) Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

(5) Have resided continuously in the State of Texas and within the corporate limits of the City of Bellaire for twelve (12) months immediately preceding the filing deadline of the regular election; and

(6) Be a qualified, registered voter of the State of Texas, County of Harris.

In addition, all candidates or persons elected to office as Mayor or City Council Member of the City of Bellaire shall meet all other requirements for office holders as may, from time to time, be specified by the Constitution and general laws of the State of Texas. If, at any time, any person holding the office of Mayor or City Council Member of the City of Bellaire no longer possesses all of the qualifications specified in this Section or is convicted of a felony or an offense involving moral turpitude while in office, such office shall, after a public hearing and determination by City Council pursuant to Section 16 be declared vacant.

Sec. 3. Stipend of Members of the City Council.

The Mayor shall receive a stipend for the Mayor's services of Four Hundred Dollars ($400.00) per month.

Each Council Member shall receive a stipend of Two Hundred Dollars ($200.00) per month.

The stipend may be changed by the Council; however, no increase shall take effect unless ratified by a majority of the voters in the next regular City election. The City shall pay or reimburse reasonable expenses incurred by the Mayor or Council Members in the performance of specific duties, limited to the amount appropriated for such expenses in the current budget.

Sec. 4. Presiding Officer—Duties of the Mayor.

The Mayor shall preside over the meetings of the City Council, and perform such other duties consistent with the office as may be imposed upon the Mayor by this Charter, and by ordinances and resolutions passed in pursuance hereof. The Mayor may participate in the discussions of all matters coming before the Council, and shall be entitled to vote as a member thereof, but shall have no veto power. The Mayor shall sign, after authorization by a majority of the City Council, all contracts and conveyances made or entered into by the City, and all bonds issued under the provisions of this Charter. The Mayor shall be recognized as the official head of the City by the courts for the purpose of serving civil process, by the Governor for the purpose of enforcing military law, and for all ceremonial purposes. In time of danger or emergency, the Mayor may, with the consent of the City Council, take command of the police and govern the City by proclamation and maintain order and enforce all laws.

Sec. 5. Mayor Pro Tempore.

The City Council shall elect a Mayor Pro Tempore, who shall act as, and have all the powers of the Mayor during the absence or disability of the Mayor, and if a vacancy should occur in the office of Mayor, shall act as, and have all the powers of the, Mayor until the next regular election, at which election a Mayor shall be elected to fill the full or unexpired term, as the case may be. The Mayor Pro Tempore's office shall not be considered vacant during any such time the Mayor Pro Tempore is acting as the Mayor.

Sec. 6. Vacancies in Council.

Vacancies in the office of Mayor, the effective date of which shall be determined in accordance with the provisions of the Texas Election Code, shall be filled by a candidate possessing all of the qualifications outlined in

Section 2 of this Article, at an election called for that purpose pursuant to the provisions of the Texas Constitution and the Texas Election Code.

In the event of a vacancy in the office of City Council Member, the effective date of which shall be determined in accordance with the provisions of the Texas Election Code, if there are 365 days or more remaining on the term of the vacated office, the City Council shall call a special election to fill such vacancy. If there are fewer than 365 days remaining in the term of the vacant office, the City Council may, by majority vote of the remaining Members of City Council, at its discretion, leave the office vacant, appoint a new Council Member to fill such vacancy or call a special election to fill such vacancy.

Sec. 7. Absence from Council Meetings.

If any member shall be absent from Council meetings for a continuous period of two (2) months, at the discretion of the Council the Council Member shall forfeit the Council Member's office, and the vacancy so created shall be filled in accordance with the provisions of this Charter.

Sec. 8. Powers.

All powers of the City and the determination of all matters of policy shall be vested in the City Council. Without limitation of the foregoing, and among the other powers that may be exercised by the Council, the following are hereby enumerated for greater certainty:

(1) Enact all ordinances;

(2) Appoint and remove the City Manager, the City Clerk, the City Attorney, and City Auditors;

(3) Establish other administrative departments and distribute the work of divisions;

(4) Adopt the budget of the City;

(5) Authorize the issuance of bonds by a bond ordinance, as provided elsewhere in this Charter;

(6) Inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs;

(7) Appoint members to various boards and commissions, as provided by ordinance;

(8) Appoint members to various boards and commissions, as provided by state law;

(9) Adopt and modify the official map of the City;

(10) Provide for the establishment and designation of fire limits and to prescribe the kind and character of buildings or structures or improvements to be erected therein, and to provide for the erection of fireproof buildings within certain limits, and to provide for the condemnation of dangerous structures or buildings or dilapidated buildings or buildings calculated to increase the fire hazard, and the manner of their removal or destruction; and

(11) Exercise all powers as shall be provided for under the Texas Property Tax Code and the general laws of this State, relating to the levy and collection of taxes.

Sec. 9. Appointment of City Manager.

The Council shall appoint an officer of the City who shall have the title of City Manager, and who shall have the powers and perform the duties provided in this Charter. No Council Member shall receive such appointment during the term for which the Council Member shall have been elected, nor within one (1) year after the expiration of the Council Member's term.

Sec. 10. Removal of City Manager.

The Council shall appoint the City Manager for an indefinite term, and may remove the City Manager at will with or without cause by a majority vote of its members.

Sec. 11. Council Not to Interfere in Appointments or Removals.

Neither the City Council nor the Mayor or any Council Member shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the City Manager or any of the City Manager's subordinates are empowered to appoint, unless otherwise provided in this Charter. Further, except for the purpose of inquiries and investigations, unless otherwise provided in this Charter, the City Council, Council Members and the Mayor shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the City Council nor Council Members nor the Mayor shall give orders to any such officer or employee, either publicly or privately.

Sec. 12. Administrative Departments.

There shall be such administrative departments as are established by this Charter and such other administrative departments as may be established by ordinance. All administrative departments, except as otherwise provided in this Charter, shall be under the control and direction of the City Manager.

Sec. 13. City Clerk.

The Council shall appoint a City Clerk of the Council. The City Clerk shall report to the City Council. The City Clerk shall give notices of its meetings, shall keep the official copy of this Charter, shall authenticate by the City Clerk's signature and record in full in a book kept for the purpose all ordinances and resolutions, and shall perform such other duties as the City Manager shall assign to the City Clerk.

Sec. 14. Municipal Court.

There is hereby established a Municipal Court of the City of Bellaire. The City Council shall appoint a Municipal Court Judge to serve a term of office of two (2) years. A Municipal Court Judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent action by the City Council, continue to serve for another term of office beginning on the date the previous term of office expired. The City Council shall appoint such other associate judge or judges as it shall determine to be necessary and appropriate, for such terms as it shall provide. Such judge(s) may be removed for incompetency, misconduct or malfeasance. The compensation for the judge(s) of the Municipal Court shall be fixed by the City Council. The City Council shall have the power to make temporary or relief appointments of Municipal Court Judges, in the event of emergencies, for shorter periods of time than provided for the term(s) of the Municipal Court Judge and associate judge(s).

All costs and fines imposed by the Municipal Court, or by any court in cases appealed from judgments of the Municipal Court, shall be paid into the city treasury for the use and benefit of the City.

Sec. 15. Meetings of Council.

The City Council shall meet regularly at such times as may be prescribed by its rules, but not less frequently than twice each month. All meetings of the Council shall be subject to the Texas Open Meetings Act; special meetings shall be called by the City Clerk upon request of the Mayor, City Manager, or a majority of the members of the Council.

Four (4) members of the Council, of whom the Mayor shall be counted as one, shall constitute a quorum for the transaction of business. The affirmative vote of four (4) members shall be required for the transaction of business. A smaller number may adjourn from time to time.

Sec. 16. Council to be Judge of Qualifications of its Members; Hearings; Process.

A. General. The Council shall be the judge of the election and qualifications of its members, and shall have the power to investigate and to remove any member for malfeasance or nonfeasance in office, after public hearing, by two-thirds (⅔) vote of the whole Council; for such purpose it shall have power to administer oaths, subpoena witnesses, compel the production of books, papers, and other evidence material to the inquiry. The City Council shall provide, by ordinance, penalties for contempt in failing or refusing to obey any such subpoena or to produce any such books, papers or other evidence. The City Council shall have the power to punish any such contempt in the manner provided by such ordinance.

B. Hearing Process for Forfeitures of Office and Prohibitions.

1. All hearings held under this subsection shall be conducted in open session, except that the City Council may conduct a closed session to get advice from its attorney pursuant to the Texas Open Meetings Act;
2. The office holder subject to any investigation and/or hearing under this Section shall be entitled to written notice of the specific allegations made against them;
3. A special meeting shall be called to hold the hearing; the office holder who is the subject of the hearing shall not sit at the dais and shall not participate in deliberation or vote; and City Council shall adopt by ordinance rules of procedures to be followed which rules shall not be amended or repealed for a particular public hearing after written notice has been provided to the office holder; except and unless, agreed to by the office holder;
4. The City Council shall state the nature of the hearing and the allegations to be considered, shall be provided the results of any investigation and a presentation of the evidence against the office holder including, but not limited to testimony from individuals; the individual who is subject to the hearing shall be provided an opportunity to respond to the allegations and present any relevant evidence including, but not limited to, testimony from individuals; and City Council may ask questions of any individual; and
5. No public comment shall be allowed unless agreed by a majority vote of the members of the City Council present and rules for public comment, if allowed, shall be set by City Council.

Sec. 17. Rules of Procedure.

The Council shall determine its own rules and order of business.

Sec. 18. Ordinances.

In addition to such acts of the Council as are required by statute or by this Charter to be by ordinance, every act of the Council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness, shall be by ordinance. The enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE."

Sec. 19. Procedure for Passage of Ordinances.

The affirmative vote of four (4) members of the Council shall be necessary to adopt any ordinance or resolution. Every ordinance shall be in written form and, upon passage, shall take effect at the time indicated

therein, or if no time be [is] specified, then immediately after passage and approval; provided that any penalty, fine or forfeiture for a violation of ordinance provisions shall become effective not less than ten days from the date of its publication. The City Clerk shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of the provisions thereof, by causing the ordinance in full or its caption, including the penalty, to be published in the official newspaper of the City of Bellaire at least one time within ten (10) days after the passage of said ordinance. The City Clerk shall note on every ordinance, the caption of or which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the Charter, the name of the newspaper and the date of such publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance; provided, that the provisions of this section shall not apply to the correction, amendment, revision and codification of the ordinances of the City for publication in book or pamphlet form. Except as otherwise provided in Section 9 of Article I, and Section 2 of Article XI of this Charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one time or considered at more than one session of the City Council. Every ordinance shall be authenticated by the signature of the Mayor and City Clerk, and shall be systematically recorded in an ordinance book in a manner approved by the Council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of Council meetings. The City Council shall have power to cause the ordinances of the City to be corrected, amended, revised, codified and printed in code form as often as the Council deems advisable, and such printed code, when adopted by the Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

Sec. 20. Investigation by Council.

The Council shall have the power to inquire into the conduct of any office, department, agency, or officer of the City and to make investigations as to municipal affairs, and for the purpose may subpoena witnesses, administer oaths, and compel the production of books, papers, and other evidence. Failure to obey such subpoena or to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a misdemeanor and shall be punishable by fine not to exceed Three Hundred ($300.00) Dollars for each offense.

Sec. 21. Independent Audit.

Prior to the end of each fiscal year, the Council shall designate a certified public accountant who, as of the end of that fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the city government, and shall submit a sworn report to the Council. Notice shall be provided on the official website of the City of Bellaire that the annual audit is on file at the City Hall for inspection. Such accountant shall have no personal interest, direct or indirect, in the fiscal affairs of the city government. They shall not maintain accounts or record of the City business, but, within specifications approved by the Council, shall post-audit the books and documents kept by the Department of Finance and any separate or subordinate accounts kept by any other office, department or agency of the city government. Such accountants may make monthly checks, or a general audit at more frequent intervals as the Council may direct.

State law reference(s)—Audit of municipal finances, V.T.C.A., Local Government Code §§ 103.001—103.004.

ARTICLE III. THE CITY MANAGER

Sec. 1. The City Manager; Qualifications.

The City Manager shall be chosen by the Council solely on the basis of the City Manager's executive and administrative qualifications with special reference to the City Manager's actual experience in, or knowledge of, accepted practice in respect to the duties of City Manager's office as hereinafter set forth.

The City Manager shall provide a fidelity bond with such surety and in such amount as the Council may require, except that such bond shall be in an amount of not less than Ten Thousand Dollars ($10,000.00). The premiums on such bond shall be paid by the City of Bellaire.

Sec. 2. The City Manager; Powers and Duties.

The City Manager shall be the chief executive officer and the head of the administrative branch of the City government. The City Manager shall be responsible to the Council for the proper administration of all affairs of the City and to that end the City Manager shall have the power and shall be required to:

(a) Appoint and remove all officers and employees of the City appointed by the City Manager, except as otherwise provided by this Charter, and except as the City Manager may authorize the head of a department to appoint and remove subordinates in such department;

(b) Prepare the budget annually and submit it to the Council and be responsible for its administration after adoption;

(c) Prepare and submit to the Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year;

(d) Keep the Council advised of the financial condition and future need of the City and make such recommendations as may seem to the City Manager desirable;

(e) Sign all documents, contracts and conveyances made or entered into by the City, and all bonds, pursuant to any relevant policy adopted by City Council, except where the City Council has authorized the Mayor to sign said document as provided for in Article II Section 4 of this Charter; and

(f) Perform such other duties as may be prescribed by this Charter or required of the City Manager by the Council, not inconsistent with this Charter.

Sec. 3. Absence of City Manager.

To perform the City Manager's duties during the City Manager's temporary absence or disability, the City Manager may designate by letter filed with the City Clerk a qualified administrative officer of the City. In the event of failure of the Manager to make such designation, the Council may by resolution appoint an officer of the City to perform the duties of the Manager until the City Manager shall return, or the City Manager's disability shall cease, or the City Manager shall be replaced.

Sec. 4. Directors of Departments.

At the head of each administrative department there shall be a director, who shall have supervision and control of the department subject to the City Manager, except as otherwise provided by this Charter.

Two or more departments may be headed by the same individual, the City Manager may head one or more departments, and directors of departments may also serve as chiefs of divisions.

Sec. 5. Departmental Divisions.

The work of each administrative department may be distributed among such divisions thereof as may be established by ordinance upon the recommendation of the City Manager.

ARTICLE IV. DEPARTMENT OF LAW

Sec. 1. Director; Appointment.

There shall be a department of law, the head of which shall be the attorney for the City, who shall be employed by the City Council.

Sec. 2. Qualifications.

The attorney for the City shall be a qualified attorney-at-law who is licensed to practice in the State of Texas, and who shall have been a practicing attorney in the State of Texas for at least five (5) years next preceding the attorney's employment.

Sec. 3. Powers and Duties.

The attorney for the City shall be the chief legal advisor of the Council, of all offices, departments, and agencies and of all officers and employees in matters relating to their official powers and duties. The attorney shall perform such other duties as may be specified by the Council, which shall fix the attorney's compensation.

ARTICLE V. THE BUDGET[2]

Sec. 1. Fiscal Year.

The fiscal year of the City government shall begin on the first day of October, and shall end on the last day of September of each calendar year. Such fiscal year shall also constitute the budget and accounting year. As used in this Article, the term "budget year" shall mean the fiscal year for which any particular budget is adopted and in which it is administered.

Sec. 2. Annual Budget.

(a) *Scope.* The annual budget must specify appropriations for capital expenditures and for expenditures directed by Council for services and for the operation of city departments, offices and agencies. It must comply with fund requirements of bond covenants.

(b) *Preparation.* The City Manager shall submit a proposed annual budget to the Council in sufficient time to permit council to review and revise it. Said budget shall be prepared by the City Manager and filed with the City Clerk not less than thirty (30) days prior to the time and the City Council adopts said budget.

(c) *Public Hearing.* A public hearing shall be held not less than fifteen (15) days subsequent to the time the budget is filed, as provided herein, but prior to the time the City Council adopts said budget and sets the tax levy. Notice of the date, time and place of such public hearing shall be published in a newspaper of general circulation not less than fifteen (15) days prior to the date of the hearing.

(d) *Adoption.* Before taxes are levied, but after a public hearing or hearings, Council shall adopt the annual budget. Council may amend the proposed budget but shall not delete or decrease appropriations required for debt service, or by law, and shall not authorize expenditures in excess of the total of estimated income plus funds available from earlier years.

[2]Editor's note(s)—Municipal budget, V.T.C.A., Local Government Code §§ 102.001—102.111.

(e) *Failure to Adopt.* If the Council fails to adopt the annual budget before the start of the fiscal year to which it applies, appropriations of the last budget adopted shall be considered as adopted for the current fiscal year on a month-to-month, pro-rata basis until the next budget is adopted.

(f) *Public Record.* The adopted budget shall be a public record. Copies shall be made available to the public, upon request, or examination and review, as shall copies of the previous year's budget for comparison purposes. A true copy of said approved budget shall be filed in the office of the County Clerk of Harris County, Texas.

ARTICLE VI. BORROWING FOR CAPITAL IMPROVEMENTS[3]

Sec. 1. Power to Incur Indebtedness by Issuing Bonds, Warrants and Notes.

The City of Bellaire shall have the right and power to borrow money on the credit of the City for any lawful public purpose, including without limitation permanent public improvements, as may be determined by the City Council, and to issue bonds, warrants, notes, or other evidence of indebtedness of the City therefor in accordance with state law.

ARTICLE VII. FINANCE ADMINISTRATION[4]

Sec. 1. Director of Finance; Appointment.

There shall be a Department of Finance, the head of which shall be appointed by the City Manager. The person appointed to head the Department of Finance shall not be the City Manager.

Sec. 2. Director of Finance; Qualifications.

The Director of Finance shall have knowledge of municipal accounting and taxation and shall have had experience in budgeting and financial control.

Sec. 3. Director of Finance; Surety Bond.

The Director of Finance shall provide a bond with such surety and in such amount as the Council may require, except that such bond shall be in an amount of not less than Ten Thousand Dollars ($10,000.00). The premiums on such bond shall be paid by the City of Bellaire.

Sec. 4. Director of Finance; Powers and Duties.

Under the direction of the City Manager, the Director of Finance shall have charge of the administration of the financial affairs of the City and to that end, the Director of Finance shall have authority and shall be required to:

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[3]State law reference(s)—Home-rule municipal authority to issue bonds, V.T.C.A., Government Code § 1331.052; Public Security Procedures Act, V.T.C.A., Government Code § 1201.001 et seq.

[4]State law reference(s)—General fiscal powers of home-rule municipality, V.T.C.A., Local Government Code § 101.022.

(1) Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to ensure that budget appropriations are not exceeded;

(2) Maintain a general accounting system for the city government and each of its offices, departments and agencies; keep books for and exercise financial budgetary control over each office, department and agency; keep separate accounts for the items of appropriation contained in the city budget, each of which accounts shall show the amount of the appropriation, the amounts paid therefrom, the unpaid obligations against it and the unencumbered balance; require reports of receipts and disbursements from each receiving and spending agency of the city government to be made daily or at such intervals as the Director may deem expedient;

(3) Submit to the City Council through the City Manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City;

(4) Prepare, as of the end of each fiscal year, a complete financial statement and report; and

(5) Collect all taxes, special assessments, license fees and other revenues of the City or for whose collection the City is responsible and receive all money receivable by the City from the state or federal government, or from any court, or from any office, department or agency of this City.

Sec. 5. Transfer of Appropriations.

The City Manager may at any time, with the approval of the Council, transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency. At the request of the City Manager, and within the last three months of the budget year, the Council may by resolution transfer any unencumbered appropriation balance or portion thereof from one office, department or agency to another.

Sec. 6. Accounting Supervision and Control.

Under the direction of the City Manager, the Director of Finance shall have the power and shall be required to:

(1) Prescribe the forms of receipts, vouchers, bills or claims to be used by all the offices, departments and agencies of the City government, with the approval of the City Council;

(2) Examine all contracts, orders and other documents by which the city government incurs financial obligations, and certify that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) Audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands or charges against the city government, and with the advice of the attorney for the City, determine the regularity, legality and correctness of such claims, demands or charges;

(4) Inspect and audit any accounts or records of financial transactions which may be maintained in any office, department or agency of the city government apart from or subsidiary to the accounts kept in the Director's office.

Sec. 7. Appropriations Lapse at End of Year.

All appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered.

Sec. 8. [Deleted.]

Sec. 9. Division of Purchases [Deleted].

Sec. 10. Sale of City Property; Procedure.

The sale or disposal of any City property shall be in accordance with laws established by the State of Texas.

Sec. 11. Purchase Procedure.

(a) All purchases made and contracts executed by the City shall be pursuant to a requisition from the head of the office, department or agency whose appropriations will be charged, and no contract or order shall be binding upon the City unless and until the City Manager certifies that there is to the credit of such office, department or agency a sufficient unencumbered appropriation and allotment balance to pay for the supplies, materials, equipment, or contractual services for which the contract or order is issued. All purchases made and contracts executed by the City shall be made in accordance with the requirements of this Charter and all applicable requirements of the constitution and statutes of the State of Texas. All contracts for purchases or expenditures must be expressly approved in advance by the City Council, except that the City Council may by ordinance confer upon the City Manager general authority to contract for expenditures without further approval of the City Council for all budgeted items the cost of which does not exceed the constitutional and statutory requirements for competitive bidding. However, (i) for purchasing insurance or employee benefits, the City shall use the request-for-proposals process described in subsection "(b)", below, in those instances when the use of competitive bidding would otherwise be required, and (ii) when letting contracts, the City shall always have the right to reject any and all bids and determine the most advantageous bid for the City.

(b) The request-for-proposals process is as follows: (i) a request for proposals must solicit quotations and must specify the relative importance of price and other evaluation factors; (ii) discussions may be conducted with proposers determined to be qualified; (iii) such qualified proposers shall be treated fairly and equally with respect to any opportunity for discussion and revision of proposals; (iv) to obtain the best final offers, revisions may be permitted after submissions.

Sec. 12. Accounting of Property.

The Director of Finance shall maintain, or cause to be maintained, reliable accounts of the City's investment in permanent property by departments, and shall fix responsibility for the custody and property use of all City owned equipment, structures, and land.

He shall be responsible for the accounting control of all permanent property of the City.

The head of each department shall be held accountable for the safekeeping of all movable equipment in the head's department.

Sec. 13. [Deleted].

Sec. 14. Accounting Control of Purchases.

All purchases made and contracts executed by the division of purchases shall be pursuant to a written requisition from the head of the office, department or agency whose appropriation will be charged, and no contract or order shall be issued to any vendor unless and until the Director of Finance certifies that there is to the credit of such office, department or agency a sufficient unencumbered balance to pay for the supplies, material, equipment or contractual services for which the contract or order is to be issued.

Sec. 15. Disbursement of Funds.

The City Council of the City of Bellaire shall adopt a written statement of policies, procedures and guidelines for the disbursement of funds from the city depository, which written statement may include, but shall not be limited to, the manual or mechanical issuance of checks, vouchers or warrants, electronic transfer of funds, the use of appropriate computer systems, and such other guidelines as shall constitute sound business and professional accounting practice.

ARTICLE VIII. TAX ADMINISTRATION REPEALED

ARTICLE IX. NOMINATIONS AND ELECTIONS REPEALED

ARTICLE X. INITIATIVE, REFERENDUM AND RECALL[5]

Sec. 1. Power of Initiative.

The electors shall have power to propose any ordinance except an ordinance appropriating money or authorizing the levy of taxes, and to adopt or reject the same at the polls, such power being known as the initiative. Any initiative ordinance may be submitted to the Council by a petition signed by qualified electors of the City equal in number to at least six percent (6%) of the number of voters registered to vote at the last general City election; provided, however, that the petition shall contain the signatures of at least two hundred (200) qualified electors of the City. Bond elections may be initiated by petition to the City Council as above provided.

Sec. 2. Power of Referendum.

The electors shall have power to approve or reject at the polls any ordinance passed by the Council, or submitted by the Council to a vote of the electors, such power being known as the referendum. Ordinances submitted to the Council by initiative petition and passed by the Council without change shall be subject to the referendum in the same manner as other ordinances. Within thirty (30) days after the enactment by the Council of any ordinance which is subject to a referendum, a petition signed by qualified electors of the City equal in number to at least six percent (6%) of the number of voters registered to vote at the last general City election may be filed with the City Clerk requesting that any such ordinance be either repealed or submitted to a vote of the electors; provided, however, that such petition shall contain the signatures of at least two hundred (200) qualified electors of the City.

Sec. 3. Form of Petitions; Committee of Petitioners.

Initiative petition papers shall contain the full text of the proposed ordinance. The signatures to initiative or referendum petitions need not all be appended to one paper, but to each separate petition there shall be attached a statement of the circulator thereof as provided by this section. Each signer of any petition paper shall sign the signer's name in ink or indelible pencil and shall indicate after the signer's name the signer's place of residence by street and number, or other description sufficient to identity the place. There shall appear on each petition the names and address of five (5) electors, who, as a committee of the petitioners, shall be regarded as responsible for

[5]Editor's note(s)—Election Code, V.T.C.A., Election Code §§ 1.001 et seq.

the circulation and filing of the petition. Attached to each separate petition paper there shall be an affidavit of the circulator thereof that the circulator, and the circulator only, personally circulated the foregoing paper, that it bears a stated number of signatures, that all signatures appended thereto were made in the circulator's presence, and that the circulator believes them to be the genuine signatures of the persons whose names they purport to be.

Sec. 4. Filing, Examination and Certification of Petitions.

All petition papers comprising an initiative or referendum petition shall be assembled and filed with the City Clerk as one instrument. Within twenty (20) days after a petition is filed, the City Clerk shall determine whether each paper of the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of qualified electors. The City Clerk shall declare any petition paper entirely invalid which does not have attached thereto an affidavit signed by the circulator thereof. If a petition paper is found to be signed by more persons than the number of signatures certified by the circulator, the last signatures in excess of the number certified shall be disregarded. If a petition paper is found to be signed by fewer persons than the number certified, the signatures shall be accepted unless void on other grounds. After completing the City Clerk's examination of the petition, the City Clerk shall certify the result thereof to the Council at its next regular meeting. If the City Clerk shall certify that the petition is insufficient the City Clerk shall set forth in the City Clerk's certificate the particulars in which it is defective and shall at once notify the committee of the petitioners of the City Clerk's findings.

Sec. 5. Amendment of Petitions.

An initiative or referendum petition may be amended at any time within ten (10) days after the notification of insufficiency has been sent by the City Clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The City Clerk shall, within five (5) days after such an amendment is filed, make examination of the amended petition and, if the petition is still insufficient, the City Clerk shall file the City Clerk's certificate to that effect in the City Clerk's office and notify the committee of the petitioners of the City Clerk's findings and no further action shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

Sec. 6. Effect of Certification of Referendum Petition.

When a referendum petition, or amended petition as defined in Section 5 of this Charter, has been certified as sufficient by the City Clerk, the ordinance specified in the petition shall not go into effect, or further action thereunder shall be suspended if it shall have gone into effect, until and unless approved by the electors, as hereinafter provided.

Sec. 7. Consideration by Council.

Whenever Council receives a certified initiative or referendum petition from the City Clerk, it shall proceed at once to consider such petition.

A proposed initiative ordinance shall be read and provision shall be made for a public hearing upon the proposed ordinance. The Council shall take final action on the ordinance not later than sixty (60) days from the date on which such ordinance was submitted to the Council by the City Clerk.

A referred ordinance shall be reconsidered by the Council and its final vote upon such reconsideration shall be upon the question, "Shall the ordinance specified in the referendum petition be repealed?"

Sec. 8. Submission to Electors.

If the Council shall fail to pass an ordinance proposed by initiative petition, or shall pass it in a form different from that set forth in the petition therefor and not agreeable to the committee of the petitioners, or if the Council fails to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the electors of the City at a special election to be held on the earliest possible uniform election date of the State of Texas, after the City Clerk certifies the submission to the City Council.

Sec. 9. Form of Ballot for Initiated and Referred Ordinances.

Ordinances submitted to vote of the electors in accordance with the initiative and referendum provisions of this Charter shall be submitted by ballot title, which shall be prepared in all cases by the attorney for the City. The ballot title may be different from the legal title of any such initiated or referred ordinance and shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance; if a paper ballot, it shall have below the ballot title the following propositions, one above the other, in the order indicated: "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE." Any number of ordinances may be voted on at the same election and may be submitted on the same ballot, but any paper ballot used for voting thereon shall be for that purpose only. If voting machines are used, the ballot title of any ordinance shall have below it the same two propositions, one above the other or one preceding the other in the order indicated, and the elector shall be given an opportunity to vote for either of the two propositions and thereby to vote for or against the ordinance.

Sec. 10. Results of Election.

If a majority of the electors voting on a proposed initiative ordinance shall vote in favor thereof, it shall thereupon be an ordinance of the City. A referred ordinance which is not approved by a majority of the electors voting thereon shall thereupon be deemed repealed. If conflicting ordinances are approved by the electors at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Sec. 11. Repealing Ordinance; Publication.

Initiative and referendum ordinances adopted or approved by the electors shall be published, and may be amended or repealed by the Council, as in the case of other ordinances.

Sec. 12. Recall: General.

The Mayor or any member of the City Council may be removed from the office by recall.

Sec. 13. Recall Procedure.

Any elector of the City of Bellaire may make and file with the City Clerk an affidavit containing the name or names of the officer or officers whose removal is sought and a statement of the grounds for removal. The Clerk shall thereupon deliver to the elector making such affidavit copies of petition blanks demanding such removal. Such blanks when issued by the City Clerk shall bear the signature of that officer and be addressed to the City Council, and shall be numbered, dated, and indicate the name of the person to whom issued. The petition blanks when issued shall also indicate the number of such blanks issued and the name of the officer whose removal is sought. The City Clerk shall enter in a record to be kept in the City Clerk's office the name of the elector to whom the petition blanks were issued and the number issued to said person.

Sec. 14. Recall Petitions.

The recall petition to be effective must be returned and filed with the City Clerk within thirty (30) days after the filing of the affidavit required in Section 13 and it must be signed by qualified electors of the City equal in number to at least fourteen percent (14%) of the number of voters registered to vote at the last general City election, and shall conform to the provisions of Section 3 herein. No petition paper shall be accepted as part of a petition unless it bears the signature of the City Clerk as required in Section 13 herein.

Sec. 15. Recall Election.

The City Clerk shall at once examine the recall petition and if the City Clerk finds it sufficient and in compliance with the provisions of this Article of the Charter, the City Clerk shall within five (5) days submit it to the City Council with the City Clerk's certificate to that effect and notify the officer sought to be recalled of such action. If the officer whose removal is sought does not resign within five (5) days after such notice the City Council shall thereupon order and fix a date for holding a recall election, the date of which shall be as soon as possible after the date the petition was presented to the City Council and at the earliest date permitted by the state election code.

Sec. 16. Ballots in Recall Election.

Ballots used at recall elections shall conform to the following requirements:

(1) With respect to each person whose removal is sought, the question shall be submitted "Shall (name of person) be removed from the office of (name of office) by recall?"

(2) Immediately below each such question there shall be printed the two following propositions, one above the other, in the order indicated:

"For the recall of (name of person)"

"Against the recall of (name of person)"

Sec. 17. Results of Recall Election.

If a majority of the votes cast at a recall election shall be against the recall of the officer named on the ballot, the officer shall continue in office for the remainder of the officer's unexpired term, subject to recall as before. If a majority of the votes cast at such an election be for the recall of the officer named on the ballot, the officer shall, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy shall be filled by the City Council as in other vacancies.

Sec. 18. Limitations on Recalls.

No recall petition shall be filed against the Mayor or a Council Member within six (6) months after the Mayor or Council Member takes office nor in respect to an officer subjected to a recall election and not removed thereby until at least six (6) months after such election.

Sec. 19. District Judge May Order Election.

Should the City Council fail or refuse to order any of the elections as provided for in this Article, when all the requirements for such elections have been complied with by the petitioning electors in conformity with this Article, then any individual with legal standing may bring suit in any court of competent jurisdiction for the purpose of enforcing the requirements of this Article.

ARTICLE XI. FRANCHISES AND PUBLIC UTILITIES[6]

Sec. 1. Powers of the City.

In addition to the City's power to buy, own, construct, maintain and operate utilities and to manufacture and distribute electricity, gas, or anything else that may be needed or used by the public (see powers made part of this Charter in Article I, Section 3), the City shall have further powers as may now or thereafter be granted under the Constitution and laws of the State of Texas.

Sec. 2. Franchises; Power of Council.

The City Council shall have power by ordinance to grant, amend, renew and extend all franchises of all public utilities of every character operating within the City of Bellaire and for such purposes is granted full power. All ordinances granting, amending, renewing, or extending franchises for public utilities shall be read at two (2) separate regular meetings of the City Council with such readings being at least ten (10) days apart, and shall not be finally passed until thirty (30) days after the first reading; and no such ordinance shall take effect until sixty (60) days after its final passage; and pending such time, the full text of such ordinance shall be published once each week for two (2) consecutive weeks in the official newspaper of the City of Bellaire, and the expense of such publication shall be borne by the proponent of the franchise. No public utility franchise shall be transferable except with the approval of the Council expressed by ordinance.

Sec. 3. Franchise Value Not to Be Allowed. [Deleted].

Sec. 4. Right of Regulation.

All grants, renewals, extensions, or amendments of public utility franchises, whether it be so provided in the ordinance or not, shall be subject to the right of the City:

(1) To repeal the same by ordinance at any time for failure to begin construction or operation within the time prescribed or otherwise to comply with the terms of the franchise, such power to be exercised only after due notice and hearing;

(2) To require an adequate extension of plant and service, and the maintenance of the plant and fixtures at the highest reasonable standard of efficiency;

(3) To establish reasonable standards of service and quality of products and prevent unjust discrimination in services or rates;

(4) a) To prescribe the form of accounts kept by each such utility; provided, that if the utility shall keep its accounts in accordance with the applicable uniform accounting standards;

b) At any time to examine and audit the accounts and other records of any such utility and to require annual and other reports, including reports on local operations by each such public utility;

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[6]State law reference(s)—General powers of municipal utility systems, V.T.C.A., Local Government Code § 402.001; certain public services and utilities in home-rule municipalities, V.T.C.A., Local Government Code § 402.002.

(5) To impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare, and accommodation of the public; and

(6) To at any time require such compensation and rental as may be permitted by the laws of the State of Texas.

Sec. 5. Consent of Property Owners.

The consent of abutting and adjacent property owners shall not be required for the construction, extension, maintenance or operation of any public utility; but nothing in this Charter or in any franchise granted thereunder shall ever be construed to deprive any such property owner of any right of action for damage or injury to the owner's property as now or hereafter provided by law.

Sec. 6. Extensions.

All extensions of public utilities within the City limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as provided in Section 4. In case of an extension of a public utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.

Sec. 7. Other Conditions.

All franchises heretofore granted are recognized as contracts between the City of Bellaire and the grantee, and the contractual right as contained in any such franchise shall not be impaired by the provisions of this Charter, except that the power of the City of Bellaire to exercise the right of eminent domain in the acquisition of any utility property is in all things reserved, and herein provided for to regulate the rates and services of a grantee which shall include the right to require proper and adequate extension of plant and services and the maintenance of the plant and fixtures at the highest reasonable standard of efficiency. Every public utility franchise hereafter granted shall be held subject to all the terms and conditions contained in the various sections of this Article whether or not such terms are specifically mentioned in the franchise. Nothing in this Charter shall operate to limit in any way, as specifically stated, the discretion of the Council or the electors of the City in imposing terms and conditions as may be reasonable in connection with any franchise grant.

Sec. 8. Franchise Records.

Every public utility and every owner of a public utility franchise shall file with the City, as may be prescribed by ordinance, certified copies of all franchises owned or claimed, or under which such utility is operated in the City of Bellaire. The City shall compile and maintain a public record of public utility franchises.

Sec. 9. Accounts of Municipally Owned Utilities.

Accounts shall be kept for each public utility owned or operated by the City, in such manner as to show the true and complete financial results of such city ownership and operation, including all assets, appropriately subdivided into different classes, all liabilities subdivided by classes, depreciation reserve, other reserves, and surplus; also revenues, operating expenses including depreciation, interest payments, rental, and other disposition of annual income. The accounts shall show the actual capital cost to the City of each public utility owned, also the cost of all extensions, additions and improvements, and the source of the funds expended for such capital purposes. They shall show as nearly as possible the cost of any service furnished to or rendered by any such utility to any other city or governmental department. The Council shall annually cause to be made by a certified public

accountant and shall publish a sworn report showing the financial results of such City ownership and operation, giving the information specified in this Section or such data as the Council shall deem expedient.

Sec. 10. Regulation of Rates and Service. [Deleted].

ARTICLE XII. GENERAL PROVISIONS

Sec. 1. Publicity of Records.

All records and accounts of every office, department or agency of the City shall be open to inspection by any citizen, any representative of a citizens' organization or any representative of the press at all reasonable times and under reasonable regulations established by the City Manager.

Sec. 2. Personal Interest.

For purposes of this Section, the term "City Official" means any individual subject to the requirements of Texas Local Government Code, Chapter 171.

It is hereby prohibited for City Council Members or a City Official to violate the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171.

State law reference(s)—Regulation of conflicts of interest, V.T.C.A., Local Government Code § 171.001 et seq.

Sec. 3. Oath of Office.

Every officer of the City shall, before entering upon the duties of the officer's office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the City Clerk:

> "I, _____ , do solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____ of the City of Bellaire, State of Texas, and will to the best of my ability preserve, protect, and defend the constitution and laws of the United States and of this State and the Charter and ordinances of this City; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected, or if the office is one of appointment, to secure my appointment. So help me God."

State law reference(s)—Official oath, Tex. Const. art. 16, sec. 1.

Sec. 4. Public Library. [Deleted].

Sec. 5. Zoning Ordinance.

For the purpose of promoting the health, safety, morals or general welfare of the City, the Council may by ordinance regulate the location, height, bulk and size, and manner of construction of buildings and other structures, the size of yards, courts and other open spaces, and density of population and the uses of buildings, structures and land for trade, industry, business, residence or other purposes. Such ordinances may provide that the Board of Adjustment may, in appropriate cases and subject to appropriate principles, standards, rules, conditions and safeguards set forth in the ordinance, make special exceptions to their general purpose and intent. Such ordinances may provide that the Board of Adjustment may authorize variances from the strict application of the regulations in such situations and subject to such limitations as may be set forth by ordinance. All of the

powers granted by Title 28, Chapter 4, Article 1011A to 1011J, both inclusive, of the 1925 Revised Civil Statutes of Texas, together with existing amendments and all amendments as hereinafter may be made relating to zoning in cities, are hereby adopted and made a part of this Charter.

Sec. 6. Provisions Relating to Assignment, Execution and Garnishment.

The property, real and personal, belonging to the City shall not be liable to be sold or appropriated under any writ of execution or cost bill. The funds belonging to the City, in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the City be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the City nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors, except as required by state or federal law.

Sec. 7. City Not Required to Give Security or Execute Bond.

It shall not be necessary in any action, suit or proceeding in which the City of Bellaire is a party, for any bond, undertaking or security to be demanded or executed by or on behalf of said City in any of the State courts, but in all such actions, suits, appeals or proceedings, same shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law, and said City shall be just as liable as if security of bond had been duly executed.

Sec. 8. Effect of This Charter on Existing Law.

All ordinances, resolutions, rules and regulations now in force under the City government of Bellaire and not in conflict with the provisions of this Charter, shall remain in force under this Charter until altered, amended or repealed by the Council after this Charter takes effect.

Sec. 9. Interim Municipal Government. [Deleted].

Sec. 10. Amending the Charter.

Amendments to this Charter may be framed and submitted to the electors of the City by a Charter commission in the manner provided by law for framing and submitting a new Charter. Amendments may also be proposed and submitted by ordinance, passed by a majority vote of the full membership of the Council, or by a petition signed by not less than twenty-five percentum (25%) of the number of those who voted at the last regular municipal election; provided, however that in the latter case the petition must bear the signatures of at least ten percentum (10%) of the qualified voters of the City. When a Charter amendment petition shall have been filed with the Council in conformity with the provisions of this Charter as to petitions for initiated ordinances, the Council shall forthwith provide by ordinance for submitting such proposed amendment to a vote of the electors. Any ordinance for submitting a Charter amendment to the electors shall provide that such amendment be submitted at the next regular municipal election. Not less than thirty (30) days prior to such election, the City clerk shall mail a copy of the proposed amendment or amendments to each qualified voter in said City as appears from the latest rolls of the tax collector. If a proposed amendment be approved by a majority of the electors voting thereon, it shall become a part of the Charter at the time fixed therein. Each amendment shall be confined to one subject; and when more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

Sec. 11. Separability Clause.

If any section or part of section of this Charter shall be held invalid by a Court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such Section or part of Section so held invalid may appear, except to the extent that an entire Section or part of Section may be inseparably connected in meaning and effect with the Section or part of Section to which such holding shall directly apply.

Sec. 12. Submission of Charter to Electors.

The Charter Commission in preparing this Charter finds and decides that it is impracticable to segregate each subject so as to permit a vote of "Yes" or "No" on the same, for the reason that the Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. For these reasons the Charter Commission directs that the said Charter be voted upon as a whole, and that it shall be submitted to the qualified voters of the City of Bellaire at an election to be held for that purpose on the 2nd day of April, A.D. 1949. If a majority of the qualified electors voting in such election shall vote in favor of the adoption of this Charter, it shall then and there become effective as the Charter of the City of Bellaire, and after the returns have been canvassed, the same shall be declared adopted, and the City Clerk shall file an official copy of the Charter with the records of the City. The Clerk shall furnish the Mayor a copy of said Charter, which copy of the Charter so adopted, authenticated and certified by the Clerk's signature and the seal of the City, shall be forwarded by the Mayor to the Secretary of State of the State of Texas and shall show the approval of such Charter by majority vote of the qualified electors voting at such election.

In not less than thirty (30) days prior to such election, the City Council shall cause the City Secretary to mail a copy of this Charter to each qualified voter of the City of Bellaire as appears from the Tax Collector's roll for the year ending January 31, preceding said election.

The original Home Rule Charter for the City of Bellaire, Texas as adopted April 2, 1949, was signed by the following Bellaire Charter Commission members, and is on file in the office of the City Clerk.

Wm. T. Burks, Chairman

R.E. Turrentine, Jr., Vice-Chairman

Richards A. Rowland, Secretary

Lawrence Davis

James G. V. Dee

Cliff Dowd

David F. Engle

W. C. Gardiner

R. S. Giles

Charles Gribble, Jr.

O. C. Luhring

R. B. Melanson

C. A. Watson

A. B. White

W. H. Winn

Sec. 13. Rearrangement and Renumbering of Charter and Elimination.

The Council shall have the power, by ordinance, to make the following non-substantive revisions to the Charter, so long as such revisions do not affect the intent of the Charter: 1) renumbering and rearranging all articles, sections, and paragraphs of this Charter or any amendments; 2) to make any grammatical or typographical corrections to this Charter; and 3) to make the Charter gender neutral. Upon the passage of any such ordinance, a copy certified by the City Clerk shall be forwarded to the Clerk of the State for filing.

CHARTER COMPARATIVE TABLE
ORDINANCES

This table shows the location of the sections of the basic Charter and any amendments thereto.

Ordinance Number	Date	Section	Section this Charter
83-022	4-18-1983	1	Art. II, § 11
		2	Art. III, § 4
		3	Art. II, § 14
		4	Art. V, § 2
		5	Art. VII, § 1
		6	Art. VII, § 4
		7	Art. VII, § 6
		8	Art. VII, § 11
		9	Art. VII, § 13
87-067	11-16-1987	1	Art. I, § 12
		2, 3	Art. II, § 1, Art. II, § 2
		4	Art. II, § 6
		5	Art. II, § 8
		6	Art. II, § 15

		7	Art. VII, § 15
		8, 9	Art. VIII, Art. IX
06-088	11- 7-2006		Art. I, §§ 3—6
			Art. II, §§ 1, 2, 8, 12
			Art. V, §§ 1, 2
			Art. VI, § 2
			Art. VII, § 4
		Rpld	Art. VII, § 9
			Art. VII, §§ 10, 11
			Art. X, §§ 8, 15
		Rpld	Art. XI, §§ 3, 10
		Rpld	Art. XII, § 4
			Art. XII, § 6
		Rpld	Art. XII, § 9
			Art. XII, § 13
Amend. of	11- 7-2017		Arts. I—XII
20-047	11-16-2020		Art. I, § 7

City of Bellaire

CITY COUNCIL
OF THE
CITY OF BELLAIRE, TEXAS

RULES OF PROCEDURE
As of May 20, 2024

RULES OF PROCEDURE
OF THE CITY COUNCIL OF THE
CITY OF BELLAIRE, TEXAS
AS OF MARCH 18, 2024

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RULES OF PROCEDURE
OF THE CITY COUNCIL OF THE
CITY OF BELLAIRE, TEXAS
AS OF MARCH 18, 2024

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RULES OF PROCEDURE
OF THE CITY COUNCIL OF THE
CITY OF BELLAIRE, TEXAS
AS OF MARCH 18, 2024

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These Rules of Procedure ("*Rules*") are adopted by the City Council of the City of Bellaire, Texas ("*City Council*"), effective as of May 20, 2024, and supersede the prior rules of procedure originally adopted February 12, 1996, together with the twelve subsequent revisions thereto. The purpose of these *Rules* is to establish an orderly and effective set of procedures for conducting the meetings of the City Council.

ARTICLE 1.

AUTHORITY

Section A. City Council Determines its Own Rules.

The Charter of the City of Bellaire, Texas, as amended November 3, 2020 ("*City Charter*"), *Article II, The Council, Section 17, Rules of Procedure;* grants to the City Council the right to determine its own rules of procedure. These *Rules* are adopted by authority of that provision.

Section B. Precedence of Authority.

The precedence of authority in all matters associated with the meetings and activities of the City Council shall be: 1) the Constitution and laws of the United States of America; 2) the Constitution and laws of the State of Texas; 3) the *City Charter*; 4) the *Code of Ordinances of the City of Bellaire, Texas* ("*City Code*"); 5) these *Rules*; and 6) *Robert's Rules of Order Newly Revised 11th Edition* ("*Robert's Rules*").

ARTICLE 2.

GENERAL RULES OF PROCEDURE AND POLICIES

Section A. Recording and Broadcasting of Meetings.

Meetings of the City Council will generally be digitally recorded, and broadcast and available for replay on the City public access television channel and the City website.

Section B. Minutes of Meetings.

Minutes of all meetings of the City Council shall be open to public inspection. Such minutes shall concisely state all matters presented to the City Council for a vote and a record of the action taken.

Section C. Quorum.

A quorum of the City Council is four (4) members, of whom the Mayor shall be counted as one. *City Charter, Article II, The Council, Section 15, Meetings of Council*. The affirmative vote of four (4) members of the City Council shall be required for any main motion to pass, except as may be specified for certain motions by applicable rule or law requiring a greater number.

Section D. Absence of Mayor.

The Mayor Pro Tempore shall act in the absence of the Mayor. *City Charter, Article II, The Council, Section 5, Mayor Pro Tempore*.

Section E. Absence of Both Mayor and Mayor Pro Tempore.

In the absence of both the Mayor and the Mayor Pro Tempore at a meeting of the City Council, the member who holds the lowest numbered City Council position (i.e., position number 1, position number 2, etc.) among the members present shall preside over the meeting in their absence.

Section F. Attendance of City Manager or Assistant City Manager.

The City Manager or Assistant City Manager, unless excused, shall attend all City Council meetings and, upon request, shall make recommendations and take part in discussion. He or she shall orally provide periodic status reports on City affairs to the City Council and the public at such meetings.

Section G. Attendance of City Attorney.

The City Attorney or his or her designee, unless excused, shall attend all City Council meetings and shall provide opinions on questions of law. He or she shall orally provide periodic status reports on non-privileged legal matters to the City Council and the public at such meetings. The City Attorney or his or her designee shall also serve as parliamentarian and advise the City Council on procedural matters when requested.

Section H. Attendance of City Clerk.

The City Clerk or his or her designee, unless excused, shall attend all City Council meetings and shall keep all official minutes, electronic files and video and audio recordings of City Council proceedings.

Section I. Attendance of City Employees and Consultants.

The City Council may request, through the City Manager, that any City employee or consultant attend City Council meetings to present information relating to business before the City Council.

Section J. Individuals Presenting to City Council.

In the event individuals shall come before the City Council to make a presentation, the Mayor shall introduce the person making the presentation or invite that person to introduce him or herself.

Section K. Rules Governing Personal/Audience Comments.

It is the desire of the City Council to hear from the residents of Bellaire and other interested persons, and to stimulate discussion of subjects that are properly a concern of the City Council. The following rules shall govern personal/audience comments at regular sessions (or, as the case may be, special sessions) of the City Council.

1. Mayor to State Rules.

Immediately preceding the opening of personal/audience comments, the Mayor shall summarize briefly the rules governing personal/audience comments.

2. Mayor Shall Recognize Individual Speakers.

All individuals desiring to address the City Council must submit to the City Clerk a request to speak on a sign-up sheet prior to the time for personal/audience comments. Each speaker must first be recognized by the Mayor and shall give his or her name. The Mayor shall recognize each individual, in turn, hearing from all who desire to comment.

3. Time Limit.

Each speaker shall have a time limit of up to five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute is left. In the event of pressing business before the City Council or matters requiring its immediate attention or action, the City Council may, prior to the opening of audience comments, set a different maximum time limit for each speaker by a vote of four (4) members of the City Council.

4. Subjects Introduced by the Public During a Meeting of City Council.

The Texas Open Meetings Act, *Texas Government Code, Chapter 551*, prohibits the City Council from fully discussing, debating, or considering subjects for which public notice has not been given on the agenda. *See Article 5, Rules Governed by Texas Open Meetings Act, Section C, Non-Agendaed Subjects Introduced During a Meeting of City Council, of these Rules.*

5. Termination of Personal/Audience Comments.

Personal/audience comments may be concluded by the Mayor. This action may be appealed or overturned by a vote of four (4) members of the City Council. The City Council may terminate personal/audience comments for a particular City Council meeting by a vote

of four (4) members of the City Council. In all cases, the Mayor shall announce the conclusion of personal/audience comments.

Section L. Written Comments.

Written comments may be submitted to the City Clerk in connection with a meeting of the City Council, in lieu of oral personal/audience comments, by residents of Bellaire and other interested persons either not in attendance or who prefer not to speak at the meeting. Such written comments must be received prior to the start of the meeting to be included in the record of the meeting. At the conclusion of personal/audience comments, the Mayor shall identify for the record all written comments received, stating the name of the commenter and concisely summarizing the subject of the comment. The City Clerk shall distribute to all members of the City Council, as soon as reasonably practicable, copies of such written comments for their consideration.

Section M. Introduction of Agenda Items.

The Mayor shall read each agenda item and, as appropriate, briefly introduce it. In the event an item provides for consideration and action on a proposed ordinance, the Mayor shall read the caption of the ordinance or a concise but complete summary thereof as it appears on the agenda.

Section N. Deliberation.

Items on the agenda shall be formally considered by motion and vote. Following a motion duly made and seconded, debate and discussion shall begin.

Section O. Mayor or Clerk to State Question.

Before any vote is taken on any question before the City Council, the Mayor or City Clerk shall restate the motion.

Section P. Mayor or Clerk to Announce the Vote.

The Mayor or the City Clerk shall, at the conclusion of the vote on each question, announce the result.

Section Q. Recording of the Vote.

All votes on any motion shall be recorded and, if not unanimous, the name of each member of the City Council voting in the minority and/or abstaining shall be clearly stated in the record.

Section R. Abstention.

An abstention from voting shall not be considered as approving or disapproving the motion. The member abstaining may state for the record his or her reasons for abstaining, but shall not be required to do so.

Section S. Conflicts of Interest.

In the event a member of the City Council shall have a conflict of interest concerning any matter to be considered, he or she must disclose the nature and extent of his or her interest prior to the consideration of the matter and recuse him or herself from all proceedings concerning that matter. After disclosing the nature and extent of his or her interest, he or she shall step down from the dais while the matter is being considered and/or acted upon by the City Council. *See City Code, Chapter 2, Administration, Article VI, Code of Ethics.*

Furthermore, if the conflict of interest involves a substantial interest in a business entity or in real property, the affected member of City Council shall file with the City Clerk, prior to the consideration of the matter, an affidavit stating the nature and extent of his or her interest and shall abstain from further participation in the matter to the extent required by *Texas Local Government Code, Chapter 171, Regulation of Conflicts of Interest of Officers of Municipalities, Counties, and Certain Other Local Governments, Section 171.004*.

Section T. Preservation of Order.

The Mayor shall preserve order and decorum, prevent the impugning of members' motives, and confine members to debate of the questions under discussion. If necessary, the Mayor shall cause to be silenced or removed from the Council Chamber any person speaking out of order or disrupting the order of the meeting.

Section U. City Manager's Weekly Memorandum.

The City Manager shall issue to the City Council a weekly memorandum concerning affairs, problems and other matters that should properly be brought to the attention of the City Council. Such memorandum shall be made available to the City Council on or before the end of each work week.

Section V. City Attorney's Legal Memoranda.

The City Attorney shall regularly issue to the City Council memoranda concerning the status of current legal matters affecting the City and advising the City Council of his or her activities on behalf of the City since the last memorandum, on an as-needed basis but no less frequently than by the close of business each Friday immediately preceding a regular session of the City Council. Such memoranda shall be subject to and protected from disclosure by the attorney-client privilege, to the extent applicable.

Section W. Amendment of Rules.

Any provisions of these *Rules* not governed by federal or state law, the *City Charter*, or the *City Code* may be amended by a vote of five (5) members of the City Council.

ARTICLE 3.

MEETINGS OF THE CITY COUNCIL

Section A. Regular Sessions.

Regular sessions of the City Council shall be held on the first and third Mondays of each month. In the event the first or third Monday of a month is a legal holiday, then the regular session that would otherwise be held on that day shall instead be held on the next Monday thereafter. Regular sessions shall begin at 6:00 p.m., or at such other hour as may be stated in the notice, and end at 9:00 p.m. unless extended one (1) additional hour to 10:00 p.m. by a vote of a simple majority of members present. Any business that cannot be concluded within the time limit established for the regular session shall be continued to the next regular session.

In addition to the regular order of business (*see Article 4, Agenda Procedure, Section E, Order of Business, of these Rules*), regular sessions (or, as the case may be, special sessions) may consist of one or more meetings, including public hearings, town hall meetings, closed meetings and the annual state of the city.

Section B. Special Sessions.

Special sessions may be called upon request of either the Mayor, the City Manager, or a majority of the members of the City Council (*City Charter, Article II, The Council, Section 15, Meetings of Council*), at times other than those specified for regular sessions or workshops, for any business that could otherwise be conducted in a regular session or for any matters that could otherwise be explored in a workshop.

Section C. Workshops.

Workshops are meetings called for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. Workshops may be called upon request of either the Mayor, the City Manager, or a majority of the members of the City Council. If called, workshops shall be held on the second Monday of the month. Workshops shall begin at 6:00 p.m., or at such other hour as may be stated in the notice, and end within three (3) hours.

1. Subject Matter.

Only a limited number of matters shall be considered by the City Council during a workshop, and sufficient time for consideration of such matters shall be provided.

2. Documents and Exhibits to be Presented.

All documents, exhibits, maps, plats, architectural drawings, specifications and other similar documents to be considered in a workshop shall be made available to the City Council at least 72 hours before the beginning of such workshop so that sufficient time may be allowed for each member of the City Council to study and be prepared to discuss such documents in the workshop.

3. Questions of a Technical Nature.

All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a workshop. The City Council may request, through the City Manager, the appearance of any City employee or outside consultant as may be necessary to secure factual answers to such technical questions.

4. No Action.

No action may be taken in a workshop. An informal motion may be made to request additional information, to schedule additional workshop(s), or to place an item on a subsequent meeting agenda. Informal motions may be passed by a vote of four (4) members of the City Council.

5. Minutes of Workshops.

Because no action may be taken, minutes are not prepared for workshops. However, the City Clerk shall create a written record of the workshop that contains a concise description of the subject matter and identifies all participants in the workshop.

6. No Audience Comments or Questions.

Audience comments or questions will not be received at a workshop.

Section D. Public Hearings.

Public hearings are meetings legally required by Texas statutes and the *City Code* to record public comment on a matter being considered by the City Council. These same statutes and ordinances also govern how the public hearings are to be conducted.

1. Reading of the Notice of the Public Hearing.

After the Mayor has called the meeting to order and announced the presence of a quorum of the City Council, the City Clerk shall read the notice and call of the public hearing. This is the same notice that was published and/or mailed to all persons entitled to written notice.

2. Summary of Procedure.

The City Manager shall be recognized to present a brief summary of the procedure to be followed during the public hearing.

3. Presentation of Proposal.

The applicant or recommending body shall be recognized to explain the proposal that is the subject of the public hearing. The presentation will be limited to 15 minutes unless a different time limit is adopted by a majority vote of the City Council.

4. Public Comment.

The Mayor will recognize speakers who have completed a sign-up sheet prior to the commencement of the public hearing. Each speaker shall have a time limit of up to five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute is left. Questions from the public shall be addressed to the Mayor, and the Mayor and members of the City Council may refer such questions to the applicant or recommending body, or to staff as appropriate.

5. Questions from Mayor and Members of City Council.

The Mayor and members of the City Council will have an opportunity to ask questions of the applicant or of staff concerning the proposal, but shall express no opinions at the public hearing.

6. Close of the Public Hearing.

At the conclusion of the public hearing, the Mayor shall announce the deadline for written public comments, as applicable, and close the public hearing.

7. Written Public Comments; Deadline.

For public hearings that are adjudicative in nature (for example, concerning applications governed by the zoning code), oral public comment on the proposal will not be received following the close of the public hearing. The public may submit written comments to the City Council prior to its final deliberation. All written comments on the application must be received in the City Clerk's office by noon on the Thursday preceding the meeting of final deliberation for inclusion in the public record of the proceedings. For public hearings that are strictly legislative in nature (for example, concerning the annual budget of the City), the foregoing limitations on public comment following the close of the public hearing shall not apply.

Section E. Town Hall Meetings.

Town hall meetings are called by the City Council to present information concerning matters of public interest and to receive public comment on such matters. They are similar

to public hearings, but are not legally required by statute or ordinance, nor is their conduct governed thereby.

1. Introduction of the Subject.

After the Mayor has called the meeting to order and announced the presence of a quorum of the City Council, the Mayor shall briefly introduce the subject of the town hall meeting.

2. Summary of Procedure.

The City Manager shall be recognized to present a brief summary of the procedure to be followed during the town hall meeting.

3. Presentation.

The City Manager or other employee, or an outside consultant as appropriate, shall be recognized to present information to the public concerning the subject of the town hall meeting.

4. Public Comment.

The Mayor will recognize speakers who have completed a sign-up sheet prior to the commencement of the town hall meeting. Each speaker shall have a time limit of up to five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute is left. Questions from the public shall be addressed to the Mayor, and the Mayor and members of the City Council may refer such questions to staff as appropriate.

5. Questions from Mayor and Members of City Council.

The Mayor and members of the City Council will have an opportunity to ask questions of staff concerning the subject of the town hall meeting, but shall express no opinions.

6. No Deliberation or Action.

The City Council shall not deliberate or take any action in a town hall meeting. At the conclusion of the meeting, the Mayor shall announce to the public the date of the meeting at which deliberation or action on the subject of the town hall meeting is anticipated, to the extent known.

Section F. Closed Meetings (Executive Sessions).

Closed meetings (commonly known as "executive sessions") are permitted only for the purposes enumerated in *Texas Government Code, Chapter 551, Open Meetings Act, Subchapter D, Exceptions to Requirement That Meetings be Open*. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the *Open Meetings Act*.

Rules governing closed meetings are addressed in *Article 5, Rules Governed by Texas Open Meetings Act, of these Rules*.

Section G. Annual State of the City.

At the City Council's first regular session in February of each year, the Mayor shall present an annual State of the City address to the public, and the City boards and commissions shall present their annual reports to the City Council and the public. *See City Code, Chapter 2, Administration, Article VII, Boards and Commissions, Section 2-104, Annual or special reports to city council.*

ARTICLE 4.

AGENDA PROCEDURE

Section A. Posting of the Agenda.

The Mayor and City Manager, or an appropriate designee, shall prepare an agenda and cause the same to be posted by the end of the day on the Thursday preceding the meeting, or as soon thereafter as reasonably practicable but not later than 72 hours in advance of the meeting. The agenda and accompanying meeting packet shall be distributed to members of the City Council and made available to the public as soon as reasonably practicable on the day of posting.

Section B. Agenda Requests.

Any member of the City Council or the City Manager may place an item on the agenda. Staff assistance, if required, should be requested through the City Manager.

No item shall be included on the agenda unless a request to include the same has been made, and all supporting materials provided, to the City Manager or City Clerk by 5:00 p.m. thirteen days prior to the date of the meeting. This provision shall not apply in the event of an emergency meeting of the City Council or the emergency addition of an item to the agenda, which are instead governed by *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.045*.

Section C. Consent Agenda.

The consent agenda may consist of any and all business regularly coming before the City Council, excluding: i) ordinances finally adopting amendments to *Chapter 24, Planning and Zoning,* of the *City Code;* and ii) ordinances adopting, amending, or otherwise relating to the budget of the City.

All items set out in the consent agenda shall be deemed passed upon the passage of an affirmative motion, by a vote of at least four (4) members of the City Council without

discussion or debate, that the consent agenda be adopted. Upon the passage of such motion, all items included in the consent agenda shall be deemed adopted as if voted upon separately and as if the caption and/or body of any ordinance therein set out shall have been read in full. The City Clerk is authorized to affix to all ordinances therein set out, consecutive numbers beginning with the first number available for new ordinances.

Upon request of any member of the City Council, items shall be removed from the consent agenda and considered separately.

Section D. City Manager Shall Provide Analysis.

The City Manager shall provide the City Council with an analysis of items requested by staff to be on the agenda, by the end of the day on the Thursday preceding the meeting, or as soon thereafter as reasonably practicable but not later than 72 hours in advance of the meeting. However, in the case of an emergency, this provision shall be suspended. Said analysis should include sufficient detail so that members of the City Council are able to make an informed decision on the matter based solely on the information provided in the analysis.

Section E. Order of Business.

The following sequence of items shall, in general, be the order of business for regular sessions (or, as the case may be, special sessions) of the City Council.

1. Call to Order.

The Mayor shall call the meeting to order.

2. Announcement of a Quorum.

The Mayor shall announce that a quorum of the City Council is present and shall state, for the record, the names of all members of the City Council that are absent.

3. Inspirational Reading and/or Invocation.

Members of the City Council will alternate reading a brief inspirational message and/or invocation.

4. Pledges of Allegiance.

The member of the City Council conducting the inspirational reading and/or invocation shall lead the Pledges of Allegiance to the United States and Texas flags.

5. Recognition of Proclamations.

6. Approval of Minutes.

The minutes of previous meetings of the City Council shall either be approved as submitted or be corrected and approved as corrected. Any member of the City Council that was absent from a particular meeting may still vote on the minutes of the meeting by relying on his fellow members of the City Council and/or by reviewing the recorded digital video recordings as to the accuracy of those minutes.

Minutes submitted for approval may properly be included in the consent agenda.

7. Personal/Audience Comments.

See Article 2, General Rules of Procedure and Policies, Section K, Rules Governing Personal/Audience Comments, of these Rules.

8. Reports.

The City Manager, City Attorney, department directors, consultants, and such others shall present reports, as needed or requested, to the City Council.

9. New Business.

In addition to agenda items to be considered individually, the consent agenda shall be handled as an item of new business.

10. Community Interest Items from the Mayor and City Council.

It is the intent of this item to provide members of the City Council the opportunity to make a report about items of community interest, which may include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; honorary recognition of City officials, employees, or other citizens or entities; reminders of upcoming events sponsored by the City or another entity that is scheduled to be attended by a City official or City employee; and announcements involving an imminent threat to the public health and safety of people in Bellaire that has arisen after the posting of the agenda.

No action may be taken on a reported item of community interest, and no possible action discussed except a proposal to place the subject on the agenda for a subsequent meeting.

See Texas Government Code, Chapter 551, Open Meetings Act, Sections 551.0415 and 551.042.

ARTICLE 5.

RULES GOVERNED BY TEXAS OPEN MEETINGS ACT

Section A. Meetings Open to the Public; Notice.

All meetings of the City Council shall be open to the public, and notices thereof shall be posted as provided under the *Texas Government Code, Chapter 551, Open Meetings Act*. Except in the case of an emergency meeting, notice of all meetings shall be given at least 72 hours in advance. *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.043*.

Section B. Notice of Emergency Meetings or Emergency Additions to Agenda.

In the event of an emergency meeting of the City Council, or an emergency addition to the agenda, notice shall be given at least two (2) hours in advance, and special notice shall be given to the news media at least one (1) hour in advance, as required by *Texas Government Code, Chapter 551, Open Meetings Act, Sections 551.045 and 551.047*.

Section C. Non-Agendaed Subjects Introduced During a Meeting of City Council.

Any inquiry made at a meeting by the public or by a member of the City Council regarding a subject for which notice has not been given on the agenda, may be responded to with a statement of factual information or a recitation of existing policy. Any deliberation or decision about the subject of inquiry shall be limited to a proposal to place the subject on a future agenda for a subsequent meeting. *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.042*.

Section D. Rules Governing Closed Meetings.

1. Convene First in Open Meeting.

The City Council may retire into a closed meeting as stated on a posted agenda during a regular or special session. Before said closed meeting begins, the Mayor shall announce in the open meeting that the City Council will be retiring into a closed meeting and shall identify the section(s) of the *Open Meetings Act* pursuant to which the closed meeting will be held. *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.101*.

2. Certified Agenda.

A certified agenda, certified by the Mayor to be a true and correct record of the proceedings, shall be sealed and kept for at least two years after the date of the closed meeting, subject to disclosure only by Court order. *Texas Government Code, Chapter 551, Open Meetings Act, Sections 551.103 and 551.104*.

3. No Action in Closed Meeting.

No action, decision, or vote shall be taken by the City Council during the closed portion of the meeting, and no subject but that posted on the agenda is to be discussed. Any action, decision, or vote on a matter deliberated in the closed meeting shall be made, and the City Council may adjourn, only during the open meeting. *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.102.*

Section E. Review and Discipline.

Complaints, charges and discipline concerning members of the City Council or City personnel reporting directly to the City Council shall be discussed in a closed meeting unless the person charged or the person against whom a complaint has been lodged shall request a public hearing. *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.074.*

ARTICLE 6.

REFERENCE: SELECTED RULES OF PARLIAMENTARY PROCEDURE

This article references some of the more commonly cited parliamentary rules, but is not intended to be an exhaustive listing, nor is it a substitute for *Robert's Rules*, which shall guide the conduct of business before the City Council except where inconsistent with federal or state law, the *City Charter*, the *City Code*, or as otherwise provided in these *Rules*.

Section A. Order of Precedence of Motions.

Robert's Rules shall prevail as to the order of precedence of motions and types of motions.

Section B. Right to the Floor.

Any member of the City Council desiring to speak shall be recognized by the Mayor and shall confine his or her remarks to the subject under consideration. No member shall speak more than once to a question until every member wishing to speak shall have spoken.

Section C. Motion to Postpone.

A motion to postpone consideration of a matter can be used by: 1) postponing the motion until a certain time; 2) postponing the motion and referring it to a committee for further investigation; or 3) postponing the motion indefinitely, which kills the motion. A motion to postpone is debatable and amendable. To postpone a motion, a motion must be made and can only be made at such time as another member of the City Council is not speaking. A simple majority vote is required for the motion to pass.

Section D. Motion to Amend a Pending Motion.

A member of the City Council who desires to modify the wording of a pending motion by adding and/or striking out words may move to amend the motion. This motion is debatable and such amendment can be passed by a vote of four (4) members of the City Council.

Section E. Substitute Motion.

A member of the City Council who desires to substitute a motion for the one being considered may make a substitute motion, which acts as an amendment to the pending motion and is itself amendable. Once the substitute motion is adopted, the vote on the original motion is not necessary, the substitute motion being the motion then on the floor.

Section F. Motion to Close Debate or to Move the Previous Question.

A motion to close debate or to move the previous question is a motion to stop debate on the pending motion. This motion can be made only at such time as no one else is speaking and the Mayor recognizes the person making the motion, and can be considered only if both sides of the issue have been presented during the debate. If this motion is made and seconded, debate stops immediately and the vote is taken on whether to close debate on the original motion. To close debate, a two-thirds (2/3) majority vote is required.

Section G. Motion to Lay a Pending Motion on the Table.

A motion to lay a pending motion on the table is a motion to temporarily set aside the pending motion. Reasons for this may include to take up a more urgent item of business or to hear a speaker who cannot stay for the disposition of the pending motion. This motion can be made only at such time as no one else is speaking and is not debatable. To lay a pending motion on the table, a vote of four (4) members of the City Council is required.

Section H. Motion to Take a Question from the Table.

A motion previously laid on the table may be taken from the table by a majority vote as soon as the interrupting business is disposed of.

Section I. Motion to Adjourn.

A motion to adjourn may be made at any time upon being recognized by the Mayor so long as no one has been previously recognized and is speaking; such a motion requires a second and it requires a majority vote to pass.

Section J. Point of Order.

A member of the City Council may raise a point of order at any time whether or not another member of the City Council is speaking. A point of order is a statement to the Mayor that a particular motion before the City Council or other matter is out of order, or to make an

inquiry of the Mayor as to parliamentary procedure. As soon as a point of order has been disposed of, the person interrupted may continue speaking.

The Mayor shall determine all points of order, subject to the right of any member of the City Council to appeal to the City Council or request a parliamentary opinion of the City Attorney. In the event of an appeal, the Mayor shall briefly state the reasons for the ruling; the decision of the Mayor may be overruled by a vote of four (4) members of the City Council.

Section K. Suspension of the Rules.

A member of the City Council may move to suspend the rules that interfere with a particular matter that is of apparent importance to the City Council. For a suspension of the rules to be accomplished, a vote of five (5) members is required. However, a motion to suspend the rules cannot interrupt an individual speaking.

Section L. Motion to Object to the Consideration of a Motion.

A member of the City Council may object to the consideration of a motion, and such objection may be made at any time prior to debate on the motion, even when another member of the City Council is speaking. It does not require a second. To stop the consideration of a motion, a two-thirds (2/3) vote of the members present is required, which in no event shall be fewer than four (4) members of the City Council.

Section M. Division of the Question.

All questions submitted for vote shall contain only one subject. If two (2) or more subjects are involved, any member of the City Council may require its division.

Section N. Request to Withdraw a Motion.

The member making the motion may request to withdraw the motion, and it is withdrawn unless an objection is raised. If a member of the City Council objects to the withdrawal of the motion, then the Mayor, upon motion, shall put the matter to an immediate vote and if four (4) members of the City Council vote to allow withdrawal of the motion, it is withdrawn.

Section O. Reconsideration of an Action of City Council.

Only a member of the City Council who voted with the majority (on the prevailing side) can make a motion to reconsider an action of the City Council. Any member can second it. Notwithstanding any conflict with *Robert's Rules* concerning the timing of such a motion, the motion to reconsider must be made no later than the next succeeding regular session, except that action relating to a contract may be reconsidered at any time before final execution thereof. No question shall be reconsidered, except by a vote of four (4) members of the City Council. The action must be stated as "reconsideration" on the agenda.

City of Bellaire

ORDINANCE NO. 25-034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, ADOPTING A STRATEGIC PLAN FOR FISCAL YEARS 2026-2028.

WHEREAS, the strategic planning process helps an organization fulfill its purpose by establishing a roadmap for directing operations and allocating resources in alignment with the organization's purpose; and

WHEREAS, the City Council of the City of Bellaire, Texas (the "City Council"), adopted a Strategic Plan for Fiscal Years 2025-2027 on April 15, 2024; and

WHEREAS, the City Council has engaged in the strategic planning process for the purpose of updating the Strategic Plan; and

WHEREAS, the work of the strategic planning process is reflected in the updated Strategic Plan attached hereto and marked Exhibit "A"; and

WHEREAS, it is the intent of the City Council to continue to revisit the Strategic Plan from time to time to evaluate progress and update strategic goals as needed to ensure continued alignment of operations and resources with its purpose.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS:

Section 1. **THAT** the recitals contained herein are found to be true and correct.

Section 2. **THAT** the updated Strategic Plan, attached hereto and marked Exhibit "A," is adopted as the Strategic Plan of the City for Fiscal Years 2026-2028.

Section 3. **THAT** this Ordinance shall be effective immediately upon its passage and adoption.

PASSED, APPROVED, and **ADOPTED** this 19th day of May, 2025.

SIGNED:

Gus E. Pappas
Mayor

ATTEST:

CITY OF BELLAIRE TEXAS

Tracy L. Dutton, TRMC
City Clerk

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

EXHIBIT "A"

Strategic Plan

STRATEGIC PLAN

FY2026-2028







City of Bellaire

7008 South Rice Avenue | Bellaire, Texas 77401 | bellairetx.gov

City of Bellaire Strategic Plan

Strategic planning helps an organization fulfill its purpose by establishing a roadmap for directing operations and allocating resources in alignment with that purpose. The City of Bellaire has adopted this Strategic Plan to establish a three-year roadmap focused on five strategic goals supported by strategies and projects that help us fulfill our purpose. The City Council will revisit this plan from time to time to evaluate our progress and make updates as needed to ensure continued alignment of operations and resources with our purpose.

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Our Purpose

The City of Bellaire's purpose is to enhance the quality of life for its citizens by providing services and amenities that make Bellaire a great place to live, work, play, and raise a family.

Strategic Goals

To fulfill our purpose, the City Council will provide policy direction and allocate resources to advance five strategic goals:

Community

Through city services, programs, amenities, and partnerships, actively promote and cultivate a sense of community, unity, and togetherness while celebrating, respecting, and valuing diversity.

Governance

Oversee and ensure the delivery of municipal services in an efficient, responsive, consistent, fair, equitable, transparent, inclusive, environmentally-conscious and fiscally-sound manner by governing through clear policy direction and supporting the city manager and staff with the resources necessary to do their jobs well.

Infrastructure and Asset Management

Maintain reliable services by taking a long-term, programmatic, and financially-sustainable approach to infrastructure and asset maintenance, replacement, and improvement.

Public Safety

Deliver responsive and visible public safety services that protect people and property, deter crime, and foster a sense of safety and well-being.

Land Use and Zoning

Set a long-term land use and zoning vision for the city that protects our neighborhoods and enhances our commercial areas, with predictable expectations and standards for development activities, and consistent enforcement of zoning regulations.



Community

Through city services, programs, amenities, and partnerships, actively cultivate a sense of community, unity, and togetherness while celebrating, respecting, and valuing diversity.

Strategies	Projects
Provide a diverse mix of community events, programs, and amenities that meet the needs of our residents and are accessible to all.	• Explore options for dedicated funding for park land acquisition and improvements to create and expand park amenities in all neighborhoods • Renovate Recreation Center exterior entrance, access to Loftin Park, and the Recreation Center/BFAC parking lot for ADA and safety • Update the Parks Master Plan (2015-2025) • Install an all-access, inclusive playground at Evergreen Park • Develop a phasing plan and associated funding to implement Evergreen Park Master Plan • Update the Evergreen Park Master Plan • Enhance the library lawn to enable greater use (e.g., install power supply) • Send YAB to annual TML youth council summit • Host annual teen mixer • Host annual teen internship fair for summer learning opportunities • Develop a volunteer program for increased citizen engagement
Nurture positive, productive relationships with community partners and government agencies.	• Review cooperative agreements with governmental entities to ensure service needs are addressed • Explore opportunities to enhance relationship with HISD
Improve communication with citizens, businesses, and organizations.	• Publish ordinances and resolutions on the city website • Create a GIS-based map on the city website for interactive communication regarding city projects and emergency events • Refresh website • Establish video/public service announcement production • Update city cable channel software and content
Enhance the City's image and promote Bellaire through recognition of excellence, service awards, certifications, and accreditations.	• Complete the American Public Works Association Accreditation Program
Implement a common appearance for city resources to promote a unified city.	• Make improvements to entryway signage and features that are consistent throughout the city • Adopt a unified landscape plan for city facilities and entryways • Rebrand remaining city vehicles that do not have current branding • Re-establish the streetlight banner program



Governance

Oversee and ensure the delivery of municipal services in an efficient, responsive, consistent, fair, transparent, inclusive, environmentally-conscious and fiscally-sound manner by governing through clear policy direction and supporting the city manager and staff with the resources necessary to do their jobs well.

Strategies	Projects
Ensure administrative programs, policies, and procedures promote efficient, transparent, fiscally-sound governance.	• Create and implement a records retention program • Create and implement a document management system • Create and implement form contracts and bid documents • Create and implement a contracts management system • Review and update employment policies and procedures • Update ERP user policies and procedures to reflect migration to Incode 10 • Update revenue and expenditure manuals to reflect new chart of accounts • Review and update the Enterprise Fund structure • Review and update the Comprehensive Financial Management Policy Statement (CFMPS)
Implement digital transformation throughout the city.	• Implement a work order system for Public Works • Implement a work order system for Facilities • Implement handheld units for Public Works field crew to log work and update GIS • SCADA improvements: replace controller hardware • SCADA improvements: add automation to City infrastructure • Configure and implement workflows in Incode 10 to increase efficiency • Migrate Courts to Incode 10 • Install a Radio Frequency Identification (RFID) system and self-checkout kiosks at the library • Implement mobile app for the library
Evaluate environmental impact of city services and facilities.	• Identify opportunities to incorporate hybrid vehicles into fleet • Conduct an energy and water audit at city facilities and parks • Recommend solutions for energy optimization and resiliency for city infrastructure
Ensure employees have the tools, skills, and opportunities to succeed.	• Create and implement a workplace safety program • Build a repository of training videos • Create a communications internship program • Develop a wellness program for police officers focused on mental health, stress management, peer support, resilience training, and physical fitness • Conduct an employee survey • Evaluate and select an online training library for staff
Ensure responsiveness to citizens.	• Implement city-wide customer service training • Identify and implement customer service metrics for city services • Track and report data regarding customer service metrics



Infrastructure and Asset Management

Maintain reliable services by taking a long-term, programmatic, and financially-sustainable approach to infrastructure and asset maintenance, replacement, and improvement.

Strategies	Projects
Ensure infrastructure, facilities, vehicles, and equipment are reliable now and in the future, meeting established level of service goals.	• Design and build Cypress Ditch project and associated detention • Field verify utility GIS data • Complete priority waterline replacement project • Design and build new Bellaire lift station • Assess library facility and identify potential improvements • Evaluate feasibility of installing GPS in all city vehicles • Assess and rate current roadway conditions and prioritize roadway repairs throughout the city • Install well meters and automation • Develop water system model for system optimization • Install a backup generator and automatic transfer switch at City Hall • Install a backup generator and automatic transfer switch at Feld Park groundwater plant • Evaluate and replace old flooring in active areas of the recreation center with the primary focus on the fitness room and the exercise room • Replace reserve fire engine • Replace second EMS unit • Create and implement an air pack ensemble replacement plan based on NFPA/TCFP standards • Paint the restaurant facility at Evelyn's Park • Resurface and repaint water storage tanks to meet TCEQ requirements • Replace tennis court and softball field lights at Feld Park and add a 30' netting between tennis courts and houses • Replace tennis court lights at Mulberry Park • Purchase mobile generators and install generator hook ups at lift stations • Design and construct renovations to Public Works facility • Implement pavement maintenance plan • Implement drainage maintenance plan • Implement sanitary sewer flushing program • Assess feasibility of dead-end flushing automation • Interfile library fiction collection • Refresh library shelving and furniture
Mitigate the impacts of development and re-development on public infrastructure.	• Establish standard design criteria for water, wastewater, and stormwater infrastructure • Create a Standard Design Criteria Manual for site civil design

Public Safety

Deliver responsive and visible public safety services that protect people and property, deter crime, and foster a sense of safety and well-being.

Strategies	Projects
Enhance public safety through increased police presence and improved police, fire, and EMS services.	• Review city's ISO rating and develop a plan to maintain or improve it • Establish a Fire Prevention Bureau • Update Fire Department inspection checklists • Conduct community survey regarding policing • Explore opportunities to partner with other entities for patrol of I-610
Protect personnel, assets, and data.	• Update Fire Station security camera system
Enhance public safety through traffic and roadway improvements.	• Improve traffic signalization and mobility through Intelligent Traffic System implementation • Adopt a Sidewalk Plan that establishes criteria for assessing needs and prioritizing work in alignment with city charter requirements • Develop and implement a sidewalk maintenance program • Develop and implement a program to regularly inspect and restripe streets • Develop and implement a program to regularly maintain and replace traffic control devices • Develop and implement a program to regularly inspect and replace street signs
Continuously improve Emergency Operations Center activities and response.	• Develop a city-specific emergency operations plan • Update visual messaging templates for EOC activations







Land Use and Zoning

Set a long-term land use and zoning vision for the city that protects our neighborhoods and enhances our commercial areas, with predictable expectations and standards for development activities, and consistent enforcement of zoning regulations.

Strategies	Projects
Ensure proper land use and planning and facilitate development and redevelopment in compliance with city ordinances and standards.	• Update zoning and land use regulations to conform with the updated Comprehensive Plan • Adopt 2024 International Code Council (ICC) codes
Ensure compliance with floodplain management standards.	• Establish a community awareness and education program for floodplain management and flood mitigation
Ensure residents can experience the peaceful enjoyment of their homes.	• Complete a lighting assessment as part of Parks Master Plan update to reduce light trespass
Encourage and enforce city code compliance in a manner that is timely and does not preference or prioritize one citizen's or group of citizens' interests above another.	• Evaluate regulations in regard to short-term rental properties
Promote greenspace and trees.	• Identify opportunities to incorporate passive recreation, greenspace, and trails into stormwater drainage projects • Establish a partnership with one or more local nurseries to expand tree canopy through voluntary planting/tree dedication program • Install irrigation, drainage, and trees in Loftin Park





Projects completed in FY 2025

Community

Provide a diverse mix of community events, programs, and amenities, that meet the needs of our residents and are accessible to all.

- Evaluate the city facility use policies and procedures and improve the permit application process
- Review special event policies and procedures and improve the permit application process
- Collaborate with L.I.F.E. to expand programs for older adults
- Expand library programs for families
- Explore opportunities to serve homeschool students
- Establish a Youth Advisory Board
- Create stakeholder advisory committee for development of the Evergreen Park inclusive playground

Improve communication with citizens, businesses, and organizations.

- Hold annual town hall meeting
- Hold neighborhood meetings
- Create customer feedback opportunities at points of service

Enhance the City's image and promote Bellaire through recognition of excellence, service awards, certifications, and accreditations.

- Complete the Texas Police Chiefs Association Accreditation Program
- Become a Superior Rate Public Water System with TCEQ

Implement a common appearance for city resources to promote a unified city.

- Adopt a brand and style guide
- Implement a uniform policy for customer-facing staff
- Review marketing and display materials for compliance with brand and style guide
- Utilize banners and table coverings at outreach events in compliance with brand and style guide

Governance

Ensure administrative programs, policies, and procedures promote efficient, transparent, fiscally-sound governance.

- Work with financial advisor to develop funding opportunities for capital projects

Implement digital transformation throughout the city.

- Implement a work order system for Public Works
- Implement a work order system for Facilities
- Evaluate the feasibility of digital memberships for the recreation center and pool

Evaluate environmental impact of city services and facilities.

- Develop a program and tools to facilitate regulatory compliance
- Update the City's MS4 Permit
- Update the City's Water Conservation Plan and Drought Contingency Plan
- Evaluate HVAC set points in City facilities for comfort and energy efficiency
- Increase opportunities for recycling in city facilities and parks
- Install solar power system at City Hall

Projects completed in FY 2025

Governance *continued...*

Ensure employees have the tools, skills, and opportunities to succeed.

- Implement improved employee performance evaluation tool
- Train staff on use of Incode 10
- Identify employee purpose statement and core values
- Train staff on purpose statement and core values

Ensure responsiveness to citizens.

- Adopt a customer service policy

Ensure costs for service are captured.

- Develop a five-year enterprise fee schedule for predictable rates and funding between cost-of-service studies

Infrastructure and Asset Management

Ensure infrastructure, facilities, vehicles, and equipment are reliable now and in the future, meeting established level of service goals.

- Identify a location, make necessary site investigations, and obtain a preliminary concept plan for a new Public Works facility
- Establish a storm sewer surveying and cleaning program
- Evaluate type and size of rolling stock needed to support Public Works service delivery
- Replace the chlorine storage building at Central groundwater plant
- Establish a Fats, Oils, and Grease (FOG) Program to protect the wastewater system from blockages and sanitary sewer overflows

Mitigate the impacts of development and re-development on public infrastructure.

- Implement water tap fees to recover all installation costs (e.g., long tap)

Public Safety

Enhance public safety through increased police presence and improved police, fire, and EMS services.

- Review policing procedures to ensure regular patrolling of all neighborhoods
- Staff second EMS unit

Protect personnel, assets, and data.

- Complete installation and implementation of enhanced safety and security measures at the recreation center and the library

Continuously improve Emergency Operations Center activities and response.

- Evaluate EOC staff assignments to align needs and skills
- Develop and implement quarterly training program for EOC staff

Projects completed in FY 2025

Land Use and Zoning

Ensure proper land use and planning and facilitate development and redevelopment in compliance with city ordinances and standards.

- Engage a consultant to help attract and retain desired commercial development and foster public-private partnerships

Ensure residents can experience the peaceful enjoyment of their homes.

- Evaluate the impact of amended noise and light ordinances

Encourage and enforce city code compliance in a manner that is timely and does not preference or prioritize one citizen's or group of citizens' interests above another.

- Create a report detailing code compliance complaints by type, response time, and outcome (voluntary compliance or enforcement)
- Evaluate existing tools to promote code compliance and identify ways to improve compliance
- Crosstrain Development Services staff to assist with code compliance

Acknowledgements

We thank the members of the City Council and staff leadership team who contributed to this Strategic Plan.

City Council

Mayor Gus E. Pappas
Mayor Pro Tem Winfred C. Frazier
Council Member Catherine Lewis
Council Member Ross Gordon
Council Member Cindy Cohen Taylor
Council Member Brian Witt
Council Member Jackie Georgiou

Staff Leadership Team

Sharon Citino, City Manager
Jorge Aguirre, Information Technology Director
Chris Arrowood, Library Director
Terrence Beaman, Chief Financial Officer
Cheryl Bright, Community Relations Administrator
Tracy Dutton, City Clerk
Melanie Glaze, Human Resources Director
Beth Jones, Assistant City Manager
Onesimo Lopez, Police Chief
Ryan Smith, Parks, Recreation, and Facilities Director
Travis Tanner, Development Services Director
Deacon Tittel, Fire Chief
Mark Velasquez, Public Works Director

I. Form of Government

Cities may have one of five forms of government (i.e., Home Rule, Special Law, Type A, Type B, or Type C), the form of which is usually based on size (i.e., population). For example, cities with 5,000 or more citizens may, by a majority vote of qualified voters at an election held for that purpose, adopt a charter and become a "home rule" form of government. The City of Bellaire held an election, adopted a Home Rule Charter, and became a Home Rule City on April 2, 1949.

The above-referenced Home Rule Charter, known as the *Charter of the City of Bellaire, Texas ("Charter")*, was last amended by Ordinance No. 20-047 on November 16, 2020. In addition to the Home Rule form of government, the Charter provides for a council-manager government.

The Charter also provides that the City Council . . . *shall enact local legislation, adopt budgets, determine policies, and appoint the City Manager, who shall execute the laws and administer the government of the City. (Charter, Article I, Incorporation; Form of Government, Corporate and General Powers, Section 2, Form of Government).*

II. City Council Meetings

In accordance with the Charter and the *Rules of Procedure of the City Council of the City of Bellaire, Texas,* as of May 20, 2024 ("Rules of Procedure"), **regular sessions** of the City Council shall be held on the first and third Mondays of each month, at 6:00 p.m. or at such other hour as may be stated in the notice of the meeting, and end at 9:00 p.m. unless extended by one (1) additional hour to 10:00 p.m. by a vote of a simple majority of members present. Any business that cannot be concluded within the time limit established for the regular session shall be continued to the next regular session. If the first or third Monday of the month is a legal holiday, the regular session that would otherwise be held on that day shall instead be held on the following Monday.

Special sessions may be called upon request of either the Mayor, the City Manager, or a majority of the members of the City Council, at times other than those specified for regular sessions or workshops, for any business that could otherwise be conducted in a regular session or for any matters that could otherwise be explored in a workshop.

Workshops are meetings called to conduct a detailed and thorough exploration of matters that may properly come before the City Council. Workshops may be called upon at the request of either the Mayor, the City Manager, or a majority of the City Council members. If called, workshops shall be held on the second Monday of the month. Workshops shall begin at 6:00 p.m., or such other hour as may be stated in the notice and end within three (3) hours.

Public hearings are meetings legally required by Texas statutes and the *Code of Ordinances of the City of Bellaire, Texas,* to record public comment on a matter being considered by the City Council. These same statutes and ordinances also govern the conduct of public hearings.

Town hall meetings are called by the City Council to present information on matters of public interest and to receive public comments on such matters. They are similar to public hearings, but are not legally required by statute or ordinance, nor is their conduct governed thereby.

Closed meetings (commonly known as "executive sessions") are permitted only for the purposes enumerated in the *Texas Government Code, Chapter 551, Open Meetings Act, Subchapter D, Exceptions to Requirement That Meetings be Open*. Disclosure of topics to be discussed shall be made to the public per the requirements of the *Open Meetings Act*.

An **emergency session** may be called in the event of an emergency or urgent public necessity, provided it is noticed at least two hours before the scheduled session. All other sessions currently require a 72-hour notice.

Notice of meetings is given in the form of an **agenda** listing the order and type of business to be conducted by the City Council and posted on the City's official bulletin board located on the south side of the building near the front entrance to City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401-4411. The agenda is also posted on the City's website (www.bellairetx.gov).

The Rules of Procedure referenced above were adopted to establish an orderly and effective method for conducting the official business of the City during meetings.

Each member of the City Council shall receive a stipend of two hundred dollars ($200.00) per month for their services. The Mayor shall receive a stipend for services of four hundred dollars ($400.00) per month (*Charter, Article II, The Council, Section 3, Stipend of members of the City Council).*

III. City Council Action

The City Council takes formal, official action expressed in writing on a subject matter in the form of an "ordinance" or a "resolution." An "ordinance" is a formal, authoritative action *usually* required to regulate persons or property and *required* to pass a regulation in which penalties, fines, or forfeitures may be assessed as a result of a violation of said ordinance. In addition, every act of the City Council providing for the expenditure of funds or the contracting of indebtedness shall be by ordinance. A "resolution" may be used to express an opinion, to govern a procedure, and to direct the performance of any ministerial functions the City Council may have.

The affirmative vote of four members of the City Council shall be necessary to adopt any ordinance or resolution. The City's ordinances, which contain penalty clauses, have been codified into a manual known as the *Code of Ordinances of the City of Bellaire, Texas ("Code").* The City's codifier updates an online version of the Code. The online version may be viewed through the City's website (www.bellairetx.gov).

IV. City Departments

The City Council appointed Sharon Citino to serve as City Manager by Ordinance No. 22-043, adopted on July 11, 2022, and effective as of August 15, 2023.

Ms. Citino manages 196.5 full-time equivalent positions in the following departments:

1. City Manager's Office;
2. Development Services;
3. Finance;
4. Fire;
5. Human Resources;
6. Information Technology;
7. Library;
8. Municipal Court;
9. Parks, Recreation, and Facilities;
10. Police; and
11. Public Works.

The City Manager, City Clerk, City Attorney, Presiding Judge, Associate Judge, Assistant City Attorney/Prosecutor, and Deputy Assistant City Attorneys/Deputy Prosecutors are appointed by and report directly to the City Council.

V. Boards and Commissions

The City Council has established various boards and commissions through ordinances or resolutions. Applications for appointment and reappointment to serve on one of the boards or commissions are generally accepted from February until May of each year. Applicants are then interviewed in June and appointed in June or July.

A brief description of the creation, authority, purpose, and terms of the various boards and commissions is set forth below. Boards and commissions are listed in order of their creation date.

Board of Adjustment

The Board of Adjustment ("Board") was **created,** in its original form, by Ordinance No. 115 on **May 7, 1939,** under the *Texas Local Government Code, Title 7, Regulation of Land Use, Structures, Businesses, and Related Activities, Subtitle A, Municipal Regulatory Authority, Chapter 211, Municipal Zoning Authority, Section 211.008, Board of Adjustment*. Ordinance No. 115 has been codified in the Code under *Chapter 2, Administration, Article VII, Boards and Commissions, Division 2, Boards and Commissions Governed by State Law, Section 2-112, Board of adjustment*.

The Board is comprised of seven members. The members are appointed by ordinance and serve a term of two years. These seven members consider applications for variances or special exceptions to the City's zoning ordinances and hear testimony on the applications.

The Board meets on the third Thursday of each month at 6:00 p.m. and in special meetings at the Chair's call. The meetings are held in the Council Chamber located on the First Floor of the Bellaire City Hall.

Planning and Zoning Commission

The Planning and Zoning Commission ("Commission") was **created,** in its original form, by Ordinance No. 115 **on May 7, 1939**. Ordinance No. 115 has been codified in the Code under *Chapter 2, Administration, Article VII, Boards and Commissions, Division 2, Boards and Commissions Governed by State Law, Section 2-114, Planning and zoning commission.* The Planning and Zoning Commission is also governed by state law (*Texas Local Government Code, Title 7, Regulation of Land Use, Structures, Businesses, and Related Activities, Subtitle A, Municipal Regulatory Authority, Chapter 211, Municipal Zoning Authority, Section 211.007, Zoning Commission*).

The Commission is comprised of seven members. The members are appointed by ordinance and serve a term of two years. These seven members make recommendations to the City Council regarding the physical development of the City, including the Comprehensive Plan that serves as the basis for the City's zoning regulations. They also review and approve applications for subdivision plats and replats, as well as review and recommend applications for zoning changes to the City Council.

The Commission meets the second Thursday of every month at 6:00 p.m. and in special meetings at the call of the Chair in the Council Chamber located on the First Floor of the Bellaire City Hall.

Building and Standards Commission

The Building and Standards Commission ("Commission") was **created** by Ordinance No. 2076 on **January 6, 1975**, under the *Texas Local Government Code, Title 2, Organization of Municipal Government, Subtitle D, General Powers of Municipalities, Chapter 54, Enforcement of Municipal Ordinances, Subchapter C, Quasi-Judicial Enforcement of Health and Safety Ordinances, Section 54.033, Building and Standards Commission*. Ordinance No. 2137 has been codified in the Code under *Chapter 2, Administration, Article VII, Boards and Commissions, Division 2, Boards and Commissions Governed by State Law, Section 2-113, Building and standards commission.*

The Commission is comprised of seven members. The members are appointed by ordinance and serve a term of two years. These seven members review the administrative actions of the Building Official, consider variances to specific regulations within their purview, implement floodplain regulations, and issue advisory opinions about the City's building codes and policies.

Building and Standards Commissions (cont.)

The Commission meets on the fourth Thursday of each month at 6:00 p.m. and in special meetings at the call of the Chair in the Council Chamber located on the First Floor of the Bellaire City Hall.

L.I.F.E. Advisory Board

The City Council **created** the "Office on Aging Advisory Board" on **December 2, 1985**, by Resolution No. 85-21. The name was changed to the Senior Adult Services Advisory Board with the consent of the City Council on June 11, 1990. The name was changed a second time to the Bellaire L.I.F.E. (Living, Information, Fun and Enrichment) Advisory Board ("Board") with the consent of the City Council on August 7, 2006, and a third time to the L.I.F.E. (Living, Information, Fun and Enrichment) Advisory Board based on a recommendation from the City's Sunset Review Committee and approved by Ordinance No. 12-038 adopted by the Bellaire City Council on August 20, 2012. The Board is governed by the Code*, Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-123, L.I.F.E. advisory board.* The Board is authorized to establish its own rules, regulations, and bylaws, subject to ratification by the City Council.

The Board is comprised of seven members. The members are appointed by ordinance and serve a term of two years. These seven members provide input to the Parks, Recreation, and Facilities Department from the community regarding services and programs that could be implemented to benefit and assist mature adults (aged 50 and older).

The Board meets on the fourth Thursday of each month at noon in the BLIFE Activity Room located on the First Floor of the Bellaire City Hall.

Parks and Recreation Advisory Board

The Parks and Recreation Advisory Board ("Board") was **created** by Resolution No. 88-03 on **January 18, 1988**. The Board is governed by the Code*, Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-121, Parks and recreation advisory board.* The Board is authorized to establish its own rules, regulations, and bylaws, subject to ratification by the City Council.

Parks and Recreation Advisory Board (cont.)

The Board is comprised of seven members. The members are appointed by ordinance and serve a term of two years. These seven members advise the City Council and the Parks, Recreation, and Facilities Department on policy matters related to City parks and recreation.

The Board meets on the third Wednesday of each month at 6:00 p.m. and in special meetings, as called by the Chair, at the CenterPoint Energy Community Center, Second Floor of the Bellaire Family Aquatic Center, 7001 Fifth Street, Bellaire, Texas.

Environmental Sustainability Board

The City Council **created** the Recycling Committee on **May 9, 1988**, by Resolution No. 88-10. The name was changed to the Environmental and Sustainability Board ("Board") based on a recommendation from the City's Sunset Review Committee and subsequent revision and approval of the City Council by Ordinance No. 12-038 on August 20, 2012. The name was changed a third time to the Environmental Sustainability Board, as recommended by the Board and with the consent of the City Council, on August 13, 2018, by Ordinance No. 18-049. The Board is governed by the Code*, Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-122, Environmental sustainability board.* The Board is authorized to establish its own rules, regulations, and bylaws, subject to ratification by the City Council.

The Board is composed of nine members. The members are appointed by ordinance and serve a term of two years. These nine members present advisory recommendations to the City Council regarding public education programs, policies, and actions related to environmental sustainability, energy, natural resource conservation, and recycling.

The Board meets on the first Wednesday of each month at 6:30 p.m. and in special meetings, as called by the Chair, in Conference Room 201, located on the Second Floor of Bellaire City Hall.

Audit Finance Board

The City Council **created the Audit Finance Committee in its original form** on **September 9, 2002**, by Ordinance No. 02-051. The name was changed to the Audit Finance Board ("Board") based on a recommendation from the City's Sunset Review Committee and approved by Ordinance No. 12-038 on August 20, 2012. The Board is governed by the *Code, Chapter 2, Administration, Article*

Audit Finance Board (cont.)

VII, Boards and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-120, Audit finance board.

The Board is comprised of three members of the City Council appointed by the Mayor, one citizen appointee with financial and/or audit experience appointed by the City Council by ordinance, and the City Manager and Chief Financial Officer of the City, ex officio, as non-voting members.

The members of the Board serve a term of one year, commencing February 1 of each year and continuing through January 31 of the following year. The purpose of the Board is to advise the City Council concerning audits of the City and any auditing matters as may be referred to it by the Chief Financial Officer of the City and/or the City Council.

The Board meets as needed, at least annually, to monitor the City's financial status throughout the year. Meetings are generally held in Conference Room 201, located on the Second Floor of the Bellaire City Hall.

Culture and Arts Board

The City Council **created** the Bellaire Arts Commission on **April 19, 2004**, by Ordinance No. 04-027. The name was changed to the Bellaire Cultural Arts Commission with the consent of the City Council on March 1, 2010, by Ordinance No. 10-017. The name was changed a third time to the Cultural Arts Board ("Board") based on a recommendation from the City's Sunset Review Committee and approved by Ordinance No. 12-038 on August 20, 2012. The name was changed a fourth time to the Culture and Arts Board, based on input from the Board and a recommendation from a Special Committee of the City Council, following a periodic review of the boards and commissions. The change was adopted by the City Council on December 3, 2018, by Ordinance No. 18-074. The Board is governed by the Code, *Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-124, Culture and arts board.*

The Board is comprised of nine members. The members are appointed by ordinance and serve a term of two years. These nine members present recommendations to the City Council for public art projects and improvements for public spaces within the City.

Culture and Arts Board (cont.)

The Board meets on the second Wednesday of each month at 6:30 p.m. in Conference Room 201, located on the Second Floor of the Bellaire City Hall.

Evelyn's Park Conservancy Board

The Evelyn's Park Conservancy Board ("Conservancy") was established as part of an *Agreement Concerning Evelyn's Park, Bellaire, Texas, by and among City of Bellaire, Texas, and The Jerry and Maury Rubenstein Foundation ("Agreement")* to develop a park, to be named "Evelyn's Park," at 4400 Bellaire Boulevard, Bellaire, Texas. The *Agreement* was approved by the City Council on February 21, 2011 (Ordinance No. 11-010). Per *Article II, Conditions Precedent, Section 2.4, Creation of Conservancy,* of the *Agreement,* the Conservancy was created as a 501(c)(3) corporation under the *United States Internal Revenue Code.*

The Conservancy is comprised of 12 members, six of whom are appointed by the City Council by ordinance. These 12 members seek contributions to fund capital improvements for the park site known as "Evelyn's Park" and operate the park with the assistance of the Bellaire Parks, Recreation, and Facilities Department.

The Conservancy meets at the call of the President.

Youth Advisory Board

The Youth Advisory Board ("Board") was established by the City Council on **June 3, 2024**, by Ordinance No. 24-033. The Board is governed by the Code, *Chapter 2, Administration, Article VII, Board and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-125, Youth advisory board.*

The Board is comprised of 16 members. The members are appointed by ordinance and serve a term of two years. These 16 members advise City Council on youth policy matters and programs.

The Board meets on the fourth Monday of each month at 7:00 p.m. in the Bellaire City Library, 5111 Jessamine Street, Bellaire, Texas.

Special Election
2026

City of Bellaire

City Contact and Reference Information

CITY CONTACT AND REFERENCE INFORMATION

Contact	Reference Information
City of Bellaire Tracy L. Dutton, City Clerk Sharon Citino, City Manager Jamie Naranjo, Executive Assistant	Website Address: www.bellairetx.gov tdutton@bellairetx.gov (713) 662-8275 scitino@bellairetx.gov (713) 662-8228 jnaranjo@bellairetx.gov (713) 662-8276
Harris County Voter Registrar Annette Ramirez, Harris County Tax Assessor-Collector & Voter Registrar **Texas Secretary of State** Jane Nelson, Secretary of State	**Voter Registration Information (Harris County)** https://www.hctax.net (713) 274-8200 **Election Information/Voter Registration Information (State of Texas)** https://sos.state.tx.us (800) 252-VOTE (8683) (512) 463-5650
Texas Ethics Commission	**Information about Campaign Finance Forms** https://www.ethics.state.tx.us (512) 463-5800
Texas Election Code	**Texas Constitution and Statutes** http://www.statutes.capitol.texas.gov

COUNCIL-APPOINTED BOARDS AND COMMISSIONS

Board of Adjustment:

Paul Beavers
Expiration: June 2026

Jerry Borowick
Expiration: June 2027

Judd Eisenberg
Expiration: June 2026

Debbie Karakowsky
Expiration: June 2027

John T. Klug
Expiration: June 2026

Gigi White
Expiration: June 2026

Broocks (Mack) Wilson
Expiration: June 2027

Culture and Arts Board:

Kristi Coffey
Expiration: June 2026

Darenda Dorsey
Expiration: June 2027

Janice (Jan) Fortune
Expiration: June 2026

Courtney Giles
Expiration: June 2027

Building and Standards Commission:

Todd L. Blitzer
Expiration: June 2026

Mike Dokell
Expiration: June 2027

Tim Schultz
Expiration: June 2027

Michael Skoller
Expiration: June 2026

Sam Sutin
Expiration: June 2027

Nathan Wesely
Expiration: June 2026

Louis Williams
Expiration: June 2026

Environmental Sustainability Board:

Eyitayo (Tayo) Aina
Expiration: June 2027

Elena Diiorio
Expiration: June 2026

Giles Dunn
Expiration: June 2026

Stephanie Goldfield
Expiration: June 2027

COUNCIL-APPOINTED BOARDS AND COMMISSIONS

Culture and Arts Board (cont.):

Angie Levinthal
Expiration: June 2026

Gay Mayeux
Expiration: June 2027

Lindsay Mericli
Expiration: June 2026

Aditi Pemmaraju
Expiration: June 2027

Mona Sharique
Expiration: June 2026

Evelyn's Park Conservancy Board:

Ronnie Karakowsky
Expiration: June 2026

Lisa Lim
Expiration: June 2027

Heather Mee
Expiration: June 2027

Naveen Pinglay
Expiration: June 2026

Vaibhavi Shanbhogue
Expiration: June 2026

Lou Waters
Expiration: June 2027

Environmental Sustainability Board (cont.):

Pernia Latif
Expiration: June 2026

Michelle (Micki) Mastin
Expiration: June 2026

Patricia Ritter
Expiration: June 2027

Phil Robertson
Expiration: June 2027

Vacancy
Expiration: June 2027

L.I.F.E. Advisory Board:

Debbie Abadie
Expiration: June 2026

Connie Eicher
Expiration: June 2026

Lisa Giering
Expiration: June 2027

Mary Kaspar
Expiration: June 2027

Brent Lamb
Expiration: June 2027

Rachael Le Geyt
Expiration: June 2027

COUNCIL-APPOINTED BOARDS AND COMMISSIONS

L.I.F.E. Advisory Board (cont.):

Patricia Parrack
Expiration: June 2026

Parks and Recreation Advisory Board:

David Black
Expiration: June 2027

Rick Blandford
Expiration: June 2027

Shane Magee
Expiration: June 2026

Dalia Moghazy
Expiration: June 2026

Samantha Patel
Expiration: June 2027

Sue Roberts
Expiration: June 2026

Richard Thorp
Expiration: June 2027

Youth Advisory Board:

Kashika Adhikari
Expiration: August 2026

Caroline Corales
Expiration: August 2026

Planning and Zoning Commission:

Brian Corales
Expiration: June 2026

Adam Funk
Expiration: June 2027

Jaime Perkins
Expiration: June 2026

Cindy Preble
Expiration: June 2027

Todd Thurber
Expiration: June 2026

Joseph Vinas
Expiration: June 2026

Laura Zito
Expiration: June 2027

Youth Advisory Board:

Eleni Gagliardi
Expiration: August 2026

Lucas Garibaldi
Expiration: August 2026

COUNCIL-APPOINTED BOARDS AND COMMISSIONS

Youth Advisory Board (cont.):

Ethan He
Expiration: August 2026

Bella Kalra
Expiration: August 2026

Luke Loving
Expiration: August 2026

Sania Mehta
Expiration: August 2026

Emily Mei
Expiration: August 2026

Saif Mujtaba
Expiration: August 2026

Sydney Rubenstein
Expiration: August 2026

Ralph Satija
Expiration: August 2026

Ben Shoss
Expiration: August 2026

Madison Vinas
Expiration: August 2026

Evelyn Yip
Expiration: August 2026

Emma Zadok
Expiration: August 2026

OPEN GOVERNMENT TRAINING

Effective January 1, 2006, the 79th Texas Legislature required that all elected and appointed public officials complete training on Texas open government laws. The Attorney General of Texas was tasked with developing this formal training to ensure officials understand the Texas Open Meetings Act and the Texas Public Information Act.

The law mandates a minimum of two hours of training:

- One hour on the **Texas Open Meetings Act** (Texas Government Code, Chapter 551), covering topics such as legal requirements for open meetings, applicability to governmental bodies, and procedures related to quorums, public notices, and recordkeeping.
- One hour on the **Texas Public Information Act** (Texas Government Code, Chapter 552), addressing legal requirements for public access to records, applicability to governmental entities, open records request procedures, the role of the Attorney General, and penalties for noncompliance.

This training must be completed within **90 days of being sworn into office**.

The training is free and available online through the Attorney General's website:

https://www.texasattorneygeneral.gov/open-government/governmental-bodies/pia-and-oma-training-resources

To complete the training:

1. Select the **"Public Information Act Training Video & Completion Certificate"** and finish the course.
2. Repeat the process for the **"Open Meetings Act Training Video & Completion Certificate."**

Please submit copies of both completion certificates to the City Clerk's Office for the City's records.