



PERSONAL FINANCIAL INFORMATION

# PFS

FILING INFORMATION

REVISED APRIL 2020

## PFS: Manage My Profile – Maintain Addresses

This screen displays a table with the address information currently on file with the City of Austin, Electronic Filing System (COA-EFS) for your filer account. The COA-EFS will use this address information to send you correspondence that cannot be sent by email. *Please note: It is important for you to keep this information up to date so that you do not miss any notices regarding your filing requirements.*

Any changes you make to your filer address(es) in the filing application will also update your information on file with the COA-EFS. You may provide up to three addresses (Mailing, Street and Other). To add a new address, click the **Add** button located below the list.

**Addresses on PFS Reports:** The address you enter as the **Filer Mailing Address** will be used for the "Address" on the Cover Sheet of your reports.

**Filer/Treasurer/Chair:** This column displays the person for which the address applies:

**Filer:** The individual who is required to file reports.

**Treasurer:** Not applicable for PFS.

**Chair:** Not applicable for PFS.

**Address Type:** This column displays the general type of address: **Mailing, Street, or Other**. You must have the **Mailing** address for the filer. You may also provide additional addresses as back-up contact information. You may provide a maximum of three addresses.

**Address, City, State:** These columns display the information on file for the address type.

**Action:** This column shows the action(s) applicable for the address type:

**Mailing:** To change the Mailing address, click the **Edit** button. The Filer Mailing Address may not be deleted.

**Street:** This is the residential or business street address. To change the Street address, click the **Edit** button. To remove the Street address, click the **Delete** button. To add the Street address, click the **Add** button located below the list.

**Other:** This is an optional address you may provide as back-up contact information. To change this address, click the **Edit** button. To remove this address, click the **Delete** button. To add this address, click the **Add** button located below the list.

## PFS: Manage My Reports

Click on the [Start a New Report button](#) to start a brand-new report. Do not select this option to correct a previously filed electronic report or to continue working on a report that is already in-progress. The "Manage My Reports" and "Reports" tab will display a list of reports that have already been filed electronically ("Filed Reports"), as well as reports that you are currently working on ("In-Progress Reports").

**In-Progress Reports** shows you the following information about the report(s) you have started in the COA-EFS filing application but **have not yet filed**:

**Report:** This column displays the unique Report Number that the COA-EFS filing application assigns to each report at the time you start the report. The higher the number, the more recent the report. Reports are sorted by the Report Number in descending order (from newest to oldest). You can also search the list by entering the search number in the field at the top of the column.

**Report Type:** This column displays the general type of report. If a report is a Corrected Report, the Report Type is followed by a "(C)".

**Period Covered/Year:** This column displays the calendar year covered by a report.

**Action:** This column displays the action(s) you may take regarding an **In-Progress Report**. Click on the [Continue Working](#) button to go to the report's Worksheet Summary and enter activity on the applicable parts.

You may also click on the [Print](#) button to print a copy of an in-progress report in PDF format or click on the [Delete](#) button to delete an in-progress report. **Note:** If you click "Delete" you will be asked "Are you sure?" and have a chance to confirm your action. If you click "yes" to confirm, the entire report will be deleted and unrecoverable.

You may also click on the [Upload Data](#) button to upload data from a spreadsheet regarding: stocks (Part 2); bonds, notes, and other commercial paper (Part 3); and mutual funds (Part 4). See the [Import Guide](#) for additional information regarding the import process and templates.

**Missing/Late Reports** shows you the following information about the report(s) that, according to COA-EFS records, you **were required to file with the COA-EFS by a certain deadline but have not yet filed**. **Note:** You may be subject to a late-filing penalty (late fine) for a required report that is not filed by the filing deadline.

**Report:** This column displays the unique Report Number that the COA-EFS filing application assigns to each report at the time you start the report. The higher the number, the more recent the report. Reports are sorted by the Report Number in descending order (from newest to oldest). You can also search the list by entering the search number in the field at the top of the column.

**Report Type:** This column displays the general type of report. If a report is a Corrected Report, the Report Type is followed by a "(C)".

**Period Covered/Year:** This column displays the start and end dates of the period covered by a report.

**Action:** This column displays the action(s) you may take regarding a Missing/Late Report. Click on the **Start Report** button to start a missing report. Once you start the report, the action button will be disabled but the report will continue to display in your **Missing/Late Reports** list until you file the missing report. If you start the report and need more than one entry session to complete and file it, a copy of the report will appear in your **In-Progress Reports** list for you to continue working on the next time you return to this screen.

**Filed Reports** shows you the following information about the report(s) you *have successfully filed with the COA-EFS*:

**Report:** This column displays the unique Report Number that the COA-EFS filing application assigns to each report at the time you start the report. The higher the number, the more recent the report. Reports are sorted by the Report Number in descending order (from newest to oldest). You can also search the list by entering the search number in the field at the top of the column.

**Report Type:** This column displays the general type of report. If a report is a Corrected Report, the Report Type is followed by a "(C)".

**Period Covered/Year:** This column displays the start and end dates of the period covered by a report.

**Filed Date:** This column displays the date the report was filed with the COA-EFS.

**Action:** This column displays the action(s) you may take regarding a **Filed Report**. You may click on the **Print** button to print a copy of the filed report in PDF format.

If you discover an error or omission in a filed report, you may click on the **Correct/Update** button to start a Corrected Report. Once you start a Corrected Report, that action button will be removed but the original report will continue to display in your **Filed Reports** list. If you start a Corrected Report and need more than one entry session to complete and file it, the Corrected Report will appear in your **In-Progress Reports** list for you to continue working on the next time you return to this screen.

## **PFS: Deadline Extension Request**

If your PFS report is due on the regular annual April 30th filing deadline, you may request a 60 calendar day extension to this filing deadline. You can request this extension beginning March 1st through midnight Central Time on the night of the April 30th annual filing deadline. *Note:* If April 30th falls on a weekend or holiday, the annual filing deadline is automatically extended to the next business day.

Extensions are not allowed for PFS reports due on any alternate deadlines.

If you have not yet filed your PFS report, when you log into the PFS filing application from March 1st through the April 30th annual filing deadline, you will see an Apply for Extension button on your "Manage My Reports" page.

To apply for the filing deadline extension, click on the Apply for Extension button. If you qualify for the extension, your request will be automatically granted. You will see a message on your screen stating "Your PFS extension request has been approved. Your PFS report covering calendar year 2015 is due July 1, 2016." You will receive an email notification to your primary email address on file confirming that your extension has been granted.

After your PFS filing deadline extension request has been granted, you will no longer see the Apply for Extension button on your "Manage My Reports" page. However, you will continue to see the "Your PFS extension request has been approved. Your PFS report covering calendar year 2015 is due July 1, 2016." statement at the top of your "Manage My Reports" page to remind you of the new filing deadline.

If you are not eligible for the extension and you click on the Apply for Extension button, you will see a message on your screen stating "No filer event found. Extension cannot be granted at this time".

For more information on the PFS filing deadline extension, see the [Helpful Hints for Filing Your Personal Financial Statement](#) brochure.

## **PFS: Cover Sheet – Calendar Year & Reason for Filing**

This page is designed to help you fill in the required cover sheet information. For information regarding who is required to file a PFS, the period covered, filing deadlines, and other general information see the [General Instructions](#) in the Appendix.

**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:** An appointed city official, appointee filling a vacancy in elective office, or the department executive head must file a PFS during the first year of his or her appointment. For these newly appointed officials, the period covered by the first required personal financial statement is determined by the date the official 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 city official 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. The PFS will cover activity for the entire calendar year preceding the year the statement is due.

**Select Year:** Select the year for filing the PFS from the dropdown menu.

**Reason for Filing:** Select the appropriate reason for filing the PFS from the dropdown menu and enter the corresponding office title.

If you are unsure whether you are required to file a PFS, please see the appendix for [Personal Financial Statement Frequently Asked Questions](#) and the [General Instructions](#).

**Candidate:** If you are a candidate for an elected office, check this title and indicate which office you seek. Identify the office completely, including the district or place name, if applicable.

**Elected Official:** If you are an [elected officeholder](#), select this title and indicate which office you hold. Identify the office completely, including the district or place name, if applicable.

*Example: Frank is running for council office district 2. He should select "Candidate" and write "Council Member, District 2" to indicate the office he seeks. Jane is the judge for Austin Municipal Court. She will select "Elected Official" and write "Judge, Austin Municipal Court."*

**Executive Head:** If you are the [executive head of a city department](#), select this title and indicate the department.

## **PFS: Family Members**

**Names of Family Members Whose Financial Activity You Are Reporting:** In Parts 1 through 18, you will disclose information about your financial activity during the preceding calendar year. In Parts 1 through 12, and 14, you are required to disclose not only your own financial activity, but also that of your spouse or a dependent child in which you have an ownership interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#).

**Note:** *If you have no financial activity to report for a [dependent child](#), **do not** enter that child's name into this report.*

**Family Members List:** Click the Add button to enter information about a family member for whom you will be reporting financial activity. After you enter and save your first family member, the application will begin a list of all family members on this section of the report. The list will display columns showing each family member:

Name	Relation	Action
Sam Spouse	SPOUSE	 Edit  Delete
John Doe	DEPENDENT	 Edit  Delete

(1 of 1)   **1**   5 

The family members list will be the first screen you see each time you return to this section. From this list you will be able to Edit or Delete a previously entered family member. To enter a new family member, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

**Note:** If you have no financial activity to report for a [dependent child](#), **do not** enter that child's name into this report.

**Spouse or Dependent Child?** Indicate whether the family member is your spouse or a [dependent child](#).

[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.

## [PFS: Worksheet Summary](#)

**Worksheet Summary** is a new page in the filing application designed to help you keep track of the parts required for this report and the activity you enter. If you indicated by answering "Yes" on the previous **Walk Thru** screen that you have activity to report, those parts/categories are highlighted in **green** in the grid.

**Part:** This column displays all categories of financial activity and the designated number of each part/category you may possibly need for this report. (For example, the name of the first category is Sources of Occupational Income and the designated number for that schedule is PART 1.) If you indicated on a previous screen that you have activity to report for a certain part/category, those parts/categories are highlighted in **green** in the grid.

**Number of Entries:** This column keeps a running tally and displays the number of entries you have entered and saved for a particular part/category.

Action: To begin entering activity for a particular part/category, click on "Start" in this column. After you have saved your first transaction, the link that you can click changes from "Start" to "Continue" in this column.

## PFS: Part 1A Sources of Occupational Income

Complete this part 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](#).

**Sources of Occupational Income List:** After you enter and save your first occupation, the filing application will begin a list of all employers entered on Part 1A for this report. The list will display columns showing each employer:

Family Members	Employer <input type="text"/>	Action
• Spouse, Sam(SPOUSE)	ABC Corp	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)    5

The sources of occupational income list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered employer or occupation. To enter new employers or occupations, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding occupation(s) entered on this part.

To whom does the information relate? Indicate whether the source of income relates to you, your spouse, or a dependent child. Note: You can only enter occupation information for one person at a time.

Self Employed? If the individual is self employed, check the box and provide the nature of the occupation, e.g., attorney, carpenter, etc.

Name of Employer: If the individual is employed by another, provide the name and address of the employer and the position held.

Street Address: Enter the street address of the employer. If you are listing your home address here, please indicate this by placing a check in the box provided.

Position Held: If the individual is employed by another, provide the position held during the period covered by the report.

## **PFS: Part 1B Retainers**

**Part 1B Retainers** 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.

*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 official of the business entity; or
- (7) is an employee of the business entity.

**Disclosing Confidential Information.** City officials 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.*

**Retainers List:** After you enter and save your first retainer, the filing application will begin a list of all retainers entered on Part 1B for this report. The list will display columns showing each person providing a retainer:

Family Members	Retainer Name ↕	Retainer Amount ↕	Action
• Sam Spouse(SPOUSE)	Carlos, Client	\$5,000 - \$9,999	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

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The retainers list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered retainer. To enter new retainers, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding any retainer entered on this part.

To whom does the information relate? Indicate whether the retainer was received by you, your spouse, or a dependent child. Note: You can only enter information for one person at a time.

Retainer Received from Individual or Entity? Indicate whether the retainer was received from an individual or an entity and provide the full name and address of the individual or entity from whom the retainer fee was received.

Name of business receiving retainer (if applicable): If the retainer was received by a business in which you, your spouse, or a dependent child has a “substantial interest,” provide the name of the business.

Amount of Retainer: Check the appropriate fee category for the amount received.

## **PFS: Part 2 Stock**

**Part 2 Stock** is for information about business entities in which you, your spouse, or a dependent child held or acquired stock. 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.*

**Stocks List:** After you enter and save your first stock, the filing application will begin a list of all stocks entered on Part 2 for this report. The list will display columns showing each stock:

Family Members	Stock <input type="text"/>	Action
• Spouse, Sam(SPOUSE)	ABC Corp.	<input type="button" value="Edit"/> <input type="button" value="Delete"/>
(1 of 1) <input type="button" value="Previous"/> <input type="button" value="First"/> <b>1</b> <input type="button" value="Next"/> <input type="button" value="Last"/> <input type="text" value="5"/> <input type="button" value="Dropdown"/>		
<input type="button" value="Add"/> <input type="button" value="Memo"/> <input type="button" value="Done with Stocks"/>		

The stocks list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered stock. To enter new stocks, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding stock(s) entered on this part.

Who held/acquired the stock? Indicate whether the stock was held or acquired by you, your spouse, or a dependent child.

Name of Business Entity Stock that was held or acquired: Enter the full name of the business entity in which the stock was held or acquired.

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.

Were Stocks Sold? Complete this section if any of the indicated stock was sold 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.

## [PFS: Part 3 Bonds, Notes, and Other Commercial Paper](#)

**Part 3 Bonds, Notes, and Other Commercial Paper** is for information about bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child. Create a separate entry for each bond, note, or other commercial instrument held or acquired.

**Financial Instrument List:** After you enter and save your bond, note, or other commercial paper, the filing application will begin a list of financial instruments entered on Part 3 for this PFS. The list will display columns showing each financial instrument:

Family Members	Instrument <input type="text"/>	Action
• Doe Jr., John(DEPENDENT)	\$5,000 U.S. Treasury Bond	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)

The financial instrument list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete previously entered bonds, notes, and other commercial paper. To enter a new financial instrument, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Who held or acquired the instrument: Check the appropriate box indicating whether the bond, note, or other commercial paper was held or acquired by you, your spouse, or a dependent child.

Description of the Instrument: Briefly describe the instrument. Note: **Commercial Paper** includes any type of negotiable instrument, such as certificates of deposit (CDs), money market certificates, treasury bills, or bills of exchange.

Were the instruments sold? Indicate whether the commercial instrument was sold. 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 selecting the appropriate monetary category.

## [PFS: Part 4 Mutual Funds](#)

**Part 4 Mutual Funds** is for information about shares of mutual funds held or acquired by you, your spouse, or a dependent child. Create a separate entry 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](#).

**Mutual Funds List:** After you enter and save your first mutual fund, the filing application will begin a list of mutual funds entered on Part 4 for this PFS. The list will display columns showing each mutual fund:

Family Members	Mutual Fund <input type="text"/>	Action
• Spouse, Sam(SPOUSE)	Bank on US Mutual Fund	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)

The mutual funds list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered mutual fund. To enter a new mutual fund, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Who held or acquired the mutual fund shares: Check the appropriate box indicating whether the shares in the mutual fund were held or acquired by you, your spouse, or a dependent child.

Name of Mutual Fund: Enter the name of the mutual fund in which shares were held or acquired.

Number of shares: Select the appropriate category for the number of mutual fund shares held or acquired. 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.

Were mutual funds sold? Indicate whether any of the shares of the mutual fund were sold during the year. Select "Yes" if any of the indicated shares of the mutual fund were sold 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.

## PFS: 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 entry for each source of interest, dividend, royalty, or rent income.

**Sources of Income List:** After you enter and save your first source of income from interest, dividends, royalties, or rents, the filing application will begin a list of such properties entered on Part 5 for this PFS. The list will display columns showing each source of income:

Family Members	Source of Income <input type="text"/>	Amount <input type="text"/>	Action
• Spouse, Sam(SPOUSE)	ABC Bank	Less Than \$5,000	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   1   5

The sources of income list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered source of income. To enter a new source of income, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Who received the income? Check the appropriate box indicating whether the income was received by you, your spouse, or a dependent child.

Name of Source of Income in excess of \$500: Provide the name and address of the source of income. If the source of income is a publicly held corporation, an address is not required. You will need to check the **Yes** option to indicate the corporation is publicly held.

Amount of income: Check the appropriate monetary category for the amount of received.

## PFS: 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 entry for each person or institution holding a personal note or lease agreement covered by this section.

**Personal Notes and Lease Agreements List:** After you enter and save your first personal note or lease agreement, the filing application will begin a list of such properties entered on Part 6 for this PFS. The list will display columns showing each note or lease agreement:

Family Members	Holder <input type="text"/>	Action
• Spouse, Sam(SPOUSE)	Lender, Larry	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   1   5

The personal notes and lease agreements list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered note or

lease agreement. To enter a new note or lease agreement, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Financial 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.

Who is the person or institution holding a personal note or lease agreement that had a total financial liability of more than \$1,000? 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. Indicate whether the person is an individual or an entity and provide the full name.

Who is the Guarantor? If the obligation was a loan, identify the guarantor of the loan, if any. Indicate whether the guarantor is an individual or an entity and provide the full name.

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.

## PFS: Part 7A Interests In Real Property

**Part 7A Interests In Real Property** is for reporting beneficial interests held or acquired in real property. Refer to the following definition when completing this section:

**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.

**Real Property List:** After you enter and save the first piece of real property in which you, your spouse, or a dependent child held or acquired a beneficial interest, the filing application will begin a list of such properties entered on Part 7A for this PFS. The list will display columns showing each property:

Family Members	Property	Action
• Spouse, Sam(SPOUSE)	123 RR #456 Austin TX 78123	 Edit  Delete

(1 of 1)   **1**   5 

  

The real property list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered property. To enter a new property, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Who Held or Acquired the beneficial interest? Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.

Does this property have a 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 the property does not have a street address, you must provide the number of lots or acres, as applicable, and the name of each county in which the lots or acres are located.

Is this your home address?" Indicate whether or not the address of the property is your home address.

Property description: If the property does not have a street address, you must provide the number of lots or acres, as applicable, and the name of each county in which the lots or acres are located.

Do any other persons or entities retain 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.*

Was the property sold? Complete this item only if the interest was sold 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.

## **PFS: Part 7B Interests In Business Entities**

**Part 7B Interests In Business Entities** is for reporting beneficial interests held or acquired in business entities. Refer to the following definitions when completing this section:

**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. A business entity is 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.

**Business Entities List:** After you enter and save your first business entity in which you, your spouse, or a dependent child held or acquired a beneficial interest, the filing application will begin a list of such businesses entered on Part 7B for this PFS. The list will display columns showing each business entity:

Name	Business Entity 	Action
• Spouse, Sam(SPOUSE)	ABC, Inc.	 Edit  Delete

(1 of 1)   1   5 

  

The business entities list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered business entity. To enter a new business entity, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Who Held or Acquired the interest: Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.

Name of Business Entity: Provide the name of the business entity.

Business Entity Address: Provide the address of the business entity. If you are listing your home address here, please indicate this by placing a check in the box provided.

Were the interest(s) sold? Complete this item only if the interest was sold 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.

## **PFS: Part 8 Gifts**

**Part 8 Gifts** 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 official’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 city official’s child for an event that is a required part of a school-sponsored activity (see [Ethics Advisory Opinion No. 428](#)).

**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.

**Gift List:** After you enter and save your first gift, the filing application will begin a list of the gifts entered on Part 8 for this PFS. The list will display columns showing each gift:

Family Members	Gift <input type="text"/>	Action
• Doe, John(DEPENDENT)	\$500 Savings Bond for Graduation	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)





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The gifts list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered gift. To enter a new gift, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Who received the gift? 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.

From Individual or Entity? Check the appropriate box to indicate whether the gift was given by an entity or an individual and provide the full name and address of the person or entity giving the gift.

Describe the gift: Provide a description of a gift. 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.

## PFS: Part 9 Trust Income

Complete this section if you, your spouse, or a dependent child received any income as a beneficiary of a trust, other than a blind trust, the definition of which is included in the [PART 10A](#) of these page helps. Identify the trust by name and indicate the category of the amount received.

**Trusts List:** After you enter and save your first trust, the filing application will begin a list of trusts entered on Part 9 for this PFS. The list will display columns showing each trust:

Family Members	Name of Trust	Income	Action
• John Doe(DEPENDENT)	Doe Education Trust	\$25,000 - Or More	Edit  Delete

(1 of 1) 1 5

The trusts list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered trust. To enter a new trust, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

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

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

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

**Assets from which over \$500 was received:** 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.

## PFS: Part 10A Blind Trusts

Complete this section if you, your spouse, or a dependent child is the beneficiary of a blind trust, as defined by section 572.023(c) of the Government Code. You must also submit a statement signed by the trustee of each blind trust listed under this section. See [Part 10B](#) for more information.

**Section 572.023(c) of the 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 official or public employee the individual supervises; and

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

**Blind Trusts List:** After you enter and save your first blind trust, the filing application will begin a list of blind trusts entered on Part 10A for this PFS. The list will display columns showing each blind trust:

Family Members	Name of Trust <input type="text"/>	Market Value <input type="text"/>	Action
• Sam Spouse(SPOUSE)	XYZ Blind Trust	\$25,000 - Or More	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)

The blind trusts list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered blind trust. To enter a new blind trust, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

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

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

What was the date the trust was created? Provide the date the blind trust was created.

Trustee Name: Provide the full name and address of the trustee of the blind trust.

What is the Fair Market Value of the Trust? Check the appropriate monetary category to indicate the fair market value of the blind trust.

## PFS: Part 10B Trustee Statement

You must submit a statement signed by the trustee of each blind trust listed under Part 10A. The statement can be downloaded from the software. You must print the statement, have it signed by the trustee, scan the statement and save in a pdf format, and then upload the statement in Part 10B.

**Trustee Statements List:** After you enter, upload, and save your first trustee statement, the filing application will begin a list of the trustee statements entered on Part 10B for this PFS. The list will display columns showing each trustee statement:

Trustee Name	Name of Trust <input type="text"/>	Action
Executor, Eileen	XYZ Blind Trust	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)

The trustee statements list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered blind trust trustee statement. To enter a new trustee statement, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

**Name of Trust:** Select the name of the blind trust for which you are submitting the trustee statement. You must first enter the blind trust information under Part 10A in order to complete this section.

**Trustee Name:** Provide the full name and address of the trustee of the blind trust.

**Name of person on whose behalf statement is being filed:** Provide the name of the person on whose behalf the trustee statement is being filed. For example, if you are reporting a blind trust of which your spouse is the beneficiary, the trustee statement is being filed on behalf of your spouse, so you would enter your spouse's full name.

**Download a blank Trustee Statement form from the COA-EFS website:** Click this link to download the trustee statement. Once the trustee signs the statement, you must scan the form and upload it on Part 10B.

[https://www.ethics.state.tx.us/data/forms/pfs/pfs\\_trustee\\_statement.pdf](https://www.ethics.state.tx.us/data/forms/pfs/pfs_trustee_statement.pdf)

## PFS: Part 11A Ownership of Business Associations

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11A is separate from Part 11B and Part 11C of the PFS. Part 11B pertains to assets of the business and Part 11C pertains to liabilities of the business. All businesses you reference in Part 11B and Part 11C must first be entered and saved in Part 11A.

**Business Associations List:** After you enter and save the information regarding a business association, the filing application will begin a list of all such business associations entered on Part 11A for this PFS. The list will display columns showing pertinent information for the business association:

Family Members	Business Name	Action
• Sam Spouse(SPOUSE)	ABC Corp.	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   **1**   5

The business associations list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered business association. To enter a new business association, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry. Click the Done with Business Associations to move forward to the next part you selected on the Walk Thru for this PFS.

**Held/Acquired/Sold By:** Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a [dependent child](#).

**Type of Business:** Select the business type from the dropdown menu. If you do not see the business type in the list of options in the dropdown menu, then select "Other Business Association" at the bottom of the list and enter a short description of the business type in the data entry box that pops up.

Complete this process for each business association in which you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership. From this page you can add another business by clicking the Save and Add Another button. You can return to the business associations list by clicking the Back to Business Associations button.

Complete this process for each business association in which you, your spouse, or a [dependent child](#) held, acquired, or sold 5 percent or more of the outstanding ownership. From this page you can add another business by clicking the Save and Add Another button. You can return to the business associations list by clicking the Back to Business Associations button.

## PFS: Part 11B Assets of Business Associations

Complete this section if you, your spouse, or a [dependent child](#) held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. All business association ownerships must be entered into Part 11A. Part 11B pertains to assets of the business association and Part 11C pertains to liabilities of the business association.

**Business Association:** Select the business association from the dropdown menu. If the business is not listed in the dropdown menu, go back to Part 11A and enter the business association.

**Description of Asset:** Describe each asset of the business association and check the appropriate monetary category. Click the Save and Add Another button to add more assets associated with this business. Click the Back button to return to the list of assets associated with this business. Click the Done with Asset Description to move forward to the next part you selected on the Walk Thru for this PFS.

**Assets List:** After you enter the first asset, the filing application will begin a list of all assets of that business. The list will display columns showing pertinent information for each asset:

Business Association ↕	Asset Desc ↕	Category ↕	Action
ABC Corp.	Transport van	\$10,000 - \$24,999	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

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From the assets list, you will be able to Edit or Delete a previously entered asset. To enter an asset, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. Click the Done with Business Association Assets button to move forward to the next part you selected on the Walk Thru for this PFS.

Complete this process for each business association in which you, your spouse, or a [dependent child](#) held, acquired, or sold 50 percent or more of the outstanding ownership for which you must disclose business assets.

## PFS: Part 11C Liabilities of Business Associations

Complete this section if you, your spouse, or a [dependent child](#) held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11B pertains to assets of the corporation or partnership and Part 11C pertains to liabilities of the corporation or partnership.

**Business Association:** Select the business association from the dropdown menu. If the business is not listed in the dropdown menu, go back to Part 11A and enter the business association.

**Description of Liability:** Describe each liability of the business association and check the appropriate monetary category. Click the Save and Add Another button to add more liabilities associated with this business. Click the Back button to return to the list of liabilities associated with this business. Click the Done with Business Association Liabilities button to move forward to the next part you selected on the Walk Thru for this PFS.

**Liabilities List:** After you enter the first liability, the filing application will begin a list of all liabilities entered for that business. The list will display columns showing pertinent information for each liability:

Business Association ↕	Liability Desc ↕	Category ↕	Action
ABC Corp.	Bank loan	\$25,000 - Or More	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)

From the liabilities list, you will be able to Edit or Delete a previously entered liability. To enter a liability, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. Click the Done with Business Association Liabilities button to move forward to the next part you selected on the Walk Thru for this PFS.

Complete this process for each business association in which you, your spouse, or a [dependent child](#) held, acquired, or sold 50 percent or more of the outstanding ownership for which you must disclose business liabilities.

## PFS: Part 12 Boards and Executive Positions

**Part 12 Boards and Executive Positions** 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.

**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](#).

**Boards and Executive Positions List:** After you enter and save the information regarding the first board or executive position held by you, your spouse, or a dependent child, the filing application will begin a list of all such positions entered on Part 12 for this PFS. The list will display columns showing pertinent information for each entry:

Family Members	Organization	Position Held	Action
• Sam Spouse(SPOUSE)	Texans for Texas	Chairman, CEO	Edit  Delete

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The Boards and Executive Positions list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered board or executive position. To enter a new board or executive position, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

**Held By:** Check the appropriate box to indicate whether the position is held by you, your spouse, or a dependent child.

**Organization:** Provide the name of the organization.

**Position Held:** Provide the position held in the organization.

## **PFS: 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.

**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](#).

**Expenses List:** After you enter and save the information regarding an expense you accepted under the honorarium exception, the filing application will begin a list of all such expenses entered on Part 13 for this PFS. The list will display columns showing pertinent information for each expense:

Provider	Amount	Action
XYZ Forums	1200.00	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   1   5

The expenses list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered expense. To enter a new expense, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

Amount of Expenses: Provide the amount of the expenses.

Who was the Provider? Indicate whether the person making the expenditures was an individual or an entity and provide the full name and address of the individual or entity.

## **PFS: 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 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.

**Interest.** Please note that the statute applies if you, your spouse, or a dependent child, and a lobbyist both have “an interest” in the business. The interest does not have to be a “substantial interest” as in Part 1B in order to trigger the reporting requirement. Please note that for purposes of this section, a person who is an employee of a business entity is considered to have an interest in that business entity.

**Business List:** After you enter and save the information regarding the business in which you, your spouse, or a dependent child and a lobbyist both have an interest, the filing application will begin a list of all such businesses entered on Part 14 for this PFS. The list will display columns showing pertinent information for each entry:

Family Members	Business	Action
<ul style="list-style-type: none"><li>• Sam Spouse(SPOUSE)</li><li>• John Doe(DEPENDENT)</li></ul>	ABC Corp.	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   **1**   5

The business list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered business. To enter a new business, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding an entry.

**Interest held by:** Check the appropriate box to indicate whether you, your spouse, or a dependent child have an interest in a business entity in common with a person registered as a lobbyist.

**Name of Entity:** Provide the full 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.

## [PFS: 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 Part 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 city official. See [Ethics Advisory Opinion No. 333](#).

**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.** City officials 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.*

**Fees Received List:** After you enter and save the information regarding the first fee you received for providing services to or on behalf of a person required to be registered as a lobbyist, the filing application will begin a list of all such fees on Part 15 for this PFS. The list will display columns showing pertinent information for each fee:

Name 	Amount 	Action
X Corp.	\$5,000 - \$9,999	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)

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The fees received list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered fee you received for providing services to or on behalf of a person required to be registered as a lobbyist. To enter a fee received, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use

the Memo button to provide additional explanation regarding a fee you received for services rendered to a lobbyist or a lobbyist's employer.

Who was the person or entity for whom the services were provided? Indicate whether the person for whom you provided services was an individual or an entity and enter the individual or entity's full name.

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

## **PFS: 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.

**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.

**Representation List:** After you enter and save the information regarding the first person whom you represented for compensation before a city department in the executive branch, the filing application will begin a list of all such persons entered on Part 16 for this PFS. The list will display columns showing pertinent information for each person:

Agency Name ▾	Person/Entity Represented ▾	Amount ▾	Action
<input type="text"/>	<input type="text"/>	<input type="text"/>	
New Commission	Staffer, Sam	\$5,000 - \$9,999	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   **1**    ▾

The representation list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered person you represented. To enter a new person, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also

use the Memo button to provide additional explanation regarding a person you represented before a city department in the executive branch and entered on part 16.

What is the name of the department: Select the appropriate city department from the drop-down menu.

Who was the person or entity represented? Indicate whether the person you represented was an individual or an entity and provide the individual or entity's full name.

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

## **PFS: 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 city. If such a benefit is received and is not reported by the public servant in a campaign finance report under title 15 of the Election Code, the benefit is reportable here.

**Benefits List:** After you enter and save your first benefit derived from functions honoring a public servant, the filing application will begin a list of all benefits entered on Part 17 for this PFS. The list will display columns showing pertinent information for each benefit:

Source of Benefit ⇅	Benefit ⇅	Action
<input type="text"/>	<input type="text"/>	
Connie Contributor	Food and Drink	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   **1**

The benefits list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered benefit. To enter new benefits, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding benefits entered on Part 17.

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

Benefit: Describe the benefit received.

## **PFS: Part 18 Legislative Continuances**

Complete this section if you are a member or member-elect of the Texas Legislature and are 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.

**Legislative Continuances List:** After you enter and save your first legislative continuance, the filing application will begin a list of all legislative continuances entered on Part 18 for this PFS. The list will display columns showing pertinent information for each legislative continuance:

Continuance # ⇅	Continuance Desc ⇅	Continuance Application Date ⇅	Action
100000004	Client v. Defendant, CV-12345678, County Court #3, Travis County	02/03/2015	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1) [Navigation icons] 1 [Page indicator] 5 [Dropdown menu]

The legislative continuances list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered legislative continuance. To enter new continuances, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. You may also use the Memo button to provide additional explanation regarding entries on this part.

Was Continuance Granted? Indicate whether the court granted the legislative continuance.

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

Date of Continuance Application: Provide the date on which you applied for a continuance.

Name of Party Represented: Indicate whether the party on whose behalf you applied for or obtained a continuance was an entity or an individual and provide the full name of the entity or individual.

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.

## PFS: Part 19 Contracts To Sell Goods or Services to a Governmental Entity or Governmental Entity Contractor

Complete this section if, during the calendar year:

(1) You, your spouse, or your [dependent child](#), or any business entity of which you, your spouse, or your [dependent child](#) had at least 50 percent ownership interest, was a party to one or more written contracts, AND

(2) All of the following apply to the contracts:

(A) The contracts were for the sale of goods or services in the amount of \$2,500 or more.

(B) The aggregate cost of the goods or services under the contracts exceeds \$10,000 in the calendar year.

(C) The contracts were with either:

a governmental entity, or

a person who contracts with a governmental entity, if the individual or entity described in (1) performed work arising out of the contract, subcontract, or agreement for a fee.

If this part applies, you must provide the following information for each of the contracts.

**NOTE:** This part does not require the disclosure of an employment contract between a school district or open-enrollment charter school and an employee of the district or school. This part does not apply to an individual who complies with any applicable requirements of Sections 51.954 (relating to disclosure of sponsors of research in public communications) and 51.955 (Prohibited State Agency Actions Related to Disclosure of Publicly Funded Research), Education Code, and Section 2252.908 of the Government Code (Disclosure of Interested Parties), in an individual capacity or as a member or employee or an entity to which those sections apply.

List the parties to all contracts in the amount of \$2,500 or more if the aggregate of goods or services sold under all written contracts exceeds \$10,000 in which you, your spouse, or a [dependent child](#), or any business entity of which you, your spouse, or a [dependent child](#), independently or in conjunction with, has at least 50% ownership.

**Contracts List:** After you enter and save your first contract with a governmental entity, the filing application will begin a list of all contracts entered on Part 19 for this PFS. The list will display columns showing pertinent information for each contract:

Family Members	Governmental Entity or Governmental Contractor	Action
<ul style="list-style-type: none"> <li>Spouse, Sam(SPOUSE)</li> </ul>	XYZ ISD XYZ ISD Contractors For Hire, LLC	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)

The contracts list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered contract. To enter a new contract, click the Add button located below the list. Click the Done with Contracts button to move forward to the next part you selected on the Walk Thru for this PFS. You may also use the Memo button to provide additional explanation regarding entries on this part.

Who is party to this contract? Indicate whether the parties to this contract are you, your spouse, or a [dependent child](#). If more than one person is party to this contract, check as many boxes as apply.

Do parties to this contract include a business entity? If you enter "Yes" to this question, click the Add button to enter your business associated with this contract into the "Business Entities Party to this Contract" table.

Business Entities Party to this Contract		
Name	Address	Action
No records found.		
<input type="button" value="Add"/>		

The table will expand so that you can add your business information:

Business Entities Party to this Contract	
Name	Address
No records found.	
Entity Name: * <input type="text" value="Entity Name"/>	
Is this your home address? * <input type="radio"/> Yes <input checked="" type="radio"/> No	
Address 1: * <input type="text" value="Address 1"/>	
Address 2: <input type="text" value="Address 2"/>	
City: * <input type="text" value="City"/>	
Country: * <input type="text" value="United States"/>	
State: * <input type="text" value="Texas"/>	
Zip Code: * <input type="text" value="Zip Code"/>	
<input type="button" value="Save and Add Another"/> <input type="button" value="Cancel"/>	

*NOTE: You must save each business entity you enter into this table by clicking on the Save and Add Another option at the bottom of the table. If you do not save this entry in this table using this method, this data will not be saved.*

After you enter and save your first business in this table, the filing application will begin a list of all your businesses that are associated with this specific contract. The list will display columns showing pertinent information for each business you listed:

Business Entities Party to this Contract		
Name	Address	Action
ABC Corp.	123 Commerce My City TX 12345	<input type="button" value="Edit"/> <input type="button" value="Delete"/>
<input type="button" value="Add"/>		

From this list, you will be able to Edit or Delete a previously entered business. To enter new businesses, click the Add button located below the list.

You must enter at least one governmental entity or at least one contractor for a governmental entity that is party to this contract.

Do parties to this contract include a governmental entity? If you enter "Yes" to this question, click the Add button to enter the governmental entity that is a party to this contract into the "Governmental Entities Party to this Contract" table.

Governmental Entities Party to this Contract		
Name	Address	Action
No records found.		
<input type="button" value="Add"/>		

The table will expand so that you can add your governmental entity information:

Governmental Entities Party to this Contract	
Name	Address
No records found.	
Governmental entity name: * <input type="text" value="Governmental entity name"/>	
Address 1: *	<input type="text" value="Address 1"/>
Address 2:	<input type="text" value="Address 2"/>
City: *	<input type="text" value="City"/>
Country: *	<input type="text" value="United States"/>
State: *	<input type="text" value="Texas"/>
Zip Code: *	<input type="text" value="Zip Code"/>
<input type="button" value="Save and Add Another"/>	<input type="button" value="Cancel"/>

Enter the government entity name and address.

*NOTE: You must save each governmental entity you enter into this table by clicking on the Save and Add Another option at the bottom of the table. If you do not save this data in this table using this method, this entry will not be saved.*

After you enter and save your first government entity for this specific contract in this table, the filing application will begin a list of all your government entities party to this specific contract. The list will display columns showing pertinent information for each government entity you listed:

Governmental Entities Party to this Contract		
Name	Address	Action
XYZ ISD	1234 Main My City TX 12345	<input type="button" value="Edit"/> <input type="button" value="Delete"/>
<input type="button" value="Add"/>		

From this list, you will be able to Edit or Delete a previously entered governmental entity. To enter new governmental entities, click the Add button located below the list.

You must enter at least one governmental entity or at least one contractor for a governmental entity that is party to this contract.

Do parties to this contract include a contractor for a governmental entity? If you enter "Yes" to this question, click the Add button at the bottom of the "Governmental Contractors Party to this Contract" table to enter information about the contractor to this table.

Governmental Contractors Party to this Contract			
Contractor Name	Governmental Entity	Contractor Address	Action
No records found.			
<input type="button" value="Add"/>			

The table will expand so that you can add the contractor information:

Governmental Contractors Party to this Contract		
Contractor Name	Governmental Entity	Contractor Address
No records found.		
Contractor <input type="radio"/> Individual <input checked="" type="radio"/> Entity		
Contracting Company Name: * <input type="text" value="Entity Name"/>		
Address 1: * <input type="text" value="Address 1"/>		
Address 2: <input type="text" value="Address 2"/>		
City: * <input type="text" value="City"/>		
Country: * <input type="text" value="United States"/>		
State: * <input type="text" value="Texas"/>		
Zip Code: * <input type="text" value="Zip Code"/>		
Governmental entity contracted with: * <input type="text" value="Governmental entity contracte"/>		
<input type="button" value="Save and Add Another"/> <input type="button" value="Cancel"/>		

Enter whether the contractor is an individual or an entity. If the contractor is an individual, enter the contractor's name and address, then enter the governmental entity that the contractor has partnered with. If the contractor is an entity, enter the contractor company name and address, then enter the governmental entity that the contracting company has partnered with.

*NOTE: You must save each contractor you enter into this table by clicking on the Save and Add Another option at the bottom of the table. If you do not save this data in this table using this method, this entry will not be saved.*

After you enter and save your first contractor for this specific contract in this table, the filing application will begin a list of all your contractors party to this specific contract. The list will display columns showing pertinent information for each contractor you listed:

Governmental Contractors Party to this Contract			
Contractor Name	Governmental Entity	Contractor Address	Action
Contractors For Hire, LLC	XYZ ISD	123 First Avenue My City TX 12345	<input type="button" value="Edit"/> <input type="button" value="Delete"/>
<input type="button" value="Add"/>			

From this list, you will be able to Edit or Delete a previously entered contractor. To enter new contractors, click the Add button located below the list.

Complete this process for each contract that you are required to disclose. From this page you can add another contract by clicking the Save and Add Another button. You can return to the contracts list by clicking the Back to Contracts button. Click the Done with Contracts button to move forward to the next part you selected on the Walk Thru for this PFS.

## PFS: Part 20 Bond Counsel Services Provided by a Legislator

Complete this section if you are a member of the Texas Legislature who provided bond counsel services to an [issuer](#) as defined by Section 1201.002(1) of the Texas Government Code.

**Bond Counsel Services List:** After you enter and save your first bond counsel service, the filing application will begin a list of all bond counsel services entered on Part 20 for this PFS. The list will display columns showing pertinent information for each bond counsel service:

Name of Issuer	Issuance Date	Issuance Amount	Action
My City, Texas	10/01/2018	52000000.00	<input type="button" value="Edit"/> <input type="button" value="Delete"/>

(1 of 1)   **1**

The bond counsel services list will be the first screen you see each time you return to this part. From this list, you will be able to Edit or Delete a previously entered bond counsel service. To enter new services, click the Add button located below the list. You can also sort the list in ascending or descending order by clicking on the column header in which you are interested or search the list by entering the search word in the field at the top of each column. Click the Done with Bond Counsel Services button to return to the Walk Thru for this PFS. You may also use the Memo button to provide additional explanation regarding entries on this part.

Name of Issuer: Provide the name of the [issuer](#).

Date of Issuance: Provide the date of the issuance.

Amount of Issuance: Provide the amount of the issuance.

Were you paid to provide this service? Complete this section if you were paid to provide this service. Check the appropriate fee category for the amount of fees you were paid for providing this service.

Were fees paid to your firm? Complete this section if your firm was paid to provide this service.

Name of firm: Enter the name of your firm that was paid to provide this service.

Fees paid to your firm: Check the appropriate fee category for the amount of fees paid to your firm.

Complete this process for each bond counsel service you provided. From this page you can add another service by clicking the Save and Add Another button. You can return to the bond counsel services list by clicking the Back to Bond Counsel Services button. Click the Done with Bond Counsel Services button to return to the Worksheet Summary for this PFS.

## **PFS: Report Error Check**

**Report Error Check** is a tool to assist you in fulfilling your reporting requirements. The Error Check details errors and omissions in the data entry; it does not verify that the report has satisfied all legal requirements. You should review the applicable COA-EFS Guide and the filing application PAGE HELP to ensure that ALL required information is included before you file your report.

If the Error Check finds errors in your report, the errors will be listed for you in a table on this screen. You can also click the View as PDF button to view the error list as an Adobe Acrobat .PDF file (requires Adobe Acrobat reader or equivalent viewer to view) or click the View as Excel button to view the error list in a Microsoft Excel spreadsheet.

The errors list includes the following information:

Severity: The error records are ranked in terms of severity:

**HIGH:** These are major omissions in information that indicate non-compliance with certain reporting requirements (such as not uploading the Trustee Statement for a Blind Trust). This information is considered very important and you **MUST CORRECT** these errors in order to file the report.

**LOW or MEDIUM:** These are omissions or errors in other information that indicate non-compliance with certain reporting requirements (such as not entering address information for a business association). You should correct these errors to be in legal compliance with your reporting requirements. You may, however, choose to accept these errors and file the report as is. **NOTE:** If you file the report with errors, you could be subject to a sworn complaint for reporting violations.

Tracking Information: This column shows the transaction (retainer information, blind trust, etc.) containing the error and other information to help you identify the transaction.

Error Record: This column shows the name of the data field containing the error and provides a link directly to the entry screen where the error is located. After correcting the error and saving the transaction, you may run the Error Check again by clicking the **Check For Errors** link in the Report Menu navigation sidebar always displayed down the left side of your screen.

Message: This column provides a brief explanation of the required information that is missing or in error.

## **PFS: Correction Affidavit**

A filer who files a corrected report must submit a **Correction Affidavit**. The affidavit must identify the information that has changed. The affidavit also provides a check box for your use in swearing to certain statutory provisions regarding the corrected report, if applicable.

Explanation of Correction: Use this box to explain why there were error(s) on the original report, what information is being corrected, and how the new information is different from the information on the original report. You may also use this area to request a waiver or reduction of a late-filing penalty for this correction, if any, and state the basis of your request.

Sworn Statement Check Box: Check this box if you are filing this corrected report not later than the 14th business day after the date you learned that the report as originally filed is inaccurate or incomplete and any error or omission in the report as originally filed was made in good faith.

Correction Tables: Any corrections made to this report are listed in a table below according to the type of correction (added, updated, or deleted). Only the applicable table(s) will display. If you make additional changes before you file the report, those changes will be reflected here.

Added Record Table: This table contains any new records you entered in this corrected report that were not previously disclosed in the original report.

Updated Record Table: This table contains any records you changed in this corrected report that were previously disclosed incorrectly in the original report.

Deleted Record Table: This table contains any records you deleted in this corrected report that were previously disclosed in error in the original report.

Each table includes columns with the following information:

Record Type and Tracking Information: Shows the type of transaction that you added, updated, or deleted, and other information to help you identify the transaction.

Record Detail: Shows the specific data you added, updated, or deleted.

## PFS: Appendix

### General Instructions

Every year, appointed officers and executive heads of some state agencies, board members and executive heads of river authorities, members of the Texas Legislature, statewide elected officers, justices of a court of appeals, district judges, district or criminal district attorneys must **electronically** file a personal financial statement (PFS) with the Texas Ethics Commission.

If you have questions about whether you are required to file this form, please visit our website, at <http://austintexas.gov/department/campaign-finance-reports> . The website also provides access to Chapter 572 of the Government Code, Commission rules, filing schedules, and personal financial statement brochures.

### WHO IS REQUIRED TO FILE?

The mayor, city council members, city manager and city attorney are the only city staff that is required to file a PFS statement as required by Texas Government Code [Sec. 572.021](#), [Sec 572.026](#), Tex. Election Code [Sec. 145.004\(a\)-\(c\)](#), and [Sec. 1.006](#).

**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.

**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.

### COMPLETING THE FORM

All Personal Financial Statements filed with the COA must be filed electronically.

## 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.

## FILING DEADLINES

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

A candidate for an elected office, check this title and indicate which office you seek. Identify the office completely, including the district or place name, if applicable.

Candidate must file Personal Financial Statement with the City Clerk not later than the 20th day after the deadline for filing an application for a place on the ballot. Tex. Local Gov't Code § 145.004(c).

## TIMELY FILINGS

A personal financial statement required to be filed with the COA must be filed by **midnight Central Time Zone** on the last day for filing the report under the law requiring the filing of the report.

## EXTENSION OF THE APRIL 30TH DEADLINE

Sec. 145.004 (e) of the Local Government Code states: A municipal officer or a person who is appointed to a municipal office may request the clerk or secretary of the municipality to grant an extension of not more than 60 days for filing the statement. The clerk or secretary shall grant the request if it is received before the filing deadline or if the officer's physical or mental incapacity prevents the officer from filing the statement or requesting an extension before the filing deadline. The clerk or secretary may not grant more than one extension to a person in one year except for good cause shown.

## COA-EFS CORRECTION 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. Correction to electronically filed reports must be using the electronic filing application. See the [Correction Affidavit Page Help](#) for further 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](#).

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## Personal Financial Statement -- Frequently Asked Questions

See the commission's [frequently asked PFS questions](#) on the commission website.

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## Disclosure of Financial Activity

Ethics Commission Rule § 40.2. Disclosure of Financial Activity

For purposes of Section 572.023 of the Government Code, a filer's personal financial statement must include:

(1) the filer's financial activity in which the filer held an ownership interest, including but not limited to community property; and

(2) the financial activity of the filer’s spouse and dependent children if the filer exercised or held the right to exercise any degree of legal or factual control over the activity, notwithstanding a partition agreement.

## **PFS: Glossary**

### **A**

**Appointed officer:** For the purposes of this report an “Appointed officer” means:

- (A) the secretary of state;
- (B) an individual appointed with the advice and consent of the senate to the governing board of a state-supported institution of higher education;
- (C) an officer of a state agency who is appointed for a term of office specified by the Texas Constitution or a statute of this state, excluding an appointee to a vacated elective office; or
- (D) an individual who is a member of the governing board or commission of a state agency, who is not appointed, and who is not otherwise:
  - (i) an elected officer;
  - (ii) an officer described by Paragraphs (A) through (C); or
  - (iii) an executive head of a state agency.

### **B**

**Blind Trust:** 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.

**Business Entity:** Any entity recognized by law through which business for profit is conducted, including a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, or trust.

## C

**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 ).

## D

**Dependent Child:** An individual's child, including an adopted child or stepchild, is the individual's dependent during a calendar year in which the individual provides more than 50 percent of the child's support.

## E

## F

## G

## H

## I

**Issuer:** means:

(A) an agency, authority, board, body politic, department, district, instrumentality, municipal corporation, political subdivision, public corporation, or subdivision of this state; or

(B) a nonprofit corporation acting for or on behalf of an entity described by (A)

J

K

L

M

N

O

P

Q

R

S

**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, stock, 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 directors 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.