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[www.ethics.state.tx.us/forms/COH\\_ins.pdf](http://www.ethics.state.tx.us/forms/COH_ins.pdf)

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*Candidate/Officeholder Report of Unexpended Contributions Form C/OH-UC - Instruction Guide*

[www.ethics.state.tx.us/forms/COHuc\\_ins.pdf](http://www.ethics.state.tx.us/forms/COHuc_ins.pdf)

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[www.sos.state.tx.us/elections/forms/pol-sub/4-16f.pdf](http://www.sos.state.tx.us/elections/forms/pol-sub/4-16f.pdf)

*Campaign Finance Guide For Candidates And Officeholders Who File With Local Filing Authorities*  
[www.ethics.state.tx.us/guides/coh\\_local\\_guide.pdf](http://www.ethics.state.tx.us/guides/coh_local_guide.pdf)

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<http://www.ethics.state.tx.us/guides/G11polad.pdf>

*Title 3, Election Code, Chapter 33 - Watchers, Subchapter A. Appointments*  
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[www.ethics.state.tx.us/statutes/09title15.pdf](http://www.ethics.state.tx.us/statutes/09title15.pdf)



## MEMORANDUM

**TO:** Candidates for 2014 Mayor and City Council Election

**FROM:** Jannette Goodall, City Clerk

**DATE:** May 5, 2014

**SUBJECT:** Election Information

The Candidate Guide is a packet containing important information for anyone wanting to run for Mayor or a City Council position in the November 2014 election. Article II, Section 2 of the City Charter specifies the eligibility requirements for anyone who wants to serve on Council:

A candidate for mayor:

- Must meet all eligibility requirements of state law; and
- Must have resided continuously in the state for 12 months and in the city for six months immediately preceding the regular filing deadline for a mayoral candidate's application for a place on the ballot. The City Clerk's office has calculated the relevant residency deadlines as follows: must have been a resident in the state by August 17, 2013; must have been a resident in the city by February 17, 2014 to be eligible.

A candidate for city council from a council district:

- Must meet all eligibility requirements of state law; and
- Must have resided continuously in the state for 12 months and in the council district from which the member is seeking election for six months immediately preceding the regular filing deadline for a council candidate's application for a place on the ballot. The City Clerk's office has calculated the relevant residency deadlines as follows: must have been a resident in the state by August 17, 2013; must have been a resident in the respective council district by February 17, 2014 to be eligible.

The Table of Contents for the Candidate Guide provides directions to various state and local laws and forms, as well as web links to those sites. While the City has provided website links in both Spanish and English, the destination websites may or may not contain Spanish translations.

The Candidate Guide and forms are accessible on-line at <http://www.austintexas.gov/elections>. Forms that were not created by the City of Austin were downloaded from the web. The forms were current as of April 1, 2014; however, please be aware that it is possible the forms may be updated without notice. Prior to using a form in the guide, you should compare the date of the paper form to the date of the web form and ensure that you are using the most current form. The web address for each form located in the guide is listed in the Table of Contents immediately below the name of the form.

Election law, especially campaign finance law, is complex. For this reason, a candidate should consider retaining legal counsel to assist him/her. Staff in the City Clerk's office cannot advise candidates, groups who support or oppose candidates or measures, or members of the public on matters pertaining to election or campaign finance law, as the City Clerk and staff must maintain neutrality in the electoral process. Likewise, the City Attorney and staff in the Law Department cannot advise candidates, groups who support or oppose candidates or measures, or members of the

public on matters pertaining to election or campaign finance law, as they are charged with providing legal representation to the City as an entity.

The duty of the City Clerk's office includes accepting, retaining and providing public access to the various applications, affidavits and financial statements from the candidates. Staff will note the date and time of filing on the forms. The City Clerk's office does not complete, correct information, or comment upon the timeliness or sufficiency of reports filed. The City Clerk's office cannot interpret election laws for the candidates, but when possible will direct candidates to the correct citations for reference. For questions regarding filing deadlines or residency requirements, please contact the City Clerk's office at (512)974-2210.

Tab 1

General Election Information

## **CITY OF AUSTIN ELECTION CALENDAR**

### **NOVEMBER 4, 2014 GENERAL ELECTION**

- May 5 Candidate packet available electronically and in hardcopy from the City Clerk's office.<sup>1</sup>
- May 8 First day an officeholder, a candidate for mayor or city council, or an officeholder's or candidate's committee may solicit or accept a political contribution.<sup>2</sup>  
(NOTE: A campaign treasurer designation must be filed before any contribution can be accepted or expenditure made, including from personal funds.)<sup>3</sup>
- July 15 Deadline for filing semiannual report of campaign contributions with the City Clerk (applicable to candidates, officeholders, specific-purpose and/or general-purpose political committees required to file by Title 15 of the Texas Election Code and under rules adopted by the Texas Ethics Commission). The deadline is 5:00 p.m.<sup>4</sup>
- July 21 First day candidate may file an application for a place on the ballot.<sup>5</sup>  
(NOTE: Candidate must have filed a campaign treasurer appointment prior to filing an application for a place on the ballot.<sup>6</sup> Additionally, the deadline for filing the voluntary "campaign contract" delineated in City Code 2-2-11 is the date the candidate files an application for a place on the ballot.)<sup>7</sup>
- August 7 City Council orders election, as this is the only regular council meeting date which falls within statutory window to call general and special election.<sup>8</sup>
- August 18 Last day candidate may file an application for a place on the ballot. The deadline is 5:00 p.m.<sup>9</sup>
- August 20 City Clerk conducts drawing for order of names on ballot (scheduled for 1:00 p.m. in the Boards and Commissions Room, City Hall, 301 W. Second Street.)<sup>10</sup>
- August 25 Deadline for candidate to file "public statement of financial information" required by City Code 2-7-74(A) with the City Clerk.<sup>11</sup> The deadline is 4:45 p.m.<sup>12</sup>
- August 25 Deadline for candidate to withdraw his/her name from the ballot. The deadline is 5:00 p.m.<sup>13</sup>
- September 5 First day to apply (by mail or fax) for an early ballot to be voted by mail.<sup>14</sup>  
(NOTE: Ballots will be mailed to persons who have applied to vote early by mail.)
- September 8 Deadline for candidate to file the "Personal Financial Statement" form required by state statute with the City Clerk. See endnote 13 for deadline time(s).<sup>15</sup>
- October 6 Deadline for filing with the City Clerk the first statement of campaign contributions and expenditures ("30<sup>th</sup> Day Before Election" report) by opposed candidates who have not filed a declaration of intent to follow modified reporting procedures, and by specific-purpose and/or general-purpose political committees involved in the election supporting or opposing opposed candidates, which political committees are required to file by Title 15 of the Texas Election Code and under rules adopted by the Texas Ethics Commission.<sup>16</sup> The deadline is 5:00 p.m.<sup>17</sup>
- October 6 Deadline to register to vote either early or on Election Day.<sup>18</sup>
- October 20 First day of early voting by personal appearance.<sup>19</sup>



October 24	Last day to apply (by mail or fax) for an early ballot to be voted by mail. <sup>20</sup>
October 27	Deadline for filing with the City Clerk the second statement of campaign contributions and expenditures (“8 <sup>th</sup> Day Before Election” report) by opposed candidates who have not filed a declaration of intent to follow modified reporting procedures, and by specific-purpose and/or general-purpose political committees involved in the election supporting or opposing opposed candidates, which political committees are required to file by Title 15 of the Texas Election Code and under rules adopted by the Texas Ethics Commission. <sup>21</sup> <u>The deadline is 5:00 p.m.</u> <sup>22</sup>
October 31	Last day of early voting by personal appearance. <sup>23</sup>
November 4	<b>ELECTION DAY</b>
November 18	City Council canvasses results of election (scheduled for <b>2:00 p.m.</b> in the Council Chambers, City Hall, 301 W. Second Street.) <sup>24</sup> (NOTE: This date is the last permissible date for canvassing. If official election results are available from Travis County earlier than this deadline, the canvass may be moved to an earlier date upon proper notice given by the City Clerk.)

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## CITY OF AUSTIN RUNOFF ELECTION CALENDAR

### DECEMBER 16, 2014 RUNOFF ELECTION

November 18	City Council orders runoff election. <sup>25</sup>
November 18	City Clerk conducts drawing for order of names on ballot (scheduled for 2:00 p.m. in the <b>Council Chambers, City Hall, 301 W. Second Street.</b> ) <sup>26</sup>
December 1	First day of early voting by personal appearance. <sup>27</sup>
December 8	Deadline for filing with the City Clerk the statement of campaign contributions and expenditures (“Runoff Report”) by opposed candidates who have not filed a declaration of intent to follow modified reporting procedures, and by specific-purpose and/or general-purpose political committees involved in the election supporting or opposing opposed candidates in the runoff. <sup>28</sup> <u>The deadline is 5:00 p.m.</u> <sup>29</sup>
December 12	Last day of early voting by personal appearance. <sup>30</sup>
December 16	<b>RUNOFF ELECTION DAY</b> <sup>31</sup>
December 30	City Council canvasses result of runoff election (scheduled for 10:00 a.m. in the Council Chambers, City Hall, 301 W. Second Street.) <sup>32</sup>
January 6, 2015	Inauguration of elected officials (scheduled for 6:00 p.m. in the Council Chambers, City Hall, 301 W. Second Street.)
January 6	Drawing of lots for council terms. <sup>33</sup>

January 15

Deadline for filing with the City Clerk the semiannual statement of campaign contributions and expenditures by all candidates, specific-purpose committees, certain general-purpose committees, and certain officeholders. The deadline is 5:00 p.m.<sup>34</sup>

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1. Required by City Code 2-2-6(B).
2. May not solicit or accept contribution except during the last 180 days before election, that being the period May 8 – November 3. Austin Charter, Article III, Sec. 8(F)(2).
3. May not accept contribution or make expenditure when campaign treasurer appointment is not in effect. Texas Election Code, Sec. 253.031(a). Texas Ethics Commission’s “Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities” provides as follows: “... 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.”
4. Candidate shall file semiannual report not later than July 15. Texas Election Code, Sec. 254.063(a)(b). Officeholder shall file semiannual report not later than July 15. Texas Election Code, Sec. 254.093(a)(b). Texas Ethics Commission’s “Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities” provides as follows: “The deadline for filing a report is 5 p.m. on the due date” and “... a document is filed on time if it is properly addressed with postage or handling charges prepaid and bears a postmark or receipt mark of a common or contract carrier indicating a time on or before the deadline.”
5. Application may not be filed earlier than the 30<sup>th</sup> day before the date of the filing deadline. Texas Election Code, Sec. 143.007(a). Filing deadline is August 18; therefore the first day for filing is the 30<sup>th</sup> day preceding, that being Saturday, July 19. However, Secretary of State has confirmed that “regular business hours” prevails, and the filing start date is therefore moved to next regular business day which is Monday, July 21.
6. Texas Ethics Commission’s “Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities” provides as follows: “... you must file an Appointment of a Campaign Treasurer by a Candidate (Form CTA) with the proper filing authority when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures.”
7. City Code 2-2-11(A) says that a “candidate for mayor or city council may sign a contract with the City agreeing to abide by limitations on that candidate’s contributions and expenditures as specified in this article in exchange for benefits provided under this chapter” which would be to qualify for public funds from the Austin Fair Campaign Finance Fund. City Code 2-2-11(B) requires that a candidate sign the campaign contract the earlier of (1) 30 days after becoming a candidate under the Texas Election Code, or (2) the date the candidate files for a place on the ballot.
8. General election must be ordered not later than the 78<sup>th</sup> day before Election Day, that being August 18. Texas Election Code, Sec. 3.005(c)(1). Special election must be ordered not more than 90 days before Election Day, that being August 6. Therefore, the window for ordering a combined election would be August 6 – 18, and the only regular council meeting date during that window is August 7.
9. Deadline for filing is not later than 5:00 p.m. of the 78<sup>th</sup> day before Election Day, that being August 18. Texas Election Code, Sec. 143.007(c)(1).
10. No statutory time is mandated, as drawing for general or special elections may be conducted at any time after the filing deadline.
11. Statement must be filed within five working days after the deadline for filing for office, that being August 18; therefore, five business days thereafter is August 25 which is the deadline for filing the required statement. City Code 2-7-74(A).
12. Statements required to be filed by City Code Article 5 “Financial Disclosure” must be “... received by the city clerk by 4:45 p.m. on the last day required.” City Code 2-7-76.

13. May not withdraw after 5:00 p.m. of the 71<sup>st</sup> day before Election Day. Texas Election Code, Sec. 145.092(f). Candidate's name shall be omitted from ballot if there is a timely withdrawal before 5:00 p.m. of 71<sup>st</sup> day before Election Day. Texas Election Code, Sec. 145.094(a)(4).
14. Application must be submitted on or after the 60<sup>th</sup> day before Election Day (that being September 5) and before the close of regular business in the early voting clerk's office or 12:00 noon, whichever is later, on the ninth day before Election Day (that being 5:00 p.m. Sunday, October 26) unless that day is a Saturday, Sunday, or holiday, in which case the last day is first preceding regular business day (that being Friday, October 24). Texas Election Code, Sec. 84.007(c). An application is considered to be submitted at the time of its receipt by the City Clerk. Texas Election Code, Sec. 84.007(d).
15. Personal Financial Statement is required by Texas Government Code, Sec. 572.021, and such requirement is extended to municipal candidates by Texas Local Government Code, Sec. 145.004(c). Candidate must file Personal Financial Statement with the City Clerk not later than the 20<sup>th</sup> day after the deadline for filing an application for a place on the ballot. The filing application deadline is August 18; therefore, the 20<sup>th</sup> day thereafter is September 8 which is the deadline for filing the Personal Financial Statement. Texas Local Government Code, Sec. 145.004(g) states that a candidate will have timely filed if the Personal Financial Statement is personally delivered not later than 5:00 p.m. of the last day for filing (that being September 8) or, alternatively, if the City Clerk has adopted rules and procedures to provide for electronic filing and the candidate complies, then the candidate will have timely filed if the Personal Financial Statement is filed not later than midnight of the last day for filing the statement.
16. An opposed candidate shall file two additional reports, the first being due not later than the 30<sup>th</sup> day before Election Day (that being Sunday, October 5, but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Monday, October 6); and the second being due not later than the 8<sup>th</sup> day before Election Day (that being October 27). Texas Election Code, Sec. 254.064(a)(b)(c). Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides information under "Reports Due 30 Days and 8 Days Before an Election."
17. Required reports must be received by the City Clerk by the deadline. Texas Election Code, Sec. 254.064(b)(c).
18. An approved voter registration application becomes effective on the 30<sup>th</sup> day after the date the application is submitted to the voter registrar. A registration is effective for purposes of voting early if it will be effective on Election Day. Texas Election Code, Sec. 13.143.
19. For an election held on the uniform election date in November, the period for early voting by personal appearance begins on the 17<sup>th</sup> day before Election Day (that being Saturday, October 18), but the deadline is extended by Texas Election Code, Sec. 85.001(c) to the next regular business day (which is Monday, October 20) and continues through the fourth day before Election Day (that being October 31). Texas Election Code, Sec. 85.001.
20. Application must be submitted on or after the 60<sup>th</sup> day before Election Day (that being September 5) and before the close of regular business in the early voting clerk's office or 12:00 noon, whichever is later, on the ninth day before Election Day (that being 5:00 p.m. Sunday, October 26) unless that day is a Saturday, Sunday, or holiday, in which case the last day is first preceding regular business day (that being Friday, October 24). Texas Election Code, Sec. 84.007(c). An application is considered to be submitted at the time of its receipt by the City Clerk. Texas Election Code, Sec. 84.007(d).
21. An opposed candidate shall file two additional reports, the first being due not later than the 30<sup>th</sup> day before Election Day (that being Sunday, October 5, but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Monday, October 6); and the second being due not later than the 8<sup>th</sup> day before Election Day (that being October 27). Texas Election Code, Sec. 254.064(a)(b)(c). Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides information under "Reports Due 30 Days and 8 Days Before an Election."
22. Required reports must be received by the City Clerk by the deadline. Texas Election Code, Sec. 254.064(b)(c).

23. For an election held on the uniform election date in November, the period for early voting by personal appearance begins on the 17<sup>th</sup> day before Election Day (that being Saturday, October 18), but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Monday, October 20) and continues through the fourth day before Election Day (that being October 31). Texas Election Code, Sec. 85.001.
24. Canvass must be held not earlier than the eighth day after Election Day (that being November 12 for the earliest date to canvass), or later than the fourteenth day after Election Day (that being November 18 for the latest date to canvass). Texas Election Code, Sec. 67.003(c).
25. Runoff election must be ordered not later than the fifth day after the date the final canvass of the main election is completed, that being not later than Sunday November 23. Texas Election Code, Sec. 2.024.
26. No statutory time is mandated.
27. The period for early voting by personal appearance begins on the 17<sup>th</sup> day before Election Day (that being Saturday, November 29, but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Monday, December 1), and continues through the fourth day before Election Day (that being December 12). Texas Election Code, Sec. 85.001(a).
28. Opposed candidate in runoff shall file one report for that election, which is required to be filed not later than the 8<sup>th</sup> day before runoff election day (that being December 8). Election Code, Sec. 254.064(e).
29. Required reports must be received by the City Clerk by the deadline. Texas Election Code, Sec. 254.064(e).
30. The period for early voting by personal appearance begins on the 17<sup>th</sup> day before Election Day (that being Saturday, November 29, but the deadline is extended by Texas Election Code, Sec. 1.006 to the next regular business day which is Monday, December 1), and continues through the fourth day before Election Day (that being December 12). Texas Election Code, Sec. 85.001(a).
31. Runoff election must be held not earlier than the 20<sup>th</sup> day after the date the final canvass of the main election is completed (final canvass completed November 18; therefore, the 20<sup>th</sup> day thereafter is December 8) and no later than the 45<sup>th</sup> day after the date the final canvass of the main election is completed (that being January 2). Election Code, Sec. 2.025(a).
32. Canvass must be held not earlier than the eighth day after Election Day (that being December 24 for the earliest date to canvass), or later than the fourteenth day after Election Day (that being December 30 for the latest date to canvass.) Texas Election Code, Sec. 67.003(c).
33. Council shall provide for initial transition to four-year terms and for staggering terms, and may provide for drawing lots for initial terms. Charter, Article III, Section 2(A)(1).
34. Candidate shall file semiannual report not later than January 15. Texas Election Code, Sec. 254.063(a)(c). Officeholder shall file semiannual report not later than January 15. Texas Election Code, Sec. 254.093(a)(c). Texas Ethics Commission's "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities" provides as follows: "The deadline for filing a report is 5 p.m. on the due date" and "... a document is filed on time if it is properly addressed with postage or handling charges prepaid and bears a postmark or receipt mark of a common or contract carrier indicating a time on or before the deadline."

## Austin City Code

**§ 4. TRANSITION.**

(A) This section provides for a transition from the seven-member council elected at large to the 11-member council provided by this article. Except as provided in this section, and after the transition as prescribed in this section, the mayor and council members shall serve three- year terms.

(B) The three council members elected at large in May 2011 shall serve three-year terms. The mayor and three council members elected at- large in the May 2012 general election shall serve two-year terms.

(C) A general election shall be held for the council in May 2014, at which the mayor and the 10 council members elected from council districts shall be elected.

(D) As soon as practicable after assuming office after the May 2014 general election, the City Clerk shall divide at a public hearing the council members elected from council districts into two classes by drawing lots. Class One shall consist of five council members who shall serve initial two-year terms. Class Two shall consist of five council members who shall serve three-year terms.

(E) At the May 2016 general election, the five Class One council members elected by districts will be elected for three-year terms.

(F) At the May 2017 general election, the Mayor and five Class Two council members elected by districts will be elected for three year terms, marking the end of the transition period.

***Amendment note:***

*Section 4 appears as added at the election of November 6, 2012.*

## Austin City Code

**§ 5. TERM LIMITS.**

(A) Except as provided in Subsection (C), a person may not be elected to or serve in the office of Mayor for more than two consecutive terms, and a person who has held the office of Mayor for more than two years of a term to which some other person was elected Mayor may not be elected to the office of Mayor more than once in succession.

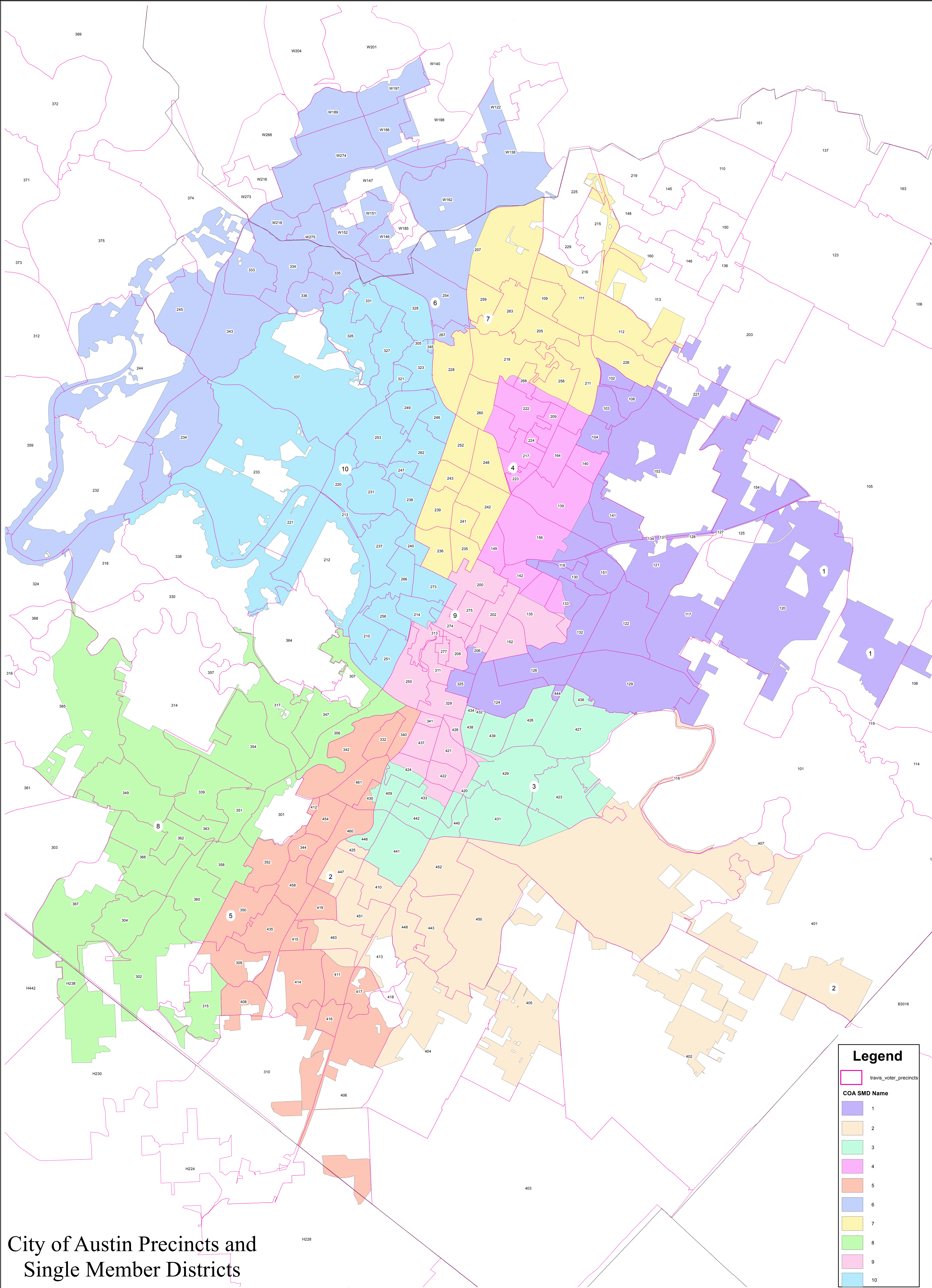
(B) Except as provided in Subsection (C), a person may not shall be elected to or serve on the City Council in a position other than Mayor for more than two consecutive terms, and a person who has held a position other than Mayor for more than two years of a term to which some other person was elected to the position may not be elected to a position other than Mayor more than once in succession.

(C) A person subject to a term limit with respect to an office may become a candidate for the office and serve if elected if the person's application to be a candidate for the office is accompanied by a petition requesting that the person be authorized to be a candidate and the petition is signed by at least five per cent of the qualified voters of the territory from which the office is elected.

***Amendment note:***

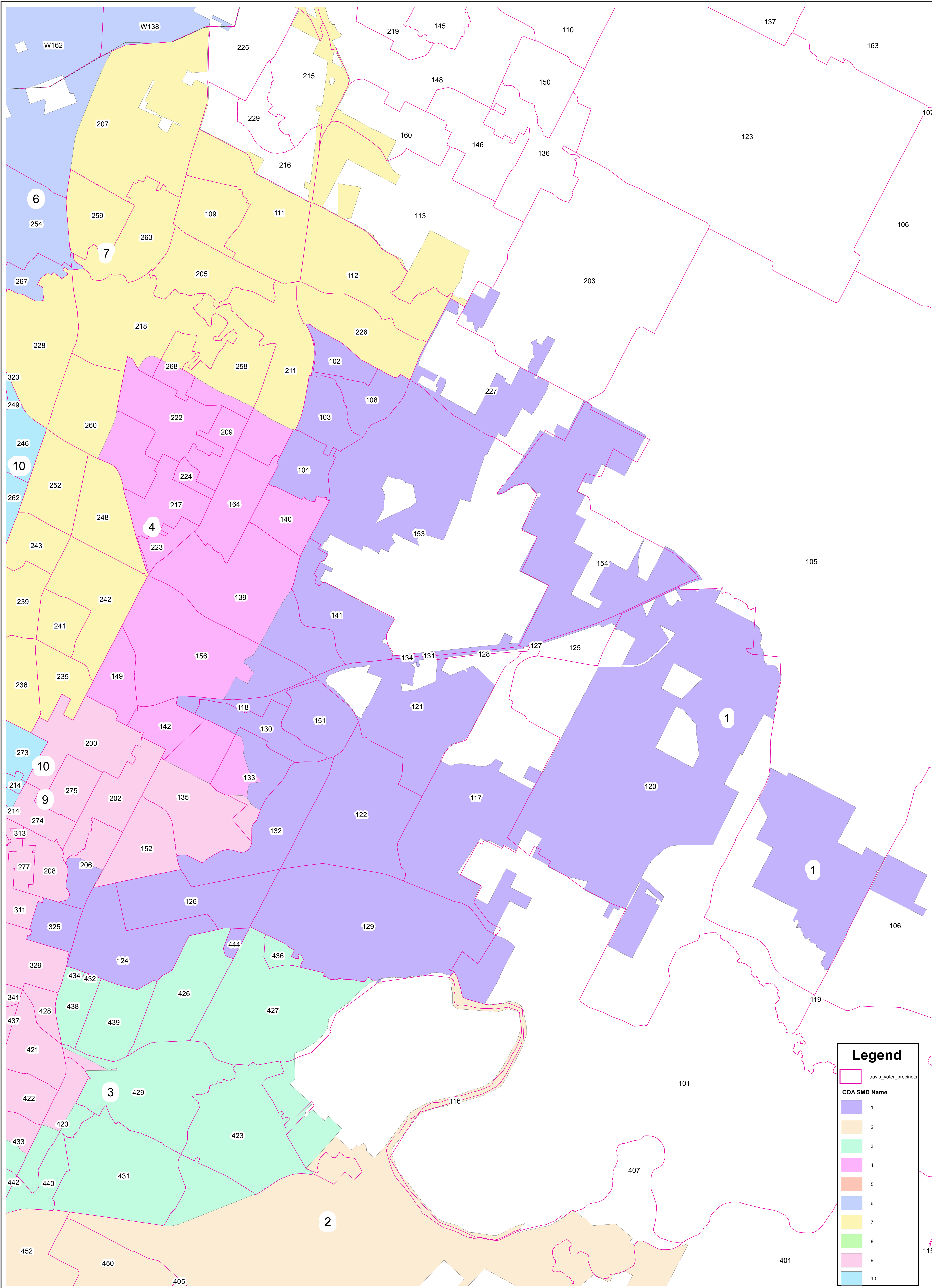
*Section 5 appears as amended at the election of November 6, 2012, and later renumbered by Ord. 20121213-004. As former § 3, this section was added at the election of May 7, 1994, and had previously been amended at the election of May 13, 2006. Former subsection (D) concerned city officials elected prior to April 30, 2006. and expired on the date that no one subject to its provisions continued to serve in the office of Mayor or Councilmember.*



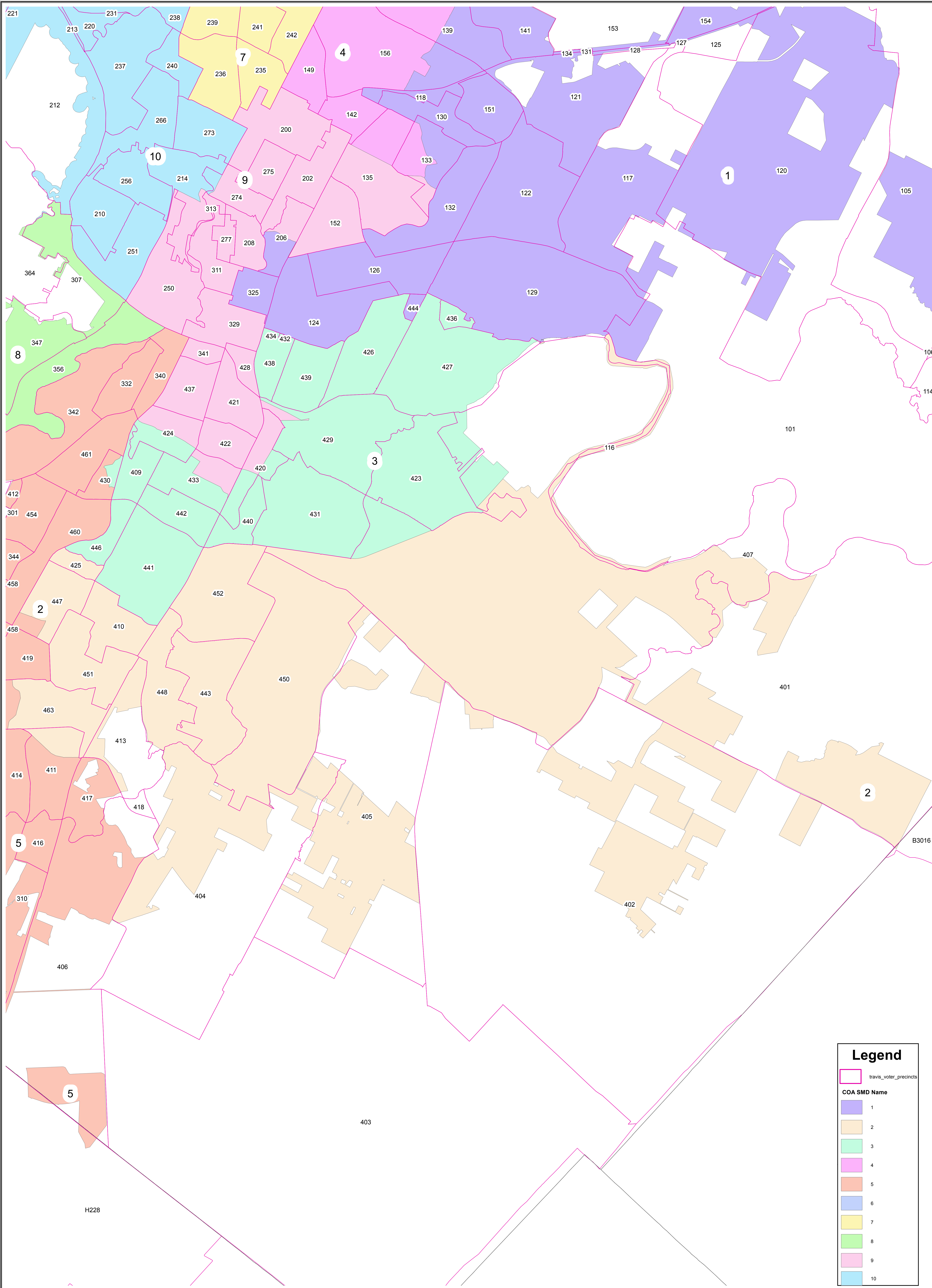


City of Austin Precincts and  
Single Member Districts









**Legend**

travis\_voter\_precincts

**COA SMD Name**

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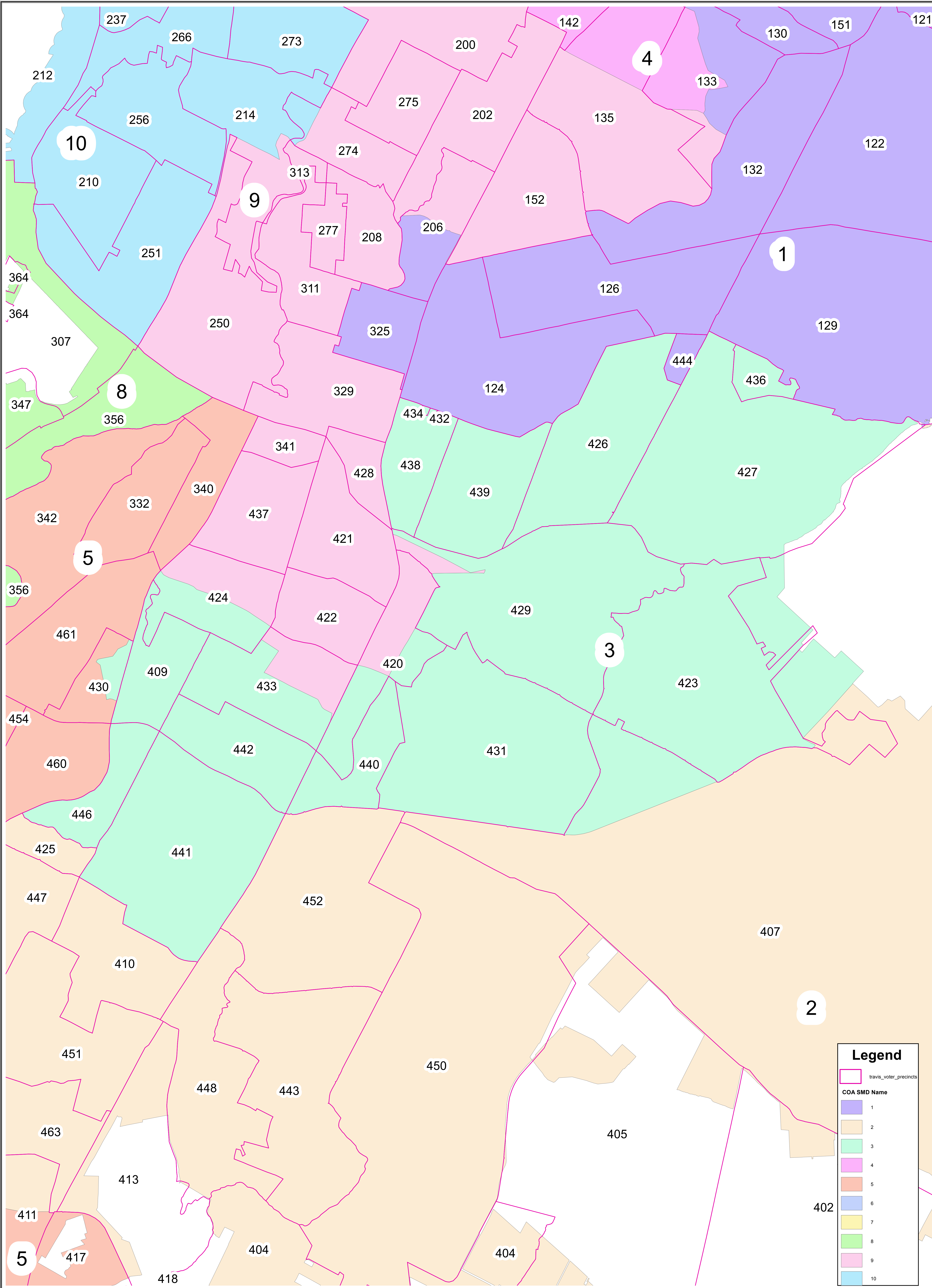
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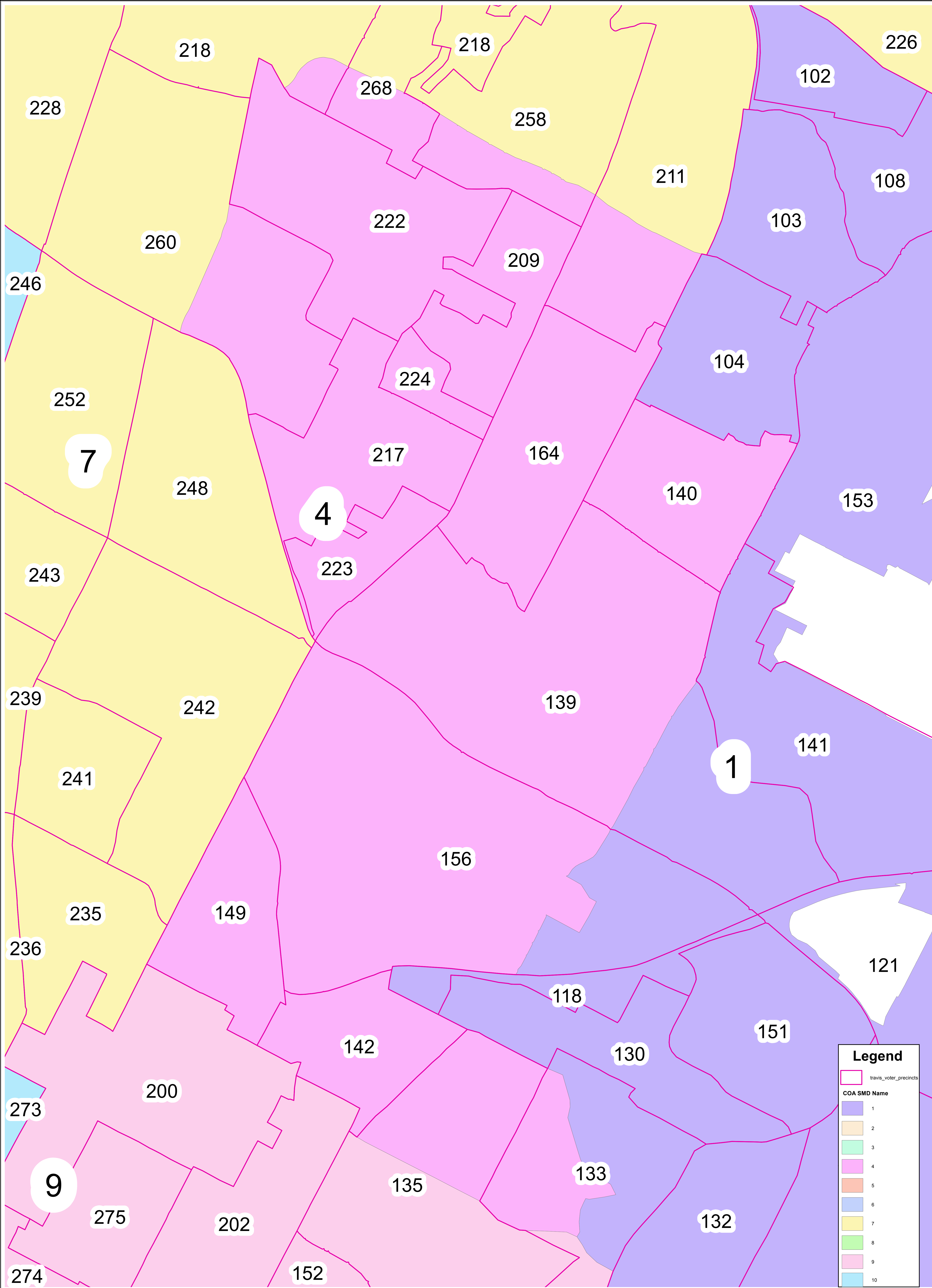
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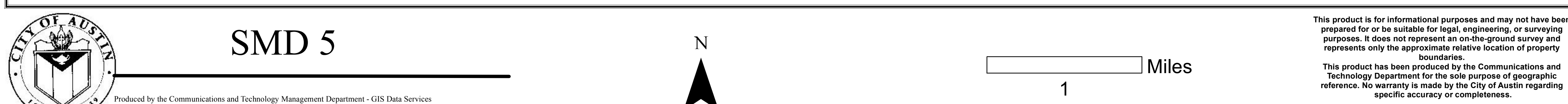








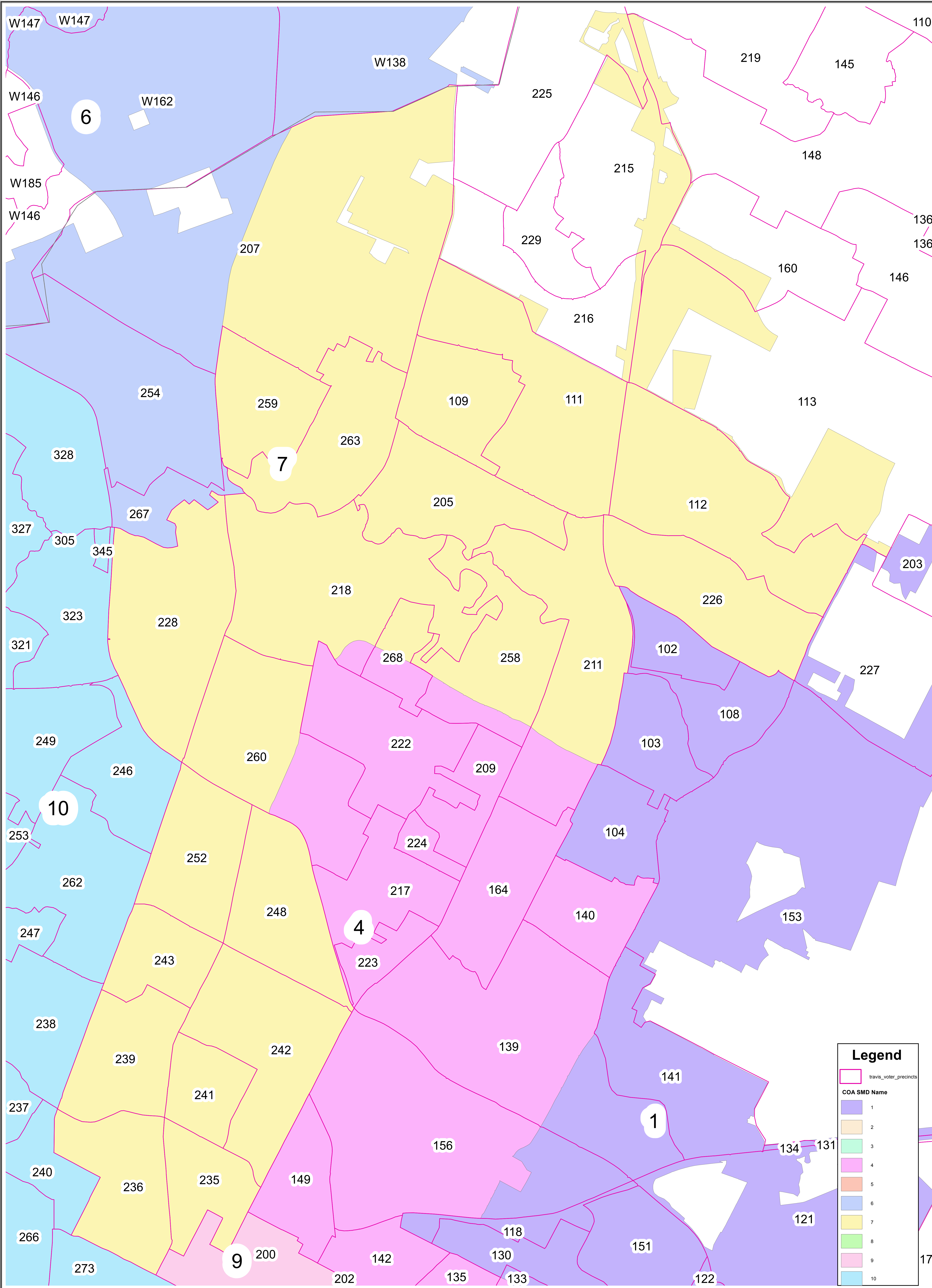








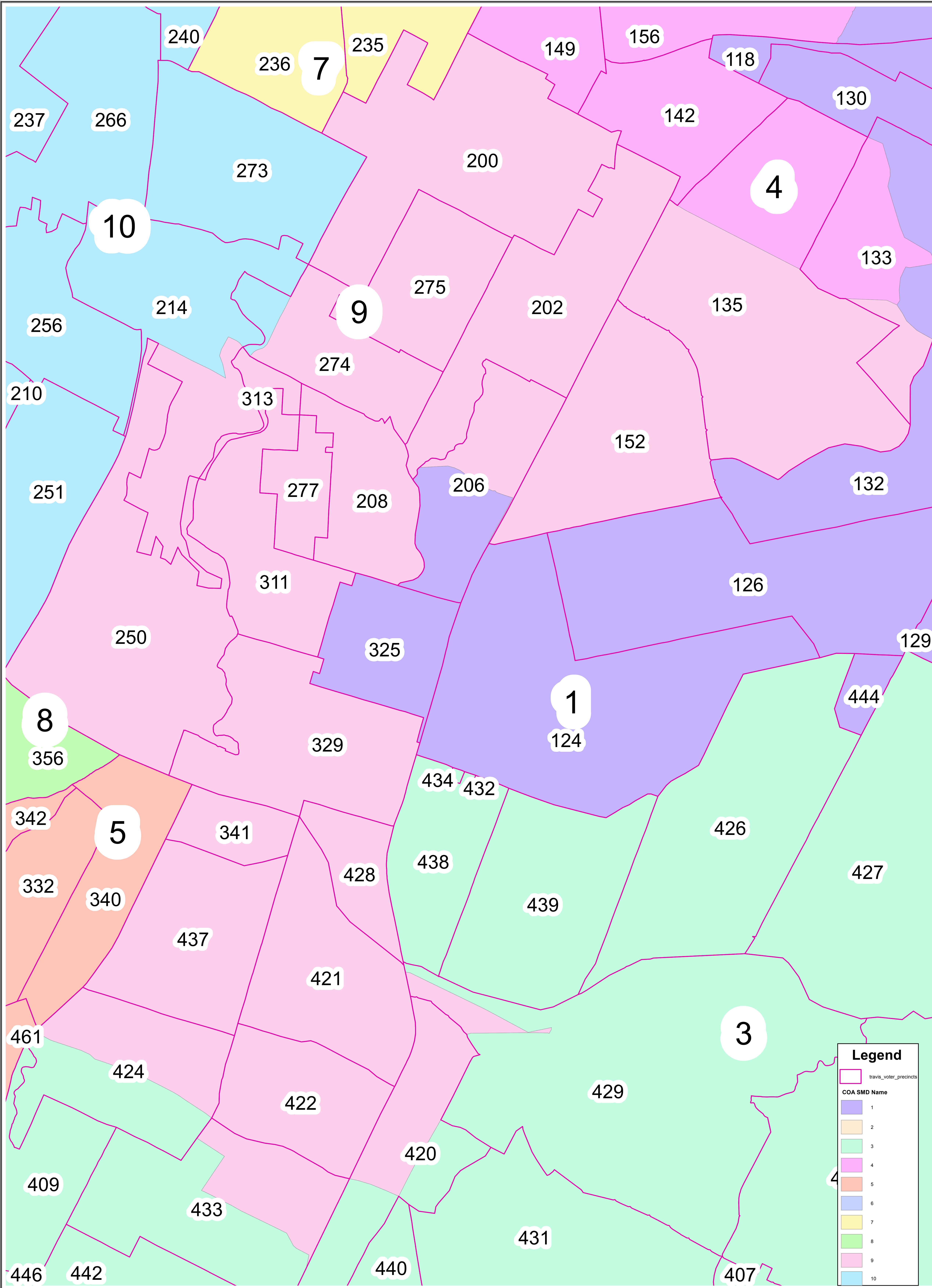












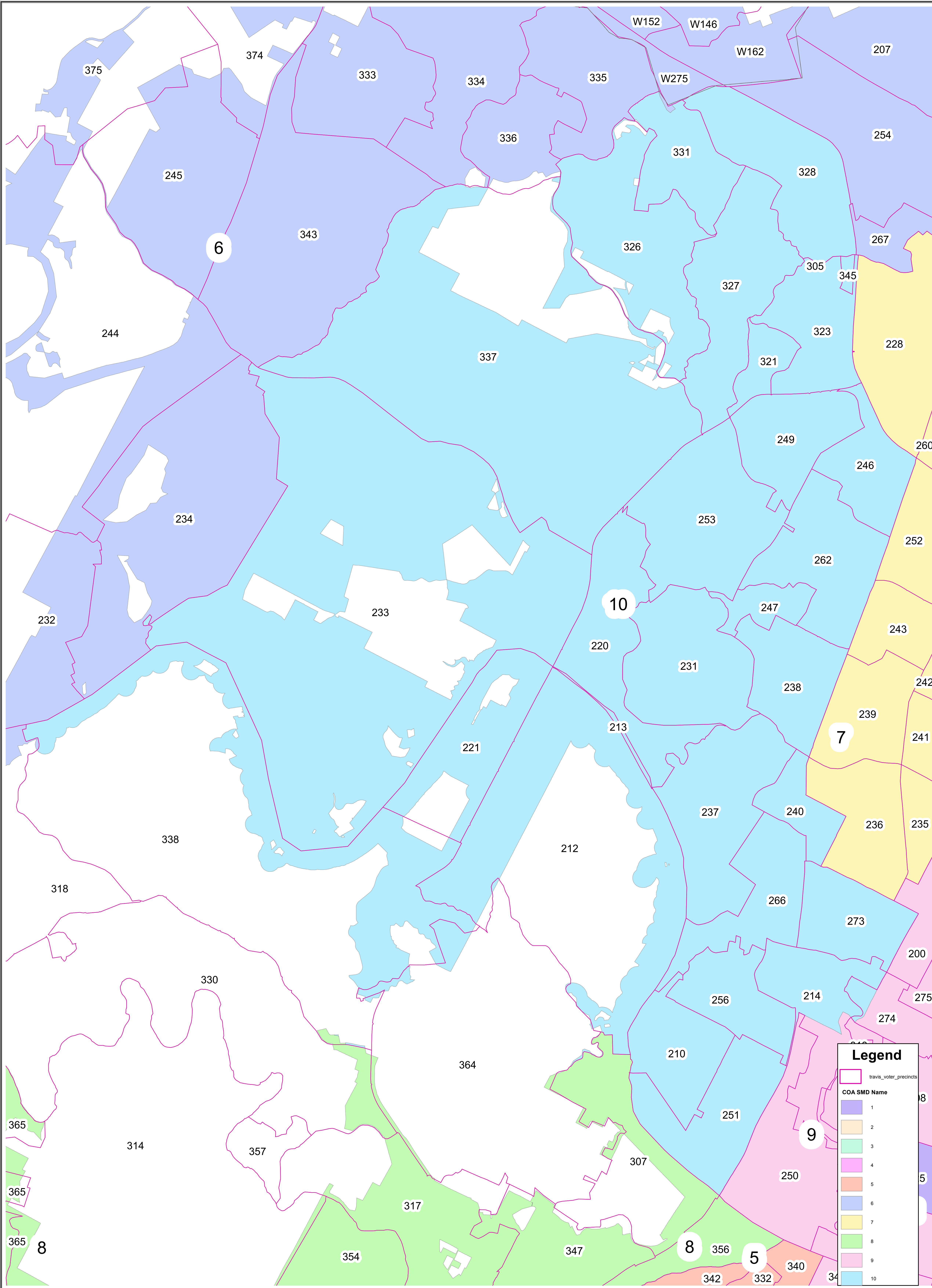
**Legend**

travis\_voter\_precincts

**COA SMD Name**

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- 10





Tab 2

Miscellaneous City Information



# City of Austin

## Communications and Public Information Office

301 W. Second St., Austin, TX 78701

### MEMORANDUM

TO: November 2014 City Council and Mayoral Candidates

FROM: Doug Matthews, Chief Communications Director

RE: Requests for Public Information

DATE: May 5, 2014

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Austin City Council and Mayoral candidates for the 2014 General City Election may submit questions or requests for public information pertaining to the City of Austin to the Communications and Public Information Office for coordination of responses.

City staff will provide an initial response to Public Information Requests within 10 working days from the date received by the City. Depending on the complexity, breadth or potential cost of providing a response, final disposition of a Public Information Request may extend beyond the initial 10 working days. In such cases, the requestor will be notified and provided the appropriate estimates of time and cost. Please direct your requests to:

Communications and Public Information Office  
Attn.: Chris Florance, Interim Media Relations Manager  
301 W. Second St.  
Austin, Texas 78701  
(512) 974-7988  
Email: [public.information@austintexas.gov](mailto:public.information@austintexas.gov)

Responsive public information compiled by staff will be made available to all Council candidates, and published on the City of Austin website at [www.austintexas.gov](http://www.austintexas.gov). Copies will be made available to all candidates via the Communications and Public Information Office at Austin City Hall, 301 W. Second St., Third Floor.

Please provide a phone number, email address and mailing address when submitting a request so that responsive information is provided to you as quickly as possible.

Thank you.



## MEMORANDUM

TO: City of Austin Candidates

FROM: Jannette Goodall, City Clerk

DATE: May 5, 2014

SUBJECT: Annual Adjustment of Campaign Finance Limits

Article III Section 8(A)( 1) and 8(A)(3), of the Austin City Charter, requires campaign finance limits to be modified annually with the adoption of the budget to increase or decrease in accordance with the most recently publicized federal government, Bureau of Labor Statistics Indicator, Consumer Price Index U.S. City Average (CPI-W U.S. City Average).

Article III, Section 8, reads as follows:

### § 8. LIMITS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

#### (A) Limits On Contributions To Candidates.

(1) No candidate for Mayor or City Council and his or her campaign committee shall accept campaign contributions in excess of \$300 [see below for current index amount] per contributor per election from any person, except for the candidate and small-donor political committees. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$50.00.

**[Using the current CPI, the campaign contribution limit amount is modified to \$350.00.]**

(3) No candidate and his or her committee shall accept an aggregate contribution total of more than \$30,000 [see below for current index amount] per election, and \$20,000 [see below for current index amount] in the case of a runoff election, from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$1,000.00.

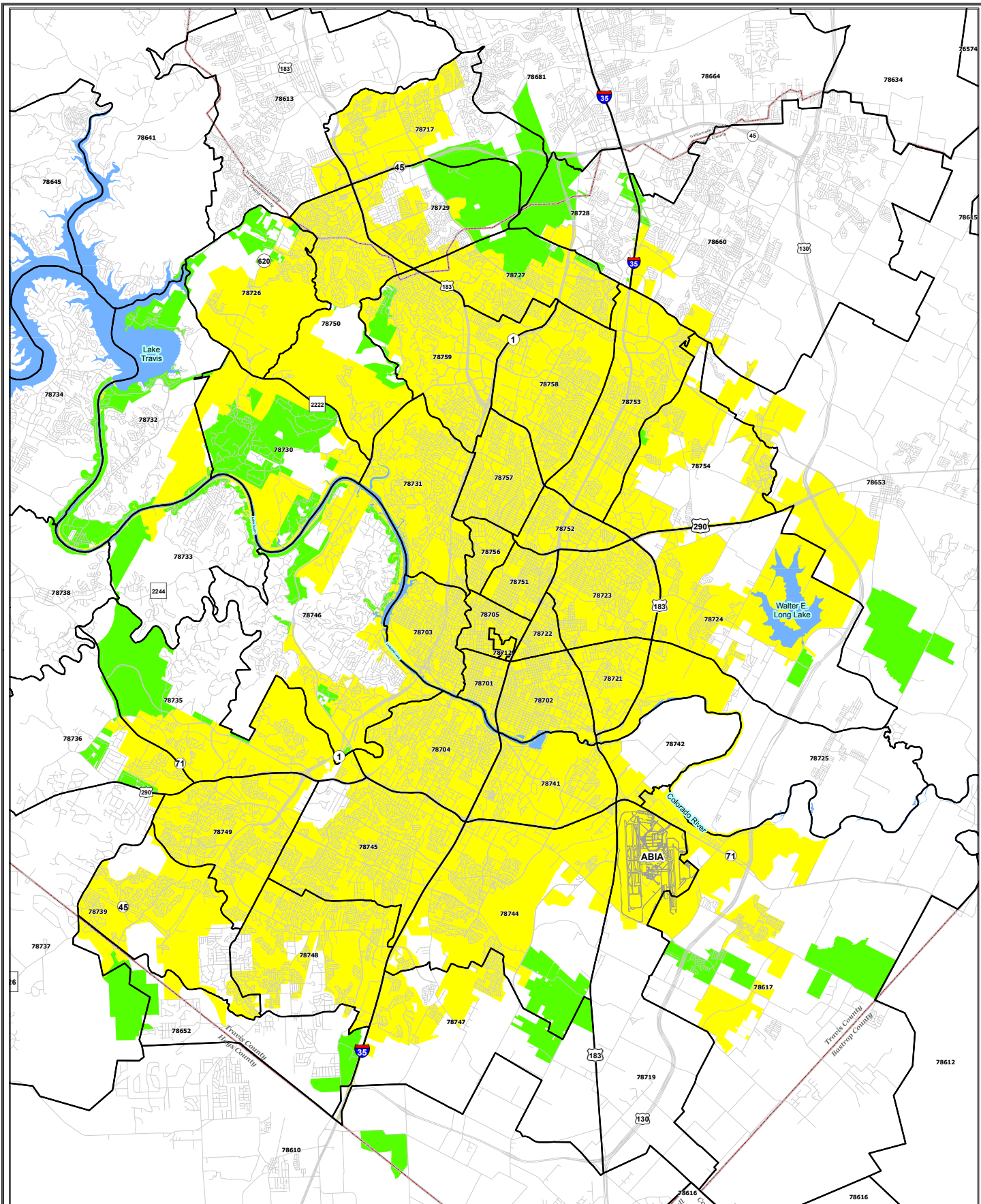
**[Using the current CPI, the aggregate contribution limit is modified to \$36,000 per election, and \$24,000 per runoff election.]**

Attached are a list and a map showing postal zip codes that are completely/partially within the Austin city limits.

If you have questions, please contact the City Clerk's office at (512) 974-2210.

76574	78705	78737
78610	78712	78738
78612	78717	78739
78613	78719	78741
78615	78721	78742
78616	78722	78744
78617	78723	78745
78634	78724	78746
78641	78725	78747
78645	78726	78748
78652	78727	78749
78653	78728	78750
78660	78729	78751
78664	78730	78752
78681	78731	78753
78701	78732	78754
78702	78733	78756
78703	78734	78757
78704	78735	78758
	78736	78759





# Zipcodes and Austin City Limits

Date: 1/7/2014



■ AUSTIN-FULL PURPOSE

■ AUSTIN-LTD PURPOSE

Zipcodes

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Communications and Technology Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Dear Candidate:

By seeking public office, you have demonstrated your commitment to Austin's vision of being the most livable city in the country. Austinites value a community that is clean and green. To that end, we ask you to ensure that your campaign follows the City Code regarding placement of signs and encourages recycling of your campaign signs after the election.

**Sign Ordinance (City Code Section 25-10-103)**

We recognize that placement of your signs is important. However, the City does have a sign ordinance that regulates all signs, including political campaign signs. Please share the following sign standards with your campaign staff and supporters:

Campaign signs **cannot**:

- Be attached to utility poles, traffic control boxes, light poles, or traffic sign poles and cannot be placed on Public property.
- Be placed in the median, at intersection corners, or on traffic islands.
- Be placed between the street and the first expansion joint in a driveway, the street and the sidewalk, or the street and the utility poles.
- Extend over the Right-of-Way.

Please see the enclosed flyer **Facts About Illegal ROW Signs** for more detailed information and diagrams. Signs unlawfully placed in the public right-of-way will be removed by Code Compliance staff and recycled appropriately. If you have any questions concerning sign restrictions, please contact Matthew Christianson, Code Compliance Division Manager, at 974-6470.

**Make Sure Your Signs Can Be Recycled**

To ensure that your signs are eligible to be recycled, please share the following information with your sign shop when you have your signs printed:

- All sizes and colors of polypropylene Coroplast™ signs will be accepted
- Signs must not have any vinyl lettering or vinyl overlays

**Free Recycling of Campaign Signs**

After the election, we encourage you to have your campaign staff to collect and recycle your signs for free! Austin Resource Recovery coordinated with the City's contracted recycling partners, Texas Disposal Systems and Balcones Resources, to offer free recycling of campaign signs. Please see the enclosed flyer **Campaign Sign Recycling** for details.

Thank you in advance for your cooperation.

Bob Gedert, Director  
Austin Resource Recovery  
512-974-1926

Carl Smart, Director  
Code Compliance Department  
512-974-1970



## Campaign Sign Recycling

Make sure your signs can be recycled:

If you would like to recycle your signs, be sure to share the following information when you place your order for signs with your sign shop.

- All sizes and colors of polypropylene Coroplast™ signs will be accepted for recycling
- Signs must NOT have any vinyl lettering or vinyl overlays.

After the election:

Campaign signs cannot be recycled through the city's single stream curbside recycle program. But, the City has partnered with Texas Disposal Systems and Balcones Resources to recycle campaign signs. After the election, please:

- Collect all signs
- Remove and separate stakes or hardware into a separate box
  - Metal sign stakes can be recycled at all three of our partner facilities
  - Wood sign stakes can be composted at select facilities
- Take your signs and separated wood and/or metal stakes to one of the recycling facilities below.

Signs meeting the requirements above will be accepted at:

Recycling Facility	Campaign Signs	Metal Stakes	Wood Stakes
Texas Disposal Systems 3606-C FM 1327, Creedmoor, TX 78617 (512)421-1300 Monday through Friday 8:00 a.m. – 3:00 p.m.	X	X	X
Balcones Resources 9301 Johnny Morris Road, Austin, TX 78724 (512) 472-3355 Monday through Friday 7:00 a.m. – 4:00 p.m.	X	X	
City of Austin Resource Recovery Center 3810 Todd Lane, Austin, Texas 78744 (512)974-4373 Monday through Friday 8:00 a.m. – 4:00 p.m.	X	X	X



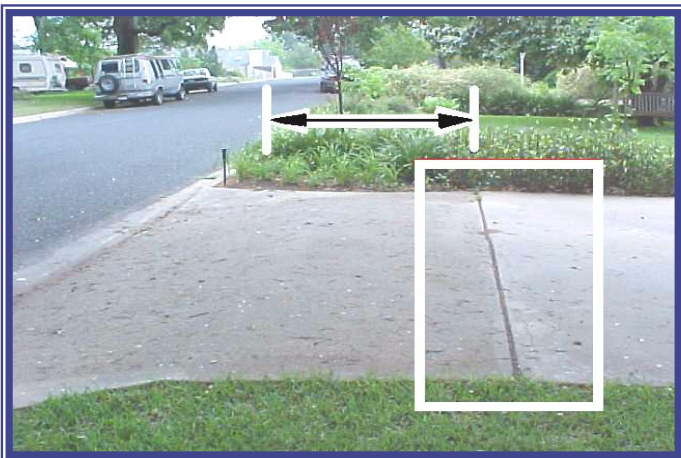


# Facts About Illegal Right-Of-Way Signs

- Signs cannot be attached to utility poles, traffic control boxes, light poles, or traffic sign poles and cannot be placed on Public property.
- Signs cannot be placed in the median, at intersection corners, or on traffic islands.
- Signs cannot be placed between the street and the first expansion joint in a driveway, the street and the sidewalk, or the street and the utility poles.
- Illegal signs will be confiscated without notice and disposed of.
- Violators of the City of Austin's Sign Ordinances can be prosecuted in Municipal Court.
- Off premise signs are not allowed in the City of Austin
- Signs may not extend over the Right-of-Way

**For Questions Call the City's Code Enforcement Department  
Dial 311**

Sign Ordinance 25-10-103  
Violation is a Class C Misdemeanor  
Fines up to \$500.00 per sign per day.



The City Right-Of-Way is area between the first expansion joint in a driveway and the street. An expansion joint is a man made "crack".



This sign is illegal and will be removed or citation issued.

Tab 3

Campaign Treasurer

## Austin City Code

**§ 8. LIMITS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.****(A) Limits On Contributions To Candidates.**

(1) No candidate for Mayor or City Council and his or her campaign committee shall accept campaign contributions in excess of \$300 per contributor per election from any person, except for the candidate and small-donor political committees. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$50.00.

(2) Each candidate may authorize, establish, administer, or control only one campaign committee at one time.

(3) No candidate and his or her committee shall accept an aggregate contribution total of more than \$30,000 per election, and \$20,000 in the case of a runoff election, from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits. The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government, Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$1,000.00.

**(B) Small-Donor Political Committees.**

(1) A small-donor political committee is a political committee which has accepted no more than \$25 from any contributor during any calendar year, has had at least 100 contributors during either the current or previous calendar year, has been in existence for at least six months, and has never been controlled by a candidate.

(2) Such a committee shall not contribute more than \$1000 per candidate per election for the offices of Mayor and City Council.

**(C) Coordinated Expenditures.**

Any expenditure supporting the election of a candidate or opposing the election of an opponent made with the prior consent of the candidate or his or her committee, or with cooperation or strategic communication between the candidate or his or her committee and the person making the expenditure, is considered a contribution and an expenditure.

**(D) Contributions Considered To Be From One Committee.**

Contributions made by separate political committees established, administered, maintained, or controlled by the same person or persons, including any parent, subsidiary, branch, division, department or local unit of the person, or by groups of those persons, shall be considered to be made by a single political committee.

**(E) Responsibility Of Candidate To Prevent Violations.**

The candidate, or his or her committee, shall determine whether accepting each contribution would violate this section before accepting the contribution.

(F) Time Restrictions On Candidate Fundraising; Officeholder Accounts.

(1) In this section terms have the same meaning they have in Title 15 of the Texas Election Code. The term "officeholder account" means an account in which funds described by subsection (F)(4) must be kept. "Officeholder" means the mayor or a council member.

(2) An officeholder, a candidate for mayor or city council, or an officeholder's or candidate's committee may not solicit or accept a political contribution except during the last 180 days before an election for mayor or council member or in which an officeholder faces recall.

(3) Except as provided by subsection (F)(6), no later than the 90th day after an election, or if a candidate is in a runoff election no later than the 90th day after the runoff, a candidate or officeholder shall distribute the balance of funds received from political contributions in excess of any remaining expenses for the election: (a) to the candidate's or officeholder's contributors on a reasonable basis, (b) to a charitable organization, or (c) to the Austin Fair Campaign Fund.

(4) An unsuccessful candidate who, after an election, has unpaid expenses remaining, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, may solicit and accept political contributions after the election until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed.

(5) An officeholder who, after an election, has unpaid expenses remaining, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, may solicit and accept political contributions after leaving office until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed. An officeholder may also pay the unpaid expenses and reimburse the unreimbursed expenditures from political contributions received during a subsequent campaign.

(6) An officeholder may retain up to \$20,000 of funds received from political contributions for the purposes of officeholder expenditures.

(7) An officeholder shall keep funds retained under subsection (F)(6) in an account separate from any other funds including personal funds of the officeholder and any other political funds of the officeholder. The funds kept in an officeholder account may be used only for officeholder expenditures. The funds kept in an officeholder account may not be used for campaign expenditures. The funds kept in an officeholder account may not exceed \$20,000.00 at any time.

(8) When an officeholder leaves the Council the funds remaining in an officeholder account must be paid to the Austin Fair Campaign Fund.

(G) Applicability To Councilmembers.

Any incumbent mayor or councilmember is subject to the regulations applied to candidates for the office he or she holds.

(H) Criminal or Civil Litigation Fund.

Nothing in this article applies to the solicitation, acceptance, or 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.

(I) Enforcement.

The city council may by ordinance adopt penalties and enforcement procedures for violations of this Article.

(J) Severability.

If any provision of this section, or the application of that provision to any persons or circumstances, shall be held invalid, then the remainder of this section, to the extent that it can be given effect, and the application of that provision to persons or circumstances other than those to which it was held invalid, shall not be affected thereby, and to this extent the provisions of this section are severable.

***Amendment note:***

*Section 8 appears as amended at the election of May 13, 2006. This section was added at the election of November 4, 1997. It took effect on November 7, 1997, the date of the canvass.*

# APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

**FORM CTA**  
**PG 1**

<b>See CTA Instruction Guide for detailed instructions.</b>		<b>1</b> Total pages filed:
<b>2</b> CANDIDATE NAME	MS / MRS / MR FIRST MI	<b>OFFICE USE ONLY</b>
	NICKNAME LAST SUFFIX	Acct. #
		Date Received
<b>3</b> CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	
<b>4</b> CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION ( )	Date Hand-delivered or Postmarked
		Date Processed
<b>5</b> OFFICE HELD (if any)		Date Imaged
<b>6</b> OFFICE SOUGHT (if known)		
<b>7</b> CAMPAIGN TREASURER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX	
<b>8</b> CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE	
<b>9</b> CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION ( )	
<b>10</b> CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p>_____ Signature of Candidate</p> <p>_____ Date Signed</p>	
<b>GO TO PAGE 2</b>		

**CANDIDATE MODIFIED  
REPORTING DECLARATION****FORM CTA  
PG 2****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 \$500 in political contributions or  
make more than \$500 in political expenditures (excluding filing fees)  
in connection with any future election within the election cycle.  
I understand that if either one of those limits is exceeded, I will be  
required to file pre-election reports and, if necessary, a runoff  
report.

\_\_\_\_\_  
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.**

# TEXAS ETHICS COMMISSION

## APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

### FORM CTA – INSTRUCTION GUIDE



**Revised July 14, 2010**

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

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

**AN EQUAL OPPORTUNITY EMPLOYER**

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



# FORM 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 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.

**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.

**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 Texas Ethics Commission are required to file those reports electronically unless the person is entitled to claim an exemption. Please check the Ethics Commission’s website at <http://www.ethics.state.tx.us> for information about exemptions from the electronic filing requirements.

**GUIDES.** All candidates should review the applicable Ethics Commission’s campaign finance guide. Guides are available on the Ethics 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. 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. Please do not enter a P.O. Box.

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

**10. 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.

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 \$500 in political contributions or make more than \$500 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$500 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file 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 \$500 maximums apply to each election within the cycle. In other words, you are limited to \$500 in contributions and expenditures in connection with the primary, an additional \$500 in contributions and expenditures in connection with the general election, and an additional \$500 in contributions and expenditures in connection with a runoff.

**EXCEEDING \$500 IN CONTRIBUTIONS OR EXPENDITURES.** If you exceed \$500 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$500 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

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

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



# AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

# FORM ACTA PG 1

**1** CANDIDATE  
NAME

**2** ACCOUNT #

**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

**OFFICE USE ONLY**

Date Received

**5** CANDIDATE  
MAILING  
ADDRESS

NEW

ADDRESS / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

Date Hand-delivered or Postmarked

Date Processed

**6** CANDIDATE  
PHONE

NEW

AREA CODE

PHONE NUMBER

EXTENSION

( )

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 \$500 in political contributions  
or make more than \$500 in political expenditures (excluding filing  
fees) in connection with any future election within the election cycle.  
I understand that if either one of those limits is exceeded, I will be  
required to file pre-election reports and, if necessary, a runoff  
report.

\_\_\_\_\_  
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.**

# **TEXAS ETHICS COMMISSION**

## **AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE**

### **FORM ACTA-INSTRUCTION GUIDE**



**Revised July 14, 2010**

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

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

**AN EQUAL OPPORTUNITY EMPLOYER**

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

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

**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 \$500 in political contributions or make more than \$500 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$500 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semi-annual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$500 maximums apply to each election within the cycle. In other words, you are limited to \$500 in contributions and expenditures in connection with the primary, an additional \$500 in contributions and expenditures in connection with the general election, and an additional \$500 in contributions and expenditures in connection with a runoff.

**Exceeding \$500 in contributions or expenditures.** If you exceed \$500 in contributions or expenditures in connection with an election, you must file according to the regular schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$500 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

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

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

# 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 ☐POLITICAL COMMITTEE ☐

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

*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 untrammelled 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

Tab 4

Applying for a Place on the Ballot

## Austin City Code

**§ 2. ELIGIBILITY OF COUNCIL MEMBERS.**

(A) A candidate for mayor must meet all eligibility requirements of state law and must have resided continuously in the state for 12 months and in the city for six months immediately preceding the regular filing deadline for a mayoral candidate's application for a place on the ballot. If the mayor ceases to reside in the city, the mayor automatically resigns.

(B) A candidate for city council from a council district must meet all eligibility requirements of state law and must have resided continuously in the state for 12 months and in the council district from which the member is seeking election for six months immediately preceding the regular filing deadline for a council candidate's application for a place on the ballot. If a council member elected from a council district ceases to reside in the district as the boundaries of the district were drawn at the time of the council member's election, the council member automatically resigns.

***Amendment note:***

*Section 2 appears as added at the election of November 6, 2012. A former § 2 concerned the qualifications for Councilmembers; had previously been amended at the election of April 1, 1978; and was repealed at the election of November 6, 2012.*

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

<b>APPLICATION FOR A PLACE ON THE CITY OF _____ GENERAL ELECTION BALLOT</b>					
TO: City Secretary					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT Include any place number or other distinguishing number, if any.				INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT		
PERMANENT RESIDENCE ADDRESS (Street address and apartment number. If none, describe location of residence. Do not include P.O. Box or Rural Rt.)			MAILING ADDRESS (If different from residence address)		
CITY	STATE	ZIP	CITY	STATE	ZIP
EMAIL ADDRESS (Optional)		OCCUPATION (Do not leave blank)		DATE OF BIRTH / /	VOTER REGISTRATION VOID NUMBER (if applicable)
TELEPHONE NUMBER (Include area code) (Optional)		Length of Continuous Residence as of Date Application Sworn			
OFFICE:		IN STATE ____ yr(s) ____ mos		IN CITY ____ yr(s) ____ mos	
HOME:		IN DISTRICT OR PRECINCT <sup>1</sup> ____ yr(s) ____ mos			
<div style="border: 1px solid black; padding: 5px;">If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.</div>					
<p>Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says: "I, (name) _____, of _____, County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the Constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.</p> <p>I further swear that the foregoing statements included in my application are in all things true and correct."</p> <p style="text-align: center; font-size: 2em; margin: 20px 0;">X</p> <p style="text-align: center;">_____ SIGNATURE OF CANDIDATE</p>					
Sworn to and subscribed before me at _____, this the _____ day of _____, _____.					
<b>SEAL</b>					
Signature of Officer administering oath <sup>2</sup>			Title of Officer administering oath		
<p>TO BE COMPLETED BY CITY SECRETARY:</p> <p>(See Section 1.007)</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div>_____ Date Received</div><div>_____ Signature of City Secretary</div></div>					

## INSTRUCTIONS

An application to have the name of a candidate placed on the ballot for any election may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void.

The filing deadline is 5:00 p.m. 71 days prior to the election day if the election is held in May or November of an odd-numbered year, except in cases where the law specifies the contrary.

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

The candidate **must** sign this statement indicating his awareness of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

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

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

Examples of relatives within the third degree of consanguinity are as follows:

- (1) First degree: parent, child;
- (2) Second degree: brother, sister, grandparent, grandchild;
- (3) Third degree: great-grandparent, great-grandchild, uncle, aunt, nephew, niece.

These include relatives by blood, half-blood, and legal adoption.

Examples of relatives within the second degree of affinity are as follows:

- (1) First degree: spouse, spouse's parent, son-in-law, daughter-in-law;
- (2) Second degree: brother's spouse, sister's spouse, spouse's brother, spouse's sister, spouse's grandparent.

Persons related by affinity (marriage) include spouses of relatives by consanguinity, and, if married, the spouse and the spouse's relatives by consanguinity. These examples are not all inclusive.

## FOOTNOTE

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

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

## **INSTRUCTIONS FOR FILING A PETITION FOR A PLACE ON THE BALLOT**

The City Charter, Article III, Section 4 requires a filing fee of \$500.00. The Texas Election Code, Section 143.005 requires a city to provide candidates an alternative to the filing fee. Therefore, in lieu of the filing fee, the City of Austin provides that a candidate may file his/her application for a place on the ballot along with a petition. The petition must contain the appropriate number of valid signatures [*see below*]. For council districts, a valid signature is one from any qualified voter within that particular district. For mayor, a valid signature is one from any qualified voter within the City of Austin. The required number of valid signatures is determined through reference to the Texas Election Code, Section 143.005(d)(2). Listed below are the numbers of signatures required on a petition for each district and for the at-large mayoral election:

Mayor (at large): 244 signatures

District 1: 25 signatures

District 2: 25 signatures

District 3: 25 signatures

District 4: 25 signatures

District 5: 32 signatures

District 6: 25 signatures

District 7: 31 signatures

District 8: 30 signatures

District 9: 29 signatures

District 10: 52 signatures

Election Code, Section 141.066 states:

- Signing more than one petition is prohibited.
- The following statement must appear at the top of each page of a petition: "Signing the petition of more than one candidate for the same office in the same election is prohibited."
- A signature on a candidate's petition is invalid if the signer signed the petition subsequent to signing a petition of another candidate for the same office in the same election.

### Completing the Petition

1. The name of the person circulating the petition must be listed in the section in the upper right-hand corner. Indicate the number of pages being submitted. The circulator may make as many copies as needed of the blank petition page and the continuation page.
2. The next section of the petition must contain the following information:
  - City: Austin
  - Name: Name of the candidate

- Address: Candidate's address
  - Office sought: Either Mayor or the specific Council District.
3. The next section contains the signer's information. Please encourage signers to write as legibly as possible. The signature of the voter is required to be in the signer's own handwriting. The following should be provided for each signer:
- Date he/she is signing the petition.
  - His/her signature.
  - His/her printed name.
  - Street address and the name of the city, state and zip code. Ditto marks [“ “] can be used if the city, state and zip code are the same as the line above. The name of the city should be written out at least on the first signature line.
  - County (Hays, Travis or Williamson).
  - Voter registration number.
  - Date of birth.
- (Either the voter registration number or date of birth must be provided. It is recommended that both be provided to ensure the correct signature is validated.)
4. At the bottom of the form, the Affidavit of Circulator must be completed and must be notarized by a Notary. The Affidavit of the Circulator must be attached to the petition pages circulated by that individual. This section must be completed for each circulator.

Upon receipt of the petition, the City Clerk's office will verify the signatures to ensure the signatures are valid and the petition is sufficient. If the number of valid signatures is equal to or more than the amount required by state law, the petition is declared valid. If the number of valid signatures is less than the amount required by state law, the petition is declared invalid. It is recommended that a person collect more than the required number of signatures to ensure the petition is valid. Once the validation process has been completed, the candidate will be notified of the results.

If the petition is declared invalid and the deadline for a candidate to file an application for a place on the ballot has not passed, another application may be filed along with a payment of the \$500.00 filing fee or submission of a new petition.

**PETITION FOR A PLACE ON THE CITY GENERAL ELECTION BALLOT**  
*(PETICIÓN PARA QUE SU NOMBRE ESTE PUESTO EN LA BOLETA DE LA ELECCIÓN GENERAL DE LA CIUDAD)*

Name of Circulator \_\_\_\_\_ Page \_\_\_\_ of \_\_\_\_

**Signing the petition of more than one candidate for the same office in the same election is prohibited.**  
*(Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)*

**COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)**

You are hereby requested to place the name indicated below on the ballot for the next general election for the City of \_\_\_\_\_ for the office indicated.  
*(Por la presente se la solicita que el nombre del individuo indicado abajo esté puesto en la boleta para la próxima elección general de la Ciudad de \_\_\_\_\_ para el puesto oficial indicado.)*

Name <i>(Nombre)</i> <sup>1</sup>		Address <i>(Dirección)</i>		Office sought <i>(Puesto oficial solicitado)</i> <sup>2</sup>		
-----------------------------------	--	----------------------------	--	---	--	--

Date Signed <i>(Fecha de Firma)</i>	Signature <i>(Firma)</i>	Printed Name <i>(Nombre en letra de molde)</i>	Street Address (Including City, Texas, Zip) <i>(Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))</i>	County <i>(Condado)</i>	Voter VUID Number <sup>3</sup> <i>(Núm. de VUID de Votante)</i>	Date of Birth <sup>3</sup> <i>(Fecha de Nacimiento)</i>

**AFFIDAVIT OF CIRCULATOR** *(DECLARACION JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICION)*

STATE OF TEXAS *(ESTADO DE TEJAS)* COUNTY OF *(CONDADO DE)* \_\_\_\_\_ BEFORE ME, the undersigned, on this \_\_\_\_/\_\_\_\_/\_\_\_\_ (date) personally appeared *(ANTE MI, el/la suscrito(a), en este (fecha) compareció)* \_\_\_\_\_, (name of person who circulated petition) – *(nombre de la persona que hizo circular la petición)* who being duly sworn, deposes and says: “I called each signer’s attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer’s registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct.” *(quien, habiendo prestado el juramento correspondiente, declaró y dijo: “Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.”)* SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE *(JURADO Y SUSCRITO ANTE MI, CON ESTA FECHA)*

X \_\_\_\_\_

Signature of circulator *(Firma de la persona que hizo circular la petición)*

X \_\_\_\_\_

Signature of officer administering oath *(Firma del/de la funcionario(a) que le tomó juramento)*

X \_\_\_\_\_

Title of officer administering oath *(Título oficial del/de la funcionario(a) que le tomó juramento)*

(SEAL)

INSTRUCTIONS AND FOOTNOTES ON BACK *(AL DORSO: INSTRUCCIONES Y ANOTACIONES)*



INSTRUCTIONS (Petition in City Election)

The petition shall be filed with the same officer with whom an application for a place on the ballot for the office being sought is to be filed and must be filed at the same time as such application.

The petition may consist of several parts, and each part may consist of several pages. The statement in the box at the head of the page must appear at the head of each page of signatures. The affidavit at the bottom of the page must accompany each part but is not required for each page of signatures.

The person or persons who circulate the petition must be administered the affidavit by the proper officer.

INSTRUCCIONES: (Petición para elección de la ciudad)

*Esta petición deberá presentarse ante el mismo oficial a quien se solicite inscripción el la boleta para el puesto que se busca y al mismo tiempo que la solicitud correspondiente.*

*La petición puede estar dividida en diversas secciones y cada sección a su vez puede constar de varias páginas. La declaración que está en el cuadro que encabeza el formulario deberá aparecer al principio de cada hoja que contenga firmas. La declaración jurada que aparece al pie del formulario deberá incluirse con cada sección de la petición; no se exige que aparezca en cada página de firmas.*

*La(s) persona(s) que haga(n) circular la petición deberá(n) firmar la declarción jurada ante el oficial correspondiente.*

FOOTNOTES

- <sup>1</sup> Insert Candidate’s name.
- <sup>2</sup> Insert office title, including any place number or other distinguishing number.
- <sup>3</sup> Either the voter registration certificate number or the date of birth is required.
- <sup>4</sup>All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary, and the Secretary of State of Texas.

ANOTACIONES

- <sup>1</sup> Indicar el nombre del candidate.
- <sup>2</sup> Indicar el cargo oficial e incluir el número de su lugar en la boleta o cualquier otro número distintivo.
- <sup>3</sup> Su número de certificado de registro de votante o su fecha de nacimiento es necesario.
- <sup>4</sup>Todo juramento, testimonio o afirmación hecho dentro de este Estado se podrá administrar y se podrá dar un certificado del hecho por un juez, escribano, o comisionado de alguna corte de registro, un notario público, un juez de paz, secretario de la ciudad, y el Secretario del Estado de Texas.

CONTINUATION PAGE FOR PETITION FOR A PLACE ON THE CITY GENERAL ELECTION BALLOT

Name (Nombre)	Address (Dirección)	Office sought (Puesto oficial solicitado)
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Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato ara el mismo puesto oficial en la misma elección.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Street Address(City,Texas, Zip) (Dirección de Residencia(Ciudad, Código Postal)	County (Condado)	Voter Registration Number (Núm. De Registro de Votante)	Date of Birth (Fecha de Nacimiento)

Tab 5

Fair Campaign Provisions

## Austin City Code

**CHAPTER 2-2. CAMPAIGN FINANCE.*****ARTICLE 1. GENERAL PROVISIONS.***

- § 2-2-1 Declaration of Policy and Legislative Findings
- § 2-2-2 Definitions
- § 2-2-3 Conformity with Texas Election Code
- § 2-2-4 Conformity with Constitutional and Charter Provisions; Severability
- § 2-2-5 Offenses and Penalty
- § 2-2-6 Candidate Guide
- § 2-2-7 Commencement of Campaign Period
- § 2-2-8 Termination of Inactive Campaign Treasurer Appointment

***ARTICLE 2. VOLUNTARY LIMITATIONS ON CONTRIBUTIONS AND EXPENDITURES.***

- § 2-2-11 Voluntary Campaign Contract
- § 2-2-12 Candidates' Expenditure Limitations
- § 2-2-13 Candidates' Contribution Limits
- § 2-2-14 Disclosure of Compliance with Chapter
- § 2-2-15 Liquidated Damages
- § 2-2-16 Other Enforcement and Sanctions
- § 2-2-17 Waiver of Voluntary Limits

***ARTICLE 3. DISCLOSURES AND FILING PROCEDURES FOR CONTRIBUTION AND EXPENDITURE REPORTS.***

- § 2-2-21 Additional Information Required on all Contribution and Expenditure Reports Filed with the City
- § 2-2-22 Fundraising and Bundling by Intermediaries
- § 2-2-23 General Purpose Committees
- § 2-2-24 Returned Contributions
- § 2-2-25 Annual Reconciliation Filing by Candidates and Campaign Committees
- § 2-2-26 Electronic Filing
- § 2-2-27 Disclosure of Loans from a Candidate or Officeholder and Expenditures from the Funds of a Candidate or Officeholder

§ 2-2-28 Retention of Records

§ 2-2-29 Special Pre-election Reports

***ARTICLE 4. INDEPENDENT EXPENDITURES.***

§ 2-2-31 Definitions

§ 2-2-32 Reporting of Independent Expenditures

§ 2-2-33 Disclosure Statement Required

***ARTICLE 5. OFFICEHOLDER ACCOUNTS AND CAMPAIGN DEBT.***

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§ 2-2-42 Annual Reconciliation of Campaign Debt

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***ARTICLE 6. RESTRICTIONS ON CONTRIBUTIONS.***

§ 2-2-51 Restrictions on Cash Contributions

§ 2-2-52 Restrictions on Contributions at City-Owned Buildings

§ 2-2-53 Restrictions on Contributions by Lobbyists

§ 2-2-54 Restrictions on Contributions to and Expenditures by Specific-Purpose Political Committee

§ 2-2-55 Restrictions on Use of Existing Funds from Political Committees, Candidates, and Officeholders

§ 2-2-56 Restrictions on Creation of Campaign Committee

§ 2-2-57 Restrictions on Expenditures by Affiliated Person

***ARTICLE 7. AUSTIN FAIR CAMPAIGN FINANCE FUND.***

§ 2-2-61 Establishment

§ 2-2-62 Funding for Austin Fair Campaign Finance Fund

§ 2-2-63 Qualifying Candidates

§ 2-2-64 Funding for Qualifying Candidates

§ 2-2-65 Other Considerations for Campaign Contract

***ARTICLE 1. GENERAL PROVISIONS.***

***§ 2-2-1 DECLARATION OF POLICY AND LEGISLATIVE FINDINGS.***

(A) The short name of this chapter is the Austin Fair Campaign Chapter.

(B) The proper operation of a representative democracy requires that elected public officials exercise independent judgment, act impartially, and remain responsible to the people.

(C) The City election process and city government should be protected from potential undue influence by individuals and groups making large contributions to the election campaigns of candidates for mayor and city council.

(D) The City election process and city government should be protected from even an appearance of undue influence by individuals or groups contributing to candidates for mayor and city council.

(E) The public should have justified confidence in the integrity of its government.

(F) Limitations on contributions of money, services, and materials by individuals or groups to candidates for City office will promote public confidence.

(G) Citizen participation in the operation of City election campaigns will enhance a broad based electoral process accountable to all citizens rather than a privileged few.

(H) Enactment of this chapter is an appropriate exercise of the City's authority as a home rule municipality under Texas law, and that the benefits of this chapter will include a more efficient, less costly election process and more responsive, effective city government.

(I) This chapter is enacted based on these findings, in furtherance of these policies, and is a narrowly tailored remedy to address the compelling government interests of preventing corruption or the appearance of corruption, preserving the individual citizen's confidence in government, and ensuring the integrity of the City's election system.

*Source: Ord. 20080925-079.*

## **§ 2-2-2 DEFINITIONS.**

(1) CAMPAIGN or CAMPAIGN COMMITTEE means the principal, authorized political committee of a candidate for City office.

(2) CAMPAIGN CONTRACT means a contract between a candidate for mayor or city council and the City as provided by this chapter.

(3) CAMPAIGN PERIOD means the time period allowed in City Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*).

(4) CAMPAIGN TREASURER means the individual designated by a candidate, officeholder, or political committee under the Texas Election Code, including a candidate acting as his or her own campaign treasurer.

(5) CANDIDATE means:

(a) a candidate for mayor or city council;

(b) a candidate's campaign committee; and

(c) related to Article 4 (*Independent Expenditures*), a person who has, or has had during an election or runoff election, authority to act on behalf of the candidate or candidate's campaign.

(6) CONTRIBUTION means a direct or indirect transfer of money, goods, services, or any other thing of value, including 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 the Texas Election Code, and a guarantee of a loan or extension of credit. The term does not include an expenditure required to be reported under Section 35.006

(b), Texas Government Code. In-kind labor, as defined in this chapter, is not a contribution.

(7) CONTRIBUTION AND EXPENDITURE REPORT means a periodic report of contributions and expenditures by a candidate, officeholder, or political committee required to be filed under the Texas Election Code, including any other matters required to be disclosed under this chapter.

(8) ELECTION or CITY ELECTION means the process by which an individual (whether opposed or unopposed) seeks election to City office, excluding an election for a ballot measure.

(9) EXPENDITURE means a payment of money or other thing of value, including an agreement made or other obligation incurred, whether legally enforceable or not, to make a payment.

(10) INDEPENDENT EXPENDITURE means:

(A) an expenditure for an electioneering communication or for express advocacy as those terms are defined in Article 4; and

(B) an expenditure on behalf of, or opposing the election of, a candidate, if:

(1) the expenditure is made independently of the candidate and the candidate's campaign committee; and

(2) the expenditure is made:

(a) without prior consent, cooperation, strategic communication, or consultation between the candidate, the candidate's campaign staff, the candidate's campaign committee, or an agent or employee of the candidate or the committee, and the person or entity making the expenditure, or that person's agent or employee, and

(b) without prior sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between the candidate, the candidate's campaign staff, the candidate's campaign committee, or an agent or employee of the candidate or the committee, and the person or entity making the expenditure, or that person's agent or employee.

(11) INDIVIDUAL means a natural person, and cannot mean a corporation or other entity.

(12) IN-KIND LABOR means the value of personal services provided without compensation by any individual who volunteers on behalf of a candidate or political committee.

(13) LOBBY or LOBBYING means the solicitation of a City official, by any means other than public expression at a meeting of City officials open to the public under the Open Meetings Act, directly or indirectly by a person in an effort to influence or persuade the City official to support or oppose, recommend or not recommend, vote for or against, or to take action or refrain from taking action on a municipal question, excluding mere requests for information or inquiries about a municipal question, matter, or procedure or communication to a City official that is incidental to other employment not for the purpose of lobbying.

(14) OFFICEHOLDER means an individual holding the office of mayor or City councilmember.

(15) OFFICEHOLDER ACCOUNT means an account maintained by an officeholder as permitted by the Texas Election Code to make officeholder expenditures, whether or not maintained as a segregated fund.

(16) OFFICEHOLDER EXPENDITURE means a payment made or obligation incurred by an officeholder when the payment or obligation is for officeholder purposes authorized by this chapter.

(17) PERSON means an individual, corporation, partnership, labor union, or labor organization, or any unincorporated association, firm, committee, club, or other organization or group of persons, including a political committee organized under the Texas Election Code, not limited to the definition in Section 1-1-2 (*General Definitions*) of the Code.

(18) POLITICAL ADVERTISING shall have the meaning set out in the Texas Election Code.

(19) POLITICAL COMMITTEE means a specific purpose political committee or general purpose political committee as defined in the Texas Election Code.

(20) QUALIFYING CANDIDATE means a candidate who has signed a campaign contract under this chapter and who has met the requirements under this chapter to qualify for funds from the Austin Fair Campaign Finance Fund.

(21) REPORTING PERIOD means a period established under the Texas Election Code for filing of contribution and expenditure reports.

(22) RUNOFF ELECTION means an election following an election in which no candidate receives a majority of the votes cast.

(23) STRATEGIC COMMUNICATION means a communication regarding advertising, campaign strategies, and voter groups between the candidate, candidate's campaign committee, or their agents or employees and any of the persons, agents, or employees of the entity making expenditures.

*Source: Ord. 20080925-079; Ord. 20090618-048; Ord. 20120802-069.*

### **§ 2-2-3 CONFORMITY WITH TEXAS ELECTION CODE.**

(A) Terms not defined in this chapter but defined in the Texas Election Code shall have the meanings assigned to them in the Texas Election Code.

(B) The starting and ending dates of reporting periods and the due dates of contribution and expenditure reports for City elections shall continue to be governed by the Texas Election Code.

(C) Under this chapter, candidates, officeholders, and political committees participating in City elections may be required to make additional disclosures, to file additional notices, and to comply with certain restrictions not set out in the Texas Election Code.

(D) If there is a conflict between this chapter and the Texas Election Code or other state law, state law prevails. The requirements set out in this chapter are cumulative of those in the Texas Election Code, and nothing in this chapter shall be construed to limit obligations imposed by the Texas Election Code.

*Source: Ord. 20080925-079.*

### **§ 2-2-4 CONFORMITY WITH CONSTITUTIONAL AND CHARTER PROVISIONS; SEVERABILITY.**

(A) This chapter shall comply in all respects with applicable provisions of the United States Constitution, the Texas Constitution, and the City Charter.



(B) If any provision of this chapter is declared by a court of law to be illegal, void, invalid, unconstitutional, or in violation of the City Charter, the provisions of Code Section 1-1-12 (*Severability*) shall be given a liberal construction to maintain the effectiveness of all other provisions of this chapter.

Source: Ord. 20080925-079.

### **§ 2-2-5 OFFENSES AND PENALTY.**

(A) Except as provided in Subsection (B), a person who knowingly violates this chapter or a provision of City Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*) commits a Class C misdemeanor punishable in accordance with Section 1-1-99 (*Offenses; General Penalty*) by a fine not to exceed \$500. Each expenditure, contribution, or other action in violation of this chapter constitutes a separate offense.

(B) This section does not apply to Article 2 (*Voluntary Limitations on Contributions and Expenditures*), except as otherwise specifically provided in that article.

(C) The remedies authorized under this chapter are cumulative of other remedies available under state and federal law.

Source: Ord. 20080925-079.

### **§ 2-2-6 CANDIDATE GUIDE.**

(A) The city clerk shall prepare a candidate guide to current city election provisions, including:

(1) the City Charter, Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*);

(2) City Code Chapter 2-2 (*Campaign Finance*);

(3) copies of reporting forms required by state law; and

(4) copies of reporting and disclosure forms required by this chapter.

(B) The city clerk shall make the candidate guide available cost-free in hard copy at least six months before a City election. The city clerk may also make the guide available online in an electronic format that is readily reproduceable.

(C) The city clerk shall give each candidate filing a designation of campaign treasurer or for a place on the ballot and a prospective candidate a copy of the candidate guide.

Source: Ord. 20080925-079.

### **§ 2-2-7 COMMENCEMENT OF CAMPAIGN PERIOD.**

(A) A general election, special election, and a runoff election each have a separate campaign periods for purposes of City Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*) and this chapter.

(B) The campaign period for a runoff election begins the day after the date of an Election at which no candidate receives the majority of the votes.

(C) The campaign period for a special election, including a recall election, begins the day after the date the council calls the special election.

(D) A candidate may only raise funds for an election during an authorized campaign period.

*Source: Ord. 20090618-048.*

### **§ 2-2-8 TERMINATION OF INACTIVE CAMPAIGN TREASURER APPOINTMENT.**

(A) In this section, “inactive candidate” or “inactive political committee” means a candidate or political committee that:

(1) has not filed a required report under Texas Election Code, Chapter 254 (*Political Reporting*), for more than one year since the last reporting deadline;

(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 city clerk; and

(3) has not filed:

(A) a final report under Texas Election Code, Section 254.065 (*Final Report*) or 254.125 (*Final Report of Committee for Supporting or Opposing Candidate or Measure*); or

(B) a dissolution report under Texas Election Code, Section 254.126 (*Dissolution Report of Committee for Assisting Officeholder*) or 254.159 (*Dissolution Report*).

(B) The city clerk may terminate the campaign treasurer appointment of an inactive candidate or inactive political committee.

(C) Before the city clerk may terminate a campaign treasurer appointment under this section, the city council must consider and approve the proposed termination in a regularly scheduled open meeting.

(D) Before the city clerk may terminate a campaign treasurer appointment under this section the city clerk must provide written notice to the affected candidate or committee of:

(1) the proposed termination of the candidate's or committee's campaign treasurer appointment;

(2) the date, time, and place of the meeting at which the city council will consider the proposed termination; and

(3) the effect of termination of the candidate's or committee's campaign treasurer appointment.

(E) 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 city council votes to terminate the appointment. Following that meeting, the city clerk 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.

*Source: Ord. 20120308-003.*

## **ARTICLE 2. VOLUNTARY LIMITATIONS ON CONTRIBUTIONS AND EXPENDITURES.**

### **§ 2-2-11 VOLUNTARY CAMPAIGN CONTRACT.**

(A) A candidate for mayor or city council may sign a contract with the City agreeing to abide

by limitations on that candidate's contributions and expenditures as specified in this article in exchange for benefits provided under this chapter.

(B) A candidate must personally sign the campaign contract the earlier of:

- (1) 30 days after he or she becomes a candidate under the Texas Election Code; or
- (2) the date the candidate files for a place on the ballot.

(C) Only a candidate who signs a campaign contract with the City will qualify for public funds from the Austin Fair Campaign Finance Fund under Article 7 of this Chapter (*Austin Fair Campaign Finance Fund*).

(D) A candidate who signs a campaign contract must report a contribution or expenditure during the first reporting period in which it is made and apply the contribution or expenditure to the candidate's voluntary limits.

*Source: Ord. 20080925-079.*

### **§ 2-2-12 CANDIDATES' EXPENDITURE LIMITATIONS.**

(A) A candidate who signs a campaign contract under this chapter shall not, during the campaign period, make expenditures exceeding the following limits:

(1) candidates for mayor: expenditures of \$120,000 and an additional \$80,000 in a runoff election; and

(2) candidates for city council: expenditures of \$75,000 and an additional \$50,000 in a runoff election.

(B) A candidate in a race for mayor or city council shall not make expenditures from his or her own funds that exceed five percent of the applicable voluntary expenditure limits in this section for an election or runoff election. An expenditure by a candidate is an expenditure by his or her campaign. A candidate shall report expenditures from personal funds consistent with state requirements.

(C) If a candidate has signed a campaign contract under this chapter, expenditures on behalf of the candidate other than independent expenditures shall apply to the candidate's voluntary expenditure limits.

(D) A candidate makes an expenditure subject to this article on the date that:

- (1) a payment is actually made; or
- (2) an agreement requiring payment is entered into; or
- (3) an obligation to make a payment is incurred.

*Source: Ord. 20080925-079.*

### **§ 2-2-13 CANDIDATES' CONTRIBUTION LIMITS.**

(A) Except as provided in Subsection (B), a candidate who signs a campaign contract under this chapter shall not accept contributions from an individual or any political committee exceeding the following limits:

- (1) Candidates for mayor:

(a) aggregate contributions of more than the amount set by City Charter Article III, Section 8(A)(1) for both the campaign period for the election and the campaign period for a runoff election; and

(b) more than \$24,000 in contributions in a campaign period from political committees for a regular election or an additional \$16,000 for a runoff election.

(2) Candidates for city council:

(a) aggregate contributions of more than the amount set by City Charter Article III, Section 8(A)(3), for both the campaign period for the election and the campaign period for a runoff election; and

(b) more than \$15,000 in contributions in a campaign period from political committees for a regular election or an additional \$10,000 for a runoff election.

(B) A candidate for mayor or city council may spend personal funds on his or her own campaign up to the applicable five percent expenditure limits set out in Section 2-2-12 (*Candidates' Expenditure Limitations*). Expenditures from personal funds shall be reported in a manner consistent with state law.

(C) A candidate accepts a contribution subject to this Article on the date that:

- (1) it is accepted under the Texas Election Code;
- (2) an agreement is made to accept the contribution; or
- (3) an obligation is incurred to accept a transfer.

*Source: Ord. 20080925-079.*

#### **§ 2-2-14 DISCLOSURE OF COMPLIANCE WITH CHAPTER.**

(A) A candidate who signs a campaign contract shall include the following notice in all political advertising: "This campaign has agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter."

(B) Except to the extent prohibited by the Federal Communications Act, a candidate who chooses not to sign a campaign contract shall include the following notice in all political advertising: "This campaign has not agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter."

(C) The disclosures required by this section shall be clear and conspicuous:

(1) On printed political advertising, the disclosure shall be printed in sufficient type and size to be clearly readable, in two highly contrasting colors such as dark text on a light background, but in no case smaller than eight point font;

(2) On other forms of political advertising, including internet advertisement, television, and radio, the disclosure shall provide the reader, viewer, or listener with actual notice of the disclosure; and

(3) A disclaimer is not clear and conspicuous if it is difficult to read or hear, or if the placement is easily overlooked.

(D) The requirements of subsections (A) through (C) do not apply to bumper stickers, pins, buttons, pens, apparel, and similar small or impractical items upon which the notice cannot be

conveniently printed.

(E) A candidate or other campaign representative who authorizes the publication of political advertising without the notice required by this section commits an offense.

*Source: Ord. 20080925-079; Ord. 20100819-034.*

### **§ 2-2-15 LIQUIDATED DAMAGES.**

Each campaign contract shall provide for liquidated damages payable to the City and to other candidates for the same office who sign a campaign contract, in substantially the following form:

“The actual damages that may be sustained by the City and by another candidate by reason of a candidate’s breach of a campaign contract are uncertain and would be difficult to determine. The parties stipulate that a reasonable and just compensation to each damaged party, including the City and another candidate, for a candidate’s breach of the contribution or expenditure limits in a campaign contract would be three times the amount or value of the excessive expenditure made or contribution accepted. In addition, the City may recover as damages from a candidate who breaches a campaign contract of the amount paid to that candidate from the Austin Fair Campaign Finance Fund.

“A candidate who signs a campaign contract shall promise to pay, and the City and each other candidate for the same office who signs a campaign contract shall agree to accept, in lieu of other damages, the amounts set out in this section as liquidated damages, and not as a penalty, in the event of a breach of the campaign contract. The City and each candidate with standing to enforce the campaign contract shall recover reasonable attorney’s fees from the breaching party in connection with a lawsuit for liquidated damages.”

*Source: Ord. 20080925-079.*

### **§ 2-2-16 OTHER ENFORCEMENT AND SANCTIONS.**

(A) A candidate who breaches the terms of a campaign contract shall not be considered as a provider of goods or services to the City under a contract for a period of four years following the date of the election in which the breach occurs, unless controlling state law requires that his or her bid or proposal be accepted by the City. The city council may waive this ineligibility by a unanimous vote.

(B) This article is enforceable as a matter of contract law in the courts of the state of Texas. Except for a violation of the required notice provisions of Section 2-2-14 (*Disclosure of Compliance with Chapter*), this article is not intended to create criminal liability.

*Source: Ord. 20080925-079.*

### **§ 2-2-17 WAIVER OF VOLUNTARY LIMITS.**

(A) A candidate who signs a campaign contract need not comply with the voluntary contribution and expenditure limits and may continue to use on campaign advertising the statement of compliance with the Austin Fair Campaign Chapter if:

(1) another candidate who signed a campaign contract has exceeded the voluntary contribution and expenditure limits at the time of filing a contribution and expenditure report;

(2) one or more candidates files for the same City office who by the filing deadline has not entered into a campaign contract or filed a notice of intent, under the Texas Election Code, to raise and spend less than \$500; or

(3) independent expenditures in a race for the same council office by one person exceed \$10,000 at any time before the election.

(B) A candidate who signed a campaign contract may, up to the end of the filing period for a place on the ballot, elect to opt out of the contract if another candidate has filed a designation of campaign treasurer for that office and has not within 30 days signed a campaign contract or a notice of intent, under the Texas Election Code, to raise and spend less than \$500. If a candidate opts out of a contract, he or she may continue to use the disclaimer provided for in Section 2-2-14, but shall not be eligible to receive funds from the Austin Fair Campaign Finance Fund.

*Source: Ord. 20080925-079.*

### **ARTICLE 3. DISCLOSURES AND FILING PROCEDURES FOR CONTRIBUTION AND EXPENDITURE REPORTS.**

#### **§ 2-2-21 ADDITIONAL INFORMATION REQUIRED ON ALL CONTRIBUTION AND EXPENDITURE REPORTS FILED WITH THE CITY.**

In addition to the information required under the Texas Election Code, contribution and expenditure reports filed with the City by a candidate, office holder, and political committee involved in a City election shall include the following information:

(A) for all individual contributions of \$200 or more in a reporting period, disclosure of the occupation of the contributor and the name of the contributor's employer;

(B) in disclosing expenditures, the nature and purpose of any payment over \$50 to a consultant or contractor, including a general description of the goods or services provided to the campaign; and

(C) in disclosing credit card transactions over \$50, the nature and purpose of the expenditure or expenditures paid by credit card, including a description of the goods or services paid for, itemized for each individual transaction over \$50.

*Source: Ord. 20080925-079.*

#### **§ 2-2-22 FUNDRAISING AND BUNDLING BY INTERMEDIARIES.**

(A) In this section:

(1) **BUNDLER** means a person who bundles campaign contributions. The term does not apply to an individual whose only fundraising activity is a fundraising event held at the individual's residence if the event raises funds in an aggregate amount of less than \$5,000.

(2) **BUNDLING** means the soliciting and obtaining, during a campaign period, contributions on behalf of a candidate of \$200 or more per person from five or more persons.

(B) For each reporting period in which a candidate for whom a bundler has bundled contributions must file a report of contributions and expenditures, the candidate must also file a separate report with the City Clerk disclosing:

(1) the name and address of each bundler who has bundled for the candidate;

(2) the bundler's occupation and the name of the bundler's employer; and

(3) the name, address, occupation and employer of each individual contributor whose



contribution was bundled by the bundler;

(4) the amount contributed by each individual contributor whose contribution was bundled by the bundler;

(5) the total amount the bundler has bundled for the candidate during the reporting period; and

(6) the name of each person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*) employed by, or compensated to lobby, by:

(a) the bundler;

(b) a business association through which the bundler does business; or

(c) the bundler's employer.

(C) A candidate who receives bundled contributions shall notify each bundler of the requirements of this section. A bundler shall provide to each candidate, at the time the bundler delivers bundled contributions to the candidate, the information necessary for the candidate to report the information required by this section. The failure of a bundler to provide the information required by this subsection does not excuse any failure by a candidate to report the required information.

(D) Except as may be further limited by Subsection (E), a person who is registered, who is required to register, or who is employed by a person who is registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*) may not bundle contributions totaling more than five times the contribution limit set by Article III, Section 8(A)(1) of the City Charter for any one candidate in a campaign period.

(E) This subsection applies only to a business association that is registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), that is owned in whole or in part by a person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), that employs a person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), or that compensates another person to lobby on a municipal question of interest to the business association. Partners, shareholders, principals, employees, and persons who conduct business through the same business association, are considered to be a single bundler for the purpose of this subsection. The total amount bundled by all the partners, shareholders, principals, employees, and persons who conduct business through the same business association when added together may not exceed ten times the contribution limit set by Article III, Section 8(A)(1) of the City Charter for the entire business association for any one candidate in a campaign period.

*Source: Ord. 20080925-079; Ord. 20100819-034; Ord. 20120426-088.*

### **§ 2-2-23 GENERAL PURPOSE COMMITTEES.**

(A) A general purpose committee that makes contributions or expenditures in connection with a City election must file with the city clerk a copy of each contribution and expenditure report filed with the Texas Ethics Commission. This requirement shall apply to all reporting periods in which the general purpose committee makes 50 percent or more of its expenditures in connection with a City election, or makes an expenditure of \$2,500 or more in connection with a City election. The filing date for filing with the city clerk is the date established under the Texas Election Code for filing with the Texas Ethics Commission.

(B) A general purpose political committee that makes more than 50 percent of its expenditures in a reporting period in connection with a City election, or makes an expenditure of \$2,500 or more in connection with a City election, or intends to do so, shall file with the city clerk as a notice of intent an original or a copy of its current "Appointment of a Campaign Treasurer" not later than the 60th day before making a contribution or expenditure in connection with a City election. At the written request of the general purpose political committee, the original filing with the city clerk of the "Appointment of a Campaign Treasurer" may serve as a notice of intent to participate in future City elections.

*Source: Ord. 20080925-079.*

#### **§ 2-2-24 RETURNED CONTRIBUTIONS.**

A candidate, officeholder, or candidate's campaign committee returning a contribution shall comply with the following requirements:

(A) after a contribution has been deposited in a financial institution account, a partial or full refund must be paid by cashier's check;

(B) copies of returned checks, refund checks, and any related correspondence must be retained by the campaign treasurer in accordance with Section 2-2-28 (*Retention of Records*); and

(C) any contribution received and accepted, but refunded to the contributor, must be disclosed as both a contribution and an expenditure on the applicable contribution and expenditure report.

*Source: Ord. 20080925-079.*

#### **§ 2-2-25 ANNUAL RECONCILIATION FILING BY CANDIDATES AND CAMPAIGN COMMITTEES.**

(A) A candidate, officeholder, or campaign committee filing a January 15 year-end contribution and expenditure report shall provide the following information for the previous calendar year for each checking, savings, or other financial institution account:

(1) name of the financial institution and type of account;

(2) a listing of date, payee, and amount of checks issued on that account that have not cleared by December 31;

(3) a listing of checks received as contributions and deposited, but dishonored by the contributor's financial institution;

(4) all interest or dividends earned;

(5) all deposits and withdrawals not disclosed on a filed contribution and expenditure report; and

(6) the beginning and ending balance.

(B) A candidate, officeholder, or campaign committee filing a January 15 year-end contribution and expenditure report shall file a listing of all checks identified by date of receipt, contributor, and amount, received by December 31 but not deposited into any account. Checks received by the candidate, officeholder, or campaign committee must be disclosed whether or not they have been "accepted" within the definition of the Texas Election Code.



*Source: Ord. 20080925-079.*

### **§ 2-2-26 ELECTRONIC FILING.**

(A) A candidate or candidate's campaign committee must file City election contribution and expenditure reports electronically as determined by the city clerk. The electronic format must allow for searching by words or fields.

(B) The city clerk shall post the report on the city clerk's campaign finance report website within one business day of receipt.

*Source: Ord. 20080925-079; Ord. 20090521-017; Ord. 20120426-087.*

### **§ 2-2-27 DISCLOSURE OF LOANS FROM A CANDIDATE OR OFFICEHOLDER AND EXPENDITURES FROM THE FUNDS OF A CANDIDATE OR OFFICEHOLDER.**

(A) A candidate for City office or an officeholder who loans personal funds to his or her campaign, or makes expenditures from personal funds in support of his or her campaign, shall report the amount so loaned or expended as follows:

(1) beginning on the date an individual becomes a candidate in a city election and continuing until midnight on the tenth day before a city election, a candidate shall report:

(a) the new loans or expenditures cumulating to \$25,000 or more within seven business days after the total reaches \$25,000; and

(b) additional loans or expenditures cumulating \$25,000 or more within seven business days each time the total reaches \$25,000; and

(2) during the period beginning at midnight on the 10th day before a City election and continuing until midnight on the day before the election, a candidate shall report:

(a) the previously unreported loans or expenditures cumulating to \$25,000 or more within twenty- four hours after the total reaches \$25,000; and

(b) additional loans or expenditures totaling \$25,000 or more within twenty-four hours each time the total reaches \$25,000.

(B) A candidate for City office who files a report as required by this section must file as provided in Section 2-2-26 (*Electronic Filing*).

*Source: Ord. 20080925-079.*

### **§ 2-2-28 RETENTION OF RECORDS.**

A candidate or officeholder subject to this chapter must:

(A) maintain copies of checks, bank statements, and deposit slips for a period of five years after the close of the reporting period to which the records are applicable;

(B) make them available to the Ethics Review Commission, on request, within the five year retention period.

*Source: Ord. 20080925-079.*

### **§ 2-2-29 SPECIAL PRE-ELECTION REPORTS.**

(A) This section applies to:

(1) a candidate who accepts contributions that total more than \$10,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election;

(2) a political committee that accepts contributions that total more than \$2,500 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election; and

(3) a political committee that makes expenditures that total more than \$1,000 during the period beginning the 9th day before the date of an election and ending at 5 p.m. on the day before the date of an election.

(B) A candidate described in Subsection (A) shall file a special pre-election report with the City Clerk that includes the following information:

(1) the name of the candidate;

(2) the name and address of each contributor making a contribution, or contributions, that total more than \$200 during the period beginning the 9th day before the date of the election and ending at 5p.m. on the day before the date of the election;

(3) the amount of each contribution;

(4) the date each contribution was accepted; and

(5) a description of any in-kind contribution.

(C) A political committee described in Subsection (A) shall file a special pre- election report with the City Clerk that includes the following information:

(1) the name of the political committee;

(2) the name and address of each contributor making a contribution, or contributions, that total more than \$200 during the period beginning the 9th day before the date of the election and ending at 5p.m. on the day before the date of the election;

(3) the amount of each contribution;

(4) the date each contribution was accepted;

(5) a description of any in-kind contribution;

(6) the amount of each expenditure over \$1,000 made during the period beginning the 9th day before the date of an election and ending at 5p.m. on the day before the date of an election, the name and address of each person to whom a reportable expenditure was made, and the date and the purpose of the expenditure.

(D) A candidate or political committee must file a special pre-election report each time the reporting thresholds prescribed by Subsection (A) are met. The filing of one special pre- election report does not excuse the filing of a subsequent report or reports for the same period if the reporting thresholds prescribed by Subsection (A) are met more than once.

(E) A special pre-election report shall be filed electronically, unless otherwise exempted from electronic filing.

(1) A special pre-election report must be received by the city clerk no later than 5 p.m. of the first business day after the date that a contribution that triggers the filing requirement is

accepted or after an expenditure that triggers the filing requirement is made.

(2) The city clerk shall post a special pre- election report on the City's Web site no later than 5 p.m. on the first business day after the date that the city clerk receives the report.

(3) Any information reported on a special pre-election report must also be reported on the candidate's or political committee's next contribution and expenditure report.

*Source: 20120524-078.*

## **ARTICLE 4. INDEPENDENT EXPENDITURES.**

### **§ 2-2-31 DEFINITIONS.**

In this article:

(A) **ELECTIONEERING COMMUNICATION** means a communication that:

(1) costs, or is part of a series of communications that in the aggregate cost, more than \$2,500;

(2) refers to:

(a) a clearly identified candidate by:

(i) containing the candidate's name, nickname, or image; or

(ii) making an unambiguous reference to the candidate or to the candidate's status as a candidate, challenger, or incumbent; or

(b) a clearly identified ballot measure, by containing:

(i) the measure's number;

(ii) a description of the measure; or

(iii) an unambiguous reference to the measure;

(3) is disseminated by publication, broadcast, Internet, a mass mailing, a telephone bank, or a billboard;

(4) is made later than the 61st day before the date of an election in which the candidate or the ballot measure appears on the ballot; and

(5) is capable of reaching at least:

(a) 5,000 people eligible to vote in the election; or

(b) two percent of the number of registered voters eligible to vote in the election.

(B) **EXPRESS ADVOCACY** means a communication that refers to a clearly identified candidate or ballot measure to expressly advocate the election or defeat of the candidate or measure using a phrase such as "Vote for," "Re-elect," "Cast your ballot against," "Cast you ballot for," "Defeat," "Vote Down," or "No More Funds for X."

*Source: Ord. 20120802-069.*

### **§ 2-2-32 REPORTING OF INDEPENDENT EXPENDITURES.**

(A) A person who makes one or more independent expenditures in a City election that in the aggregate exceed \$500, shall report:

- (1) the full name and address of the person to whom each expenditure is made;
- (2) the date and amount of each expenditure;
- (3) the purpose of each expenditure;
- (4) the name of each candidate whose election or defeat the expenditure advocates, or each ballot measure the passage or defeat of which the expenditure advocates; and
- (5) in the case of an expenditure for an electioneering communication, the name of each candidate to whom the communication referred or each ballot measure to which the communication referred.

(B) A person making a report required by Subsection (A) shall include in the report a sworn statement that each independent expenditure was made without prior consent, cooperation, strategic communication, consultation, or sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between an affected candidate, the candidate's campaign staff, the candidate's campaign committee, or an agent or employee of the candidate or the committee, and the person making the expenditure, or that person's agent or employee.

(C) The disclosure required by Subsection (A) shall be made:

- (1) if the expenditure is made before the 60th day before the date of the election, no later than the fifth business day after the date of the expenditure;
- (2) if the expenditure 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 expenditure; or
- (3) if the expenditure 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 expenditure.

(D) A report required by this section shall be filed electronically, unless otherwise exempted from electronic filing. The city clerk shall post a report under this section on the City's Web site on the first business day after the date that the clerk receives the report.

(E) Information reported under this section by a candidate, a political committee, or a person subject to Section 254.261 (*Direct campaign expenditure exceeding \$100*) of the Texas Election Code, must also be reported on the candidate's, political committee's, or person's next contribution and expenditure report, if required by state law.

*Source: Ord. 20120802-069.*

### **§ 2-2-33 DISCLOSURE STATEMENT REQUIRED.**

In addition to any other disclosure statement required by law, a political advertisement, electioneering communication, or express advocacy paid for in whole or in part by an independent expenditure, must conspicuously disclose on the communication the names of the five largest donors in the preceding 12 months to the person making the independent expenditure.

*Source: Ord. 20120802-069.*

**ARTICLE 5. OFFICEHOLDER ACCOUNTS AND CAMPAIGN DEBT.****§ 2-2-41 PERMITTED EXPENDITURES FROM OFFICEHOLDER ACCOUNTS.**

A City officeholder may maintain an officeholder account in accordance with the Texas Election Code. In addition to any restrictions existing under the Texas Election Code, expenditures from an officeholder account are specifically limited to the following purposes: compensation of the officeholder's staff; office supplies; travel expenses related to City matters; meals; purchase and lease of office equipment; staff training, development and recruiting; newsletters; contributions to charitable organizations; membership dues; nonpolitical advertising; contributions to not-for-profit organizations; and expenditures for telephones and telephone services incurred by the officeholder in performing a duty or engaging in an activity in connection with the office. Nothing in this section shall be interpreted to restrict an officeholder's ability to make campaign contributions, as defined by the Texas Election Code, from an officeholder account.

*Source: Ord. 20080925-079.*

**§ 2-2-42 ANNUAL RECONCILIATION OF CAMPAIGN DEBT.**

An officeholder must include in the reconciliation filed with his or her annual January 15 contribution and expenditure report the following information for each calendar year:

- (A) campaign debt in existence as of the first day of each calendar year;
- (B) campaign debt in existence as of the last day of each calendar year;
- (C) in addition, the officeholder shall report the following information on all campaign debt existing as of December 31 of the reporting year:
  - (1) for loans and other debt evidenced by a note, the name of the creditor, the principal amount owed, the interest rate, and the date of maturity;
  - (2) for all other campaign debts, the name of the creditor and the principal amount owed; and
  - (3) debts under \$50 may be aggregated and reported as a miscellaneous category.

*Source: Ord. 20080925-079.*

**§ 2-2-43 EXISTENCE OF CAMPAIGN DEBT.**

The existence and amount of a campaign debt relating to a prior campaign period shall be determined based on the actual outstanding obligations of the candidate or campaign committee as of the date of the election for which the debt is incurred, and all funds held by the candidate or candidate's campaign committee in cash or bank accounts on that date shall be considered an offset to the campaign debt.

*Source: Ord. 20080925-079; Ord. 20090521-017.*

**ARTICLE 6. RESTRICTIONS ON CONTRIBUTIONS.****§ 2-2-51 RESTRICTIONS ON CASH CONTRIBUTIONS.**

(A) Except as provided in Subsection (B), a candidate or officeholder who accepts cash contributions in connection with a City election must maintain a receipt book for cash contributions, listing the date of any cash contribution and the contributor's name and address. If a candidate or officeholder has not accepted cash contributions aggregating more than \$500 per reporting period, he or she must provide a receipt within five days of receiving the contribution to each cash contributor whose contribution exceeds \$50. Once a candidate or officeholder has accepted cash contributions aggregating more than \$500 per reporting period, he or she shall provide a receipt to each subsequent cash contributor within five days of the contribution.

(B) This section does not apply to cash contributions received by a candidate or officeholder at one or more fundraising events having a stated ticket price of \$25 per person or less. Cash contributions received at the fundraising events may be aggregated for City reporting purposes, if the candidate or the officeholder, and the treasurer, file with the next contribution and expenditure report an affidavit stating the amount of cash proceeds received at the event and verifying that no individual made a cash contribution of more than \$50 in connection with the event.

*Source: Ord. 20080925-079.*

#### **§ 2-2-52 RESTRICTIONS ON CONTRIBUTIONS AT CITY-OWNED BUILDINGS.**

(A) Except as provided in Subsection (B), a person shall not make a contribution to a candidate or officeholder and a candidate or officeholder shall not solicit or accept a contribution at a City-owned building, except at a City-owned building that is available for rental to the general public and that is rented for a campaign related event at the time the contribution is made.

(B) This section does not prohibit contributions mailed to a candidate or officeholder at a City mailing address.

*Source: Ord. 20080925-079.*

#### **§ 2-2-53 RESTRICTIONS ON CONTRIBUTIONS BY LOBBYISTS.**

(A) The city council finds that the practice of lobbying for compensation creates a unique relationship between candidates and officeholders on the one hand, and lobbyists on the other. To preserve public confidence in the electoral process, to diminish the appearance of impropriety and special influence, and to minimize the role of political contributions in the legislative and regulatory processes and the awarding of public contracts, it is appropriate to prohibit persons who lobby the city council from making contributions to candidates for mayor and city council and to officeholders. Accordingly, no person who is compensated to lobby the city council and who is required to register with the City as a lobbyist, and no spouse of the person, may contribute more than \$25 in a campaign period to an officeholder or candidate for mayor or city council, or to a specific purpose political committee involved in an election for mayor or city council.

(B) A lobbyist may contribute to the Austin Fair Campaign Fund created under this chapter.

*Source: Ord. 20080925-079.*

#### **§ 2-2-54 RESTRICTIONS ON CONTRIBUTIONS TO AND EXPENDITURES BY SPECIFIC-PURPOSE POLITICAL COMMITTEE.**

(A) Except as provided in Subsection (C), a specific-purpose political committee supporting or opposing a candidate in a city election may not:

(1) accept a contribution of more than the contribution limit established in City Charter Article III, Section 8(A)(1) (*Limits on Campaign Contributions and Expenditures*); or

(2) accept an aggregate contribution total of more than the amount set by City Charter Article III, Section 8(A)(3) (*Limits on Campaign Contributions and Expenditures*) from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits.

(B) A specific-purpose political committee supporting or opposing a candidate in a City election that receives a contribution prohibited by Subsection (A) may not accept the contribution and must refuse and return the contribution not later than the end of the reporting period during which the contribution is received. If a specific-purpose political committee subject to this section has received an aggregate contribution total of more than the amount set by Subsection (A)(2), it may not make an expenditure in a City election until it has returned the contributions of more than the allowed amount.

(C) This subsection does not limit a specific-purpose political committee's aggregate contribution total from natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits.

*Source: Ord. 20080925-079.*

#### **§ 2-2-55 RESTRICTIONS ON USE OF EXISTING FUNDS FROM POLITICAL COMMITTEES, CANDIDATES, AND OFFICEHOLDERS.**

(A) Except as provided in Subsection (B), a City election candidate may not use a political contribution to make a campaign expenditure for City office if the contribution was accepted while the candidate:

(1) was a candidate for an office other than a City office; or

(2) held an office other than a City office, unless the person had become a candidate for city office.

(B) This section does not apply to a contribution raised in compliance with the timing, dollar amount, and source restriction in this Chapter and City Charter, Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*), calculated on a last-in, first-out basis, which means that the last funds received are eligible for consideration for campaign expenditures.

*Source: Ord. 20080925-079.*

#### **§ 2-2-56 RESTRICTIONS ON CREATION OF CAMPAIGN COMMITTEE.**

A candidate may only authorize one campaign committee.

*Source: Ord. 20080925-079.*

#### **§ 2-2-57 RESTRICTIONS ON EXPENDITURES BY AFFILIATED PERSON.**

A person who is considered a candidate under Section 2-2-2 (5)(c) (*Definitions*), shall not make an expenditure from funds that have not been lawfully accepted by a candidate or a candidate's campaign committee.

*Source: Ord. 20080925-079.*

### **ARTICLE 7. AUSTIN FAIR CAMPAIGN FINANCE FUND.**



**§ 2-2-61 ESTABLISHMENT.**

This Article establishes a separate City account known as the Austin Fair Campaign Finance Fund. The fund provides partial public support for qualifying candidates. The fund shall also be used to offset the cost of administering the City's lobbying ordinance, the costs of handling disclosure filings, and the costs of administering the Austin Fair Campaign Chapter. To effect the purposes of this chapter, all funds in the separate account at the time of a City election are to be appropriated for distribution to qualifying candidates in any runoff elections. If there are no qualifying candidates in runoff elections, funds so appropriated shall be returned to the separate account.

*Source: Ord. 20080925-079.*

**§ 2-2-62 FUNDING FOR AUSTIN FAIR CAMPAIGN FINANCE FUND.**

(A) The City staff shall maintain a plan setting out financing options for the funding of the Austin Fair Campaign Finance Fund. The staff is directed to include in the financing plan the following options for dedicated or appropriated funds:

- (1) a \$300 registration fee for persons required to register as compensated lobbyists under Chapter 4-8 (*Regulation of Lobbyists*) of the City Code;
- (2) donations from individuals and business entities;
- (3) liquidated damages and criminal fines collected for violations of campaign contracts or this chapter;
- (4) when technically feasible, a \$1 voluntary check-off on City utility bills; and
- (5) all filing fees paid to the City by candidates for mayor and city council.

*Source: Ord. 20080925-079.*

**§ 2-2-63 QUALIFYING CANDIDATES.**

To become a qualifying candidate eligible to receive public funds from the Austin Fair Campaign Finance Fund, a candidate for mayor or city council must sign a campaign contract, and agree to participate in specified debates arranged by the City Ethics Review Commission.

*Source: Ord. 20080925-079.*

**§ 2-2-64 FUNDING FOR QUALIFYING CANDIDATES.**

(A) To the extent that funds are available from the Austin Fair Campaign Finance Fund, a qualifying candidate in a runoff election shall receive an equal distribution of the available funds in the Austin Fair Campaign Finance Fund. If no candidate in a runoff election is eligible, the funds will be reserved for future elections.

(B) Funding from the Austin Fair Campaign Finance Fund shall be distributed to qualifying candidates in a runoff election under the following procedure and formula:

- (1) on request, the city clerk shall state the available balance in the Austin Fair Campaign Finance Fund;
- (2) funds for a city runoff election shall be made available as soon as practicable after the results of the city general election are certified; and



(3) the city clerk shall review the “30-day” and “8-day” before election contribution and expenditure reports and any supporting materials filed by qualifying candidates seeking public funds to verify compliance with the expenditure limits of the candidate’s campaign contract.

(C) Funding from the Austin Fair Campaign Finance Fund shall not be made available to candidates in uncontested elections, recall elections, or elections to fill vacancies created by a recall election.

*Source: Ord. 20080925-079.*

#### **§ 2-2-65 OTHER CONSIDERATIONS FOR CAMPAIGN CONTRACT.**

(A) A candidate who signs a campaign contract must participate in a series of candidate forums, whether or not the candidate qualifies for funds.

(B) The Ethics Review Commission shall produce not fewer than three forums for each contested race as follows:

(1) one forum must air on public access television; and

(2) other forums may be produced and made available to the public by radio, broadcast, publication on the Internet, or other means approved by the commission.

(C) The City shall make recordings of audio or video forums available to the public at all branches of the City library.

(D) The City may purchase advertising promoting the candidate forums.

(E) The Ethics Review Commission shall establish equitable guidelines to coordinate and produce the candidate forums.

*Source: Ord. 20080925-079.*

## CANDIDATE CONTRACT

This Austin Fair Campaign Contract, made (enter date of contract)\_\_\_\_\_, is  
between the City of Austin, and (enter Candidate's name)\_\_\_\_\_,  
a candidate for (enter the office sought by Candidate including place number if the office is City Council  
Member)\_\_\_\_\_.

In the interest of having less costly, fair election campaigns for the offices of Mayor and  
City Council; safeguarding the City election process and City government from undue  
influence; and promoting public confidence in the integrity of its government, the parties  
agree to this Contract as provided by the Charter, Article III, Section 8, and Chapter 2-2  
of the City Code.

NOW THEREFORE, for good and valuable consideration, the parties agree as follows:

### SECTION I

#### Definitions

The words and phrases in this Contract shall have the same meaning as the Charter,  
Article III, Section 8, the Austin Fair Campaign Ordinance, and the Texas Election Code,  
unless otherwise stated.

"Austin Fair Campaign Ordinance" means Chapter 2-2 of the City Code.

"Austin City Code, as amended" means the City Code.

When capitalized, "Candidate" means (enter Candidate's name) \_\_\_\_\_,  
a candidate for the office of (enter the office sought by Candidate, including place number if the office is City  
Council Member)\_\_\_\_\_.

“Charter” means the Austin Charter, Article III, Section 8.

When capitalized, "Contract" means this contract.

"Ethics Review Commission" means the Ethics Review Commission created by section  
2-7-26 of the City Code.

"Funds" means money which may be available from the Austin Fair Campaign Finance  
Fund to qualifying candidates in a runoff election who sign this contract and agree to  
participate in candidate forums arranged by the Ethics Review Commission.

"Office" means the position of Mayor or City Council member.

"Opposing candidate" means a candidate other than the Candidate, who has become a  
candidate for the same office as the Candidate. If the Candidate is a candidate for mayor,  
an "opposing candidate" is any other candidate for mayor. If the Candidate is a candidate  
for the position of Austin City Council member, an "opposing candidate" is any other  
candidate for the same numbered place on the City Council.

## SECTION II

### Parties

The parties to this Contract are the City of Austin and the Candidate. The Candidate's  
contractual obligation extends to any agent of the Candidate that acts on the Candidate's  
behalf, or in any way assists, promotes, manages, volunteers, or is hired for the

Candidate's campaign. The Candidate's contractual obligation extends to any person who acts with the prior consent of or cooperation or strategic communication between the person and the Candidate or the Candidate's committee. The Candidate agrees that each opposing candidate who has signed a campaign contract is a beneficiary of the Candidate's compliance with the terms of this Contract, and agrees that each opposing candidate who has signed a campaign contract may enforce the terms of this Contract as a party to this Contract.

### SECTION III

#### Construction of the Agreement

This agreement is to be construed in a manner that is consistent with the purpose and spirit of the Charter and the Austin Fair Campaign Ordinance. The Charter and the Austin Fair Campaign Ordinance are incorporated into this Contract by reference. The Candidate must follow the requirements of the Charter and the Austin Fair Campaign Ordinance.

### SECTION IV

#### Consideration

Candidate: The Candidate agrees to be bound by the terms of this Contract in exchange for the mutual promises and obligations set forth herein, including, without limitation, the following:

- (1) The opportunity to qualify for available funds from the Austin Fair Campaign Finance Fund, as provided in the Austin Fair Campaign Ordinance;
- (2) The use of the statement of compliance with the Austin Fair Campaign Ordinance provided by section 2-2-14 of the City Code;
- (3) The right to participate in candidate forums; and
- (4) Compliance with the terms of a campaign contract by an opposing candidate who may sign one.

The Candidate accepts the foregoing as full consideration for the Candidate's obligations under this contract with the full understanding that funds might be limited, and that opposing candidates might not enter into campaign contracts.

City of Austin: The City of Austin agrees to be bound by the terms of this Contract in exchange for the mutual promises and obligations set forth herein, including, without limitation the following:

- (1) The Candidate's full compliance, except as provided by section 2-2-17 of the City Code, with the limits on contributions and expenditures set forth in sections 2-2-12 and 2-2-13 of the Austin City Code, as modified by the Charter, Article III, Section 8, and
- (2) The Candidate's participation in the series of forums provided by section 2-2-65 of the Austin City Code, as amended.

## SECTION V

### The Obligations

In exchange for the consideration stated above, the City of Austin will provide available funds to the Candidate in accordance with section 2-2-64 of the City Code. The City will use reasonable efforts to maintain funding for the Campaign Finance Fund. To the extent that funds are available from the Austin Fair Campaign Finance Fund, the Candidate shall receive a distribution of the available funds equal to that received by other qualifying candidates.

In exchange for the consideration stated above, the Candidate will comply, except as provided by section 2-2-17 of the City Code, with the limits on contributions and expenditures set forth in sections 2-2-12 and 2-2-13 of the City Code, as modified by the Charter, Article III, Section 8, will participate in the series of candidate forums provided by section 2-2-65 of the City Code, and will be liable for liquidated damages and enforcement sanctions as provided below.

The Candidate has no expectation, neither implicit nor explicit, concerning the amount of matching public funds that the Candidate will be eligible for under this Contract. Furthermore, in the event that sufficient funds are not appropriated by the City Council in succeeding fiscal years, or in the event there is no money available for funds, or in the event that the Candidate is dissatisfied with the amount of money that is available for funds, the Candidate agrees that no contractual cause of action exists against the City for the Candidate's dissatisfaction.

The Candidate understands that other causes of actions may accrue against the Candidate in regard to the Candidate's campaign, and the Candidate agrees that this Contract is not intended to abridge or otherwise limit the rights of others against the Candidate in matters arising from or related to the Candidate's campaign.

This Contract imposes upon the Candidate and upon the City of Austin the duty of good faith compliance. The Candidate and the City of Austin are obligated to act in accordance with all substantive and procedural requirements of the Charter and the Austin Fair Campaign Ordinance.

## SECTION VI

### Term

The term of this Contract begins on the date it is signed by the Candidate and extends through the date of the election for the office sought by the Candidate, except in the event the Candidate is in a runoff election, in which event the term of this Contract shall extend through the date of the runoff election.

### Termination

This Contract cannot be terminated by either party except as provided by section 2-2-17(B) of the City Code.

## SECTION VII

### Liquidated Damages

The Candidate understands and agrees that the actual damages that might be sustained by the City and by opposing candidates who have signed campaign contracts by reason of the Candidate's breach of this Contract are uncertain and are difficult to ascertain. Therefore, the Candidate accepts liability for liquidated damages in the event that Candidate or a person to whom the Candidate's contractual obligation extends under Section II of this Contract acts in a manner or fails to act in a manner that breaches the Candidate's obligations under the Contract.

It is stipulated that a reasonable and just compensation to each damaged party, including the City and each opposing candidate who has signed a campaign contract, for the Candidate's breach of the contribution or expenditure limits set forth in sections 2-2-12 and 2-2-13 of the City Code, as modified by the Charter, Article III, Section 8, would be three times the amount of the excessive expenditure made, or three times the amount of the excessive contribution accepted. In addition, if the Candidate breaches this Contract, the City may recover as damages from the Candidate any amount paid to the Candidate from the Austin Fair Campaign Finance Fund.

The Candidate promises to pay, and the City of Austin and each opposing candidate who signs a campaign contract agrees to accept, in lieu of other damages, the amounts set out in this Section VII as liquidated damages, and not as a penalty, in the event of a breach of this Contract. The Candidate further agrees that the City of Austin and each opposing candidate who has signed a campaign contract shall recover reasonable attorney's fees from the Candidate in connection with a lawsuit for liquidated damages, in the event a court of competent jurisdiction finds the Candidate has breached this Contract.

## SECTION VIII

### Other Enforcement and Sanctions

If the Candidate breaches this Contract, the Candidate shall not be considered as a provider of goods or services to the City of Austin under a contract for a period of four years following the date of the election in which the breach occurred, unless controlling state law requires that his or her bid or proposal be accepted by the City. The City Council may waive this ineligibility by a unanimous vote.

### Enforcement

This contract shall be enforceable as a matter of contract law in the courts of the state of Texas.

## SECTION IX.

### Severability of Provisions

If any provision of this Contract is held to be invalid, illegal or unenforceable by a court of competent jurisdiction, that holding (1) shall not invalidate the remainder of this Contract, (2) shall be limited to the specific parts of this Contract described in that holding, and (3) shall not affect the validity of this Agreement in any other way.

## SECTION X.

### Assignment Prohibited

In no event shall the Candidate assign or transfer any rights or obligations under this Contract.

## SECTION XI.

### Entire Agreement

This Contract supersedes all negotiations, agreements, and discussions, if any, between the City of Austin and the Candidate concerning all or any part of the subject matter of this Fair Campaign Contract.



EXECUTED AND EFFECTIVE as of the date first written above.

SIGNED AND DATED:

\_\_\_\_\_  
CANDIDATE NAME:

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CITY MANAGER, or designee, for the City of Austin

\_\_\_\_\_  
DATE

# CANDIDATE AND OFFICEHOLDER BROCHURE

## CAMPAIGN FINANCE

### DISCLAIMER

This brochure is intended to assist candidates in City of Austin elections and City of Austin officeholders. It has been prepared by the Ethics Review Commission of the City of Austin, and does not necessarily represent the position of the City of Austin. The candidate or officeholder utilizing this brochure is held responsible for knowing and obeying all laws governing campaign finance and reporting. **THIS BROCHURE IS NOT INTENDED AS LEGAL ADVICE**, nor is it an exhaustive discussion of relevant election law. Anyone utilizing this brochure must consult his/her own attorney for interpretation and applicability of any and all election laws.

### APPLICABLE CITY CHARTER AND CODE PROVISIONS

Article III, Section 8 of the Austin City Charter, entitled *Limits on Campaign Contributions and Expenditures*, governs issues relating to campaign finance. Chapter 2-2 of the City of Austin Code, entitled *Campaign Finance*, also governs issues relating to filing and reporting requirements, contribution and expenditure limitations, accounts, campaign debt, disclosures, appointments, fund raising, limitations on use of contributions, enforcement, sanctions, records retention, and the like. In cases of apparent or actual conflict between Charter provisions and Code provisions, the Charter will control.

### APPLICABLE STATE LAW PROVISIONS

Vernon's Texas Codes Annotated, Election Code, Title 15 entitled *Regulating Political Funds and Campaigns*, Chapters 251 – 258 govern, among other matters, issues relating to campaign finance. The state statutes apply to candidates and officeholders at both the local level and the state level. This brochure does not contain such state statutes, but all candidates and officeholders are required to be aware of and in compliance with applicable provisions of state law.

City of Austin campaign finance laws and requirements work in conjunction with the cited state law, and the Charter and Code requirements must be read in light of and in harmony with state campaign finance laws and all applicable state statutes.

### TEXAS ETHICS COMMISSION

Title 15 of the Texas Election Code, the state law cited above, is interpreted and administered by the Texas Ethics Commission. The Texas Ethics Commission does not have jurisdiction over City of Austin campaign finance requirements, nor is its staff prepared to answer inquiries about or interpret City campaign finance issues.

As to state law, the Texas Ethics Commission has excellent interpretive materials available on topics governed by state campaign finance statutes. Attorneys and staff members will respond to telephone inquiries. Contact information is as follows:

Texas Ethics Commission  
201 East 14<sup>th</sup> Street  
Sam Houston Building, 10<sup>th</sup> Floor  
Austin, TX 78701  
Telephone: 512.463.5800  
Fax: 512.463.5777  
Website: [www.ethics.state.tx.us/](http://www.ethics.state.tx.us/)

## CITY OF AUSTIN ETHICS REVIEW COMMISSION

The Ethics Review Commission (ERC) is a seven-member board of the City of Austin. It has numerous responsibilities regarding campaign finance, including but not limited to recommending guidelines for ethical standards of conduct for City officials and employees; prescribing forms for reports, statements, notices, and miscellaneous documents required by City campaign finance laws; and scheduling and overseeing public candidate forums held in connection with City elections.

Code Chapter 2-7, Article 2, entitled *Ethics Review Commission*, sets the ERC as the body having jurisdiction over Code Chapter 2-2 (*Campaign Finance*) and Charter Article III, Section 8 (*Limits on Campaign Contributions and Expenditures*). The ERC hears and rules on sworn complaints of alleged violations in these areas, and may impose a range of sanctions.

## CITY OF AUSTIN CAMPAIGN FINANCE LAWS

- City-imposed Additional Requirements. The City's campaign finance laws mandate reporting requirements and impose restrictions on the receipt, timing and use of political funds that are in addition to those found in state law. Most significantly, the Charter imposes limitations on contributions and expenditures [Article III, Section 8, *Limits on Campaign Contributions and Expenditures*].

Candidates may voluntarily contract with the City to abide by limitations on expenditures, thereby becoming eligible to potentially receive benefits/funding under the Austin Fair Campaign Chapter of the Code [Chapter 2-2, Article 1, Section 2-2-1 et seq].

The Austin Fair Campaign Chapter is discussed more fully below under its own subheading.

- Persons Subject to City of Austin Campaign Finance Laws. The mayor, council members, candidates for those offices, and for some matters officeholders are subject to the City's campaign finance laws, requirements, and regulations. Additionally, some campaign finance laws affect political action committees, contributors, and others who participate in City elections.

- Time when Person Becomes Subject to City of Austin Campaign Finance Laws. For purposes of both City of Austin campaign finance laws and state campaign finance statutes, a person becomes a candidate – and therefore subject to campaign finance laws – when that person takes any action for the purpose of gaining election to public office. Examples of such actions include but are not limited to filing an Appointment of Campaign Treasurer form, circulating a petition for placement on the ballot, soliciting pledges or actual contributions, or holding a press conference in which candidacy is effectively announced.

- Appointment of Campaign Treasurer Form.

- **Filing an Appointment of Campaign Treasurer form should be the first act of a person's candidacy.**
- The form is obtainable from, and is filed with, the City Clerk. A candidate should make certain he/she obtains the instruction booklet that accompanies the form.
- A candidate may not begin to accept contributions or make political expenditures until the form has been correctly completed and filed.
- A candidate may not spend personal funds for campaign purposes without first properly designating a treasurer by filing the form.
- Filing the form does not place a candidate's name on the ballot. For information on securing a position on the ballot, candidates should contact the City Clerk.

- Immediately upon filing the form, a candidate becomes responsible for filing required periodic reports of contributions and expenditures with the City Clerk. There are criminal and civil penalties for failure to timely file required reports. **Filing required reports is the responsibility of the candidate, not the campaign treasurer.**

## CAMPAIGN CONTRIBUTIONS

- Definition. The Code definition of “contribution” is found in Section 2-2-2(6) and is as follows: “CONTRIBUTION means a direct or indirect transfer of money, goods, services, or any other thing of value, including 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 the Texas Election Code, and a guarantee of a loan or extension of credit.” The term does include an in-kind contribution, except for in-kind labor as defined in Code Section 2-2-2(12). The term does not include “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 an expenditure required to be reported under Texas Government Code, Section 305.006(b).
- Charter Limitations on Campaign Contributions. State law imposes no limits on the size of campaign contributions. However, the Charter in Article III, Section 8 does impose the following limitations on contributions for all City elections:
  - **A candidate may authorize, establish, administer, or control only one campaign committee at one time.**
  - **A candidate and his/her campaign committee shall not accept contributions in excess of \$300 per contributor per election from any person, except for the candidate and small-donor political committees.** The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$50.00. The City Clerk will provide candidates with access to a document giving the amount of the modified contribution limits, or the City Clerk’s office may be contacted directly.
  - **A candidate and his/her campaign committee shall not accept an aggregate contribution total of more than \$30,000 per election, and \$20,000 in the case of a runoff election, from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits.** The amount of the contribution limit shall be modified each year with the adoption of the budget to increase or decrease in accordance with the most recently published federal government Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest \$1,000.00. The City Clerk will provide candidates with access to a document giving the amount of the modified aggregate contribution limits, or the City Clerk’s office may be contacted directly.

- **A small-donor political committee, as defined in Charter Article III, Section 8(B)(1), shall not contribute more than \$1,000 per candidate per election for the offices of Mayor and City Council.**
- **The candidate has the responsibility of preventing violations. The candidate or his/her campaign committee shall determine whether accepting each contribution would violate Charter Article III, Section 8 before accepting the contribution.**
- Additional Restrictions on Accepting Contributions.
  - City-owned Buildings. A person shall not make a contribution to a candidate or officeholder, and a candidate or officeholder shall not solicit or accept a contribution at a City-owned building, except at a City-owned building that is available for rental to the general public and that is rented for a campaign-related event at the time the contribution is made. This prohibition does not apply to acceptance of contributions mailed to officeholders at a City mailing address. See Code Section 2-2-52.
  - Cash Contributions. State law prohibits a candidate or officeholder or special-purpose committee from accepting from a contributor in a reporting period political contributions in cash that total more than \$100. Checks are not considered to be cash.  
  
A candidate or officeholder who accepts cash contributions in connection with a City election must maintain a receipt book for cash contributions. The receipt book must list the date of any cash contributions and the contributor's name and address. However, this is not the case if the cash contributions are received by a candidate or officeholder at one or more fundraising events having a stated ticket price of \$25 per person or less. Such contributions may be aggregated if the treasurer files with the next contribution and expenditure report an affidavit stating the amount of cash proceeds received at the event and verifies that no individual made a cash contribution of more than \$50 in connection with the event. See Code Section 2-2-51.
  - Contributions from Lobbyists. No person who is compensated to lobby the City Council and who is required to register with the City as a lobbyist, and no spouse of any such person, may contribute more than \$25 in a campaign period to an officeholder or candidate for mayor or city council, or to a specific-purpose political committee involved in an election for mayor or city council. See Code Section 2-2-53. A person is required to register as a lobbyist if he/she is paid or is reimbursed \$200 or more in a calendar quarter for lobbying, or who in a calendar quarter spends \$200 or more for lobbying. Lobbyists can be individuals, corporations, associations, firms, partnerships, committees, clubs, organizations, or a group of persons who are voluntarily acting in concert. Texas law generally prohibits accepting political contributions from corporations. For more information on the prohibition on corporate political contributions, contact the Texas Ethics Commission.

## **CITY OF AUSTIN “AUSTIN FAIR CAMPAIGN CHAPTER”**

- Voluntary Contract. As previously stated in this document, candidates may voluntarily contract with the City to abide by limitations on expenditures, thereby becoming eligible to potentially receive benefits/funding under the Austin Fair Campaign Chapter of the Code. The cite for the Austin Fair Campaign Chapter is Code, Chapter 2-2, Article 1, Section 2-2-1 et seq.
- Campaign Contract Availability. Code Section 2-2-11(A) provides as follows: “A candidate for mayor or city council may sign a contract with the City agreeing to abide by limitations on that

candidate's contributions and expenditures as specified in this article in exchange for benefits provided under this chapter." Such contract is called the "Campaign Contract" and may be obtained from the City Clerk.

- Time for Signing Campaign Contract. A candidate who wishes to sign the Campaign Contract must personally execute it the earlier of (1) 30 days after he/she becomes a candidate under the Texas Election Code; or (2) the date the candidate files for a place on the ballot.
- Available Funding. Code Section 2-2-11(C) provides as follows: "Only a candidate who signs a campaign contract with the City will qualify for public funds from the Austin Fair Campaign Finance Fund." Additionally, the signing candidate must agree to participate in a series of candidate forums arranged by the City's Ethics Review Commission.

Information about the Fair Campaign Finance Fund is found in Code, Article 7, Section 2-2-61 et seq.

The Fair Campaign Finance Fund provides partial public support for qualifying candidates in runoff elections. Funding is subject to availability, and is not provided to candidates in uncontested elections, recall elections, or elections to fill vacancies created by a recall election. The fund itself is comprised from monies garnered from lobbyist fees, donations, liquidated damages and criminal fines collected for violations of campaign laws, and filing fees from candidates.

- Limitations on Contributions. Code Section 2-2-13 imposes the following limitations on contributions for those signing the Campaign Contract:

- **Candidates for Mayor:** A candidate shall not accept contributions from an individual or any political committee in excess of the aggregate contribution amount set by Charter Article III, Section 8(A)(1) for both the campaign period for the election and the campaign period for a runoff election; and more than \$24,000 from political committees for a regular election, or an additional \$16,000 for a runoff election.
- **Candidates for City Council:** A candidate shall not accept contributions from an individual or any political committee in excess of the aggregate contribution amount set by Charter Article III, Section 8(A)(3) for both the campaign period for the election and the campaign period for a runoff election; and more than \$15,000 from political committees for a regular election, or an additional \$10,000 for a runoff election.

- Limitations on Expenditures. Code Section 2-2-12 imposes the following limitations on expenditures for those signing the Campaign Contract:

- **Candidates for Mayor:** A candidate for mayor shall not make expenditures in excess of \$120,000 for the campaign period for the election, and an additional \$80,000 for a runoff election.
- **Candidates for City Council:** A candidate for city council shall not make expenditures in excess of \$75,000 for the campaign period for the election, and an additional \$50,000 for a runoff election.
- A candidate in a race for mayor or city council shall not make expenditures from his/her own funds that exceed five percent of the applicable voluntary expenditure limits delineated above for an election or runoff election.

- Disclosure Statement Required.
  - Code Section 2-2-14 mandates that a candidate who has signed a Campaign Contract shall include the following notice in all political advertising, verbatim and in a clear and conspicuous manner: “This campaign has agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter.”
  - The same Code section also mandates that if a candidate has not signed a Campaign Contract, the following notice must be included in all political advertising, verbatim and in a clear and conspicuous manner: “This campaign has not agreed to comply with the contribution and expenditure limits of the Austin Fair Campaign Chapter.”
- Consequences of Violation of Campaign Contract.
  - Breach of the Campaign Contract can be the result of violating the contribution or expenditure limits, or authorizing the publication of political advertising without the required notice, or the like.
  - The Campaign Contract provides for liquidated damages payable to the City and to other candidates for the same office who have signed a Campaign Contract, and the amount of liquidated damages is three times the amount of the excessive expenditure made or contribution accepted. Additionally, the City and each opposing candidate having signed a Campaign Contract are able to recover reasonable attorney’s fees from the breaching party in connection with a lawsuit for liquidated damages. The City may also recover from the breaching party any amount paid to that candidate from the Fair Campaign Finance Fund. The breaching party may also be barred for four years from being considered as a provider of goods or services to the City.
  - The Campaign Contract is enforceable as a matter of contract law in the courts. It is not intended to create criminal liability.

## **TIME RESTRICTIONS ON CANDIDATE FUNDRAISING**

Charter Article III, Section 8(F)(2) prevents an officeholder, a candidate for mayor or city council, or an officeholder’s or candidate’s committee from soliciting or accepting a political contribution except during the last 180 days before an election for mayor or council member or in which an officeholder faces recall.

## **RESTRICTIONS ON USE OF CONTRIBUTIONS**

- State law prohibits converting contributions to personal use.
- Charter Article III, Section 8(F)(3) mandates that a candidate or officeholder must distribute the balance of funds received from political contributions in excess of any remaining expenses for the election to (a) the candidate’s or officeholder’s contributors on a reasonable basis, (b) to a charitable organization, or (c) to the Austin Fair Campaign Fund. Such distribution of remaining funds must be made within 90 days after an election or, if the candidate is in a runoff election, within 90 days after the runoff.
- Charter Article III, Section 8(F)(6-8) allows an officeholder to retain up to \$20,000 of funds received from political contributions for the purposes of officeholder expenditures, with the provision that such funds be held in a separate account, be used only for officeholder expenditures and not for campaign expenditures, and be paid to the Fair Campaign Fund when the officeholder leaves the council.

- Charter Article III, Section 8(F)(4) allows an unsuccessful candidate having unpaid expenses after an election, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, to solicit and accept political contributions after the election until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed.

- Charter Article III, Section 8(F)(4) allows an officeholder having unpaid expenses after an election, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, to solicit and accept political contributions after leaving office until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed. An officeholder may also pay the unpaid expenses and reimburse the unreimbursed expenditures from political contributions received during a subsequent campaign.

## **CONTRIBUTION AND EXPENDITURE REPORTS; OTHER REPORTS**

- Code Section 2-2-2 generally defines a Contribution and Expenditure Report (C&E Report) as being a periodic report of contributions and expenditures by a candidate, officeholder, or political committee which is required to be filed under the Texas Election Code. For purposes of the Austin Fair Campaign Chapter, a C&E Report includes any other matters required to be disclosed under the Austin Fair Campaign Chapter.

- Code Section 2-2-21 requires that candidates for mayor and for city council must file C&E Reports with the City Clerk's office, as required by both the Texas Election Code and the Austin Fair Campaign Chapter.

- Other Reports. As mandated by and in accordance with the Texas Election Code, a candidate must file the following:

- A campaign treasurer appointment;
- Semiannual sworn statements of contributions and expenditures;
- Pre-election sworn statements of contributions and expenditures due 30 days before an election and eight days before an election (for opposed candidates);
- Runoff reports (in the event of a runoff);
- A final report (as a candidate);
- Annual reports of unexpended contributions (for candidates who have unexpended contributions after having filed a final report); and
- A report of final disposition of unexpended contributions.

State law also encourages candidates and political committees to subscribe to the Code of Fair Campaign Practices. Subscription to such Code is voluntary. Candidates may file such Code subscription upon the candidate's filing of a campaign treasurer appointment form.

Forms listed here, required under state law, may be obtained at the City Clerk's office at 301 West Second Street, Austin, Texas. **Note that an instruction booklet should be obtained for each form.** Forms required by the Austin Fair Campaign Chapter may be obtained at the City Clerk's office.



## **EXPENDITURES MADE BY PERSON OTHER THAN CANDIDATE OR COMMITTEE**

- Code Section 2-2-32 sets forth reporting requirements for persons other than a candidate or a candidate's committee who make expenditures on behalf of the candidate. The candidate, however, is responsible for reporting expenditures made on his/her behalf unless the expenditure made is truly independent of his/her campaign.
- An expenditure supporting or opposing the election of a candidate is considered independent of the candidate's campaign if:
  - The expenditure is made independently of the candidate and the candidate's committee;
  - The expenditure is made without prior consent of the candidate; and
  - The expenditure is made without cooperation or strategic communication between the independent person making the expenditure and the candidate or the candidate's committee.
- Code Section 2-2-32 et seq. requires special reporting of such independent expenditures. A form identified as Schedule ATX 1 "INDEPENDENT EXPENDITURES NOT BY A CANDIDATE" must be filed with the City Clerk's office by every person other than a candidate or a candidate's committee who expends a specified aggregate amount during any calendar year to promote the election or defeat of any candidate in a City election. Such form must be filed within the deadlines specified in the cited Code section.

## **LENGTH OF TIME FOR RETAINING RECORDS**

- Code Section 2-2-28 requires that copies of checks, bank statements, deposit slips and other information necessary for filing Contribution and Expenditure Reports must be kept for a period of five years after the close of the reporting period to which the records are applicable.

Tab 6

Personal Financial Information

## Austin City Code

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***ARTICLE 1. GENERAL PROVISIONS.***

**§ 2-7-1 DECLARATION OF POLICY.**

(A) It is the policy of the City that the proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all City officials and employees is adopted.

(B) This code has the following four purposes:

- (1) To encourage high ethical standards in official conduct by City officials and employees;
  - (2) To establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City;
  - (3) To require disclosure by such of official and employees of private financial or other interests in matters affecting the City; and
  - (4) To serve as a basis for disciplining those who refuse to abide by its terms.
- (C) The provisions of this chapter shall not apply to political contributions, loans, expenditures, reports or regulation of political campaigns or the conduct of candidates in such campaigns.

*Source: 1992 Code Section 2-3-1; Ord. 031204-9; Ord. 031211-11.*

## **§ 2-7-2 DEFINITIONS.**

In this chapter:

- (1) **AFFECTED** means in the case of a person, entity or property, means reasonably likely to be subject to a direct economic effect or consequence, either positive or negative, as a result of the vote or decision in question. For instance, a person or entity owning real property, entering into a contract with the City, or seeking a permit or franchise is “affected” by votes or decisions such as zoning of the property, approval of the contract, or granting of the permit. Affected does not include those persons or entities who are subject to an indirect or secondary effect from official action. Creditors, independent contractors, or guarantors of a person “affected” by a vote or decision are not also deemed to be “affected” by virtue of their relationship with the affected person. The vote or decision need not be the only producing cause of the economic effect or consequence reasonably likely to result. In determining whether a person, entity or property is or was “affected by” a vote or decision, it shall not be necessary to prove the actual existence or occurrence of an economic effect or consequence if such effect or consequence would be reasonably expected to exist or occur. Additionally, a vote or decision to place a matter on a ballot is deemed to affect a person, entity or property to the same extent that the results of the election would effect the person, entity or property.
- (2) **CITY EMPLOYEE** or **EMPLOYEE** means any person employed by the City but does not include independent contractors hired by the City.
- (3) **CITY OFFICIAL** or **OFFICIAL**, unless otherwise expressly defined, means the mayor, members of the city council, municipal court judges (including substitute judges), city manager, assistant city managers, city clerk, deputy city clerks, city attorney, deputy city attorneys, all department heads or deputy department heads, whether such person is salaried, hired or elected, and all other persons holding positions designated by the City Charter, as it may be amended from time to time. City official, unless otherwise expressly defined, includes individuals appointed by the mayor and city council to all City commissions, committees, boards, task forces, or other City bodies unless specifically exempted from this chapter by the city council.
- (4) **DECISION** means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other City board or commission, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body. A decision of a City employee means any action in which the employee exercises discretionary authority, including but not limited to the issuance of permits, imposition or collection of fines or fees, authorizations for expenditures, and other non-ministerial acts.

(5) **DISCRETIONARY AUTHORITY** means the power to exercise any judgment in a decision or action.

(6) **ENTITY** means a sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted, but does not include a governmental body.

(7) **INCIDENTAL INTEREST** means an interest in a person, entity or property which is not a substantial interest and which has insignificant value, or which would be affected only in a de minimis fashion by a decision. This chapter does not establish dollar limits on the terms “insignificant value” and “de minimis,” which shall have their usual meanings and be subject to interpretation on a case by case basis.

(8) **MINISTERIAL ACT** means an act performed in a prescribed manner and not requiring the exercise of any judgment or discretion.

(9) **REMOTE INTEREST** means an interest of a person or entity, including a City official or employee, who would be affected in the same way as the general public. The interest of a councilmember in the property tax rate, general City fees, City utility charges, or a comprehensive zoning ordinance or similar decisions is incidental to the extent that the councilmember would be affected in common with the general public.

(10) **SUBSTANTIAL INTEREST** means an interest in another person or an entity if: the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000 or more of the equity or market value of the entity; or funds received by the person from the other person or entity either during the previous 12 months or the previous calendar year equaled or exceeded \$5,000 in salary, bonuses, commissions or professional fees or \$20,000 in payment for goods, products or nonprofessional services, or 10 percent of the person’s gross income during that period, whichever is less; the person serves as a corporate officer or member of the board of directors or other governing board of the for-profit entity other than a corporate entity owned or created by the city council; or the person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000 or more except that a home mortgage loan for the person’s homestead or a loan or lease of a personal automobile shall not be deemed a substantial interest in the creditor or guarantor if entered into at a market rate with a commercial lending institution before the previous 12 months.

(11) **SUBSTANTIAL INTEREST IN REAL PROPERTY** means an interest in real property which is an equitable or legal ownership with a market value of \$5,000 or more.

*Source: 1992 Code Section 2-3-2; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

## **ARTICLE 2. ETHICS REVIEW COMMISSION.**

### **§ 2-7-26 FUNCTIONS.**

The Ethics Review Commission has jurisdiction over this chapter, Section 2-1-24 (*Conflict of Interest and Recusal*), Chapter 2-2 (*Campaign Finance*), Chapter 4-8 (*Regulation of Lobbyists*), and Article III, Section 8, of the City Charter (*Limits on Campaign Contributions and Expenditures*). The commission shall hear and rule on sworn complaints alleging violations of the provisions within the commission’s jurisdiction. The city manager shall provide funding for all necessary and reasonable functions of the commission in fulfilling its duties.

*Source: 1992 Code Section 2-3-26; Ord. 031204-9; Ord. 031211-11; Ord. 20080214-012; Ord.*

20120426-084.

**§ 2-7-27 (RESERVED)**

**§ 2-7-28 (RESERVED)**

**§ 2-7-29 REPORTS; OPINIONS.**

The commission shall receive reports of briefings regarding this chapter of newly appointed and employed board and commission members and employees and copies of public opinions related to this chapter that have been issued by the city attorney since the last meeting.

*Source: 1992 Code Section 2-3-29; Ord. 031204-9; Ord. 031211-11; Ord. 20080214-012.*

**§ 2-7-30 DUTIES.**

(A) The Ethics Review Commission shall, in addition to its other duties:

(1) prescribe forms for reports, statements, notices, and other documents required by the provisions within the commission's jurisdiction;

(2) prepare and publish materials explaining the duties of individuals subject to the provisions within the commission's jurisdiction;

(3) review all statements and reports filed with the commission in order to obtain compliance with the provisions within the commission's jurisdiction;

(4) accept and file any information voluntarily supplied that exceeds the requirements of the provisions within the commission's jurisdiction;

(5) preserve statements and reports filed with the commission for a period of five years from the date of receipt;

(6) review the provisions within the commission's jurisdiction and make appropriate recommendations to the city council concerning the provisions within the commission's jurisdiction, and perform an annual review and evaluation of the dollar limits established in Chapter 2-2 (*Campaign Finance*) and make recommendations to the city council as to those limits;

(7) review all public opinions related to the provisions within the commission's jurisdiction that are issued by the city attorney;

(8) conduct hearings in accordance with the provisions of this chapter and the commission's rules on sworn complaints alleging violations of the provisions within the commission's jurisdiction;

(9) schedule and oversee the forums among candidates in City elections provided for in Chapter 2-2 (*Campaign Finance*).

(B) The commission may:

(1) prepare reports and studies to advance the purposes of the provisions within the commission's jurisdiction;

(2) request the city council and city manager to provide such assistance as it may require in the discharge of its duties; and

(3) make recommendations to the city manager concerning the role of the ombudsman concerning this chapter.

*Source: 1992 Code Section 2-3-30; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084.*

### **§ 2-7-31 STAFFING.**

(A) The Ethics Review Commission shall be assigned staff by the city attorney to assist in its duties.

(B) When complaints are filed related to the mayor, city councilmembers, city manager, city attorney, department heads and deputies, independent legal counsel shall be utilized to advise the commission and participate in hearings.

(C) (1) Any City official, employee or candidate for City elective office may request, and the city attorney shall thereupon promptly issue, a written opinion concerning the meaning or effect of any section, word, or requirement of this chapter as it affects such official, employee or candidate. At the request of such official, employee or candidate the city attorney shall render a confidential opinion, not subject to public disclosure.

(2) If a complaint is subsequently filed with the commission about any specific action, omission, or alleged conflict of interest which has been the subject, whole or in part, of a city attorney's opinion, the independent legal counsel shall act as commission attorney on said complaints.

(D) The city clerk shall make the reporting and complaint forms and information developed by the Commission available to the public and shall assist citizens in complying with filing procedures.

*Source: 1992 Code Section 2-3-31; Ord. 031204-9; Ord. 031211-11; Ord. 20060209-003.*

### **§ 2-7-32 RULES.**

The Ethics Review Commission may adopt, amend, and rescind rules of procedure to carry out the provisions of this chapter. Such rules shall be consistent with this chapter and other applicable law.

*Source: 1992 Code Section 2-3-32; Ord. 031204-9; Ord. 031211-11.*

## **ARTICLE 3. VIOLATIONS; COMPLAINT AND HEARING PROCEDURES.**

### **§ 2-7-41 COMPLAINTS.**

(A) In this article:

(1) COMPLAINANT means a person filing a sworn complaint; and

(2) RESPONDENT means a person who is alleged in a sworn complaint to have violated a provision within the jurisdiction of the Ethics Review Commission.

(B) A sworn complaint alleging a violation of a provision within the jurisdiction of the Ethics Review Commission shall specify each code section or charter provision alleged to have been violated.

(C) A complaint alleging a violation of Sections 2-7-62 (*Standards of Conduct*) through 2-7-



65 (*Substantial Interest of Relative*) must be filed with the city clerk within two years from the date of the action alleged as a violation, and not afterward.

(D) On the sworn complaint of any person filed with the city clerk's office or on the commission's own initiative, the commission shall consider possible violations of a provision within the jurisdiction of the commission by City officials and employees, former City officials and employees, candidates for election to City offices, and other persons subject to the provisions set forth in Section 2-7-26 (*Functions*). The commission may not consider complaints against its own members.

(E) Not later than three working days after the city clerk receives a sworn complaint, the city clerk shall acknowledge the receipt of the complaint to the complainant and provide a copy of the complaint to the city attorney, the commission, and the respondent. Not later than the 10th working day after receipt of a complaint, the commission shall notify in writing the complainant and the respondent of a date for a preliminary hearing. If the commission does not hold a preliminary hearing within 20 working days of receipt of the complaint, it shall notify the complainant of the reasons for the delay and shall subsequently give the complainant the appropriate notification.

(F) The commission may consider a possible violation of a provision within the jurisdiction of the commission on the commission's own initiative. Within seven days of the commission's decision to consider a possible violation, the commission shall draft a written complaint specifying each code section or charter provision alleged to have been violated, shall file a copy of the complaint with the city clerk, and shall provide a copy the complaint\* to the city attorney and to the respondent. Not later than the 15th working day after the drafting of the complaint, the commission shall notify in writing the respondent of the date for the preliminary hearing.

\* *Editor's note:*

*As set forth in Ord. 20120426-084. Intended text is probably "...a copy of the complaint." Future legislation will correct the provision if needed.*

*Source: 1992 Code Section 2-3-41; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084.*

## **§ 2-7-42 DEFENSE OF OFFICIAL OR EMPLOYEE BY CITY ATTORNEY.**

In the event a complaint is filed with the Ethics Review Commission against any official or employee of the City, alleging a violation of Article 4 (*Code of Ethics*), if the official or employee reasonably believed the conduct charged was not prohibited by Article 4 (*Code of Ethics*) and acted in reasonable reliance upon a public opinion rendered by the city attorney, the city attorney shall be authorized to represent the official or employee before the commission, or to employ and pay private counsel to represent the official or employee before the commission.

*Source: 1992 Code Section 2-3-42; Ord. 031204-9; Ord. 031211-11.*

## **§ 2-7-43 PROHIBITION OF EX PARTE COMMUNICATIONS.**

After a complaint has been filed and during the pendency of a complaint before the Ethics Review Commission, a member of the commission may not communicate directly or indirectly with any party or person about any issue of fact or law regarding the complaint, except at a meeting of the commission.

*Source: 1992 Code Section 2-3-43; Ord. 031204-9; Ord. 031211-11.*

## **§ 2-7-44 PRELIMINARY HEARING.**

(A) The issue at a preliminary hearing shall be the existence of reasonable grounds to believe that a violation of a provision within the jurisdiction of the Ethics Review Commission has occurred. The complainant, or the legal counsel for the Ethics Review Commission in cases considered on the commission's own initiative, shall state the alleged violation and shall describe in narrative form the testimony and other evidence which would be presented to prove the alleged violation as stated in the written complaint. Statements at a preliminary hearing shall be under oath, but there shall be no cross-examination or requests for persons or evidence issued for the hearing. Members of the commission may question the complainant, legal counsel for the commission, or the respondent.

(B) The respondent shall have the opportunity to respond but is not required to attend or make any statement. The respondent may describe in narrative form the testimony and other evidence which would be presented to disprove the alleged violation. If the respondent agrees that a violation has occurred, the respondent may so state and the commission may consider the appropriate sanction or prosecution.

(C) The complainant and the respondent shall have the right of representation by counsel.

(D) At the conclusion of the preliminary hearing, the commission shall decide whether a final hearing should be held. If the commission determines that there are reasonable grounds to believe that a violation of a provision within the jurisdiction of the commission has occurred, the commission shall schedule a final hearing. If a majority of the membership the commission\* do not determine that there are reasonable grounds to believe that a violation has occurred, the complaint shall be automatically dismissed. A decision to conduct a final hearing is not a finding that a violation has occurred.

*\* Editor's note:*

*As set forth in Ord. 20120426-084. Intended text is probably "If a majority of the membership of the commission...." Future legislation will correct the provision if needed.*

(E) The commission, at any time during the preliminary hearing, may also dismiss a complaint if the complaint does not allege conduct which would be a violation of a provision within the jurisdiction of the commission. Before a complaint is dismissed for failure to allege a violation, the complainant or the legal counsel for the commission shall be permitted one opportunity, within a period to be specified, to revise and resubmit the complaint.

(F) The complainant, legal counsel for the commission, and the respondent may ask the commission at a preliminary hearing to request certain persons and evidence for a final hearing, if one is scheduled.

*Source: 1992 Code Section 2-3-44; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084.*

## **§ 2-7-45 FINAL HEARING.**

(A) The final hearing shall be held within 30 days following the determination by the Ethics Review Commission that there are reasonable grounds to believe that a violation of a provision within the jurisdiction of the commission has occurred. The commission may grant two postponements, not to exceed 15 days each, on the request of the respondent.

(B) The issue at a final hearing shall be whether a violation of a provision within the jurisdiction of the commission has occurred. The commission shall make its determination based on the preponderance of the credible evidence in the record. All witnesses shall make their statements under oath. If the commission determines that a violation has occurred, the commission shall state the commission's findings in writing, shall identify each code section or

charter provision that has been violated, and, within five working days, shall deliver a copy of the commission's findings to the complainant, if any, the respondent, and the city clerk.

*Source: 1992 Code Section 2-3-45; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084.*

#### **§ 2-7-46 OATHS AND REQUESTS FOR INFORMATION.**

If a complaint proceeds to a final hearing, the Ethics Review Commission may request witnesses to attend and testify, administer oaths and affirmations, take evidence and request the production of books, papers, records, or other evidence needed for the performance of the commission's duties or exercise of its powers, including its duties and powers of investigation.

*Source: 1992 Code Section 2-3-46; Ord. 031204-9; Ord. 031211-11.*

#### **§ 2-7-47 PROSECUTION.**

If the Ethics Review Commission determines that a violation of Sections 2-7-66 (*Misuse of Official Information*), 2-7-67 (*Restrictions on Providing Representation of Others*), or Article 5 (*Financial Disclosure*) has occurred, the commission shall deliver a copy of the commission's findings to the complainant, if any, the respondent, and the city attorney recommending prosecution or setting forth requirements to be complied with in order that voluntary compliance may be had and final determination obtained.

*Source: 1992 Code Section 2-3-47; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084.*

#### **§ 2-7-48 SANCTIONS.**

(A) This section applies only to violations other than violations of Chapter 2-2 (*Campaign Finance*) and Article III, Section 8, of the City Charter (*Limits on Campaign Contributions and Expenditures*).

(B) If the Ethics Review Commission determines that a violation of Sections 2-7-62 (*Standards of Conduct*), 2-7-63 (*Prohibition on Conflict of Interest*), 2-7-64 (*Disclosure of Conflict of Interest*), and 2-7-65 (*Substantial Interest of Relative*) occurred, it shall proceed directly to determination of the appropriate sanction(s). A violation of Sections 2-7-62 (*Standards of Conduct*), 2-7-63 (*Prohibition on Conflict of Interest*), 2-7-64 (*Disclosure of Conflict of Interest*), and 2-7-65 (*Substantial Interest of Relative*) shall not be subject to criminal penalties under the City Code. The commission may receive additional testimony or statements before considering sanctions but is not required to do so. If the respondent acted in reliance upon a public written opinion of the city attorney, the commission shall consider that fact.

(C) If the commission determines that a violation has occurred, the commission may impose or recommend the following sanctions:

(1) A letter of notification is the appropriate sanction when the violation is clearly unintentional, or when the respondent's conduct complained of was made in reliance on a public written opinion of the city attorney. A letter of notification must advise the respondent of any steps to be taken to avoid future violations. The commission may direct a letter of notification to any official or employee covered by this chapter.

(2) A letter of admonition is the appropriate sanction if the commission finds that the violation is minor or may have been unintentional, but calls for a more substantial response than a letter of notification. The commission may admonish any official or employee covered by this chapter.

(3) A reprimand is the appropriate sanction when the commission finds that a violation has been committed intentionally or through disregard of this chapter. The commission may reprimand any official or employee covered by this chapter. A reprimand directed to a City official shall also be sent to the city council. A reprimand directed to an employee shall be sent to the city manager and included in said employee's personnel file.

(4) A recommendation of removal from office or a recommendation of suspension from office, including a recommendation for the length of a suspension, is the appropriate sanction when the commission finds that a serious or repeated violation of this chapter has been committed intentionally or through culpable disregard of this chapter. A recommendation regarding an unsalaried City official or a salaried official appointed by the city council shall be transmitted by the commission to the city council. The final authority to carry out a recommendation regarding an unsalaried City official or of a salaried official appointed by the city council is the city council. A recommendation regarding a City employee shall be directed by the commission to the city manager. The final authority to carry out a recommendation regarding a city employee is the city manager.

(5) A letter of censure or a recommendation of recall is the appropriate sanction when the commission finds that a serious or repeated violation of this chapter has been committed intentionally or through culpable disregard of this chapter by an elected City official. A letter of censure or a recommendation of recall directed to an elected City official shall be transmitted by the commission to the city clerk, published by the city clerk in a local newspaper of the largest general circulation, and shall be sent by the commission to the city council.

*Source: 1992 Code Section 2-3-48; Ord. 031204-9; Ord. 031211-11; Ord. 20120426-084.*

#### **§ 2-7-49 CAMPAIGN AND LOBBYING VIOLATIONS.**

(A) This section applies to violations of Chapter 2-2 (*Campaign Finance*), Chapter 4-8 (*Regulation of Lobbyists*), and Article III, Section 8, of the City Charter (*Limits on Campaign Contributions and Expenditures*).

(B) If the Ethics Review Commission determines that a violation of a provision to which this section applies has probably occurred:

- (1) the commission may recommend that the city attorney prosecute the violation;
- (2) request the appointment of a special prosecutor in cases where it finds this action necessary, with funding provided by the City; or
- (3) if the commission finds that the violation is minor, clerical, or may have been unintentional, the commission may recommend that the violation not be prosecuted or be prosecuted only if the violation is not corrected.

(C) The commission may consider a violation's severity, frequency, or intentional nature.

(D) If a respondent is an entity, the commission may find that an individual has violated a provision subject to the section.

(E) This section does not require the commission to make a recommendation with respect to a complaint.

(F) The commission may draft and publish a letter of notification, a letter of admonition, a reprimand, or a letter of censure to a respondent found to have violated a provision subject to this section.

(G) This section does not limit the prosecutorial discretion of the city attorney.

*Source: Ord. 20120426-084.*

## **ARTICLE 4. CODE OF ETHICS.**

### **§ 2-7-61 CONDUCTING BUSINESS THROUGH PARTNERSHIPS, PROFESSIONAL CORPORATIONS, AND OTHER ENTITIES.**

If a City official or employee is a member of a partnership or professional corporation, or conducts business through another entity, a substantial interest of the partnership, professional corporation, or entity shall be deemed to be a substantial interest of the City official or employee if:

- (A) the partnership or professional corporation has fewer than 20 partners or shareholders;
- (B) regardless of the number of partners or shareholders, the official or employee has an equity interest, share, or draw equal to or greater than five percent of the capital or revenues of the partnership, professional corporation, or other entity; or
- (C) with regard to the partnership, professional corporation, or other entity's substantial interest in a client, the official has personally acted within the preceding 24 months in a professional or fiduciary capacity for that client.

*Source: 1992 Code Section 2-3-61; Ord. 031204-9; Ord. 031211-11.*

### **§ 2-7-62 STANDARDS OF CONDUCT.**

- (A) No City official or employee shall transact any business in his official capacity with any entity in which he has a substantial interest.
- (B) No City official or employee shall formally appear before the body of which the official or employee is a member while acting as an advocate for himself or any other person, group, or entity.
- (C) No salaried City official or employee shall represent, for compensation, any other person, group or entity before any department, commission, board or committee of the City.
- (D) No salaried City official or employee shall represent, directly or indirectly, any other person, group or entity in any action or proceeding against the interests of the City, or in any litigation in which the City or any department, commission, or board or committee thereof is a party; provided, however, that nothing herein shall limit the authority of the city attorney and his staff to represent the City, its boards, commissions, committees and officers and particularly the Human Rights Commission in the discharge of their duties, including equal employment opportunity cases.
- (E) No salaried City official or employee shall represent, directly or indirectly, any person, group or entity in any action or proceeding in the municipal courts of the City which was instituted by a City official or employee in the course of official duties.
- (F) No City official shall represent any person, group or entity in any action or proceeding in the municipal courts of the City which was instituted by or arising from a decision of a board, commission, committee, task force or other body on which the official serves.
- (G) No City official or employee shall accept or solicit any gift or favor, that might

reasonably tend to influence that individual in the discharge of official duties or that the official or employee knows or should know has been offered with the intent to influence or reward official conduct

(H) (1) No City official or employee shall solicit or accept other employment to be performed or compensation to be received while still a City official or employee, if the employment or compensation could reasonably be expected to impair independence in judgment or performance of City duties.

(2) If a City official or employee accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official or employee might reasonably be expected to act, investigate, advise, or make a recommendation, the official or employee shall disclose that fact to the board or commission on which he serves or to his supervisor and shall take no further action on matters regarding the potential future employer.

(I) No salaried City official or employee shall use his official position to secure a special privilege or exemption for himself or others, or to secure confidential information for any purpose other than official responsibilities.

(J) No City official or employee shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(K) No City official or employee shall accept remuneration, directly or indirectly, for campaign work relating to an item placed on the ballot if that individual served on the body which exercised discretionary authority in the development of the ballot item and participated in the discussion or voted on the item.

(L) No salaried City official and certain City employees to include the mayor, councilmembers, the city manager, assistant city managers, the city clerk, deputy city clerks, council aides, municipal court clerk, deputy municipal court clerks, municipal judges (including substitute judges), the city auditor, assistants to the city auditor, the city attorney, deputy city attorneys, assistant city attorneys, purchasing agents and those employees with the authority to purchase or contract for the City, all department heads, deputy department heads, and the spouse of each of the above, shall solicit nor propose on a contract, enter into a contract or receive any pecuniary benefit from any contract with the City. This prohibition does not include any employment contract which may be authorized for the official, a contract of sale for real property or a contract for services which are available to all citizens.

(M) For a period of two years after leaving office, a former mayor or councilmember may not solicit or propose on a contract with the City or enter into a contract with the City for the sale to the City of any goods or services other than real estate. This subsection does not apply to a former mayor or councilmember who had a business relationship with the City in the six months immediately preceding taking the office of mayor or councilmember if the solicitation or proposal is on behalf of the same business.

(N) For a period of two years after leaving office, a former mayor or councilmember, members of their family, or anyone acting on their behalf, may not sell or lease any real estate to the City unless the city council has designated the property for acquisition and would otherwise have to acquire the property through its power of eminent domain.

*Source: 1992 Code Section 2-3-62; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

## **§ 2-7-63 PROHIBITION ON CONFLICT OF INTEREST.**



(A) A City official or employee may not participate in a vote or decision on a matter affecting a natural person, entity, or property in which the official or employee has a substantial interest; provided, however, that this provision shall not prohibit any member of the city council from participating in a discussion relating to a petition certified to the city council by the city clerk which petition seeks the recall of said member of the city council.

(B) A City official or employee who serves as a corporate officer or member of the board of directors of a nonprofit entity may not participate in a vote or decision regarding funding by or through the City for the entity. This subsection does not apply to a City official or employee who:

(1) serves as a corporate officer or member of the board of directors of a nonprofit entity that is owned by the City or created by the city council; or

(2) as a duty of office or as a job assignment, serves as a corporate officer or member of the board of directors of a nonprofit entity as a representative of the City.

(C) Where the interest of a City official or employee in the subject matter of a vote or decision is remote or incidental, the City official or employee may participate in the vote or decision and need not disclose the interest.

(D) Nothing in this chapter shall prohibit the city council from participating in a vote or decision relating to salaries, terms of office or travel budgets of city councilmembers.

(E) If a member of the city council participates in a vote or decision on a contract for the purchase by the City of any goods or services from a person or entity in which the member has a substantial interest, the contract is voidable by the City.

(F) A document prepared by the City that solicits bids or proposals from vendors, service providers, or other persons shall provide notice of the provisions of this section.

*Source: 1992 Code Section 2-3-63; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

#### **§ 2-7-64 DISCLOSURE OF CONFLICT OF INTEREST.**

(A) A City official shall disclose the existence of any substantial interest he may have in a natural person, entity or property which would be affected by a vote or decision of the body of which the City official is a member or that he serves as a corporate officer or member of the board of directors of a nonprofit entity for which a vote or decision regarding funding by or through the City is being considered.

(B) To comply with this section, a councilmember or unsalaried City official, prior to the vote or decision, either shall file an affidavit as required by Chapter 171 (*Regulation of Conflicts of Interest of Officers of Municipalities, Counties, and Certain Other Local Governments*) of the Local Government Code or, if not so required, shall publicly disclose in the official records of the body the nature and extent of such interest.

(C) To comply with this section, a City employee shall notify in writing his supervisor of any substantial interest he may have in a natural person, entity or property which would be affected by an exercise of discretionary authority by the City employee and a supervisor shall reassign the matter.

*Source: 1992 Code Section 2-3-64; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

#### **§ 2-7-65 SUBSTANTIAL INTEREST OF RELATIVE.**

(A) A substantial interest of a spouse of a City official or employee shall be deemed to apply to that official or employee for the purposes of Sections 2-7-63 (*Prohibition on Conflict of Interest*) and 2-7-64 (*Disclosure of Conflict of Interest*) concerning disclosure and recusal or reassignment.

(B) If the spouse of a City official or employee does business through a partnership or other entity, the substantial interests of that partnership or entity shall not be deemed under Section 2-7-61 (*Conducting Business Through Partnerships, Professional Corporations, and Other Entities*) to apply to the City official or employee.

(C) A City official or a City employee may not participate in a vote or decision affecting a substantial interest of a person to whom the official or employee is related in the first or second degree of consanguinity or affinity. This subsection does not apply to a substantial interest of a relative based on the relative's employment by a governmental body.

(D) For the purposes of Subsection (C): A relative other than a spouse has a substantial interest if:

(1) the person owns 10 percent or more of the voting stock or shares of the entity or owns either 10 percent or more or \$15,000 or more of the fair market value of the entity; or

(2) funds received by the person from the entity exceed 10 percent of the person's gross income for the previous year; or

(3) the person has a substantial interest in real property if the interest is an equitable or legal ownership in real property with a fair market value of \$2,500 or more.

*Source: 1992 Code Section 2-3-65; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

#### **§ 2-7-66 MISUSE OF OFFICIAL INFORMATION.**

No former City official or former employee shall use any confidential information to which he had access by virtue of his official capacity and which has not been made public concerning the property, operations, policies, or affairs of the City, to advance any personal financial interest.

*Source: 1992 Code Section 2-3-66; Ord. 031204-9; Ord. 031211-11.*

#### **§ 2-7-67 RESTRICTIONS ON PROVIDING REPRESENTATION OF OTHERS.**

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) **BEFORE THE CITY** means before the city council, a board or commission, or a City official or employee.

(2) **CASE, PROJECT OR MATTER** means to refer to specific cases, projects or regulatory matters, rather than generic policies, procedures or legislation of general application. For instance, the zoning process or site plan review process is not a "case, project or matter" within the meaning of this section; however, a specific zoning case or site plan would constitute a "case, project or matter" subject to the restrictions imposed in this section. It is not the intent of this chapter, and this chapter shall not be construed, to proscribe the practice of any profession or occupation by former City officials and employees.

(3) **REPRESENT** means all communications with and appearances before the City in which the City is asked to make a decision, as that term is defined in this chapter. The term represent does not include communications and appearances involving only ministerial action on the part



of the City.

(B) A City employee in a position which involves significant decision-making, advisory, or supervisory responsibility, or a City official who leaves the service or employment of the City shall not, within 12 months after leaving that employment or service, represent any other person or entity in any formal or informal appearance, if the City official or employee has received or shall receive remuneration from the person, entity or members of the entity being represented:

(1) before the City concerning a case, project or matter over which the person exercised discretionary authority as a City employee or official; or

(2) before any other agency on a case, project or matter over which the person exercised discretionary authority as a City employee or official.

(C) A former City employee or official who is subject to the requirements of Subsection (B) shall, during the 24 months after leaving the service or employment of the City, disclose his previous position and responsibilities with the City and the work performed, if any, as a City employee or official regarding the matter for which he is appearing before the City whenever he represents any other person or entity in any formal or informal appearance before the City.

(D) In any formal or informal appearance before the City, a person representing a person or entity which employs a former City official or employee who had discretionary authority over the project or matter for which the person or entity is appearing before the City shall disclose any former involvement of such former City official or employee in the project or matter. This disclosure requirement shall be in effect for 24 months after the former City official or City employee leaves City service or employment.

(E) This section shall become effective from and after February 1, 1987. This section shall not apply to persons who left the service or employment of the City prior to February 1, 1987.

*Source: 1992 Code Section 2-3-67; Ord. 031204-9; Ord. 031211-11.*

## **ARTICLE 5. FINANCIAL DISCLOSURE.**

### **§ 2-7-71 DEFINITIONS.**

In this article:

(1) **CITY OFFICIAL** means the mayor, members of the city council and their aides, Municipal Court Judges (including Substitute Judges), city manager, Assistant city managers, city clerk, Deputy city clerks, city attorney, Deputy city attorneys, Treasurer, Comptroller, City Auditor, Purchasing Officer, the initial and subsequent commissioners of the Conventions and Visitors Commission, all department heads, deputy department heads, and where no deputy department head serves, the first principal assistant of such department, and spouses of each, and spouses of and the members of the City boards and commissions described in Section 2-7-72(C) (*Reports*). City appointees to other governmental bodies may be required to file financial information statements without being deemed City officials under Section 2-7-2 (*Definitions*).

(2) **SPOUSE** of a City official includes a domestic partner, which means an individual who lives in the same household and shares common resources of life in a close, personal, intimate relationship with the City official if under Texas law the individual would not be prevented from marrying the City official on account of age, consanguinity, or prior undissolved marriage to another. A domestic partner may be of the same, or opposite, gender as the City official.

*Source: 1992 Code Section 2-3-71; Ord. 031204-9; Ord. 031211-11; Ord. 20071129-011.*

## **§ 2-7-72 REPORTS.**

(A) By the last Friday of April of each year, City officials shall file with the city clerk a public statement of financial information which shall cover the previous year which is defined as January 1 through December 31. The mayor and members of the city council and spouses shall also file with the city clerk an updated statement of financial information by the last Friday of July for the previous period of January through June. Such updated statement shall only include any change in a “substantial interest” or “substantial interest in real property” as defined in Section 2-7-2 (*Definitions*) since the last filed statement.

(B) Any non-elective City officials covered by Section 2-7-71 (*Definitions*) who are appointed or hired shall file an initial statement of financial information for the previous calendar year within 30 days of being hired or appointed. Thereafter, such person shall, within the time limits provided by this article, file a statement of financial information for the full appropriate reporting period. However, any salaried City official who resigns or is terminated for any reason shall file with the city clerk a public statement of financial information which shall cover the current year to the date of resignation or termination on or before his last day as a salaried employee. In such event, a salaried employee shall not be required to file a public statement of financial information for the year in which the resignation or termination occurred. He shall, at that time, also file a statement of financial information for the previous year if one has not been submitted prior to the employee’s termination date.

(C) The members of the following boards and commissions shall report the information required by Subsection (E):

- (1) Arts Commission;
- (2) Board of Adjustment;
- (3) Environmental Board;
- (4) Historic Landmark Commission;
- (5) Housing Authority of the City of Austin;
- (6) Parks and Recreation Board;
- (7) Planning Commission;
- (8) Public Safety Commission;
- (9) Zero Waste Advisory Commission;
- (10) Water and Wastewater Commission;
- (10) Water and Wastewater Commission;
- (11) Waterfront Planning Advisory Board;
- (12) Urban Renewal Agency; and
- (13) Zoning and Platting Commission.

(D) In addition to other required information, the mayor and members of the city council shall report the amount or category of information as designated in Section 2-7-73 (*Categories*), for

any item reported under Subsection (E)(1), (3), (4), (6), (7), (10), (11) or (12) .

(E) A City official shall include the following information by separate listing in the required statement of financial information, such information to include the source of income or assets and liabilities of their spouses but shall not require a separate report by such official's spouse:

(1) All sources of occupational income which exceed 10 percent of the official's gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or nonprofessional services, excluding the amount but including the name and address of the employer or source of income, and the nature of the occupation or business of each source.

(2) If the official is a self-employed solo practitioner, or if the official owns or controls at least a five percent interest in a partnership, professional corporation or other entity through which the official does business, the official shall report the names and addresses of the clients or customers from whom the official, partner-ship, professional corporation, or other entity received at least 10 percent of its gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or nonprofessional services of gross income during the reporting period.

(3) An itemized list of all sources of income from interest, dividends, royalties, rents, trust disbursements, or other non-occupational sources, excluding the amount, but identifying the source, for each such source exceeding either 10 percent of the official's gross income or \$5,000.

(4) The identification of any person, business entity or other organization from whom the City official reporting has received a gift or favor of any money or other thing of value in excess of \$100, or a series of gifts from the same source during the reporting period the total value of which exceeds \$100, excluding the value of the gift, but including the identification of the source. Excluded from this requirement are campaign contributions which are reported as required by state statute and gifts received from the following relatives:

- (a) spouse;
- (b) children;
- (c) parents;
- (d) grandchildren;
- (e) grandparents;
- (f) brothers;
- (g) sisters;
- (h) uncles;
- (i) aunts;
- (j) nephews;
- (k) nieces;
- (l) first cousins;
- (m) children-in-law;

- (n) parents in-law;
- (o) grandchildren-in-law;
- (p) grandparents-in-law;
- (q) brothers-in-law;
- (r) sisters-in-law;
- (s) uncles-in-law;
- (t) aunts-in-law;
- (u) nephews-in-law;
- (v) nieces-in-law; and
- (w) first cousins-in-law.

(5) The name of any corporation, partnership, limited partnership, or other entity in which the official held, owned, acquired, or sold stock or other equity ownership having a value exceeding \$5,000 or equivalent to five percent or more of the stock or equity in the entity.

(6) A description, excluding the face amount, of all bonds, notes and other commercial paper which the official held, owned, acquired, or sold at any time during the reporting period if the combined face value of the bond, notes and commercial paper exceeds \$5,000.

(7) Any other income or revenue of the official in excess of \$5,000, including a description of sources, but excluding amounts.

(8) An itemized list of all real property in which the official holds any legal or beneficial interest, including real property for which the official has entered into a contract for sale, and including a description sufficient to locate the property, stating the state address, if any, and the present use of the property.

(9) An itemized list of all real property held, owned, acquired, sold or under contract for sale by a corporation, partnership, limited partnership, professional corporation, or other entity in which the official owns or controls at least a five percent interest, including a description sufficient to locate the property, stating the street address, if any, and the present use of the property.

(10) All loans and extensions of credit exceeding \$5,000 on which the official is lender or creditor, excluding the amount of the loan or extension of credit but including the name of the debtor and the rate of interest, if any.

(11) All loans or transactions exceeding \$5,000 on which the official is a guarantor or co-signor, excluding the amount of the loan or guarantee, but including the names of the borrower and lender.

(12) All loans to, debts of, and other financial liabilities of the official which are in excess of \$5,000 and all loans to, debts of and other financial liabilities of any corporation, partnership, limited partnership, professional corporation or other entity in which the official owns or controls at least five percent interest, which liabilities exceed \$5,000. For all debts, loans and liabilities presently outstanding or which existed at any time during the reporting period, the official shall state when the liability was incurred, the rate of interest being charged, if any, and the name of

the lender, creditor or obligee, but not the amount of the liability.

(13) All boards of directors of which the official is a member and the offices or executive positions which the official holds in corporations, partnerships, limited partnerships, professional corporations or other entities, including non-business entities, stating for each the name of the entity and the position held. There shall be excluded from this item positions on corporations or other entities owned by the City or created by the city council.

(F) If, during a reporting period, the mayor or member of the city council has accepted the offer of any trip or excursion from a person or entity other than the City, then he shall report the following to the city clerk before embarking on such a trip or excursion:

- (1) the name of the sponsor;
- (2) the place or places to be visited;
- (3) the purpose of such a trip or excursion; and
- (4) the date and duration of any such trip or excursion.

Within 15 days of return from such a trip or excursion, the mayor or Councilmember shall report to the city clerk the approximate value of such a trip or excursion.

(G) If any City official or City employee has accepted any item by way of gift or loan on behalf of the City, such gift or loan must be promptly reported to the city manager or his designee who shall have the gift or loan inventoried as City property in the case of a gift, or as a loan to the City in the case of a loan.

*Source: 1992 Code Section 2-3-72; Ord. 031204-9; Ord. 031211-11; Ord. 20071129-011; Ord. 20090618-047; 20090723-097; Ord. 20090827-021; 20120126-049.*

### **§ 2-7-73 CATEGORIES.**

Where a monetary amount or value of income of an asset is required to be reported by the mayor or members of the city council, the exact amount need not be reported. The statement may instead include the category of amount as follows:

- (A) Category I: \$1 to less than \$10,000;
- (B) Category II: At least \$10,000 but less than \$20,000;
- (C) Category III: At least \$20,000 but less than \$50,000;
- (D) Category IV: At least \$50,000 but less than \$75,000;
- (E) Category V: At least \$75,000 but less than \$100,000; and
- (F) Category VI: \$100,000 or more, report to nearest \$100,000.

*Source: 1992 Code Section 2-3-73; Ord. 031204-9; Ord. 031211-11.*

### **§ 2-7-74 FINANCIAL DISCLOSURE BY CANDIDATES.**

(A) Non-incumbent candidates for election to City offices shall file a public statement of financial information for the previous year with the city clerk within five working days after the deadline for filing for their respective offices. Incumbent candidates for election to City offices shall file a public statement of financial information for the previous year with the city clerk

within five working days after the deadline for filing for their respective offices; provided that if such financial statement for the appropriate reporting period has already been filed pursuant to this article, such incumbent candidate shall not be required to refile an identical statement.

(B) Incumbent and non-incumbent candidates for election to City offices shall file the same information as is required by the mayor and members of the city council under this article.

*Source: 1992 Code Section 2-3-74; Ord. 031204-9; Ord. 031211-11.*

#### **§ 2-7-75 SWORN FINANCIAL DISCLOSURE STATEMENTS.**

(A) All public statements of financial information required by this article shall be sworn to and shall constitute public records.

(B) A statement of financial information may be filed electronically under procedures to be determined by the city clerk. By filing electronically a person required to file a statement of financial information states on oath before the city clerk that the facts stated in the statement of financial information are true to the best of the person's knowledge or belief.

(C) A statement of financial information that is filed with the city clerk is considered to be under oath by the person required to file the statement regardless of the absence of or defect in the affidavit of verification, including a signature. This subsection applies to a statement of financial information that is filed electronically or otherwise.

*Source: 1992 Code Section 2-3-75; Ord. 031204-9; Ord. 031211-11; Ord. 20060608-013.*

#### **§ 2-7-76 FILING DATES FOR STATEMENTS.**

Annual statements required by this article must be received by the city clerk by 4:45 p.m. on the last Friday in April. Statements as otherwise required shall be received by the city clerk by 4:45 p.m. on the last day required. When the last day falls on a Saturday or Sunday, or on an official City holiday as established by city council, the deadline for receipt by the city clerk is extended to 4:45 p.m. of the next day which is not a Saturday or Sunday or official City holiday.

*Source: 1992 Code Section 2-3-76; Ord. 031204-9; Ord. 031211-11.*

#### **§ 2-7-77 FAILURE TO FILE FINANCIAL DISCLOSURE REPORTS.**

For provisions concerning the removal of certain City officials for failure to file financial disclosure reports, see Section 2-1-21 (*Eligibility Requirements and Removal*).

*Source: 1992 Code Section 2-3-77; Ord. 031204-9; Ord. 031211-11.*

#### **§ 2-7-99 PENALTY.**

Any violation of the provisions of Sections 2-7-61 (*Conducting Business Through Partnerships, Professional Corporations, and Other Entities*) through 2-7-76 (*Filing Dates for Statements*) shall be punished by a fine in an amount not exceeding \$500.

*Source: 1992 Code Section 2-3-999; Ord. 031204-9; Ord. 031211-11; Ord. 20111110-052.*

### **ARTICLE 6. ANTI-LOBBYING AND PROCUREMENT.**

#### **§ 2-7-101 DEFINITIONS.**

In this article:

(1) AGENT means a person authorized by a respondent to act for or in place of respondent, including a person acting at the request of respondent, a person acting with the knowledge and consent of a respondent, or a person acting with any arrangement, coordination, or direction between the person and the respondent.

(2) AUTHORIZED CONTACT PERSON means the person identified in a City solicitation as the contact regarding the solicitation, or the authorized contact person's designee during the course of the no-contact period.

(3) CITY EMPLOYEE in this article means a person employed by the City.

(4) CITY OFFICIAL is defined in Section 2-7-2 (*Definitions*).

(5) DIRECTOR means the director of a department to which the purchasing officer has delegated authority for enforcing this Chapter.

(6) NO-CONTACT PERIOD means the period of time from the date of issuance of the solicitation until a contract is executed. If the City withdraws the solicitation or rejects all responses with the stated intention to reissue the same or similar solicitation for the same or similar project, the no-contact period continues during the time period between the withdrawal and reissue.

(7) RESPONSE means a response to a solicitation.

(8) RESPONDENT means a person responding to a City solicitation including a bidder, a quoter, responder, or a proposer. The term "respondent" also includes:

(a) an owner, board member, officer, employee, contractor, subsidiary, joint enterprise, partnership, agent, lobbyist, or other representative of a respondent;

(b) a person or representative of a person that is involved in a joint venture with the respondent, or a subcontractor in connection with the respondent's response; and

(c) a respondent who has withdrawn a response or who has had a response rejected or disqualified by the City.

(9) REPRESENTATION means a communication related to a response to a council member, official, employee, or City representative that is intended to or that is reasonably likely to:

(a) provide information about the response;

(b) advance the interests of the respondent;

(c) discredit the response of any other respondent;

(d) encourage the City to withdraw the solicitation;

(e) encourage the City to reject all of the responses;

(f) convey a complaint about a particular solicitation; or

(g) directly or indirectly ask, influence, or persuade any City official, City employee, or body to favor or oppose, recommend or not recommend, vote for or against, consider or not consider, or take action or refrain from taking action on any vote, decision, or agenda item regarding the solicitation.

(10) SOLICITATION means an opportunity to compete to conduct business with the City that

requires City Council approval under City Charter Article VII Section 15 (*Purchase Procedure*).

*Source: Ord. 20071206-045; Ord. 20111110-052.*

### **§ 2-7-102 FINDINGS; PURPOSE; APPLICABILITY.**

(A) The Council finds that persons who enter a competitive process for a city contract voluntarily agree to abide by the terms of the competitive process, including the provisions of this Chapter.

(B) The Council finds that it is in the City's interest:

(1) to provide the most fair, equitable, and competitive process possible for selection among potential vendors in order to acquire the best and most competitive goods and services; and

(2) to further compliance with State law procurement requirements.

(C) The Council intends that:

(1) each response is considered on the same basis as all others; and

(2) respondents have equal access to information regarding a solicitation, and the same opportunity to present information regarding the solicitation for consideration by the City.

(D) A solicitation includes, without limitation, an invitation for bids, a request for proposals, a request for quotations, a request for qualifications, and a notice of funding availability.

(E) Unless this Article is invoked by Council, this article does not apply to an opportunity to compete for City social service funding; City cultural arts funding; federal, state and City block grant funding; and the sale or rental of real property.

(F) A representation excludes communication between a City of Austin attorney and a respondent's attorney.

*Source: Ord. 20071206-045; Ord. 20111110-052.*

### **§ 2-7-103 RESTRICTION ON CONTACTS.**

(A) During a no-contact period, a respondent shall make a representation only through the authorized contact person.

(B) During the no-contact period, a respondent may not make a representation to a City official or to a City employee other than to the authorized contact person. This prohibition also applies to a vendor that makes a representation and then becomes a respondent.

(C) The prohibition of a representation during the no-contact period applies to a representation initiated by a respondent, and to a representation made in response to a communication initiated by a City official or a City employee other than the authorized contact person.

(D) If the City withdraws a solicitation or rejects all responses with a stated intention to reissue the same or similar solicitation for the same or similar project, the no-contact period shall expire after the ninetieth day after the date the solicitation is withdrawn or all responses are rejected if the solicitation has not been reissued during the ninety day period.

(E) For a single vendor award, the no-contact period shall expire when the first of the following occurs: contract is executed or solicitation is cancelled.



(F) For a multiple vendor award, the no-contact period shall expire when the last of the following occurs: all contracts are executed, negotiations have been fully terminated, or the ninetieth day after the solicitation is cancelled.

(G) The purchasing officer or the director may allow respondents to make representations to city employees or city representatives in addition to the authorized contact person for a solicitation that the purchasing officer or the director finds must be conducted in an expedited manner; an expedited solicitation is one conducted for reasons of health or safety under the shortest schedule possible with no extensions. The purchasing officer's or director's finding and additional city employees or city representatives who may be contacted must be included in the solicitation documents.

(H) Representations to an independent contractor hired by the City to conduct or assist with a solicitation will be treated as representations to a City employee.

(I) A current employee, director, officer, or member of a respondent, or a person related within the first degree of consanguinity or affinity to a current employee, director, officer or member of a respondent, is presumed to be an agent of the respondent for purposes of making a representation. This presumption is rebuttable by a preponderance of the evidence as determined by the purchasing officer or director.

(J) A respondent's representative is a person or entity acting on a respondent's behalf with the respondent's request and consent. For example, a respondent may email their membership list and ask members to contact council members on the respondent's behalf. The members are then acting per respondent's request and with their consent, and the members have become respondent representatives.

*Source: Ord. 20071206-045; Ord. 20111110-052.*

#### **§ 2-7-104 PERMITTED REPRESENTATIONS.**

(A) If City seeks additional information from respondent, the respondent shall submit the representation in writing only to the authorized contact person. The authorized contact person shall distribute the written representation in accordance with the terms of the particular solicitation. This subsection does not permit a respondent to amend or add information to a response after the response deadline.

(B) If respondent wishes to send a complaint to the City, the respondent shall submit the complaint in writing only to the authorized contact person. The authorized contact person shall distribute a complaint regarding the process to members of the City council or members of the City board, to the director of the department that issued the solicitation, and to all respondents of the particular solicitation. However, the director or purchasing officer shall not permit distribution of any complaint that promotes or disparages the qualifications of a respondent, or that amends or adds information to a response. A determination of what constitutes promoting or disparaging the qualifications of a respondent or constitutes amending or adding information is at the director's or purchasing officer's sole discretion. Bid protests are not subject to this subsection. Documents related to a bid protest may not be forwarded to council under this subsection.

(C) If a respondent makes a written inquiry regarding a solicitation, the authorized contact person shall provide a written answer to the inquiry and distribute the inquiry and answer to all respondents of the particular solicitation.

(D) If a respondent is unable to obtain a response from the authorized contact person, the

respondent may contact the director or purchasing officer as appropriate.

(E) A respondent may ask a purely procedural question, for example a question regarding the time or location of an event, or where information may be obtained, of a City employee other than the authorized contact person. This section does not permit a respondent to make suggestions or complaints about the contract process that constitute a representation to a City employee other than the authorized contact person. Notwithstanding this subsection, a respondent may not ask a procedural question of a councilmember, a councilmember's aide, or of a City board member except in a meeting held under the Texas Government Code, Chapter 551 (*Open Meetings Act*).

(F) This Article allows representations:

(1) made at a meeting convened by the authorized contact person, including meetings to evaluate responses or negotiate a contract;

(2) required by Financial Services Department protest procedures for vendors;

(3) made at a Financial Services Department protest hearing;

(4) provided to the Small & Minority Business Resources Department in order to obtain compliance with Chapter 2-9A-D (the *Minority-Owned and Women-Owned Business Enterprise Procurement Program*);

(5) made to the City Risk Management coordinator about insurance requirements for a solicitation;

(6) made in public at a meeting held under Texas Government Code, Chapter 551 (*Open Meetings Act*); or

(7) made from a respondent's attorney to an attorney in the Law Department in compliance with Texas Disciplinary Rules of Professional Conduct.

(G) Nothing in this article prohibits communication regarding the solicitation between or among City officials or City employees acting in their official capacity.

(H) A contribution or expenditure as defined in Chapter 2-2 (*Campaign Finance*) is not a representation.

*Source: Ord. 20071206-045; Ord. 20111110-052.*

### **§ 2-7-105 NOTICE.**

(A) An employee preparing a solicitation shall include a notice in the solicitation that advises respondents of the requirements of this article, including a notice that if any City official or City employee, other than the authorized contact person, approaches a respondent for response or solicitation information during the no-contact period, the respondent is at jeopardy if he or she makes any representation in response.

(B) The authorized contact person for that solicitation shall notify council members in writing that the no-contact period for that solicitation is in effect.

(C) When a solicitation is issued that will be reviewed by a City board, the authorized contact person for that solicitation shall notify in writing each member of the board that the no-contact period for that solicitation is in effect.

*Source: Ord. 20071206-045; Ord. 20111110-052.*

#### **§ 2-7-106 DISCLOSURE OF PROHIBITED REPRESENTATION.**

(A) If a City official or City employee receives a representation during the no-contact period for a solicitation, the official or employee shall notify in writing the authorized contact person for that solicitation as soon as practicable.

(B) During the no-contact period, a City official or City employee, except for the authorized contact person, shall not solicit a representation from a respondent.

*Source: Ord. 20071206-045; Ord. 20111110-052.*

#### **§ 2-7-107 ENFORCEMENT.**

(A) A respondent that makes a prohibited representation violates this article. If the authorized contact person for a solicitation is informed, or receives information, that a respondent has made a prohibited representation during the no-contact period, the authorized contact person shall document the representation and notify the director or purchasing officer immediately.

(B) If the director or purchasing officer finds that a respondent has violated this article, the respondent is disqualified.

(C) If a respondent is disqualified for a solicitation and the solicitation is withdrawn or if all responses are rejected, the respondent is disqualified for a reissue of the same or similar solicitation for the same or similar project. Section 2-7-103(D) does not limit the duration of the disqualification. The director or purchasing officer may determine what constitutes a “same or similar” project for purposes of this subsection.

(D) The Financial Services Department and a department to which the purchasing officer has delegated purchasing authority shall adopt rules to administer and enforce this article. The rules must include the provision of written notice of disqualification to the respondent and a process to protest a disqualification.

(E) This article is not subject to enforcement by the Ethics Review Commission.

*Source: Ord. 20071206-045; Ord. 20111110-052.*

#### **§ 2-7-108 CONTRACT VOIDABLE.**

If a contract is awarded to a respondent who has violated this article, the contract is voidable by the City.

*Source: Ord. 20071206-045.*

#### **§ 2-7-109 DEBARMENT.**

(A) If a respondent has been disqualified under this article more than two times in a sixty month period, the purchasing officer shall debar a respondent from the sale of goods or services to the City for a period not to exceed three years, provided the respondent is given written notice and a hearing in advance of the debarment.

(B) The Financial Services Department and any department to which the purchasing officer has delegated authority for enforcing this article shall adopt rules to administer and enforce this section. The rules must include a hearing process with written notice to the respondent.

*Source: Ord. 20071206-045; Ord. 20111110-052.*

**§ 2-7-110 NO CRIMINAL PENALTY.**

Section 1-1-99 does not apply to this article.

*Source: Ord. 20071206-045.*

**2-7-111 DIRECTOR DISCRETION.**

A director has the discretion to apply this Article to any other competitive process not covered by this Article.

*Source: Ord. 20111110-052.*

STATEMENT OF FINANCIAL INFORMATION  
Reference Section 2-7-72, Austin City Code

STATEMENT OF FINANCIAL INFORMATION  
**MAYOR, COUNCIL, CANDIDATES**

This form should be filed by City officials --**Mayor, City Council Members, Candidates** -- for the period January 1 through December 31, 20\_\_\_\_.

This statement must be received by the City Clerk by 4:45 p.m. on the last Friday in April.\*\* The report must be signed under oath. This form may be copied if additional space for reporting is needed. In reporting information required by this form, a City official shall include the same information as it pertains to his or her spouse or domestic partner, by separate listing. However, a separate report for the City Official's spouse or domestic partner is not required.

\*\*Incumbent and non-incumbent candidates must file within five working days after the deadline for filing for their respective offices. However, incumbent candidates are not required to refile if an identical financial statement for the previous year has already been filed.

Where a monetary amount or value of income of an asset is required to be reported, the exact amount need not be reported. The statement may instead include the category of amount as follows:

Category I	At least \$1 but less than \$10,000;
Category II	At least \$10,000 but less than \$20,000;
Category III	At least \$20,000 but less than \$50,000;
Category IV	At least \$50,000 but less than \$75,000;
Category V	At least \$75,000 but less than \$100,000;
Category VI	\$100,000 or more, report to nearest \$100,000.

Name of City official: \_\_\_\_\_

Address: \_\_\_\_\_

Occupation: \_\_\_\_\_

Spouse or domestic partner's name: \_\_\_\_\_

Address: \_\_\_\_\_

Occupation: \_\_\_\_\_

STATEMENT OF FINANCIAL INFORMATION  
Reference Section 2-7-72, Austin City Code

***The person completing this form must provide the information requested below for themselves and their spouse/domestic partner.***

1. List all sources of occupational income which exceeded 10% of your gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or non-professional services per source.

Name of employer or source of income	Business address	Nature of occupation or business	Category of amount

2. If you are a self-employed solo practitioner or if you had at least 5% interest in a partnership, professional corporation or other entity through which you do business, list the names and addresses of clients or customers from whom you or this partnership, professional corporation, or entity received 10% or more of gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or non-professional services during the reporting period.

Name of client or customer	Address

3. List all sources of income which exceeded either \$5,000 or were in excess of 10% of your gross income received from interest, dividends, royalties, rents, trust disbursements or other non-occupational sources.

Name of source	Nature of income	Category of amount

## STATEMENT OF FINANCIAL INFORMATION

Reference Section 2-7-72, Austin City Code

4. Identify any source (person, business entity or other organization) of a gift of any money or other thing of value exceeding \$100, or identify any source who gave you a series of gifts the total value of which exceeds \$100. You need not report campaign contributions which are reported as required by other law and you need not report gifts received from the following relatives: Spouse, Children, Children-in-Law, Parents, Parents-in-Law, Grandchildren, Grandchildren-in-Law, Grandparents, Grandparents-in-Law, Brothers, Brothers-in-Law, Sisters, Sisters-in-Law, Uncles, Uncles-in-Law, Aunts, Aunts-in-Law, Nephews, Nephews-in-Law, Nieces, Nieces-in-Law, First Cousins, First Cousins-in-Law

Name of source of gift	Category amount

5. List the names of any corporation, partnership, limited partnership, or other entity in which you held, owned, acquired, or sold stock, or any other equity ownership having a value exceeding \$5,000 or equivalent to 5% or more of the stock or equity in the entity, at any time during the reporting period.

Name of company or entity:

6. List and describe all bonds, notes and other commercial paper which you held, owned, acquired or sold, at any time during the reporting period if the combined face value of the bonds, notes and commercial paper exceeded \$5,000.

Description of commercial paper	Category of amount

7. List all other income or revenue in excess of \$5,000 per source.

Name of source	Category of amount

STATEMENT OF FINANCIAL INFORMATION  
Reference Section 2-7-72, Austin City Code

8. List and describe all real property in which you hold any legal or beneficial interest, including real property for which you have entered into a contract for sale. The description should be sufficient to locate the property, and include the street address if any, and the present use of the property.

Street address of property	Description of property	Present use of property

9. List and describe all real property held, owned, acquired or sold, or under a contract for sale, by a corporation, partnership, limited partnership, professional corporation, or other entity in which you own or control at least a 5% interest. The description should be sufficient to locate the property and include a street address, if any, and the present use of the property.

Street address of property	Description of property	Present use of property

10. List all loans and extensions of credit in excess of \$5,000 on which you are the lender or creditor, including the name of the debtor and the rate of interest, if any.

Name of obligee	Rate of interest, if any	Category of amount

11. List all loans or transactions in excess of \$5,000 on which you are a guarantor or co-signer, including the names of the borrower and lender.

Name of obligee/lender	Rate of interest, if any	Category of amount



## STATEMENT OF FINANCIAL INFORMATION

Reference Section 2-7-72, Austin City Code

12. List all loans, debts, and other financial liabilities you have which are in excess of \$5,000 which are presently outstanding or which existed at any time during the reporting period.

Name of lender/creditor/obligee	Rate of interest, if any	Category of amount	Date obligation was incurred

List all loans, debts, and other financial liabilities in excess of \$5,000 of any corporation, partnership, limited partnership, professional corporation or other entity in which you own or control at least a 5% interest, which are presently outstanding or which existed at any time during the reporting period.

Name of lender/creditor/obligee	Rate of interest, if any	Category of amount	Date obligation was incurred

13. List all boards of directors of which you are a member and the offices or executive positions which you hold in corporations, partnerships, limited partnerships, professional corporations, or other entities, including non-business entities. (Do not include positions on corporations or other entities owned by the City of Austin or created by the City Council.)

Name of organization	Position held

State of Texas

I do solemnly swear that the preceding Financial Statement is in all things true and correct and fully shows all information required to be reported pursuant to Section 2-7-72 City Code for the reporting period indicated.

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Signature of City Officials

Approved by the Ethics Review Commission effective 5/1/2012

Page 5 of 5

**PERSONAL FINANCIAL STATEMENT****FORM PFS  
COVER SHEET  
PAGE 1**

Filed in accordance with chapter 572 of the Government Code.  
For filings required in 2014, covering calendar year ending December 31, 2013.  
Use FORM PFS--INSTRUCTION GUIDE when completing this form.

TOTAL NUMBER OF PAGES FILED:

ACCOUNT #

<b>1 NAME</b>	TITLE; FIRST; MI	<b>OFFICE USE ONLY</b>	
	NICKNAME; LAST; SUFFIX		
<b>2 ADDRESS</b>	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE		Date Received
	<input type="checkbox"/> (CHECK IF FILER'S HOME ADDRESS)		Receipt #
			<table border="1"> <tr> <td>HD / PM</td> <td>Amount</td> </tr> </table>
HD / PM	Amount		
<b>3 TELEPHONE NUMBER</b>	AREA CODE	PHONE NUMBER; EXTENSION	Date Processed
	(      )		Date Imaged
<b>4 REASON FOR FILING STATEMENT</b>	<input type="checkbox"/> CANDIDATE _____ (INDICATE OFFICE)		
	<input type="checkbox"/> ELECTED OFFICER _____ (INDICATE OFFICE)		
	<input type="checkbox"/> APPOINTED OFFICER _____ (INDICATE AGENCY)		
	<input type="checkbox"/> EXECUTIVE HEAD _____ (INDICATE AGENCY)		
	<input type="checkbox"/> FORMER OR RETIRED JUDGE SITTING BY ASSIGNMENT		
	<input type="checkbox"/> STATE PARTY CHAIR _____ (INDICATE PARTY)		
	<input type="checkbox"/> OTHER _____ (INDICATE POSITION)		

**5** Family members whose financial activity you are reporting (see instructions).

SPOUSE \_\_\_\_\_

DEPENDENT CHILD 1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

In Parts 1 through 18, you will disclose your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose not only your own financial activity, but also that of your spouse or a dependent child (see instructions).

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**PERSONAL FINANCIAL STATEMENT****COVER SHEET  
PAGE 2**

On this page, indicate any Parts of Form PFS that are not applicable to you. If you do not place a check in a box, then pages for that Part must be included in the report. ***If you place a check in a box, do NOT include pages for that Part in the report.***

**6 PARTS NOT APPLICABLE TO FILER**

- ☐ N/A Part 1A - Sources of Occupational Income
- ☐ N/A Part 1B - Retainers
- ☐ N/A Part 2 - Stock
- ☐ N/A Part 3 - Bonds, Notes & Other Commercial Paper
- ☐ N/A Part 4 - Mutual Funds
- ☐ N/A Part 5 - Income from Interest, Dividends, Royalties & Rents
- ☐ N/A Part 6 - Personal Notes and Lease Agreements
- ☐ N/A Part 7A - Interests in Real Property
- ☐ N/A Part 7B - Interests in Business Entities
- ☐ N/A Part 8 - Gifts
- ☐ N/A Part 9 - Trust Income
- ☐ N/A Part 10A - Blind Trusts
- ☐ N/A Part 10B - Trustee Statement
- ☐ N/A Part 11A - Assets of Business Associations
- ☐ N/A Part 11B - Liabilities of Business Associations
- ☐ N/A Part 12 - Boards and Executive Positions
- ☐ N/A Part 13 - Expenses Accepted Under Honorarium Exception
- ☐ N/A Part 14 - Interest in Business in Common with Lobbyist
- ☐ N/A Part 15 - Fees Received for Services Rendered to a Lobbyist or Lobbyist's Employer
- ☐ N/A Part 16 - Representation by Legislator Before State Agency
- ☐ N/A Part 17 - Benefits Derived from Functions Honoring Public Servant
- ☐ N/A Part 18 - Legislative Continuances

**SOURCES OF OCCUPATIONAL INCOME****PART 1A**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> INFORMATION RELATES TO	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>2</b> EMPLOYMENT  <input type="checkbox"/> EMPLOYED BY ANOTHER  <hr/> <input type="checkbox"/> SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD <input type="checkbox"/> (Check If Filer's Home Address)  <hr/> NATURE OF OCCUPATION
INFORMATION RELATES TO	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
EMPLOYMENT  <input type="checkbox"/> EMPLOYED BY ANOTHER  <hr/> <input type="checkbox"/> SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD <input type="checkbox"/> (Check If Filer's Home Address)  <hr/> NATURE OF OCCUPATION
INFORMATION RELATES TO	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
EMPLOYMENT  <input type="checkbox"/> EMPLOYED BY ANOTHER  <hr/> <input type="checkbox"/> SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD <input type="checkbox"/> (Check If Filer's Home Address)  <hr/> NATURE OF OCCUPATION

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**RETAINERS****PART 1B**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

This section concerns fees received as a retainer by you, your spouse, or a dependent child (or by a business in which you, your spouse, or a dependent child have a "substantial interest") for a claim on future services in case of need, rather than for services on a matter specified at the time of contracting for or receiving the fee. Report information here only if the value of the work actually performed during the calendar year did not equal or exceed the value of the retainer. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> FEE RECEIVED FROM	NAME AND ADDRESS
<b>2</b> FEE RECEIVED BY	NAME OF BUSINESS  <input type="checkbox"/> FILER OR FILER'S BUSINESS _____  <input type="checkbox"/> SPOUSE OR SPOUSE'S BUSINESS _____  <input type="checkbox"/> DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
<b>3</b> FEE AMOUNT	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
FEE RECEIVED FROM	NAME AND ADDRESS
FEE RECEIVED BY	NAME OF BUSINESS  <input type="checkbox"/> FILER OR FILER'S BUSINESS _____  <input type="checkbox"/> SPOUSE OR SPOUSE'S BUSINESS _____  <input type="checkbox"/> DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
FEE AMOUNT	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**STOCK****PART 2**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each business entity in which you, your spouse, or a dependent child held or acquired stock during the calendar year and indicate the category of the number of shares held or acquired. If some or all of the stock was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b><sup>1</sup> BUSINESS ENTITY</b>	NAME			
<b><sup>2</sup> STOCK HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
<b><sup>3</sup> NUMBER OF SHARES</b>	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
<b><sup>4</sup> IF SOLD</b>	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
NUMBER OF SHARES	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
IF SOLD	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000	<input type="checkbox"/> \$5,000--\$9,999	<input type="checkbox"/> \$10,000--\$24,999
	<input type="checkbox"/> NET LOSS	<input type="checkbox"/> \$25,000--OR MORE		

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**BONDS, NOTES & OTHER COMMERCIAL PAPER****PART 3**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

List all bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child during the calendar year. If sold, indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> DESCRIPTION OF INSTRUMENT	
<b>2</b> HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> IF SOLD  <input type="checkbox"/> NET GAIN  <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
IF SOLD  <input type="checkbox"/> NET GAIN  <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
IF SOLD  <input type="checkbox"/> NET GAIN  <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**MUTUAL FUNDS****PART 4**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each mutual fund and the number of shares in that mutual fund that you, your spouse, or a dependent child held or acquired during the calendar year and indicate the category of the number of shares of mutual funds held or acquired. If some or all of the shares of a mutual fund were sold, also indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> MUTUAL FUND	NAME
<b>2</b> SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> NUMBER OF SHARES OF MUTUAL FUND	<input type="checkbox"/> LESS THAN 100 <input type="checkbox"/> 100 TO 499 <input type="checkbox"/> 500 TO 999 <input type="checkbox"/> 1,000 TO 4,999 <input type="checkbox"/> 5,000 TO 9,999 <input type="checkbox"/> 10,000 OR MORE
<b>4</b> IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
MUTUAL FUND	NAME
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
NUMBER OF SHARES OF MUTUAL FUND	<input type="checkbox"/> LESS THAN 100 <input type="checkbox"/> 100 TO 499 <input type="checkbox"/> 500 TO 999 <input type="checkbox"/> 1,000 TO 4,999 <input type="checkbox"/> 5,000 TO 9,999 <input type="checkbox"/> 10,000 OR MORE
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
MUTUAL FUND	NAME
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
NUMBER OF SHARES OF MUTUAL FUND	<input type="checkbox"/> LESS THAN 100 <input type="checkbox"/> 100 TO 499 <input type="checkbox"/> 500 TO 999 <input type="checkbox"/> 1,000 TO 4,999 <input type="checkbox"/> 5,000 TO 9,999 <input type="checkbox"/> 10,000 OR MORE
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**



# INCOME FROM INTEREST, DIVIDENDS, ROYALTIES & RENTS PART 5

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each source of income you, your spouse, or a dependent child received *in excess of \$500* that was derived from interest, dividends, royalties, and rents during the calendar year and indicate the category of the amount of the income. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b><sup>1</sup></b> SOURCE OF INCOME	NAME AND ADDRESS
<b><sup>2</sup></b> RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b><sup>3</sup></b> AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
SOURCE OF INCOME	NAME AND ADDRESS
RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
SOURCE OF INCOME	NAME AND ADDRESS
RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**PERSONAL NOTES AND LEASE AGREEMENTS****PART 6**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Identify each guarantor of a loan and each person or financial institution to whom you, your spouse, or a dependent child had a total financial liability *of more than \$1,000* in the form of a personal note or notes or lease agreement at any time during the calendar year and indicate the category of the amount of the liability. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b><sup>1</sup></b> PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
<b><sup>2</sup></b> LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b><sup>3</sup></b> GUARANTOR	
<b><sup>4</sup></b> AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**INTERESTS IN REAL PROPERTY****PART 7A**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all beneficial interests in real property held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1 HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>2 STREET ADDRESS</b> <input type="checkbox"/> NOT AVAILABLE <input type="checkbox"/> CHECK IF FILER'S HOME ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
<b>3 DESCRIPTION</b> <input type="checkbox"/> LOTS <input type="checkbox"/> ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
<b>4 NAMES OF PERSONS RETAINING AN INTEREST</b> <input type="checkbox"/> NOT APPLICABLE (SEVERED MINERAL INTEREST)	
<b>5 IF SOLD</b> <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

<b>HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>STREET ADDRESS</b> <input type="checkbox"/> NOT AVAILABLE <input type="checkbox"/> CHECK IF FILER'S HOME ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
<b>DESCRIPTION</b> <input type="checkbox"/> LOTS <input type="checkbox"/> ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
<b>NAMES OF PERSONS RETAINING AN INTEREST</b> <input type="checkbox"/> NOT APPLICABLE (SEVERED MINERAL INTEREST)	
<b>IF SOLD</b> <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**INTERESTS IN BUSINESS ENTITIES****PART 7B**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all beneficial interests in business entities held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>2</b> DESCRIPTION	NAME AND ADDRESS <input type="checkbox"/> (Check If Filer's Home Address)
<b>3</b> IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS <input type="checkbox"/> (Check If Filer's Home Address)
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS <input type="checkbox"/> (Check If Filer's Home Address)
IF SOLD <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**GIFTS****PART 8**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Identify any person or organization that has given a gift *worth more than \$250* to you, your spouse, or a dependent child, and describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift. Do not include: 1) expenditures required to be reported by a person required to be registered as a lobbyist under chapter 305 of the Government Code; 2) political contributions reported as required by law; or 3) gifts given by a person related to the recipient within the second degree by consanguinity or affinity. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> DONOR	NAME AND ADDRESS
<b>2</b> RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> DESCRIPTION OF GIFT	
DONOR	NAME AND ADDRESS
RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION OF GIFT	
DONOR	NAME AND ADDRESS
RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION OF GIFT	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**TRUST INCOME****PART 9**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Identify each source of income received by you, your spouse, or a dependent child as beneficiary of a trust and indicate the category of the amount of income received. Also identify each asset of the trust from which the beneficiary received *more than \$500* in income, if the identity of the asset is known. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> SOURCE	NAME OF TRUST
<b>2</b> BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<b>4</b> ASSETS FROM WHICH OVER \$500 WAS RECEIVED  <input type="checkbox"/> UNKNOWN	

---

SOURCE	NAME OF TRUST
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED  <input type="checkbox"/> UNKNOWN	

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SOURCE	NAME OF TRUST
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED  <input type="checkbox"/> UNKNOWN	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**BLIND TRUSTS****PART 10A**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Identify each blind trust that complies with section 572.023(c) of the Government Code. See FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> NAME OF TRUST	
<b>2</b> TRUSTEE	NAME AND ADDRESS
<b>3</b> BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>4</b> FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<b>5</b> DATE CREATED	
<hr/>	
NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DATE CREATED	
<hr/>	
NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DATE CREATED	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**



**TRUSTEE STATEMENT****PART 10B**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

An individual who is required to identify a blind trust on Part 10A of the Personal Financial Statement must submit a statement signed by the trustee of each blind trust listed on Part 10A. The portions of section 572.023 of the Government Code that relate to blind trusts are listed below.

1 NAME OF TRUST	
2 TRUSTEE NAME	
3 FILER ON WHOSE BEHALF STATEMENT IS BEING FILED	NAME
4 TRUSTEE STATEMENT	<p>I affirm, under penalty of perjury, that I have not revealed any information to the beneficiary of this trust except information that may be disclosed under section 572.023 (b)(8) of the Government Code and that to the best of my knowledge, the trust complies with section 572.023 of the Government Code.</p> <p style="text-align: right;">_____ Trustee Signature</p>

**§ 572.023. Contents of Financial Statement in General**

(b) The account of financial activity consists of:

(8) identification of the source and the category of the amount of all income received as beneficiary of a trust, other than a blind trust that complies with Subsection (c), and identification of each trust asset, if known to the beneficiary, from which income was received by the beneficiary in excess of \$500;

(14) identification of each blind trust that complies with Subsection (c), including:

(A) the category of the fair market value of the trust;

(B) the date the trust was created;

(C) the name and address of the trustee; and

(D) a statement signed by the trustee, under penalty of perjury, stating that:

(i) the trustee has not revealed any information to the individual, except information that may be disclosed under Subdivision (8); and

(ii) to the best of the trustee's knowledge, the trust complies with this section.

(c) For purposes of Subsections (b)(8) and (14), a blind trust is a trust as to which:

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

(C) is not required to register as a lobbyist under Chapter 305;

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

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

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

(d) If a blind trust under Subsection (c) is revoked while the individual is subject to this subchapter, the individual must file an amendment to the individual's most recent financial statement, disclosing the date of revocation and the previously unreported value by category of each asset and the income derived from each asset.

**ASSETS OF BUSINESS ASSOCIATIONS****PART 11A**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all assets of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the assets. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ASSOCIATION	NAME AND ADDRESS <input type="checkbox"/> (Check If Filer's Home Address)	
2 BUSINESS TYPE		
3 HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____	
4 ASSETS	DESCRIPTION	CATEGORY <input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**LIABILITIES OF BUSINESS ASSOCIATIONS****PART 11B**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all liabilities of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the assets. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ASSOCIATION	NAME AND ADDRESS <input type="checkbox"/> (Check If Filer's Home Address)	
2 BUSINESS TYPE		
3 HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____	
4 LIABILITIES	DESCRIPTION	CATEGORY
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**BOARDS AND EXECUTIVE POSITIONS****PART 12**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions you, your spouse, or a dependent child hold in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, other business associations, or proprietorships, stating the name of the organization and the position held. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<sup>1</sup> ORGANIZATION			
<sup>2</sup> POSITION HELD			
<sup>3</sup> POSITION HELD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION			
POSITION HELD			
POSITION HELD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION** **PART 13**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Identify any person who provided you with necessary transportation, meals, or lodging, as permitted under section 36.07(b) of the Penal Code, in connection with a conference or similar event in which you rendered services, such as addressing an audience or participating in a seminar, that were more than perfunctory. Also provide the amount of the expenditures on transportation, meals, or lodging. You are not required to include items you have already reported as political contributions on a campaign finance report, or expenditures required to be reported by a lobbyist under the lobby law (chapter 305 of the Government Code). For more information, see FORM PFS--INSTRUCTION GUIDE.

<sup>1</sup> PROVIDER	NAME AND ADDRESS
<sup>2</sup> AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**INTEREST IN BUSINESS IN COMMON WITH LOBBYIST****PART 14**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly-held corporation, in which you, your spouse, or a dependent child, and a person registered as a lobbyist under chapter 305 of the Government Code that both have an interest. For more information, see FORM PFS--INSTRUCTION GUIDE.

<b><sup>1</sup></b> BUSINESS ENTITY	NAME AND ADDRESS
<b><sup>2</sup></b> INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS
INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS
INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS
INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS
INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
BUSINESS ENTITY	NAME AND ADDRESS
INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST'S EMPLOYER

## PART 15

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Report any fee you received for providing services to or on behalf of a person required to be registered as a lobbyist under chapter 305 of the Government Code, or for providing services to or on behalf of a person you actually know directly compensates or reimburses a person required to be registered as a lobbyist. Report the name of each person or entity for which the services were provided, and indicate the category of the amount of each fee. For more information, see FORM PFS--INSTRUCTION GUIDE.

<b>1</b> PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
<b>2</b> FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**



# REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

## PART 16

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

*This section applies only to members of the Texas Legislature.* A member of the Texas Legislature who represents a person for compensation before a state agency in the executive branch must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. For more information, see FORM PFS--INSTRUCTION GUIDE.

**Note:** Beginning September 1, 2003, legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if: (1) the representation is pursuant to an attorney/client relationship in a criminal law matter; (2) the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or (3) the representation is in regard to a matter for which the legislator was hired before September 1, 2003.

<sup>1</sup> STATE AGENCY	
<sup>2</sup> PERSON REPRESENTED	
<sup>3</sup> FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

## PART 17

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Section 36.10 of the Penal Code provides that the gift prohibitions set out in section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under chapter 572 of the Government Code or title 15 of the Election Code if the benefit and the source of any benefit over \$50 in value are: 1) reported in the statement and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. For more information, see FORM PFS--INSTRUCTION GUIDE.

<b>1</b> SOURCE OF BENEFIT	NAME AND ADDRESS
<b>2</b> BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

**LEGISLATIVE CONTINUANCES****PART 18**

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Identify any legislative continuance that you have applied for or obtained under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant continuances on the grounds that an attorney for a party is a member or member-elect of the legislature.

<b><sup>1</sup></b> NAME OF PARTY REPRESENTED	
<b><sup>2</sup></b> DATE RETAINED	
<b><sup>3</sup></b> STYLE, CAUSE NUMBER, COURT & JURISDICTION	
<b><sup>4</sup></b> DATE OF CONTINUANCE APPLICATION	
<b><sup>5</sup></b> WAS CONTINUANCE GRANTED?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<hr/>	
NAME OF PARTY REPRESENTED	
DATE RETAINED	
STYLE, CAUSE NUMBER, COURT, & JURISDICTION	
DATE OF CONTINUANCE APPLICATION	
WAS CONTINUANCE GRANTED?	<input type="checkbox"/> YES <input type="checkbox"/> NO

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires the personal financial statement to be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations. Without proper verification, the statement is not considered filed.

I swear, or affirm, under penalty of perjury, that this financial statement covers calendar year ending December 31, 2013, and is true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.

\_\_\_\_\_  
Signature of Filer

AFFIX NOTARY STAMP / SEAL ABOVE

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

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Print name of officer administering oath

\_\_\_\_\_  
Title of officer administering oath

# TEXAS ETHICS COMMISSION

## PERSONAL FINANCIAL STATEMENT

### FORM PFS - INSTRUCTION GUIDE



**Revised February 27, 2013**

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

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

#### **AN EQUAL OPPORTUNITY EMPLOYER**

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

# PERSONAL FINANCIAL STATEMENT

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## GENERAL INSTRUCTIONS

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

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

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

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

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

### WHO IS REQUIRED TO FILE?

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

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



2. Statewide elected officer;
  3. Justice of a court of appeals;
  4. District judge;
  5. District or criminal district attorney; and
  6. Member of the State Board of Education;
- Former or retired judges sitting by assignment;<sup>1</sup> and
  - State chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

**Chapter 159, Local Government Code (Statutory County Court/Probate Court Judges).**

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

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

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

**Municipalities With Populations of 100,000 or More.** The mayor, members of the governing body, the municipal attorney, and the city manager of municipalities with a population of 100,000 or more are required to file personal financial statements with the clerk or secretary of the municipality. The Texas Ethics Commission does not have jurisdiction over this filing requirement. See chapter 145 of the Local Government Code for additional information.

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<sup>1</sup> A former or retired judge who sits by assignment at the district court level or above must complete a personal financial statement. Attorney General Opinion H-526 (1975).

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

## COMPLETING THE FORM

All forms must be either typewritten or legibly hand-printed in ink. If requested information is not applicable to your activities, indicate that on page 2 of the Cover Sheet. A complete statement consists of the Cover Sheet and parts of the form on which you have information to report. Every part of the form should either be completed or marked “not applicable” on page 2 of the Cover Sheet.

Complete Form PFS by using one of the following methods.

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

## WHAT NOT TO INCLUDE

Please note that personal financial statements are public records. Do not include unrequired information that is confidential or proprietary, such as your social security number, driver’s license number, or copies of your tax returns.

## PERIOD COVERED

In most cases, the personal financial statement covers activity for the entire calendar year *preceding* the year the statement is due. For example, a personal financial statement due in 2005 covers activity occurring between and including January 1 and December 31, 2004.

**New Appointees.** For a newly appointed officer, the period covered by the first required personal financial statement is determined by the date the officer is appointed to the office. A new appointee’s first personal financial statement covers the entire calendar year *preceding the year of appointment* rather than preceding the year the statement is due. For example, a person appointed to serve on a board effective December 15, 2008, is required to

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

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

## **SUBSTITUTION OF FORMS**

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

## **FILING DEADLINES**

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

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

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

## **TIMELY FILINGS**

A personal financial statement filed by first-class United States mail or by common or contract carrier is timely filed if:

- (1) it is properly addressed with postage or handling charges prepaid; and
- (2) it bears a post office cancellation mark or a receipt mark from a common or contract carrier indicating it was sent on or before the deadline, or if the filer furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier on or before the deadline. A hand-delivered statement is timely filed if it is delivered to the proper filing authority by 5:00 p.m. on the deadline date. The Texas Ethics Commission is located on the 10th floor of the Sam Houston Building, 201 E. 14th St., Austin, Texas 78701. Our mailing address is P.O. Box 12070, Austin, TX 78711-2070.

## **EXTENSION OF THE APRIL 30TH DEADLINE**

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

## **LATE FILING PENALTY**

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

## **CHANGES IN INFORMATION**

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

## **RECORDS RETENTION**

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

## **COMPLETING FORM PFS**

### **COVER SHEET PAGE 1**

**1. Name:** List your name.

**2. Address:** List the address at which you would like to receive communications from this office, such as notices of your filing requirements. If you are listing your home address here, please indicate this by placing a check in the box provided.

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

**3. Telephone Number:** List a telephone number at which you can be reached during regular business hours.

**4. Reason for Filing Statement:** Check the appropriate box to indicate the capacity in which you are filing this personal financial statement. Generally, if you file in more than one capacity, you will check all applicable boxes. You are only required to file one personal financial statement for the same calendar year, even if you fit within more than one category.

**Candidate:** If you are a candidate for an elected office, check this box and indicate which office you seek. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

**Elected Officer:** If you are an elected officeholder, check this box and indicate which office you hold. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

***Example:** Frank is running for judge in the 560th Judicial District. He should check the "Candidate" box and write "Judge, 560th District" to indicate the office he seeks. Jane is the judge for Mars County Court at Law Number 2. She will check the "Elected Officer" box and write "Mars County Court at Law No. 2."*

**Appointed Officer:** If you are an appointed officeholder of a state agency, check this box and indicate the agency.

**Executive Head:** If you are the executive head of a state agency, check this box and indicate the agency.

**Note:** "State agency" is defined as:

- (A) a department, commission, board, office, or other agency that:
  - (i) is in the executive branch of state government;
  - (ii) has authority that is not limited to a geographical portion of the state; and

- (iii) was created by the Texas Constitution or a statute of this state;
- (B) a university system or an institution of higher education as defined by Section 61.003, Education Code, other than a public junior college; or
- (C) a river authority created under the Texas Constitution or a statute of this state.

[Gov't Code § 572.002\(10\)](#).

**Former or Retired Judge Sitting by Assignment:** If you are a former or retired judge who sits by assignment at the district court level or above, check this box.

**State Party Chair:** If you are a state party chair, check this box and indicate the party.

**Other:** If you are filing because you hold a position other than one of the positions listed above, check other and describe the position.

See the [General Instructions](#) for detailed information about who is required to file a personal financial statement.

**5. Names of Family Members Whose Financial Activity You Are Reporting:** In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity.

**Spouse.** If you are reporting any financial activity for your spouse on this financial statement, enter your spouse's full name here.

**Dependent Child.** If you are reporting any financial activity for a dependent child on this financial statement, enter the child's full name here. If you are reporting information about more than one dependent child, please list the children separately on the appropriate lines. A child (including an adopted child or a step-child) is considered a dependent if you provided more than 50 percent of the child's support during a calendar year. **Note:** *Statutory county court or probate court judges may request in writing that the names of dependent children listed on Form PFS be deleted before the form is made available to the public.*

## COVER SHEET PAGE 2

**6. Parts Not Applicable:** Check the appropriate boxes to indicate which parts of the form are not applicable to you. If the box for a part is checked, then no pages for that part must be included in the filed report. If the box is not checked, then pages for that part must be included in the report.

## FINANCIAL ACTIVITY

In Parts 1 through 18, you will disclose information about your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity. When reporting information about a dependent child's activity in Parts 1 through 14, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet under item 5.

---

## PART 1. SOURCES OF OCCUPATIONAL INCOME AND RETAINERS

### PART 1A. SOURCES OF OCCUPATIONAL INCOME

Complete a block for each source of occupational income. Occupational income refers to income derived from current occupational activity rather than income received as a pension or from a retirement plan associated with past occupational activity. Information about retirement funds or income may be reportable under some other category. See [Ethics Advisory Opinion No. 392](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

**1. Information Relates To:** Check the appropriate box indicating whether the source relates to you, your spouse, or a dependent child.

**2. Employment:** Check the appropriate box indicating whether the individual the information relates to is employed by another or self-employed.

**Employed by Another.** If the individual is employed by another, provide the name and address of the employer and the position held. If you are listing your home address here, please indicate this by placing a check in the box provided.



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

**Self-Employed.** If the individual is self-employed, report the nature of the occupation, e.g., attorney, carpenter, etc.

## **PART 1B. RETAINERS**

This section asks for information about fees received by you, your spouse, or a dependent child, or received by a business in which you, your spouse, or a dependent child have a "substantial interest," as a retainer for a claim on future services in case of need, rather than fees for services on a matter specified at the time of contracting for or receiving the fee. Report such retainers only in cases in which the value of the amount of work actually performed during the calendar year did not equal or exceed the value of the retainer. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

***Example:** Last year you received a retainer for \$15,000 for consulting services in case of need. You ended up providing \$5,000 worth of services during the calendar year. You should report the entire \$15,000 retainer on this year's financial statement, which covers last year's activity.*

**Substantial Interest.** An individual has a substantial interest in a business entity if the individual:

- (1) has a controlling interest in the business entity;
- (2) owns more than 10 percent of the voting interest in the business entity;
- (3) owns more than \$25,000 of the fair market value of the business entity;
- (4) has a direct or indirect participating interest by shares, stocks, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the business entity;
- (5) is a member of the board of trustees or other governing board of the business entity;
- (6) serves as an elected officer of the business entity; or
- (7) is an employee of the business entity.

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

- 1. Fee Received From:** Provide the name and address of the individual or entity from whom the fee was received.
  - 2. Fee Received By:** Check the appropriate box indicating whether the fee was received by you, your spouse, or a dependent child. If the fee was received by a business, provide the name of the business.
  - 3. Fee Amount:** Check the appropriate fee category for the amount received.
- 

## **PART 2. STOCK**

This section is for information about business entities in which you, your spouse, or a dependent child held or acquired stock. Complete a separate block for each entity in which stock was held or acquired. If stocks are held in a managed investment account for which the filer does not make investment decisions but where the filer retains ownership of the individual stocks in the account, the filer is still required to disclose the individual stocks held in the account. See [Ethics Advisory Opinion No. 326](#). However, if the stocks are held in a fund, of which the filer owns shares of the fund, the filer is required to report only the ownership of the fund (see Part 4, Mutual Funds). *Id.* If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Business Entity:** Enter the name of the business entity in which the stock was held or acquired.
  - 2. Stock Held or Acquired By:** Check the appropriate box indicating whether the stock was held or acquired by you, your spouse, or a dependent child.
  - 3. Number of Shares:** If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.
  - 4. If Sold:** Complete this section if you sold any of the indicated stock during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving stock of a particular entity, indicate the net gain or net loss resulting from those transactions for the year. You do not have to show the net gain or net loss from each sale of stock in the same business entity.
-

### **PART 3. BONDS, NOTES, AND OTHER COMMERCIAL PAPER**

This section is for information about bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child. Complete a separate block for each bond, note, or other commercial instrument held or acquired. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

**1. Description of Instrument:** Briefly describe the instrument.

**Commercial Paper.** Commercial paper includes any type of negotiable instrument, such as certificates of deposit (CDs), money market certificates, treasury bills, or bills of exchange.

**2. Held or Acquired By:** Check the appropriate box indicating whether the instrument was held or acquired by you, your spouse, or a dependent child.

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

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### **PART 4. MUTUAL FUNDS**

This section is for information about shares of mutual funds held or acquired by you, your spouse, or a dependent child. Complete a separate block for each mutual fund in which shares were held or acquired. If you are disclosing ownership of a mutual fund, you are not also required to disclose ownership of the stocks contained in the fund on Part 3, Stocks. See [Ethics Advisory Opinion No. 326](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

**1. Mutual Fund:** Enter the name of the mutual fund in which shares were held or acquired.

**2. Shares of Mutual Funds Held or Acquired By:** Check the appropriate box indicating whether the shares in the mutual fund were held or acquired by you, your spouse, or a dependent child.

**3. Number of Shares of Mutual Fund:** If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.

**4. If Sold:** Complete this section if you sold any of the indicated shares of the mutual fund during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving shares of the mutual fund, indicate the net gain or net loss resulting from those transactions. You do not have to show the net gain or net loss from each sale of shares of the mutual fund.

---

## **PART 5. INCOME FROM INTEREST, DIVIDENDS, ROYALTIES, AND RENTS**

If you, your spouse, or a dependent child received *more than \$500 from any source* in interest, dividend, royalty, or rent income, identify the source of the income and the category of the amount received. Complete a separate block for each source of interest, dividend, royalty, or rent income. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Source of Income:** Provide the name and address of the source of income.
  - 2. Received By:** Check the appropriate box indicating whether the income was received by you, your spouse, or a dependent child.
  - 3. Amount:** Check the appropriate monetary category for the amount received.
- 

## **PART 6. PERSONAL NOTES AND LEASE AGREEMENTS**

Complete this section if at any time during the year you, your spouse, or a dependent child owed a financial obligation *in excess of \$1,000* to a person or financial institution on a personal note or notes or a lease agreement. Complete a separate block for each person or institution holding a personal note or lease agreement covered by this section. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Person or Institution Holding Note or Lease Agreement:** Identify the person or institution (for example, "Zebu National Bank", "Echidna Mortgage Company") holding the personal note or lease agreement on which you, your spouse, or a dependent child owed the obligation.
- 2. Liability of:** Check the appropriate box indicating whether the personal note or lease agreement is the liability of you, your spouse, or a dependent child.

- 3. Guarantor:** If the obligation was a loan, identify the guarantor of the loan, if any.
- 4. Amount:** Check the appropriate monetary category for the amount of the liability. If the amount of the liability fluctuated throughout the year, select the category that represents the highest balance at any point throughout the year.
- 

## **PART 7. INTERESTS IN REAL PROPERTY AND BUSINESS ENTITIES**

This section is for reporting beneficial interests held or acquired in real property and business entities. Part 7A pertains to interest in real property and Part 7B pertains to interest in business entities. Refer to the following definitions when completing both Parts 7A and 7B. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

**Beneficial Interest.** A beneficial interest may be either legal or equitable title (such as when a creditor takes the legal title as security for the repayment of a debt). Report items held by a trust of which you are a beneficiary under Part 9 rather than under this section.

**Business Entity.** "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust, or any other entity recognized by law through which business for profit is conducted.

### **PART 7A. INTERESTS IN REAL PROPERTY**

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

- 1. Held or Acquired By:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.
- 2. Street Address:** Enter the street address of the real property, if applicable, and include the city, county, and state where the real property is located. If you are listing your home address here, please indicate this by placing a check in the box provided.

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

**3. Description:** Check whether the real property consists of lots or acres. Provide the number of lots or acres, as applicable, and the name of each county in which the lots or acres are located.

If the real property is identifiable by a street address, you may provide that information in Item 3 of this part in lieu of filling out this item.

**4. Names of Persons Retaining an Interest:** List the names of any persons retaining an interest in the real property other than you, your spouse, or a dependent child. The requirement to list the names of persons retaining an interest in real property does not apply to a severed mineral interest.

***Example:** If you own a house and make mortgage payments, you would list the house in this section and list the mortgage holder as another person retaining an interest in the property.*

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

## **PART 7B. INTERESTS IN BUSINESS ENTITIES**

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

**1. Held or Acquired By:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.

**2. Description:** Provide the name and address of the business entity. If you are listing your home address here, please indicate this by placing a check in the box provided.

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

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

---

## PART 8. GIFTS

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

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

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

- 1. Donor:** Provide the name and address of the person or organization giving the gift.
- 2. Recipient:** Check the appropriate box indicating whether the gift was given to you, your spouse, or a dependent child. *If the gift was given to more than one person, check as many boxes as apply.*
- 3. Description:** Describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift.

---

## PART 9. TRUST INCOME

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



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

- 1. Source:** Provide the name of the trust.
  - 2. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.
  - 3. Income:** Check the appropriate monetary category to indicate the amount of income received by the beneficiary.
  - 4. Assets:** Identify each asset of the trust from which more than \$500 in income was received, *if you know the identity of the asset*. Accordingly, you are not required to identify the assets of a blind trust.
- 

## **PART 10. BLIND TRUSTS**

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

### **PART 10A. BLIND TRUSTS**

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

- (1) the trustee:
  - (A) is a disinterested party;
  - (B) is not the individual;
  - (C) is not required to register as a lobbyist under [chapter 305](#) [of the Government Code];
  - (D) is not a public officer or public employee; and
  - (E) was not appointed to public office by the individual or by a public officer or public employee the individual supervises; and
- (2) the trustee has complete discretion to manage the trust, including the power to dispose of and acquire trust assets without consulting or notifying the individual.

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

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

- 1. Name of Trust:** Provide the name of the trust.
- 2. Trustee:** Provide the name and address of the trustee.
- 3. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.
- 4. Fair Market Value:** Check the appropriate monetary category to indicate the fair market value of the trust.
- 5. Date Created:** Report the date the trust was created.

#### **PART 10B. TRUSTEE STATEMENT**

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

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

- 1. Name of Trust:** Provide the name of the trust.
- 2. Trustee Name:** Provide the name of the trustee.
- 3. Filer on Whose Behalf Statement is Being Filed:** Provide the name of the person on whose behalf the trustee statement is being filed.
- 4. Trustee Statement:** Signature of the trustee.

---

#### **PART 11. ASSETS AND LIABILITIES OF BUSINESS ASSOCIATIONS**

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

## **PART 11A. ASSETS OF BUSINESS ASSOCIATIONS**

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

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

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

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

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

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

## **PART 11B. LIABILITIES OF BUSINESS ASSOCIATIONS**

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

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

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

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

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

**4. Liabilities:** Describe each liability of the business association and check the appropriate monetary category.

---

## **PART 12. BOARDS AND EXECUTIVE POSITIONS**

This section is for information about all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions held in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, or other business associations or proprietorships. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

**Non-Profits.** This section applies to boards of directors and executive positions with non-profit as well as for-profit entities.

**Compensated Service.** If you, your spouse, or a dependent child received payment for positions listed in this section, you may also be required to list the entity under PART 1A. SOURCES OF OCCUPATIONAL INCOME.

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

**1. Organization:** Provide the name of the organization.

**2. Position Held:** Provide the position held in the organization.

**3. Position Held By:** Check the appropriate box to indicate whether the position is held by you, your spouse, or a dependent child.

---

## **PART 13. EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION**

Generally, section 36.07 of the Penal Code prohibits a public servant from accepting an honorarium in consideration for providing services he or she would not have been asked to provide but for his or her official position. The provision does not, however, prohibit the acceptance of necessary transportation, lodging, or meals in connection with a conference or similar event at which the public servant renders services, such as addressing an audience or participating in a seminar, that are more than merely perfunctory. If someone provided you with transportation, meals, or lodging under this provision, identify the donor and provide the amount of expenditures made. You may have to contact the donor to obtain the amount. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

**Political Contributions and Lobby Expenditures.** You are not required to list items you or another candidate have already reported on a campaign finance report or items required to be reported by a lobbyist as lobby expenditures. See [Ethics Advisory Opinion No. 401](#).

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

- 1. Provider:** Provide the name and address of the person making the expenditures.
  - 2. Amount:** Provide the amount of the expenditures.
- 

## **PART 14. INTEREST IN BUSINESS IN COMMON WITH A LOBBYIST**

Complete this section by identifying any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly held corporation, in which both you, your spouse, or a dependent child, and a person registered as a lobbyist under [chapter 305](#) of the Government Code, have an interest. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

**Interest.** Please note that the statute applies if you, your spouse, or a dependent child, and a lobbyist both have “an interest” in the business. The interest does not have to be a “substantial interest” as in Part 1B in order to trigger the reporting requirement.

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

- 1. Business Entity:** Provide the name and address of the partnership, joint venture, or other business association in which you, your spouse, or a dependent child, and a person registered as a lobbyist have an interest.

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

---

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

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

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

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

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

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

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

---

## **PART 16. REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY**

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

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

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

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

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

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

1. the representation is pursuant to an attorney/client relationship in a criminal law matter;
  2. the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or
  3. the representation is in regard to a matter for which the legislator was hired before September 1, 2003.
-



## **PART 17. BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT**

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

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

- 1. Source of Benefit:** Provide the name and address of the person or entity that is the source of the benefit.
  - 2. Benefit:** Describe the benefit received.
- 

## **PART 18. LEGISLATIVE CONTINUANCES**

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

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

- 1. Name of Party Represented:** Provide the name of the party on whose behalf you applied for or obtained a continuance.
- 2. Date Retained:** Provide the date on which you were retained to represent the party.
- 3. Style, Cause Number, Court, and Jurisdiction:** Provide the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought.

**4. Date of Continuance Application:** Provide the date on which you applied for a continuance.

**5. Was Continuance Granted:** Indicate whether the continuance was granted.

---

#### **PERSONAL FINANCIAL STATEMENT AFFIDAVIT**

The law requires that the personal financial statement be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations.

# CORRECTED FINANCIAL STATEMENT AND GOOD-FAITH AFFIDAVIT

Attach Any Part of Your Financial Statement Form Needed to Report and Explain Corrections

Filer Name (First, MI, Last)	Account #
Address (P.O. Box or Street Address, Apt. or Suite #)	
<input type="checkbox"/> (CHECK IF FILER'S HOME ADDRESS)	
(City, State, Zip Code)	

OFFICE USE ONLY	
Receipt #	Amount
HD / PM	
Date Processed	
Date Imaged	

The correction(s) filed with this affidavit apply to my financial statement due in

☐ 2014  
 ☐ 2013  
 ☐ 2012  
 ☐ 2011  
 ☐ 2010  
 ☐ 2009  
 ☐ Other \_\_\_\_\_

(Remember: The financial statement you file covers the preceding calendar year's activity. Thus a report due in 2014 covers information for calendar year 2013.)

Explanation of Correction

I swear, or affirm, under penalty of perjury, that this corrected report is true and correct.

Check ONLY if applicable:

☐ I swear, or affirm, that I am filing this corrected report not later than the 14th business day after the date I learned that the report as originally filed is inaccurate or incomplete. I swear, or affirm, that any error or omission in the report as originally filed was made in good faith.

\_\_\_\_\_  
Signature of Filer

AFFIX NOTARY STAMP / SEAL ABOVE

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

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Print name of officer administering oath

\_\_\_\_\_  
Title of officer administering oath

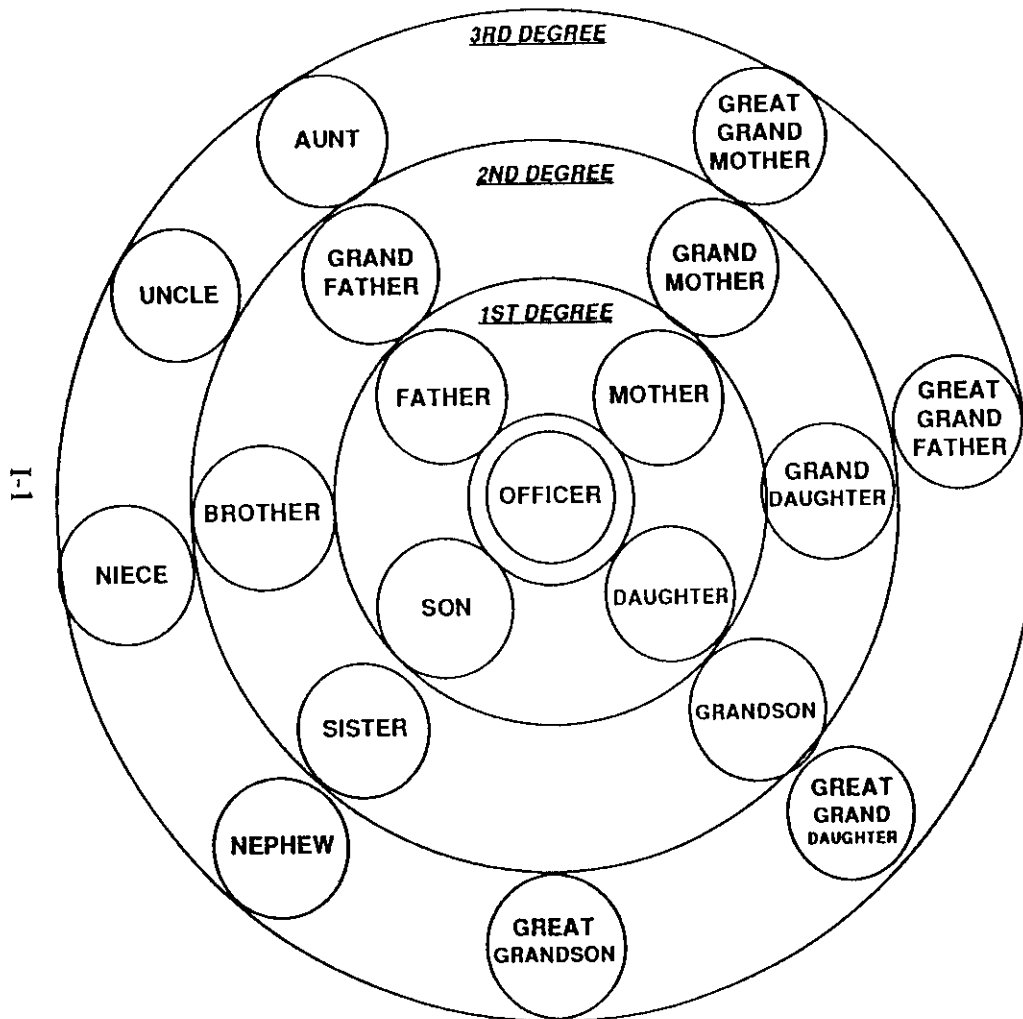
**CORRECTED FINANCIAL STATEMENT**  
**AND**  
**GOOD-FAITH AFFIDAVIT**

**All Reports:** A filer who files a corrected financial statement must submit a correction affidavit. The affidavit must identify the information that has changed.

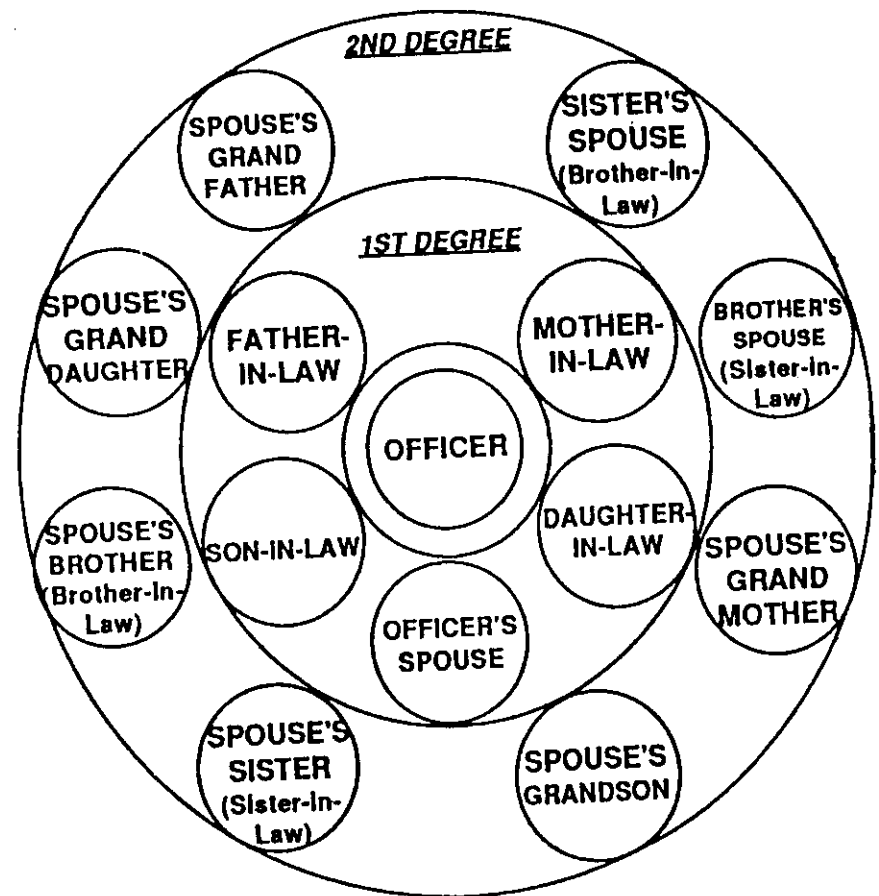
**Reports filed with Texas Ethics Commission:** A corrected financial statement filed with the Ethics Commission after its due date is considered late for purposes of late-filing penalties unless: (1) any error or omission in the report as originally filed was made in good faith, and (2) the person filing the report files a corrected report and a good-faith affidavit not later than the 14th business day after the date the person learns that the report as originally filed is inaccurate or incomplete.

Attach additional pages as necessary.

# TEXAS NEPOTISM 1992



Consanguinity Kinship Chart  
(Blood)



Affinity Kinship Chart  
(Marriage)

# Consanguinity

## Civil Law Degrees of Relationship

	1st	2nd	3rd	4th
officer	child	grandchild	great grandchild	great, great-grandparent
	parent	sister/brother	niece/nephew	grand niece/nephew
		grandparent	aunt/uncle	1st cousin
			great-grandparent	great aunt/uncle
				great, great-grandparent

Tab 7

## Contribution and Expenditure Reports



# CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

## FORM C/OH COVER SHEET PG 1

The C/OH Instruction Guide explains how to complete this form.		1 ACCOUNT # (Ethics Commission Filers)		2 Total pages filed:	
3 CANDIDATE / OFFICEHOLDER NAME	MS / MRS / MR FIRST MI				<b>OFFICE USE ONLY</b>  Date Received     Date Hand-delivered or Postmarked   Receipt # Amount  Date Processed  Date Imaged
	NICKNAME LAST SUFFIX				
4 CANDIDATE / OFFICEHOLDER MAILING ADDRESS  <input type="checkbox"/> change of address	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE				
	AREA CODE PHONE NUMBER EXTENSION ( )				
5 CANDIDATE/ OFFICEHOLDER PHONE	AREA CODE PHONE NUMBER EXTENSION ( )				
6 CAMPAIGN TREASURER NAME	MS / MRS / MR FIRST MI				
	NICKNAME LAST SUFFIX				
7 CAMPAIGN TREASURER ADDRESS (residence or business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE				
8 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION ( )				
9 REPORT TYPE	<input type="checkbox"/> January 15 <input type="checkbox"/> 30th day before election <input type="checkbox"/> Runoff <input type="checkbox"/> 15th day after campaign treasurer appointment (officeholder only) <input type="checkbox"/> July 15 <input type="checkbox"/> 8th day before election <input type="checkbox"/> Exceeded \$500 limit <input type="checkbox"/> 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 <input type="checkbox"/> Primary <input type="checkbox"/> Runoff <input type="checkbox"/> General <input type="checkbox"/> Special		
12 OFFICE	OFFICE HELD (if any)		13 OFFICE SOUGHT (if known)		

**GO TO PAGE 2**

# CANDIDATE / OFFICEHOLDER REPORT: SUPPORT & TOTALS

## FORM C/OH COVER SHEET PG 2

14 C/OH NAME

15 ACCOUNT # (Ethics Commission Filers)

16 NOTICE FROM  
POLITICAL  
COMMITTEE(S)

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

## COMMITTEE TYPE

☐ GENERAL☐ SPECIFIC

COMMITTEE NAME

COMMITTEE ADDRESS

COMMITTEE CAMPAIGN TREASURER NAME

COMMITTEE CAMPAIGN TREASURER ADDRESS

☐ additional pages17 CONTRIBUTION  
TOTALS

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

\$

2. **TOTAL POLITICAL CONTRIBUTIONS**  
(OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)

\$

EXPENDITURE  
TOTALS

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

\$

4. **TOTAL POLITICAL EXPENDITURES**

\$

CONTRIBUTION  
BALANCE

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

\$

OUTSTANDING  
LOAN TOTALS

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

\$

## 18 AFFIDAVIT

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

\_\_\_\_\_  
Signature of Candidate or Officeholder

AFFIX NOTARY STAMP / SEAL ABOVE

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

# POLITICAL CONTRIBUTIONS OTHER THAN PLEDGES OR LOANS

## SCHEDULE A

<b>The Instruction Guide explains how to complete this form.</b>		<b>1</b> Total pages Schedule A:	
<b>2</b> FILER NAME		<b>3</b> ACCOUNT # (Ethics Commission Filers)	
<b>4</b> Date	<b>5</b> Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)  <b>6</b> Contributor address; City; State; Zip Code  (If travel outside of Texas, complete Schedule T)	<b>7</b> Amount of contribution (\$)	<b>8</b> In-kind contribution description (if applicable)
<b>9</b> Principal occupation / Job title (See Instructions)		<b>10</b> Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Contributor address; City; State; Zip Code  (If travel outside of Texas, complete Schedule T)	Amount of contribution (\$)	In-kind contribution description (if applicable)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Contributor address; City; State; Zip Code  (If travel outside of Texas, complete Schedule T)	Amount of contribution (\$)	In-kind contribution description (if applicable)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Contributor address; City; State; Zip Code  (If travel outside of Texas, complete Schedule T)	Amount of contribution (\$)	In-kind contribution description (if applicable)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Contributor address; City; State; Zip Code  (If travel outside of Texas, complete Schedule T)	Amount of contribution (\$)	In-kind contribution description (if applicable)
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.

**PLEDGED CONTRIBUTIONS****SCHEDULE B**

<b>The Instruction Guide explains how to complete this form.</b>			<b>1</b> Total pages Schedule B:	
<b>2</b> FILER NAME			<b>3</b> ACCOUNT # (Ethics Commission Filers)	
<b>4</b> TOTAL OF UNITEMIZED PLEDGES:      ⇒      ⇒      ⇒      ⇒      ⇒      ⇒				\$

<b>5</b> Date	<b>6</b> Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)  <b>7</b> Pledgor address;      City;    State;    Zip Code	<b>8</b> Amount of pledge (\$)	<b>9</b> In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
<b>10</b> Principal occupation / Job title (See Instructions)		<b>11</b> Employer (See Instructions)	

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Pledgor address;      City;    State;    Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Pledgor address;      City;    State;    Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Pledgor address;      City;    State;    Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Pledgor address;      City;    State;    Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____)  Pledgor address;      City;    State;    Zip Code	Amount of pledge (\$)	In-kind description (if applicable)
		(If travel outside of Texas, complete Schedule T)	
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

<b>ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED</b> If contributor is out-of-state PAC, please see instruction guide for additional reporting requirements.			
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**LOANS****SCHEDULE E**

<b>The Instruction Guide explains how to complete this form.</b>		<b>1</b> Total pages Schedule E:
<b>2</b> FILER NAME		<b>3</b> ACCOUNT # (Ethics Commission Filers)
<b>4</b> TOTAL OF UNITEMIZED LOANS:    ➡   ➡   ➡   ➡   ➡   ➡		\$
<b>5</b> Date of loan	<b>7</b> Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____ )	<b>9</b> Loan Amount (\$)
<b>6</b> Is lender a financial Institution?  Y      N	<b>8</b> Lender address;    City;    State;    Zip Code	<b>10</b> Interest rate
		<b>11</b> Maturity date
<b>12</b> Principal occupation / Job title (See Instructions)		<b>13</b> Employer (See Instructions)
<b>14</b> Description of Collateral  <input type="checkbox"/> none		<b>15</b> Check if personal funds were deposited into political account  <input type="checkbox"/>
<b>16</b> GUARANTOR INFORMATION  <input type="checkbox"/> not applicable	<b>17</b> Name of guarantor  <b>18</b> Guarantor address;    City;    State;    Zip Code	<b>19</b> Amount Guaranteed (\$)
<b>20</b> Principal Occupation (See Instructions)		<b>21</b> Employer (See Instructions)
Date of loan	Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____ )	Loan Amount (\$)
Is lender a financial Institution?  Y      N	Lender address;    City;    State;    Zip Code	Interest rate
		Maturity date
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Description of Collateral  <input type="checkbox"/> none		Check if personal funds were deposited into political account  <input type="checkbox"/>
GUARANTOR INFORMATION  <input type="checkbox"/> not applicable	Name of guarantor  Guarantor address;    City;    State;    Zip Code	Amount Guaranteed (\$)
Principal Occupation (See Instructions)		Employer (See Instructions)

**ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED**  
 If lender is out-of-state PAC, please see instruction guide for additional reporting requirements.

**POLITICAL EXPENDITURES****SCHEDULE F****EXPENDITURE CATEGORIES FOR BOX 8(a)**

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

**The Instruction Guide explains how to complete this form.**

<b>1</b> Total pages Schedule F:	<b>2</b> FILER NAME	<b>3</b> ACCOUNT # (Ethics Commission Filers)
<b>4</b> Date	<b>5</b> Payee name	
<b>6</b> Amount (\$)	<b>7</b> Payee address;      City;   State;   Zip Code	
<b>8</b> <b>PURPOSE OF EXPENDITURE</b>	<b>(a)</b> Category (See categories listed at the top of this schedule)	<b>(b)</b> Description (If travel outside of Texas, complete Schedule T)
<b>9</b> Complete <u>ONLY</u> if direct expenditure to benefit C/OH      Candidate / Officeholder name      Office sought      Office held		
Date	Payee name	
Amount (\$)	Payee address;      City;   State;   Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete <u>ONLY</u> if direct expenditure to benefit C/OH      Candidate / Officeholder name      Office sought      Office held		
Date	Payee name	
Amount (\$)	Payee address;      City;   State;   Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete <u>ONLY</u> if direct expenditure to benefit C/OH      Candidate / Officeholder name      Office sought      Office held		
Date	Payee name	
Amount (\$)	Payee address;      City;   State;   Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete <u>ONLY</u> if direct expenditure to benefit C/OH      Candidate / Officeholder name      Office sought      Office held		
Date	Payee name	
Amount (\$)	Payee address;      City;   State;   Zip Code	
<b>PURPOSE OF EXPENDITURE</b>	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)
Complete <u>ONLY</u> if direct expenditure to benefit C/OH      Candidate / Officeholder name      Office sought      Office held		
<b>ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED</b>		

# POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

## SCHEDULE G

### EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

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

Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
<input type="checkbox"/> Reimbursement from political contributions intended		
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)

Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
<input type="checkbox"/> Reimbursement from political contributions intended		
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)

Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
<input type="checkbox"/> Reimbursement from political contributions intended		
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED



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

## SCHEDULE H

### EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

<b>1</b> Total pages Schedule H:	<b>2</b> FILER NAME	<b>3</b> ACCOUNT # (Ethics Commission Filers)			
<b>4</b> Date	<b>5</b> Business name				
<b>6</b> Amount (\$)	<b>7</b> Business address; City; State; Zip Code				
<b>8</b> PURPOSE OF EXPENDITURE	<b>(a)</b> Category (See categories listed at the top of this schedule)	<b>(b)</b> Description (If travel outside of Texas, complete Schedule T)			
<b>9</b> Complete <u>ONLY</u> if direct expenditure to benefit C/OH <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Candidate / Officeholder name</td> <td style="width: 33%; text-align: center;">Office sought</td> <td style="width: 33%; text-align: center;">Office held</td> </tr> </table>			Candidate / Officeholder name	Office sought	Office held
Candidate / Officeholder name	Office sought	Office held			
Date	Business name				
Amount (\$)	Business address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)			
Complete <u>ONLY</u> if direct expenditure to benefit C/OH <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Candidate / Officeholder name</td> <td style="width: 33%; text-align: center;">Office sought</td> <td style="width: 33%; text-align: center;">Office held</td> </tr> </table>			Candidate / Officeholder name	Office sought	Office held
Candidate / Officeholder name	Office sought	Office held			
Date	Business name				
Amount (\$)	Business address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)			
Complete <u>ONLY</u> if direct expenditure to benefit C/OH <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Candidate / Officeholder name</td> <td style="width: 33%; text-align: center;">Office sought</td> <td style="width: 33%; text-align: center;">Office held</td> </tr> </table>			Candidate / Officeholder name	Office sought	Office held
Candidate / Officeholder name	Office sought	Office held			
Date	Business name				
Amount (\$)	Business address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)			
Complete <u>ONLY</u> if direct expenditure to benefit C/OH <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Candidate / Officeholder name</td> <td style="width: 33%; text-align: center;">Office sought</td> <td style="width: 33%; text-align: center;">Office held</td> </tr> </table>			Candidate / Officeholder name	Office sought	Office held
Candidate / Officeholder name	Office sought	Office held			
Date	Business name				
Amount (\$)	Business address; City; State; Zip Code				
PURPOSE OF EXPENDITURE	Category (See categories listed at the top of this schedule)	Description (If travel outside of Texas, complete Schedule T)			
Complete <u>ONLY</u> if direct expenditure to benefit C/OH <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Candidate / Officeholder name</td> <td style="width: 33%; text-align: center;">Office sought</td> <td style="width: 33%; text-align: center;">Office held</td> </tr> </table>			Candidate / Officeholder name	Office sought	Office held
Candidate / Officeholder name	Office sought	Office held			

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

# NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

## SCHEDULE I

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

<b>The Instruction Guide explains how to complete this form.</b>		<b>1</b> Total pages Schedule K:
<b>2</b> FILER NAME		<b>3</b> ACCOUNT # (Ethics Commission Filers)
<b>4</b> Date	<b>5</b> Name of person from whom amount is received ..... <b>6</b> Address of person from whom amount is received; City; State; Zip Code	<b>8</b> Amount (\$)
	<b>7</b> Purpose for which amount is received	
Date	Name of person from whom amount is received ..... Address of person from whom amount is received; City; State; Zip Code	Amount (\$)
	Purpose for which amount is received	
Date	Name of person from whom amount is received ..... Address of person from whom amount is received; City; State; Zip Code	Amount (\$)
	Purpose for which amount is received	
Date	Name of person from whom amount is received ..... Address of person from whom amount is received; City; State; Zip Code	Amount (\$)
	Purpose for which amount is received	
<b>ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED</b>		

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

## SCHEDULE T

<b>The Instruction Guide explains how to complete this form.</b>		<b>1</b> Total pages Schedule T:
<b>2</b> FILER NAME		<b>3</b> ACCOUNT # (Ethics Commission Filers)
<b>4</b> Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
<b>5</b> Contribution / Expenditure reported on: <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule A</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule B</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule C</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule D</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule F</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule G</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule H</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule N</div> <div style="margin-right: 10px;"><input type="checkbox"/> COH-UC</div> <div style="margin-right: 10px;"><input type="checkbox"/> COH-T</div> <div style="margin-right: 10px;"><input type="checkbox"/> PAC-C</div> <div><input type="checkbox"/> PAC-E</div> </div>		
<b>6</b> Dates of travel	<b>7</b> Name of person(s) traveling	
	<b>8</b> Departure city or name of departure location	
	<b>9</b> Destination city or name of destination location	
<b>10</b> Means of transportation	<b>11</b> Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule A</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule B</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule C</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule D</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule F</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule G</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule H</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule N</div> <div style="margin-right: 10px;"><input type="checkbox"/> COH-UC</div> <div style="margin-right: 10px;"><input type="checkbox"/> COH-T</div> <div style="margin-right: 10px;"><input type="checkbox"/> PAC-C</div> <div><input type="checkbox"/> PAC-E</div> </div>		
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: <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule A</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule B</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule C</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule D</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule F</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule G</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule H</div> <div style="margin-right: 10px;"><input type="checkbox"/> Schedule N</div> <div style="margin-right: 10px;"><input type="checkbox"/> COH-UC</div> <div style="margin-right: 10px;"><input type="checkbox"/> COH-T</div> <div style="margin-right: 10px;"><input type="checkbox"/> PAC-C</div> <div><input type="checkbox"/> PAC-E</div> </div>		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	

**ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED**

# CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

**FORM C/OH - FR**

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

**1 C/OH NAME**
**2 ACCOUNT #** (Ethics Commission Filers)

**3 SIGNATURE**

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

 \_\_\_\_\_  
 Signature of Candidate / Officeholder

**4 FILER WHO IS NOT AN OFFICEHOLDER**

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

**A. CAMPAIGN FUNDS**

Check only one:

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

**B. ASSETS**

Check only one:

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

 \_\_\_\_\_  
 Signature of Candidate

**5 OFFICEHOLDER**

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

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

 \_\_\_\_\_  
 Signature of Officeholder

# **TEXAS ETHICS COMMISSION**

## **CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS**

### **FORM C/OH-UC – INSTRUCTION GUIDE**



**Revised June 30, 2006**

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

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

**AN EQUAL OPPORTUNITY EMPLOYER**

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

## **FORM C/OH-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 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 Annual Reports until you have disposed of all your unexpended contributions or assets. Once you have disposed of all your contributions or assets, you will file a Final Disposition of Unexpended Contributions 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 SPAC as described below under “Extra Reporting for a Contribution to a Candidate or 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 COMMITTEE.** If you contribute unexpended contributions or assets to another candidate or committee, you must report the contribution twice. You must include the contribution on your Annual Report. You must also report the contribution on a SPECIFIC-PURPOSE COMMITTEE REPORT OF CONTRIBUTIONS, EXPENDITURES, AND LOANS (Form SPAC). You must file the 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.

**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 the Final Disposition of Unexpended Contributions 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. ACCOUNT #:** If you are filing with the Ethics Commission, you were assigned a filer account number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your account number. Enter this number wherever you see “ACCOUNT #.” If you do not file with the Ethics Commission, you are not required to enter an account number.
- 2. 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. Include your street address or P.O. Box, city, state, and ZIP Code. Your entry here should be the same as the address in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA).

**4. REPORT TYPE:** Check the appropriate box.

**“Annual” Box:** Check this box if you are filing an Annual Report of Unexpended Contributions.

**“Final Disposition” Box:** Check this box if you are filing a Final Disposition of Unexpended Contributions Report at the end of the six-year period.

**5. PERIOD COVERED:**

Annual Reports. For your first Annual Report, the beginning date is the day after the day you filed your CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH) designated as a “final report.” The beginning date for all other Annual Reports is January 1. The ending date for all Annual Reports is December 31.

Final Disposition Reports. For a Final Disposition Of Unexpended Contributions Report, the beginning date is the day after the period covered by your most recent Annual Report. The ending 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 dollar value of unexpended political contributions and assets that you maintained during the previous year ending December 31.

**Line 2.** Enter the total dollar value of interest and other income earned on unexpended political contributions and assets during the previous year ending December 31.

**7. AFFIDAVIT:** 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.**

## **PAGE 2**

**8. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name as you did on Form C/OH-UC, Page 1.

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

- 10. DATE:** Enter the date the expenditure was made.
- 11. PAYEE NAME:** Enter the full name of the person to whom the expenditure was made.
- 12. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made. Include the street address or P.O. Box, city, state, and ZIP Code.
- 13. AMOUNT:** Enter the exact amount of the expenditure.
- 14. PURPOSE OF EXPENDITURE:** If, for example, your expenditure was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report could know what goods or services were purchased or leased.

**Reporting Travel Outside of Texas:** 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 Ethics Commission's web site at [www.ethics.state.tx.us/whatsnew/travel\\_outside\\_Texas.htm](http://www.ethics.state.tx.us/whatsnew/travel_outside_Texas.htm).

- 15. IS THE EXPENDITURE A CONTRIBUTION?:** If the expenditure was a contribution to a candidate, officeholder, or political committee, check the “YES” box. The purpose of this box is to allow you to see that you must file an additional report for this expenditure on Form SPAC. See the “**Extra Reporting For Contribution To Candidate Or 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.

## **Campaign Finance Report (Contribution & Expenditure Report) Electronic Filing Requirements**

Contribution and Expenditure Reports (C&E Reports) are required to be filed with the City Clerk's office at various times. Please refer to the Election Calendar for specific deadlines. In addition to the hardcopy filed with the City Clerk, Austin Code Section 2-2-26 requires contribution and expenditure reports by candidates and candidate committees to be in electronic format as determined by the city clerk. To meet the electronic filing requirement, the candidate or committee must save the completed form to a CD, and file the notarized hardcopy of the report.

The C&E Report may be completed either manually or by downloading software from the Texas Ethics Commission.

### **Completing the report manually**

The Candidate/Officeholder Campaign Finance Report is available for downloading from the Texas Ethics Commission's website at <http://www.ethics.state.tx.us/forms/coh.pdf>. Complete the hardcopy of the report, print it and have the appropriate signature notarized. Scan the notarized report and save the report to a CD as a PDF document. File with the City Clerk's office the notarized hardcopy report with the CD.

### **Using the software provided by the Texas Ethics Commission**

The Texas Ethics Commission provides candidates access to complete the contribution and expenditure report form using its electronic filing software at no cost. The software may be downloaded at [http://www.ethics.state.tx.us/whatsnew/elf\\_filing\\_info.htm](http://www.ethics.state.tx.us/whatsnew/elf_filing_info.htm). The software allows an individual to electronically type information into the required fields and save and print the report, rather than completing the form by hand. The contribution and expenditure form is called the "Candidate/Officeholder Campaign Finance Report" Form C/OH.

This option does not eliminate the need to have the document signed and notarized; therefore, if you choose this option you must print and have the appropriate signature notarized before filing with the City Clerk. You may not use the software to electronically file or submit your report.

If you choose to use this method you will need to print the completed form and save the report to a CD as a PDF file. Sign the printed copy of the report and have it notarized. File with the City Clerk's office the notarized hardcopy report along with the CD.

## **Texas Ethics Commission Software Basic User Instructions**

### **TO DOWNLOAD THE SOFTWARE**

Click on “EXE” under full install. (A “GettingStartedGuide2” is included in the download of the software. The getting started guide will be found on your C: drive after the software has been installed.)

### **STARTING THE SOFTWARE**

Double click on the “TX-CFS” icon on your screen. The main menu will appear. If there is no “TX-CFS” icon on your screen, click on your “Start” button and select “Programs” and then select “TX-CFS” from the list of programs.

### **ADDING A FILER TO THE SOFTWARE**

First time users will need to complete the “filer information” before completing any reports. To enter the “filer information”, click on “Add New Filer” and complete all required fields and save. (If this button is not available on your screen, highlight the word “Filer” on the left side of the screen.) As you fill out the filer information, you will be asked to enter an account number and password; since you are not filing with the Ethics Commission, you may choose any password and number.

### **TO CREATE A REPORT**

Highlight the name of the filer on the left side of the main menu screen and click the “Add a New Report” button. Highlight the report type on the left side of the window that appears and then click on the “Add Report” button on the right.

### **PREVIEWING / PRINTING A REPORT**

To preview or print a report, highlight the report on the left side of the screen and click the “Preview a Report” button. You must have Adobe Reader to view a report. If you do not have Adobe Reader on your computer, you may download a free copy from [www.Adobe.com](http://www.Adobe.com).

### **TO SAVE TO CD**

Click on “File” in the preview, click “save as” and select the drive to save the report to a CD.

FORM **COR-C/OH**

# CORRECTION/AMENDMENT AFFIDAVIT FOR CANDIDATE/OFFICEHOLDER

<b>1</b> ACCOUNT #		<b>2</b> Total pages filed:		<b>OFFICE USE ONLY</b>					
<b>3</b> CANDIDATE / OFFICEHOLDER NAME	MS / MRS / MR	FIRST	MI	Date Received					
	NICKNAME	LAST	SUFFIX						
<b>4</b> ORIGINAL REPORT TYPE	<input type="checkbox"/> January 15		<input type="checkbox"/> Runoff	<input type="checkbox"/> Other (specify) _____					
	<input type="checkbox"/> July 15		<input type="checkbox"/> Exceeded \$500 limit _____						
	<input type="checkbox"/> 30th day before election		<input type="checkbox"/> 15th day after treasurer appointment (officeholder only)						
	<input type="checkbox"/> 8th day before election		<input type="checkbox"/> Final report						
<b>5</b> ORIGINAL PERIOD COVERED	Month	Day	Year	Month	Day				
	/	/		/	/				
	THROUGH								
Date Hand-delivered or Postmarked  <table style="width: 100%;"> <tr> <td style="width: 50%;">Receipt #</td> <td style="width: 50%;">Amount</td> </tr> <tr> <td> </td> <td> </td> </tr> </table> Date Processed  Date Imaged						Receipt #	Amount		
Receipt #	Amount								

**6** EXPLANATION OF CORRECTION**7** AFFIDAVIT

I swear, or affirm, under penalty of perjury, that this corrected report is true and correct.

Check **ONLY** if applicable:

☐ **Semiannual reports:** This report is an amendment/correction to a semiannual report **due on or after September 1, 2011**. If amendment/correction is filed on or after the eighth day after the original report was filed, I swear, or affirm, that the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

☐ **Other reports** (excluding semiannual reports due on or after September 1, 2011): I swear, or affirm, that I am filing this corrected report not later than the 14th business day after the date I learned that the report as originally filed is inaccurate or incomplete. I swear, or affirm, that any error or omission in the report as originally filed was made in good faith.

\_\_\_\_\_  
Signature of Candidate or Officeholder

AFFIX NOTARY STAMP / SEAL ABOVE

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

**Remember To Attach Any Part Of The Campaign Finance Report Form  
Needed To Report And Explain Corrections**

## CORRECTION/AMENDMENT AFFIDAVIT FOR CANDIDATE/OFFICEHOLDER

**All Reports:** A filer who files a corrected report must submit a correction affidavit. The affidavit must identify the information that has changed.

**Reports filed with Texas Ethics Commission:** A corrected report (other than a report due 8 days before an election or a special report near election) filed with the Ethics Commission after its due date is not considered late for purposes of late-filing penalties if: (1) any error or omission in the report as originally filed was made in good faith, and (2) the person filing the report files a corrected report and a good-faith affidavit not later than the 14th business day after the date the person learns that the report as originally filed is inaccurate or incomplete.

**Semiannual Reports:** Effective September 1, 2011, a semiannual report (due January 15 or July 15) that is amended/corrected before the eighth day after the original report was filed is considered to have been filed on the date the original report was filed. A semiannual report that is amended/corrected on or after the eighth day after the original report was filed is considered to have been filed on the date the original report was filed if: (1) the amendment/correction is made before any complaint is filed with regard to the subject of the amendment/correction; and (2) the original report was made in good faith and without intent to mislead or misrepresent the information contained in the report.

Attach additional pages as necessary.

### INSTRUCTIONS FOR COMPLETING THIS FORM

*The following numbers correspond to the numbered boxes on the other side.*

**1. Account #.** If you file with the Ethics Commission, you should have received a letter acknowledging receipt of your campaign treasurer appointment and assigning you an account number. Put that number in this box. If you do not file with the Ethics Commission, skip this box.

**2. Total Pages Filed.** After completing this form and any attachments, count the number of pages. Enter that number in this box. Each side of a two-sided form counts as a page. In other words, this form is two pages.

**3. Candidate/Officeholder Name.** Put your full name here. Enter your name in the same way as on the report you are correcting.

**4. Original Report Type.** Mark the type of report you are correcting.

**5. Original Period Covered.** Enter the period covered by the report you are correcting. The year is important because filers sometimes correct reports years after filing the original.

**6. Explanation of Correction.** Attach any part of the campaign finance report form needed to report and explain corrections. Explain why there was an error on the original report. Also explain what information is being corrected and how the new information is different from the information on the original report. (Use additional pages if you need more space.) You may also use this area to request a waiver or reduction of a late-filing penalty and state the basis of your request.

**7. Affidavit.** Read the affidavit before signing. You must sign the affidavit in the presence of an individual authorized to take oaths. If signed before a notary public, the affidavit must include the notary's signature and seal.



## INDEPENDENT EXPENDITURES NOT BY A CANDIDATE

This report is for persons (as defined at City Code, Section 2-2-2(17), which includes corporations) other than candidates or campaign committees who make independent expenditures exceeding \$500 in aggregate for the purpose of promoting the election or defeat of any candidate(s) or the passage or defeat of any ballot measure(s) in a City election.

Per City Code, Section 2-2-32(C), timely filing of this report is as follows:

1. If the expenditure is made before the 60th day before the date of the election, this form must be filed with the City Clerk no later than the fifth business day after the date of the expenditure.
2. If the expenditure 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, this form must be filed with the City Clerk no later than the second business day after the date of the expenditure.
3. If the expenditure is made on or after the ninth day before the date of the election, this form must be filed with the City Clerk no later than 5 p.m. on the first business day after the date of the expenditure.

All independent expenditures during a City election must be reported electronically.

Name of candidate or ballot measure:

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Name of the person or political committee making expenditures:

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Address of the person or political committee making expenditures:

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For each expenditure, provide the name and address of the person(s) to whom expenditures were made; the total amount, purpose, and date; and the candidate whose election or defeat the expenditure advocates or the ballot measure whose passage or defeat the expenditure advocates:

Name	Street Address	Amount	Purpose	Date	Candidate/Ballot Measure

STATE OF TEXAS  
VERIFICATION

I swear or affirm upon penalty of perjury that each independent expenditure was made without prior consent, cooperation, strategic communication, consultation, or sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between an affected candidate, the candidate's campaign staff, the candidate's campaign committee, or an agent or employee of the candidate or the committee, and the person making the expenditure, or that person's agent or employee.

I further swear that the preceding Independent Expenditures Not by a Candidate filed herewith is in all things true and correct and fully shows all information required to be reported by me pursuant to City Code, Section 2-2-32 for the reporting period indicated.

---

Signature of Affiant

## PERSONAL FUNDS - LOANS AND EXPENDITURES

This report is for a candidate or officeholder who loans personal funds to his or her campaign or makes expenditures from personal funds in support of his or her campaign. The amounts loaned or expended shall be reported as follows.

Beginning on the date an individual becomes a candidate in a City election and continuing until midnight on the tenth day before a City election, a candidate shall report the new loans or expenditures cumulating to \$25,000 or more within seven business days after the total reaches \$25,000. Additional loans or expenditures cumulating \$25,000 or more shall be reported within seven business days each time the total reaches \$25,000. [City Code, Section 2-2-27(A)(1)]

If the loans or expenditures cumulating to \$25,000 or more occur during the period beginning on midnight on the 10<sup>th</sup> day before an election and ending at midnight on the day before the election, the report shall be filed with the City Clerk within twenty-four hours after the total reaches \$25,000. Additional loans or expenditures totaling \$25,000 or more shall be reported within twenty-four hours each time the total reaches \$25,000. [City Code, Section 2-2-27(A)(2)]

Name of candidate/officeholder: \_\_\_\_\_

Reporting Period:

- ☐ First day of candidacy – Midnight on the 10<sup>th</sup> day prior to City election
- ☐ Midnight on the 10<sup>th</sup> day before City election – Midnight on the day before election

Enter the following information concerning loans of personal funds to the campaign:

Amount of loan	Date of loan

Enter the following information concerning the person or persons to whom expenditures were made from personal funds and the total amount, purpose and date of each expenditure:

Name	Street Address	Amount	Purpose	Date

STATE OF TEXAS  
VERIFICATION

I swear that the preceding disclosure of loans and expenditures from personal funds of a candidate or officeholder filed herewith is in all things true and correct and fully shows all information required to be reported by me pursuant to City Code, Section 2-2-27 for the reporting period indicated.

---

Signature of Candidate/Officeholder

**CAMPAIGN DEBT RECONCILIATION**  
(To be filed by officeholders only during an election year)  
Period Covered: January 1, 20\_\_\_\_ to December 31, 20\_\_\_\_

Name of officeholder: \_\_\_\_\_

Campaign debt\* existing as of the first day of the calendar year: \_\_\_\_\_

Campaign debt\* existing as of the last day of the calendar year: \_\_\_\_\_

Enter the following information on all campaign debt existing as of December 31 of the reporting year  
(Note: Campaign debts under \$50 may be reported as an aggregate under (c), below):

(a) For loans and other debt evidenced by a note, the name of the creditor, the principal amount owed, the interest rate, and the date of maturity:

Creditor	Principal amount owed	Interest rate	Date of maturity

(b) For all other campaign debts, enter the name of the creditor and the principal amount owed:

Creditor/Vendor	Principal amount owed

(c) Enter the total of campaign debts under \$50 if they are not itemized under (a) or (b) above.

*\* Campaign debt is the actual outstanding obligation of the candidate or candidate's committee as of a particular date, minus all funds held by the candidate or candidate's committee in cash or bank accounts on that date.*

## BANK RECONCILIATION

A candidate, officeholder, or campaign committee filing a January 15 year-end contribution and expenditure report shall provide the following information for the previous calendar year.

Name of candidate, officeholder or campaign committee: \_\_\_\_\_

For each checking, savings or other financial institution account maintained during 20\_\_\_\_, enter the following information indicated. For each additional institution, use a copy of this schedule.

The name of the financial institution: \_\_\_\_\_

Type of account: \_\_\_\_\_

The beginning balance: \_\_\_\_\_

The ending balance: \_\_\_\_\_

Enter the following information for checks issued on that account that have not cleared by December 31:

Date	Payee	Amount

Enter the following information for checks received as contributions and deposited but dishonored by the contributor's financial institution:

Date of receipt	Contributor	Amount

SCHEDULE ATX. 4 - attach to form C/OH (C&E)  
Reference § 2-2-25, Austin City Code

Amount of interest or dividends earned: \_\_\_\_\_

All deposits and withdrawals not disclosed on a filed contribution and expenditure report:

Date of deposit or withdrawal	Amount of deposit	Amount of withdrawal

A listing of all checks received by December 31 but not deposited into any account (whether or not the checks have been “accepted” within the definition of the Texas Election Code):

Date of receipt	Contributor	Amount

## BUNDLING REPORT

Name of candidate/officeholder: \_\_\_\_\_

1. For each person/bundler who has solicited and obtained campaign contributions on your behalf of \$200 or more per person from five (5) or more individuals during the reporting period, provide the following information. (This requirement does not apply to an individual who raises funds in total amount of \$5,000 or less for a candidate through a fundraising event held at the individual's residence.)

Name of Individual/Bundler	Address	Occupation	Employer	Total Amount Bundled

2. For each person identified above, enter the name and address of each individual contributor whose contribution was bundled by that individual. Attach additional sheets if necessary.

Name of Contributor	Address	Occupation	Employer	Contribution Amount	Bundler



3. Identify each person registered or required to be register under City Code, Chapter 4-8 (Regulation of Lobbyists) employed by, or compensated to lobby by: (1) any Bundler identified in Section 1 above, (2) a business association through which the Bundler does business, or (3) the Bundler's employer.

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*Note: It is important to remember that contributions to you are from the **actual donor, not** from the individual who solicited the donations on your behalf. Therefore, on form C/OH you must identify the actual donor as the contributor.*

**STATE OF TEXAS  
VERIFICATION**

I certify that the total amount bundled on my behalf in the campaign period by all partners, shareholders, principals, employees, and persons who conduct business through a business association that is subject to City Code, Section 2-2-22(E), when added together, does not exceed ten (10) times the contribution limit set by City Charter, Article III, Section 8(A)(1) for the entire business association.

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Signature of Affiant

## SPECIAL PRE-ELECTION REPORT

This report must be filed:

1. Each time a political committee accepts contributions that total more than \$2,500 during the period beginning the 9<sup>th</sup> day before the date of an election and ending at 5 p.m. on the day before the date of an election, **or** makes expenditures that total more than \$1,000 during the period beginning the 9<sup>th</sup> day before the date of an election and ending at 5 p.m. on the day before the date of an election; **OR**
2. Each time a candidate accepts contributions that total more than \$10,000 during the period beginning the 9<sup>th</sup> day before the date of an election and ending at 5 p.m. on the day before the date of an election.

This report must be received by the city clerk no later than 5 p.m. of the first business day after the date that: (1) a contribution that triggers the filing requirements is accepted, or (2) an expenditure that triggers the filing requirements is made. A candidate or political committee must file a special pre-election report each time the reporting thresholds are met. The filing of one special pre-election report does not excuse the filing of a subsequent report or reports for the same period if the reporting thresholds are met more than once.

Name of political committee: \_\_\_\_\_

OR

Name of candidate/officeholder: \_\_\_\_\_

1. For each person making a contribution, or contributions, that total more than \$200 during the period beginning the 9th day before the date of the election and ending at 5 p.m. on the day before the date of the election, provide the following information:

Name	Address	Amount of Contribution	Date Accepted	Description of any in-kind Contribution

2. **(For Political Committee Only)** For each expenditure over \$1,000 made during the period beginning the 9<sup>th</sup> day before the date of an election and ending at 5 p.m. on the day before the date of an election, provide the following information: (Attach additional pages if necessary)

Name of each person to whom expenditure was made	
Address	
Date	
Purpose of Expenditure	

Name of each person to whom expenditure was made	
Address	
Date	
Purpose of Expenditure	

Name of each person to whom expenditure was made	
Address	
Date	
Purpose of Expenditure	

Name of each person to whom expenditure was made	
Address	
Date	
Purpose of Expenditure	

*Note: Any information reported on this special pre-election report must also be reported on the candidate's or political committee's next contribution and expenditure report.*

SCHEDULE ATX. 7  
Reference § 2-2-29, Austin City Code

STATE OF TEXAS  
VERIFICATION

By signature below, I further certify that the preceding Special Pre-Election Report filed herewith is in all things true and correct and fully shows all information required to be reported by me pursuant to City Code, Section 2-2-29 for the reporting period indicated.

---

Signature of Affiant

Tab 8

Unexpended Contributions

# 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 ACCOUNT # (Ethics Commission filers)	
2 CANDIDATE / OFFICEHOLDER NAME	MS/MRS/MR FIRST MI	OFFICE USE ONLY	
	NICKNAME LAST SUFFIX		
3 CANDIDATE / OFFICEHOLDER ADDRESS  <input type="checkbox"/> change of address	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Date Received	
		Date Hand-delivered or Postmarked	
		Receipt #	Amount
4 REPORT TYPE	<input type="checkbox"/> Annual <input type="checkbox"/> Final Disposition	Date Processed	
5 PERIOD COVERED	Month / Day / Year THROUGH Month / Day / Year	Date Imaged	
6 TOTALS	1. TOTAL AMOUNT OF UNEXPENDED POLITICAL CONTRIBUTIONS AS OF DEC. 31 OF THE PREVIOUS YEAR.	\$	
	2. TOTAL AMOUNT OF INTEREST AND OTHER INCOME EARNED ON UNEXPENDED POLITICAL CONTRIBUTIONS DURING THE PREVIOUS YEAR.	\$	

### 7 AFFIDAVIT

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

\_\_\_\_\_  
Signature of Candidate or Officeholder

AFFIX NOTARY STAMP / SEAL ABOVE

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

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Printed name of officer administering oath

\_\_\_\_\_  
Title of officer administering oath

# C/OH REPORT OF UNEXPENDED CONTRIBUTIONS EXPENDITURES

FORM **C/OH-UC****PG 2**

<b>8</b> C/OH NAME	<b>9</b> ACCOUNT # (Ethics Commission filers)
--------------------	---

<b>10</b> Date	<b>11</b> Payee name  <b>12</b> Payee address;                      City;    State;    Zip Code	<b>13</b> Amount (\$)
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<b>14</b> Purpose of expenditure  (If travel outside of Texas, complete Schedule T) (See Instruction Guide)	<b>15</b> Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Date	Payee name  Payee address;                      City;    State;    Zip Code	Amount (\$)
------	---	-------------

Purpose of expenditure  (If travel outside of Texas, complete Schedule T) (See Instruction Guide)	<b>15</b> Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Date	Payee name  Payee address;                      City;    State;    Zip Code	Amount (\$)
------	---	-------------

Purpose of expenditure  (If travel outside of Texas, complete Schedule T) (See Instruction Guide)	<b>15</b> Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Date	Payee name  Payee address;                      City;    State;    Zip Code	Amount (\$)
------	---	-------------

Purpose of expenditure  (If travel outside of Texas, complete Schedule T) (See Instruction Guide)	<b>15</b> Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

**ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED**

# **TEXAS ETHICS COMMISSION**

## **CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS**

### **FORM C/OH-UC – INSTRUCTION GUIDE**



**Revised June 30, 2006**

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

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

**AN EQUAL OPPORTUNITY EMPLOYER**

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



## **FORM C/OH-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 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 Annual Reports until you have disposed of all your unexpended contributions or assets. Once you have disposed of all your contributions or assets, you will file a Final Disposition of Unexpended Contributions 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 SPAC as described below under “Extra Reporting for a Contribution to a Candidate or 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 COMMITTEE.** If you contribute unexpended contributions or assets to another candidate or committee, you must report the contribution twice. You must include the contribution on your Annual Report. You must also report the contribution on a SPECIFIC-PURPOSE COMMITTEE REPORT OF CONTRIBUTIONS, EXPENDITURES, AND LOANS (Form SPAC). You must file the 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.

**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 the Final Disposition of Unexpended Contributions 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. ACCOUNT #:** If you are filing with the Ethics Commission, you were assigned a filer account number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your account number. Enter this number wherever you see “ACCOUNT #.” If you do not file with the Ethics Commission, you are not required to enter an account number.
- 2. 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. Include your street address or P.O. Box, city, state, and ZIP Code. Your entry here should be the same as the address in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA).

**4. REPORT TYPE:** Check the appropriate box.

**“Annual” Box:** Check this box if you are filing an Annual Report of Unexpended Contributions.

**“Final Disposition” Box:** Check this box if you are filing a Final Disposition of Unexpended Contributions Report at the end of the six-year period.

**5. PERIOD COVERED:**

Annual Reports. For your first Annual Report, the beginning date is the day after the day you filed your CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH) designated as a “final report.” The beginning date for all other Annual Reports is January 1. The ending date for all Annual Reports is December 31.

Final Disposition Reports. For a Final Disposition Of Unexpended Contributions Report, the beginning date is the day after the period covered by your most recent Annual Report. The ending 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 dollar value of unexpended political contributions and assets that you maintained during the previous year ending December 31.

**Line 2.** Enter the total dollar value of interest and other income earned on unexpended political contributions and assets during the previous year ending December 31.

**7. AFFIDAVIT:** 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.**

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**8. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name as you did on Form C/OH-UC, Page 1.

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

- 10. DATE:** Enter the date the expenditure was made.
- 11. PAYEE NAME:** Enter the full name of the person to whom the expenditure was made.
- 12. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made. Include the street address or P.O. Box, city, state, and ZIP Code.
- 13. AMOUNT:** Enter the exact amount of the expenditure.
- 14. PURPOSE OF EXPENDITURE:** If, for example, your expenditure was to purchase or lease goods or services, enter a description of the goods or services so that a person reviewing your report could know what goods or services were purchased or leased.

**Reporting Travel Outside of Texas:** 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 Ethics Commission's web site at [www.ethics.state.tx.us/whatsnew/travel\\_outside\\_Texas.htm](http://www.ethics.state.tx.us/whatsnew/travel_outside_Texas.htm).

- 15. IS THE EXPENDITURE A CONTRIBUTION?:** If the expenditure was a contribution to a candidate, officeholder, or political committee, check the “YES” box. The purpose of this box is to allow you to see that you must file an additional report for this expenditure on Form SPAC. See the “**Extra Reporting For Contribution To Candidate Or 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.