Report of Covered Transfers Supporting Direct Campaign Expenditures: Schedule ATX.8

Instruction Guide

This report must be filed by persons (as defined in § 2-2-2(17) of the City Code, which includes corporations and political committees) who make one or more covered transfers in a City election that in the aggregate meet or exceed $500. This reporting requirement only applies to covered transfers made by the filer on or after February 1, 2017.

A **covered transfer** is any contribution by a person to another person if the first person:

1. designates, requests, or suggests that the contribution be used for:
   a. direct campaign expenditures (as defined in § 2-2-31(A) of the City Code); or
   b. making a transfer to another person for the purpose of making or paying for direct campaign expenditures;
2. made the contribution in response to a solicitation or other request for a contribution for:
   a. the making of or paying for direct campaign expenditures; or
   b. making a contribution to another person for the purpose of making or paying for direct campaign expenditures; or
3. engaged in discussions with the recipient of the contribution regarding:
   a. the making of or paying for direct campaign expenditures; or
   b. making a contribution to another person for the purpose of making or paying for direct campaign expenditures.

A **covered transfer** does not include:

1. a contribution made by a person if that person prohibited, in writing, the use of that contribution for political contributions, direct campaign expenditures, or covered transfers, and if the person receiving the contribution did not use the contribution for political contributions, direct campaign expenditures, or covered transfers;
2. a contribution made by a person in a commercial transaction in the ordinary course of any trade or business conducted by that person;
3. a contribution made by a person in the form of an investment made by that person; or
4. a contribution made by a person who has not received a contribution from another person during the current election reporting cycle.

An individual or organization must file this report with the Office of the City Clerk each time the aggregate $500 covered transfer threshold is met. The filing of one **Schedule ATX.8: Report of Covered Transfers Supporting Direct Campaign Expenditures** does not excuse the filing of a subsequent report each time this threshold is met.

The deadlines for timely filing of this report are:

1. If the transfer is made before the 60th day before the date of the election, no later than the fifth business day after the date of the transfer.
2. If the transfer is made on or after the 60th day before the date of the election and before the ninth day before the date of the election, no later than the second business day after the date of the transfer.
3. If the transfer is made on or after the ninth day before the date of the election, no later than 5 p.m. on the first business day after the date of the transfer.

Note that the City of Austin's requirement for reporting covered transfers does not supersede, modify or replace any reporting requirements established by the Texas Ethics Commission (TEC). Individuals, committees, or corporations who file an **ATX.8: Report of Covered Transfers Supporting Direct Campaign Expenditures** with the City may be subject to additional reporting requirements established by the TEC. It is incumbent upon the filer to be aware of and comply with all reporting requirements for direct campaign expenditures established by governing bodies external to the City.

Electronic Filing of Schedule ATX.8 Data

All covered transfers disclosed on the **ATX.8: Report of Covered Transfers Supporting Direct Campaign Expenditures** must be reported electronically. The City Clerk's Office has created a fillable PDF form in which to record the required information. Fillable PDF forms must be received by the City Clerk in the provided format. Printed and scanned, or otherwise modified, copies of the fillable PDFs will render the data unreadable, and the City Clerk will be required to reject the submitted data. The form should be delivered to the City Clerk's Office on a flash drive or other media; email submission of the fillable PDF is not permitted at this time.

Required fields are highlighted in **red** below. Failure to complete a required field will result in the data file being rejected by the City Clerk. **Please Note** that due to the interactive format of the PDF, deleting pages from the form is not possible. If a schedule does not apply to you or a page is added in error, please leave the page blank.

Per City Code § 2-2-26, the City Clerk will reject fillable PDF forms that do not comply with formatting and data requirements. Acceptance of a paper form does not indicate acceptance of the data file. For each report filed, a validation report will be generated and provided to the filer within one business day, indicating acceptance or rejection of the data file.

Page 1: Filer Information

1. **Individual or Organization Name:** The full name of the individual or name of the company, political committee, organization, or group who made the transfer. For individuals, check the box next to "Filer is an individual". *The Individual or Organization Name is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

   Filer Employer and Occupation: If the filer is an individual, provide the filer's employer and occupation. *For Individuals filing an ATX.8, Filer Employer and Occupation are required. A blank value will result in an error that will cause the data file to be rejected.*

2. **Individual or Organization Address:** The mailing or street address of the individual, committee, or organization that made the covered transfer. *The Individual or Organization Address is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

3. **Committee Treasurer Name:** For political committees, the full name of the committee's treasurer.

4. **Committee Treasurer Address:** For political committees, the mailing or street address of the committee's treasurer.

5. **Report Date:** The date the report was filed. Enter all dates in the format yyyymmdd. *This Report Date is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

Page 2: Declaration

6. **Declaration:** Signature of filer. Upon receipt of the fillable PDF, the City Clerk will print a paper copy of the form for the filer to sign.

Page 3: Information Regarding Transfers Made

Provide the following information for each transfer of funds (covered transfer) made by the filer.

1. **Recipient Name:** The full name of the individual or name of the company, political committee, organization, or group to whom the transfer was made. For individuals, check the box next to "Recipient is an individual". *The Recipient Name is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

2. **Recipient Address:** The recipient's street or mailing address, including city, state, and zip code. *The Recipient Address is required. A blank value will result in an error that will cause the data file to be rejected.*

3. **Transfer Details**

   Transfer Date: The date on which the transfer was made. Enter all dates in the format yyyymmdd. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

   Transfer Amount: The amount of the transfer. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

   Purpose and Description: A brief explanation of the purpose and description of the transfer made. *The Purpose and description are required. A blank value in this field will result in an error that will cause the data file to be rejected.*

4. **Candidates and/or ballot measures supported or opposed**

   If known, provide the following information for each candidate, officeholder, or ballot measure supported or opposed by the intended direct campaign expenditure.

   Candidate's Last Name or Measure Name: For ballot measures supported or opposed, the name of each measure. For candidates or officeholders, the last name of each individual supported or opposed by the intended expenditure.

   Candidate's First Name: The first name of each candidate or officeholder supported or opposed by the intended expenditure, if applicable.

   Office Sought: The office sought by each candidate or officeholder supported or opposed by the intended expenditure, if applicable.

   Office Held: The current office held by each officeholder supported or opposed by the intended expenditure, if applicable.

To add additional transfers, click the "Add Another Transfer Page" button on the lower left-hand side of the form.

Page 4: Information Regarding Contributions Received

Under certain circumstances, a filer who reports a covered transfer must also include information in the report regarding contributions received by the filer. This reporting requirement only applies to contributions received by the filer on or after February 1, 2017.

A filer is required to report contribution information only if the filer has received $500 or more in contributions in aggregate from a particular contributor during the current election reporting cycle, which is the two-year period beginning on the date following the most recent City general election. If the $500 aggregate threshold is met for a particular contributor at the time that a filer reports a covered transfer, then the filer must include the following information regarding each contribution received from that contributor in the report, subject to certain exceptions and other criteria which are set forth in more detail in City Code § 2-2-34(C)(8). **If the $500 contribution threshold is not met for any contributor, then leave this page blank.**

1. **Contributor Name:** The contributor's full name (for individuals) or the name of the company, political committee, organization, or group who made the contribution. For individuals, check the box next to "Contributor is an individual". *The Contributor Name is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

2. **Contributor Address:** The contributor's street or mailing address, including city, state, and zip code. *The Contributor Address is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

   Contributor Employer and Occupation: If the contributor is an individual, provide the contributor's employer and occupation. *The Contributor Employer and Occupation are required. A blank value in these fields will result in an error that will cause the data file to be rejected.*

3. **Contribution Details**

   Contribution Date: The date on which each contribution was accepted. Enter all dates in the format yyyymmdd. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

   Contribution Amount: The amount of each contribution. *This field is required. A blank value in this field will result in an error that will cause the data file to be rejected.*

To add additional contributions, click the "Add Another Contribution Page" button on the lower left-hand side of the form.