

# Runge ISD School Board Elections Candidate Guide 2024

Together...

We Build Tomorrow!

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# RUNGE INDEPENDENT SCHOOL DISTRICT



Hector O. Dominguez, Jr., Superintendent 600 Reiffert PO Box 158 Runge, TX 78151

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Dear Candidate,

Congratulations on your decision to file for a place on the Runge Independent School District ballot for the May 4, 2024, School Board elections. Runge ISD has prepared a "Candidate's Guide" to assist you in understanding candidate requirements. It contains valuable information regarding policies, filing forms, and important dates and deadlines. All required documents should be filed with the Secretary to the Superintendent, Karissa Green.

Please keep in mind, this Candidate Guide is intended to be a resource and is not comprehensive nor does it constitute or substitute for legal advice. It is the duty of the Candidate to become familiar with the applicable laws on filing for office.

We recommend that you file as early as possible to ensure that your documents are complete and accurate. Filing deadlines are absolute. Waiting until the end of the filing period could result in your name not being on the ballot if your documents are incomplete or in error. Should you have questions on election laws, please contact the **Texas Secretary of State Elections Division** at 1-800-252-VOTE (8683); elections@sos.texas.gov; <a href="https://www.sos.state.tx.us/elections/">https://www.sos.state.tx.us/elections/</a> or the **Karnes County Elections Office at** (830) 780-2246; electionsadmin@co.karnes.tx.us; <a href="https://www.co.karnes.tx.us/page/karnes.Elections">https://www.co.karnes.tx.us/page/karnes.Elections</a>.

Your interest in Runge ISD is appreciated. We want to provide you with assistance that will make seeking office easier and an enjoyable learning experience. Our office stands ready to assist you with any questions or concerns at (830) 239-4315 or <a href="mailto:kgreen@rungeisd.org">kgreen@rungeisd.org</a>.

Best wishes to you in your campaign.

Educationally Yours,

Utor

Hector O. Dominguez, Jr.

Superintendent



600 Reiffert ~ P.O. Box 158 Runge, Texas 78151 Phone: (830) 239-4315 Fax (830) 239-4816

Saturday, May 4, 20	024 – Uniform Election Date
Monday, December 18, 2023	Deadline to post notice of candidate application filing period.
Wednesday, January 17, 2024	First day to file an application for a place on the ballot.
Monday, February 5, 2024	Deadline to file with the Secretary of State regarding an exemption from the use of accessible voting equipment.
Tuesday, February 13, 2024	If a candidate dies on or before this date, the candidate's name <b>shall be</b> omitted from the ballot if the filing deadline is Friday, February 16, 2024.
Friday, February 16, 2024	Deadline to file an application for a place on the general election ballot (5:00 pm).  Deadline to order a special election on a
Tuesday, February 20, 2024	measure.  Deadline to file Declaration of Write-in Candidacy in the general election (5:00 pm).
Friday, February 23, 2024	Recommended the first day to cancel an unopposed election if all requirements are satisfied.  Last day, a candidate may submit a Certificate of Withdrawal or notarized letter to withdraw from the general election (5:00 pm).
Monday, February 26, 2024	Drawing for Order of Candidate's Name on the Ballot.  Ballot position will be drawn on February 26 <sup>th</sup> at 5:00 pm at the Runge ISD Administration Office, 600 N Reiffert, Runge, TX 78151. If you are not present at the time of the drawing a ballot position will be drawn for you.
Thursday, April 4, 2024	Last day to register to vote or make a change of address effective for the May 4, 2024 election.
Monday, April 22, 2024	First day to vote early in person.
Tuesday, April 30, 2024	Last day to vote early in person.



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# Board Members With Expiring Terms On May 20, 2024

The Following Board positions are scheduled to be on the ballot for the General Election to be held on May 4, 2024. All Runge ISD residents who meet the eligibility requirements may run for a place in the Board of Trustee election, as specified in Board Policy BBA(Legal). Candidates may live anywhere within the boundaries of the Runge Independent School District.

POSITION	BOARD MEMBER
District 5	Jamie Rios-Mendoza
District 6	Danny Esparza

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

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL Failure to provide required information may result in rejection of application. APPLICATION FOR A PLACE ON THE **GENERAL ELECTION BALLOT** TO: City Secretary/Secretary of Board (name of election) I request that my name be placed on the above-named official ballot as a candidate for the office indicated below. OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) **INDICATE TERM** FULL UNEXPIRED FULL NAME (First, Middle, Last) PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT\* PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route, If PUBLIC MAILING ADDRESS (Optional) (Address for which you receive you do not have a residence address, describe location of residence.) campaign related correspondence, if available.) CITY STATE ZIP CITY STATE ZIP PUBLIC EMAIL ADDRESS (Optional) (Address for OCCUPATION (Do not leave blank) VOTER REGISTRATION VUID DATE OF BIRTH which you receive campaign related emails, if available.) NUMBER<sup>2</sup> (Optional) **TELEPHONE CONTACT INFORMATION (Optional)** Home: Cell: FELONY CONVICTION STATUS (You MUST check one) LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN I have not been finally convicted of a felony. IN THE STATE OF TEXAS IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED I have been finally convicted of a felony, but I have been year(s) \_year(s) pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided month(s) month(s) proof of this fact with the submission of this application.3 \*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot. Before me, the undersigned authority, on this day personally appeared (name of candidate) being by me here and now duly sworn, upon oath says: "I, (name of candidate) County, Texas, being a candidate for the office of , swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct." SIGNATURE OF CANDIDATE Sworn to and subscribed before me this the (day) (month) (name of candidate) Signature of Officer Authorized to Administer Oath<sup>4</sup> Printed Name of Officer Authorized to Administer Oath Notarial or Official Seal Title of Officer Authorized to Administer Oath TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:  $\square$  cash  $\square$  check  $\square$  money order  $\square$  cashiers check or  $\square$  petition in Lieu of a filing fee. This document and \$\_\_\_\_\_ filing fee or a nominating petition of \_\_\_\_\_ pages received. \_/\_\_\_\_ (See Section 1.007) Date Accepted Date Received Signature of Filing Officer or Designee

2-26
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code
09/2021

#### **INSTRUCTIONS**

An application for a place on the general election for a city, school district or other political subdivision, may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void. All fields of the application **must** be completed unless specifically marked optional.

For an election to be held on a uniform election date, the day of the filing deadline is the 78th day before Election Day.

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

#### NEPOTISM LAW

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

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

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

#### **FOOTNOTES**

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

<sup>2</sup>Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <a href="https://www.sos.state.tx.us/elections/laws/hb484-faq.shtml">http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml</a>

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

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

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

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

# SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL PARA UNA CIUDAD, DISTRITO ESCOLAR U OTRA SUBDIVISIÓN POLÍTICA

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL1 El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud. SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo (nombre de la elección) Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación. CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si INDIQUE TÉRMINO TÉRMINO COMPLETO TÉRMINO INCOMPLETO NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido) ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA\* DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación correspondencia relacionada con la campaña, si está disponible.) de la residencia.) CIUDAD **ESTADO** CÓDIGO POSTAL CIUDAD **ESTADO** CÓDIGO POSTAL DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO OCUPACIÓN (No deje este **FECHA DE NACIMIENTO** VUID - NÚMERO ÚNICO DE (Opcional) (Dirección donde recibe correo electrónico espacio en blanco) **IDENTIFICACIÓN DE VOTANTE<sup>2</sup>** relacionado con la campaña, si está disponible.) (Opcional) INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Celular: ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una) DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA No he sido finalmente condenado por un delito grave. **EN EL ESTADO DE TEXAS** EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO He sido finalmente condenado por un delito grave, pero he sido \_ año(s) \_año(s) indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado \_mes(es) mes(es) prueba de este hecho con la presentación de esta solicitud.3 \*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial. Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) , quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: "Yo, (nombre del candidato) , del condado de Texas, siendo candidato para el cargo de \_, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas." FIRMA DEL CANDIDATO Jurado y suscrito ante mí este día del por (mes) (año) (nombre de candidato) Firma del oficial autorizado para administrar el juramento<sup>4</sup> Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial Título del oficial autorizado para administrar el juramento TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: ☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK OR ☐ PETITION IN LIEU OF A FILING FEE. This document and \$\_\_\_\_\_ filing fee or a nominating petition of pages received. ─ Voter Registration Status Verified (See Section 1.007) Date Accepted Date Received Signature of Filing Officer or Designee

2-26
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code
09/2021

#### **INSTRUCCIONES**

Una solicitud para un lugar en la elección general para una ciudad, distrito escolar u otra subdivisión política, no puede ser presentada antes de los 30 días antes de la fecha límite prescrita por este código para presentar la solicitud. Una solicitud presentada antes de ese día es nula. Todos los campos de la solicitud deben completarse a menos que estén específicamente marcados como opcional.

Para una elección que se lleve a cabo en una fecha de elección uniforme, el día de la fecha límite de presentación es el 78 dia antes del día de la elección.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

#### LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con sí mismo, o con cualquier otro miembro del órgano de gobierno o corte en el que se desempeña cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

#### **NOTAS**

<sup>1</sup>Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

<sup>2</sup>La inclusión del número único de identificación de votante (VUID, por sus siglas en Ingles) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la Division de Elecciones de la Secretaría de Estado para obtener información adicional. <a href="http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml">http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml</a>

<sup>3</sup>La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

## Se debe enviar uno de los siguientes documentos con esta solicitud:

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701

Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01

Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

<sup>4</sup>Todos lo los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier corte de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código del Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

# APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

# FORM CTA

	See	CTA Instruction	Guide for detaile	ed instruction	ns.		1 Total pages file	d:
2	CANDIDATE NAME	MS/MRS/MR	FIRST			MI	OFFICE	USE ONLY
	NAME						Filer ID#	
<u>.</u>		NICKNAME	LAST			SUFFIX	Date Received	
3	CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX;	APT / SUITE #;	CITY;	STATE;	ZIP CODE	1	
							Date Hand-delivered	or Postmarked
4	CANDIDATE PHONE	AREA CODE	PHONE NUMBER		EXTENSIO	N	Receipt#	Amount \$
		( )					Date Processed	
5	OFFICE HELD (if any)						Date Imaged	
6	OFFICE SOUGHT (if known)							
7	CAMPAIGN TREASURER NAME	MS/MRS/MR	FIRST	МІ	NICKNAME		LAST	SUFFIX
8	CAMPAIGN TREASURER STREET ADDRESS	STREET ADDRESS;	A	APT / SUITE #;	CITY;		STATE;	ZIP CODE
(	residence or business)							
9	CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER		EXTENSIO	N		
10	CANDIDATE SIGNATURE	I am aware	of the Nepotis	m Law, Ch	apter 573	3 of the Te	exas Governn	nent Code.
		I am aware the Election	of my respon: Code.	sibility to fi	e timely i	reports as	s required by	title 15 of
			of the restrictions and lab			Election (	Code on conti	ributions
			Signature of Can	didate		<del>,</del>	Date Signe	d
			GO	TO PAGE	2			

# CANDIDATE MODIFIED REPORTING DECLARATION

# FORM CTA PG 2

11 CANDIDATE NAME	
12 MODIFIED REPORTING DECLARATION	COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING
	•• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. ••
	•• The modified reporting option is valid for one election cycle only. ••  (An election cycle includes a primary election, a general election, and any related runoffs.)
	•• Candidates for the office of state chair of a political party may NOT choose modified reporting. ••
	I do not intend to accept more than \$1,080 in political contributions or make more than \$1,080 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.
	Year of election(s) or election cycle to Signature of Candidate which declaration applies

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

TEC Filers may send this form to the TEC electronically at <a href="mailto:treasappoint@ethics.state.tx.us">treasappoint@ethics.state.tx.us</a>
or mail to

Texas Ethics Commission
P.O. Box 12070

Austin, TX 78711-2070

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

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

# CODE OF FAIR CAMPAIGN PRACTICES

# FORM CFCP COVER SHEET

D	41 F1 ( C	1 11 1 .		OFFICE US	E ONLY
Pursuant to chapter 258 of political committee is enco Campaign Practices. The Cauthority upon submission	uraged to subsc Code may be file of a campaign	ribe to the Code of Fa ed with the proper filing treasurer appointme	ir ng nt	:eived	
form. Candidates or poli					
current campaign treasurer				nd-delivered or Pos	tmarked
1997, may subscribe to the	code at any tim	ie.	Date Haj	d-delivered or Pos	dilaked
Subscription to the Code of	f Fair Campaign	Practices is voluntary.	Date Pr	ocessed	The state of the s
			Date Im	aged	
1 ACCOUNT NUMBER	2 TYPE OF FILE	ER			
(Ethics Commission Filers)	CANDIDATE		POLITICAL	COMMIT	TEE
	If filing as a candid then read and sign	date, complete boxes 3 - 6, page 2.			nittee, complete and sign page 2.
3 NAME OF CANDIDATE	TITLE (Dr., Mr., Ms., etc.)	FIRST	N	11	
(PLEASE TYPE OR PRINT)	ī				
	NICKNAME	LAST		SUFFIX (SR., JR.,	III, etc.)
4 TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	E	CTENSION	
OF CANDIDATE (PLEASE TYPE OR PRINT)	( )				
5 ADDRESS OF CANDIDATE	STREET / PO BOX;	APT/SUITE#; CITY;	91	TATE;	ZIP CODE
(PLEASE TYPE OR PRINT)	omeen obox,	A1173011E#, GITT,	31	N.E.	ZIF CODE
The second state of the se					
6 OFFICE SOUGHT				<u>-</u>	
BY CANDIDATE					
(PLEASE TYPE OR PRINT)					
7 NAME OF COMMITTEE (PLEASETYPE OR PRINT)					
8 NAME OF CAMPAIGN TREASURER	TITLE (Dr., Mr., Ms., etc.)	FIRST	A	AI .	•
(PLEASE TYPE OR PRINT)	NICKNAME	LAST		SUFFIX (SR., JR.,	III, etc.)
			-		
	GO 1	O PAGE 2			

# **CODE OF FAIR CAMPAIGN PRACTICES**

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

#### THEREFORE:

- (1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.
- (2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.
- (3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.
- (4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.
- (5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.
- (6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.
- (7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

## BOARD MEMBERS ETHICS

BBF (LOCAL)

As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:

## Equity In Attitude

- I will be fair, just, and impartial in all my decisions and actions.
- I will accord others the respect I wish for myself.
- I will encourage expressions of different opinions and listen with an open mind to others' ideas.

# Trustworthiness In Stewardship

- I will be accountable to the public by representing District policies, programs, priorities, and progress accurately.
- I will be responsive to the community by seeking its involvement in District affairs and by communicating its priorities and concerns.
- I will work to ensure prudent and accountable use of District resources.
- I will make no personal promise or take private action that may compromise my performance or my responsibilities.

## Honor In Conduct

- I will tell the truth.
- I will share my views while working for consensus.
- I will respect the majority decision as the decision of the Board.
- I will base my decisions on fact rather than supposition, opinion, or public favor.

# Integrity Of Character

- I will refuse to surrender judgment to any individual or group at the expense of the District as a whole.
- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will not disclose information that is confidential by law or that will needlessly harm the District if disclosed.

# Commitment To Service

- I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
- I will diligently prepare for and attend Board meetings.
- I will avoid personal involvement in activities the Board has delegated to the Superintendent.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

# Student-Centered Focus

 I will be continuously guided by what is best for all students of the District.

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## BOARD MEMBERS ELIGIBILITY/QUALIFICATIONS

BBA (LEGAL)

#### Note:

If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

## Eligibility

To be eligible to be a candidate for, or elected or appointed to, the office of school board member, a person must:

- Be a United States citizen.
- Be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable.
- Have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.
- Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities [but see Ineligibility below].
- 5. Have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:
  - For an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot.
  - b. For a write-in candidate, the date of the election at which the candidate's name is written in.
  - c. For an appointee to an office, the date the appointment is made.
- 6. Be registered to vote in the territory from which the office is elected on the date described at item 5, above.

Election Code 1.020, 141.001(a); Gov't Code 601.009; Tex. Const. Art. XVI, Sec. 14

### **Qualified Voter**

A person may not be elected trustee of an independent school district unless the person is a qualified voter. *Education Code* 11.061(b)

"Qualified voter" means a person who:

1. Is 18 years of age or older;

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- 2. Is a United States citizen;
- Has not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote;
- 4. Has not been finally convicted of a felony or, if so convicted, has fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or been pardoned or otherwise released from the resulting disability to vote;
- 5. Is a resident of this state; and
- Is a registered voter.

Election Code 1.020, 11.002 [See Atty. Gen. Op. KP-0251 (2019) (concluding that the restoration of a convicted felon's qualification to vote under Election Code 11.002(a)(4)(A) after fully discharging a sentence does not restore the person's eligibility to hold public office under Election Code 141.001(a)(4))]

#### Residence

"Residence" Defined In the Election Code, "residence" means domicile, that is, one's home and fixed place of habitation to which one intends to return after any temporary absence. A person may not establish residence for the purpose of influencing the outcome of a certain election. A person does not lose the person's residence by leaving to go to another place for temporary purposes only. A person does not acquire a residence in a place to which the person has come for temporary purposes only and without the intention of making that place the person's home. A person may not establish a residence at any place the person has not inhabited. A person may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain. *Election Code 1.015* 

Note:

The issue of whether a candidate has satisfied residency requirements should be judicially determined. <u>State v. Fischer</u>, 769 S.W.2d 619 (Tex. App.—Corpus Christi 1989, writ dism'd w.o.j.)

## Intent to Return

For purposes of satisfying the continuous residency requirement, a person who claims an intent to return to a residence after a temporary absence may establish that intent only in accordance with Election Code 141.001(a-1), which does not apply to a person displaced from the person's residence due to a declared local, state, or national disaster. *Election Code 141.001(a-1)–(a-2)* 

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# BOARD MEMBERS ELIGIBILITY/QUALIFICATIONS

BBA (LEGAL)

Single-Member Districts

A candidate for board member representing a single-member district must be a resident of the district the candidate seeks to repre-

sent. Education Code 11.052(g)

Ineligibility

A person is ineligible to serve as a member of the board of a district if the person has been convicted of a felony or an offense under Penal Code 43.021 (solicitation of prostitution). *Education* 

Code 11.066

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BBB (LEGAL)

#### Note:

If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

### Membership

The board consists of the number of members that the district had on September 1, 1995. Education Code 11.051(b)

## Increase in Membership

A board that has three or five members may by resolution increase the membership to seven. A board that votes to increase its membership must consider whether the district would benefit from also adopting a single-member election system under Education Code 11.052. [See Single-Member Districts, below.]

A resolution increasing the number of trustees takes effect with the second regular election of trustees that occurs after the adoption of the resolution. The resolution must provide for a transition in the number of trustees so that when the transition is complete, trustees are elected as provided by Education Code 11.059 (terms).

Education Code 11.051(c)

#### **Terms**

A trustee of a district serves a term of three or four years.

Elections for trustees with three-year terms shall be held annually. The terms of one-third of the trustees, or as near to one-third as possible, expire each year.

Elections for trustees with four-year terms shall be held biennially. The terms of one-half of the trustees, or as near to one-half as possible, expire every two years.

Board policy must state the schedule on which specific terms expire.

Education Code 11.059

#### Note:

For website posting requirements regarding trustee information, see CQA.

## Uniform Election Dates

Each general or special election of board members shall be on one of the following dates:

The first Saturday in May.

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2. The first Tuesday after the first Monday in November.

Election Code 41.001(a)

# Joint Elections Required

A district trustee election shall be held on the same date as:

- The election for the members of the governing body of a municipality located in the district;
- The general election for state and county officers, which is held on the first Tuesday after the first Monday in November in even-numbered years under Election Code 41.002;
- 3. The election for the members of the governing body of a hospital district, if the school district:
  - Is wholly or partly located in a county with a population of less than 40,000 that is adjacent to a county with a population of more than three million; and
  - Held its election for board members jointly with the election for the members of the governing body of the hospital district before May 2007; or
- The election for the members of the governing board of a public junior college district in which the school district is wholly or partly located.

Elections held on the same date as provided above shall be held as a joint election under Election Code Chapter 271, and the voters shall be served by common polling places consistent with Election Code 271.003(b).

Education Code 11.0581(a)-(c)

A board may enter into an agreement with another political subdivision holding an election on the same day in all or part of the same county to hold the elections jointly. The terms of a joint election agreement must be stated in an order, resolution, or other official action adopted by the board. *Election Code 271.002* 

# Methods of Election—Options

At Large

In a district in which the positions of trustees are not designated by number or in which the trustees are not elected from single-member trustee districts, the candidates receiving the highest number of votes shall fill the positions the terms of which are normally expiring. *Education Code* 11.057(b)

Position or Place

The positions on the board shall be designated by number in any district in which the board by resolution orders that all candidates for trustee be voted on and elected separately for positions on the board and that all candidates be designated on the official ballot

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according to the number of the positions for which they seek election.

Not later than the 60th day before the date of an election, the board must make the resolution and number the positions on the board in the order in which the terms of office expire. Once a board has ordered the election of trustees by numbered positions, neither the board nor their successors may rescind the action.

Education Code 11.058(c)-(f)

Single-Member Districts

> On Board's Motion

Except as provided below, the board, on its own motion, may order that trustees of the district are to be elected from single-member districts or that not fewer than 70 percent of the members of the board are to be elected from single-member districts with the remaining board members to be elected from the district at large.

If a majority of the area of a district is located in a county with a population of less than 10,000, a board, on its own motion, may order that trustees of the district are to be elected from single-member districts or that not fewer than 50 percent of the members of the board are to be elected from single-member districts with the remaining board members to be elected from the district at large.

Before adopting an order, a board must:

- Hold a public hearing at which registered voters of a district are given an opportunity to comment on whether or not they favor the election of trustees in the manner proposed by the board: and
- 2. Publish notice of the hearing in a newspaper that has general circulation in the district, not later than the seventh day before the date of the hearing.

An order adopted by the board must be entered not later than the 120th day before the date of the first election at which all or some of the trustees are elected from single-member districts authorized by the order.

Education Code 11.052(a)-(d)

By Voter Petition

If at least 15 percent or 15,000 of the registered voters of the district, whichever is less, sign and present to the board a petition requesting submission to the voters of the proposition that trustees be elected in a specific manner, which must be generally described on the petition and which must be a manner of election the board could have ordered on its own motion, the board shall order that the appropriate proposition be placed on the ballot at the first regular election of trustees held after the 120th day after the date the

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petition is submitted to the board. The proposition must specify the number of trustees to be elected from single-member districts. Beginning with the first regular election of trustees held after an election at which a majority of the registered voters voting approve the proposition, trustees shall be elected in the manner prescribed by the approved proposition. Education Code 11.052(e)

Board Member Districts

If single-member districts are adopted or approved by either method described above, the board shall divide the district into the appropriate number of trustee districts, based on the number of members that are to be elected from single-member districts, and shall number each trustee district. The trustee districts must be compact and contiguous and must be as nearly as practicable of equal population. In a district with 150,000 or more students in average daily attendance, the boundary of a trustee district shall not cross a county election precinct boundary except at a point at which the district boundary crosses the county election precinct boundary. Trustee districts must be drawn not later than the 90th day before the date of the first election of trustees from those districts. Education Code 11.052(f)

Residency for First Election

Residents of each trustee district are entitled to elect one trustee to the board. A trustee elected to represent a trustee district at the first election of members must be a resident of the district the trustee represents not later than the 90th day after the date election returns are canvassed, or the 60th day after the date of a final judgment in an election contest filed concerning that trustee district. A trustee vacates the office if the trustee fails to move into the district the trustee represents within the time provided. [For more information on residency, see BBA and BBC.] Education Code 11.052(g)

Number and Term

At the first election at which some or all of the trustees are elected from single-member trustee districts and after each redistricting, all positions on a board shall be filled. The trustees then elected shall draw lots for staggered terms as provided by Education Code 11.059 (terms). Education Code 11.052(h)

Redistricting

Not later than the 90th day before the date of the first regular board election at which trustees may officially recognize and act on the last preceding federal census, a board shall redivide a district into the appropriate number of trustee districts if the census data indicates that the population of the most populous district exceeds the population of the least populous district by more than ten percent. Redivision of a district shall be in the manner provided above at Board Member Districts. Education Code 11.052(i)

Phase-in Option

The board of a district that adopts a redistricting plan may provide for the trustees in office when the plan is adopted or the district is

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redistricted to serve for the remainder of their terms in accordance with this provision. The trustee district and any at-large positions provided by the district's plan shall be filled as the staggered terms of trustees then in office expire. Not later than the 90th day before the date of the first election from trustee districts and after each redistricting, a board shall determine the order in which the positions will be filled. *Education Code 11.053* 

# Boundary Change Notice

A district that changes its boundaries or the boundaries of districts used to elect members to the board shall not later than the 30th day after the date the change is adopted:

- Notify the voter registrar of the county in which the area subject to the boundary change is located of the adopted boundary change; and
- Provide the voter registrar with a map of an adopted boundary change in a format that is compatible with the mapping format used by the registrar's office.

Election Code 42.0615

# Methods of Voting— Options

Plurality

Except as otherwise provided at Majority, below, to be elected to a public office, a candidate elected at large, at large by position, or by single-member districts must receive more votes than any other candidate for the office. Education Code 11.057(a), (b); Election Code 2.001

## Cumulative

The board of a district that elects its trustees at large or at large by position may order that elections for trustees be held using the cumulative voting procedure.

If a board adopts an order requiring the use of cumulative voting, only the board member positions that were scheduled to be filled at the election are filled through the use of cumulative voting.

At an election at which more than one board member position is to be filled, all of the positions that are to be filled at the election shall be voted on as one race by all the voters of a district. Each voter is entitled to cast a number of votes equal to the number of positions to be filled at the election.

A voter may cast one or more of the specified number of votes for any one or more candidates in any combination. Only whole votes may be cast and counted. If a voter casts more than the number of votes to which the voter is entitled in the election, none of the voter's votes may be counted in that election. If a voter casts fewer votes than entitled, all of the voter's votes are counted in that election.

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The candidates who are elected are those, in the number to be elected, receiving the highest number of votes.

A district that adopts an order requiring the use of cumulative voting may not elect its members by position as provided by Education Code 11.058.

Education Code 11.054

Majority

The board of a district in which the positions of trustees are designated by number or in which the trustees are elected from single-member districts may provide by resolution, not later than the 180th day before the date of an election, that a candidate must receive a majority of the votes cast for a position or in a trustee district, as applicable, to be elected.

The resolution is effective until rescinded by a subsequent resolution adopted not later than the 180th day before the date of the first election to which the rescission applies.

Education Code 11.057(c)

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## BOARD MEMBERS AUTHORITY

BBE (LOCAL)

## **Board Authority**

The Board has final authority to determine and interpret the policies that govern the schools and, subject to the mandates and limits imposed by state and federal authorities, has complete and full control of the District. Board action shall be taken only in meetings that comply with the Open Meetings Act. [See BE(LEGAL)]

# Transacting Business

When a proposal is presented to the Board, the Board shall hold a discussion and reach a decision. Although there may be dissenting votes, which are a matter of public record, each Board decision shall be an action by the whole Board binding upon each member.

## Individual Authority for Committing the Board

Board members as individuals shall not exercise authority over the District, its property, or its employees. Except for appropriate duties and functions of the Board President, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BDAA]

## Individual Access to Information

An individual Board member, acting in his or her official capacity, shall have the right to seek information pertaining to District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the public in accordance with the Public Information Chapter of the Government Code. [See GBA]

#### Limitations

If a Board member is not acting in his or her official capacity, the Board member has no greater right to District records than a member of the public.

An individual Board member shall not have access to confidential student records unless the member is acting in his or her official capacity and has a legitimate educational interest in the records in accordance with policy FL.

A Board member who is denied access to a record under this provision may ask the Board to determine whether the record should be provided or may file a request under the Public Information Act. [See GBAA]

# Requests for Records

An individual Board member shall seek access to records or request copies of records from the Superintendent or other designated custodian of records, who shall respond within the time frames required by law. When a custodian of records other than the Superintendent provides access to records or copies of records to an individual Board member, the provider shall inform the Superintendent of the records provided.

In accordance with law, the District shall track and report any requests under this provision, including the cost of responding to one

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## BOARD MEMBERS AUTHORITY

BBE (LOCAL)

or more requests by any individual Board member for 200 or more pages of material in a 90-day period.

Requests for Reports No individual Board member shall direct or require District employees to prepare reports derived from an analysis of information in existing District records or to create a new record compiled from information in existing District records. Directives to the Superintendent or other custodian of records regarding the preparation of reports shall be by Board action.

Confidentiality

At the time a Board member is provided access to records or reports that are confidential or otherwise not subject to public disclosure [see GBA], the Superintendent or other District employee shall advise the Board member of the responsibility to comply with confidentiality requirements and the District's information security controls.

Referring Complaints

If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she shall refer them to the Superintendent or another appropriate administrator, who shall proceed according to the applicable complaint policy. [See (LOCAL) policies at DGBA, FNG, and GF]

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.

Visits to District Facilities A Board member shall adhere to any posted requirements for visitors to first report to the main office of a District facility, including a school campus. Visits during the school or business day shall not be permitted if their duration or frequency interferes with the delivery of instruction or District operations. [See also GKC]

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# First Steps for Candidates Running for School Board Trustee

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

1. All candidates must file a Campaign Treasurer Appointment (Form CTA)
All candidates must file Form CTA even if you do not intend to raise or spend any money. Form CTA is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. You can find this form and its instructions on our "Local Filers Non- Judicial Candidate/Officeholder" webpage. File Form CTA with the school board clerk or school board secretary, as applicable.

#### 2. Opposed Candidates: Will you accept or spend more than \$1,080\* for the election?

#### YES:

- You do not qualify to file on the modified reporting schedule. (See "Modified Reporting" in "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities".)
- You are required to file pre-election campaign finance reports using Form C/OH if you have an opponent on the ballot. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.
- Pre-election reports are due 30 days and 8 days prior to each election. To be timely filed, pre-election reports must be received by the school board clerk or school board secretary no later than the due date.

#### NO:

- You can elect to file on the modified reporting schedule by completing the Modified Reporting Declaration on page two of Form CTA. File Form CTA with the school board clerk or school board secretary. (See "Modified Reporting" in "Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities".)
- o If you elect to file on the modified reporting schedule, you do not have to file preelection campaign finance reports due 30 days and 8 days prior to the election.
- Exceed \$1,080\*: If you elect to file on the modified reporting schedule but later exceed \$1,080\* in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$1,080\*.
  - o If you exceed \$1,080\* prior to the 30th day before the election, you are *required* to file pre-election campaign finance reports due 30 days and 8 days prior to an election using Form C/OH. To be timely filed, pre-election reports must be *received* by the school board clerk or school board secretary no later than the due date. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.

- If you exceed \$1,080\* after the 30th day before the election, you are required to file an Exceeded Modified Reporting Limit report using Form C/OH. To be timely filed, this report must be filed with the school board clerk or school board secretary within 48 hours of exceeding \$1,080\*. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.
- o If you exceed \$1,080\* prior to the 8th day before the election, you are *required* to file a pre-election campaign finance report due 8 days prior to an election using Form C/OH. To be timely filed, the pre- election report must be *received* by the school board clerk or school board secretary no later than the due date. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/ Officeholder" webpage.

## 3. Unopposed Candidates

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

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

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

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

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

#### 6. Need More Information?

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

\*NOTE: The \$1,080 threshold is specific to transactions made in 2024.



# Frequently Asked Questions about Running for School Board

Published online in TASB School Law eSource

This article addresses common questions that arise for individuals seeking election or re-election to a school board of trustees. For more extensive information on issues related to candidacy and the election process, see TASB Policy BB series; the TASB School Law eSource <u>Elections</u> page; TASB Board Development Services' <u>Resources for Board Candidates</u>; the Texas Secretary of State <u>Elections Division</u> website, including <u>Candidacy Filing</u> outline; and the <u>Texas Ethics Commission</u> website, including <u>First Steps for Candidates Running for School Board Trustee</u>.

## 1. What are the eligibility requirements to run for school board trustee?

According to the Texas Election Code, an individual is eligible to be a candidate for, or elected or appointed to, a Texas school board if the individual:

- 1. is a United States citizen;
- 2. is 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- has not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote;
- has not been finally convicted of a felony from which the individual has not been pardoned or otherwise released from the resulting disabilities<sup>1</sup> (but see below regarding eligibility to serve);
- 5. has resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:
  - for an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;
  - b. for a write-in candidate, the date of the election at which the candidate's name is written in; or
  - c. for an appointee to an office, the date the appointment is made;

See Texas Attorney General Opinion No. KP-0251 (2019) for a discussion of what constitutes release from resulting disabilities. As of September 1, 2021, a person who was convicted of a felony must include in the application for a place on the ballot proof that the person is eligible for public office. Tex. Elec. Code § 141.031(f).

- 6. is registered to vote in the territory from which the office is elected on the date described at 5. above; and
- 7. satisfies any other eligibility requirements prescribed by law for the office.

Tex. Elec. Code § 141.001.

The Texas Education Code adds eligibility requirements for a person to *serve* on a school board. A person is ineligible to serve on a school board if the person has been convicted of a felony or solicitation of prostitution under Texas Penal Code section 43.021. Tex. Educ. Code § 11.066. Thus, a person who has been convicted of a felony may not serve on a school board regardless of whether the person has been pardoned or otherwise released from the resulting disabilities.

Additionally, to be elected to a school board, an individual must be a *qualified* voter: 18 years of age or older, a United States citizen, a Texas resident, a registered voter, not determined to be totally or partially mentally incapacitated by an appropriate court, and not finally convicted of a felony. Tex. Educ. Code § 11.061; Tex. Elec. Code § 11.002.

## 2. For purposes of the eligibility requirements, what does "residence" mean?

As noted above, to be eligible to run for or be appointed school board trustee, an individual must reside within the state for 12 months and within the district or territory from which the office is elected for six months prior to the applicable date. In addition, a candidate for school board trustee representing a single member district must be a resident of that district. The issue of residence can be a source of confusion and controversy when conflicting opinions and information exist about where an individual resides.

The Texas Election Code defines residence as one's home and fixed place of habitation to which one intends to return after any temporary absence. A person neither loses the person's residence merely by leaving the person's home for temporary purposes nor acquires a residence in a place where the person has come for temporary purposes without the intention of making that place the person's home. A person may not establish a residence at any place the person has not inhabited and may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain. A person also may not establish a residence for the purpose of influencing the outcome of an election. Tex. Elec. Code § 1.015. The Texas Supreme Court described "residence" as an "elastic" term that is "extremely difficult to define." Mills v. Bartlett, 377 S.W.2d 636, 637 (Tex. 1964). Consequently, the determination of an individual's true residency for purposes of running for or holding public office can only be made by a court. State v. Fischer, 769 S.W.2d 619 (Tex. App.—Corpus Christi 1989, writ dism'd w.o.j.), (rehearing of writ of error overruled 1990). Unless a person is displaced from the person's residence due to a

declared disaster, a person who claims an intent to return to a residence after a temporary absence may establish that intent only if the person has made a reasonable and substantive attempt to effectuate that intent and has a legal right and practical ability to return to the residence. Tex. Elec. Code § 141.001(a-1).

If questions of residency arise, a candidate or trustee should carefully review the requirements to serve on the board and, if necessary, seek the guidance of legal counsel. Likewise, TASB Legal Services recommends that a school district affected by a residency challenge seek the advice of the district's school attorney.

# 3. May a candidate run for school board trustee if the candidate's spouse or relative is currently employed by the school district?

It depends. The nepotism prohibition generally provides that a public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a position that is to be directly or indirectly compensated from public funds if the individual is related to the public official or another member of the board by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree. Tex. Gov't Code §§ 573.002, .041.

Unless an exception applies, a candidate's relative may have to resign from employment with the school district before the candidate may accept the office of school board trustee. Under the *continuous employment exception*, the nepotism prohibition does not apply to the employment of a trustee's or candidate's relative if the following conditions are met:

- The individual is employed in the position immediately before the election or appointment of the trustee to whom the individual is related in a prohibited degree; and
- 2. That prior employment has been continuous for at least:
  - a. Thirty days if the trustee is appointed; or
  - b. Six months if the trustee is elected.

Tex. Gov't Code § 573.062(a).2

The attorney general has interpreted the continuous employment exception to require employment uninterrupted in time, connected, and unbroken. *See* Tex. Att'y Gen. Op. No. JC-0185 (2000) (applying the continuous employment exception to a "permanent substitute"). Consequently, an employee of a school district who is related to a trustee

See Tex. Att'y Gen. Op. No. DM-0002 (1991) (concluding that the 30-day prior continuous employment requirement applies when an officer is appointed to an elective office); but see Tex. Att'y Gen. Op. No. KP-0238 (2019) (interpreting the relevant continuous employment period to be determined by whether the office is elective or appointive. Tex. Att'y Gen. Op. No. KP-0238 (2019).

within a prohibited degree and who had been continuously employed by the district at the time of the trustee's election is subject to the nepotism prohibition if the employee quits then later seeks re-employment with the district. Tex. Att'y Gen. LO-96-015 (1996); see also Tex. Att'y Gen. Op. No. JC-0442 (2001) (concluding that retired teacher had broken employment with the district and did not qualify for the continuous employment exception).

For more extensive information, see the TASB School Law eSource website on Nepotism.

4. May a candidate run for school board trustee if the candidate's spouse or relative is also running or currently serving on the board?

Yes. The nepotism prohibition only applies to the employment relationship; therefore, related board members may run for and serve on a school board together.

5. Are school board members subject to term limits?

Texas law does not impose term limits on school board members. When asked if a school board could establish term limits for its members, the attorney general concluded that a school board's authority to govern and oversee the management of the district, while broad, does not include adopting term limits. Term limits add an additional eligibility requirement for running for office. The authority to regulate who may run for and hold the office of trustee belongs to the legislature. Tex. Att'y Gen. Op. No. KP-0196 (2018).

6. When must a candidate file an application for a place on the school district's ballot?
What happens to the application after it is filed?

In a general election, a candidate may file an application for a place on the ballot as early as thirty days before the filing deadline, and not later than 5 p.m. on the 78th day before election day. All candidates, including incumbents, must file a timely application with the school district's filing authority (usually the superintendent's secretary or other designated district employee). Tex. Educ. Code § 11.055; Tex. Elec. Code §§ 1.007(a), 141.040, 144.004, .005.

Once a candidate files an application for a place on the ballot, the district filing authority is responsible for reviewing the application to determine whether it complies with legal requirements as to *form*, *content*, and *procedure*. In other words, the filing authority confirms that the application was filed correctly in a timely manner, that all required information is provided, and that it is properly signed under oath. The authority has five days to review an application and determine whether it is legally sufficient. If an application does not comply with the applicable requirements, the filing authority must

reject the application and immediately deliver to the candidate written notice of the reason for the rejection. A candidate may be able to correct mistakes as to form or content by filing a new application *prior* to the filing deadline. Tex. Elec. Code § 141.032.

# 7. Is a school board candidate required to appoint a campaign treasurer even if the candidate does not plan to raise or spend campaign funds?

Each candidate *must* appoint a campaign treasurer, which may include the candidate or any other eligible person, by filing a Form CTA with the district filing authority, regardless of whether the candidate intends to accept campaign contributions or make campaign expenditures. The Form CTA must be filed before accepting or expending campaign funds, even if the expenditure comes from personal funds. The campaign treasurer appointment takes effect when the Form CTA is filed and continues in effect until terminated; therefore, an incumbent running for re-election is not required to file a Form CTA if one is on file and has not been terminated. Tex. Elec. Code §§ 252.001, .004, .005, .011, 253.031.

# 8. When does a person become a candidate for purposes of campaign finance requirements?

Texas Election Code section 251.001 defines candidate as "a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election." Such affirmative action may include filing a Form CTA or an application for a place on a ballot, publicly announcing intent to run for office, or raising or spending campaign funds.

## 9. What happens if a candidate does not file a CTA?

There may be civil or criminal penalties associated with the failure to appoint a campaign treasurer or otherwise comply with campaign finance laws. Tex. Elec. Code ch. 253.

For more information on appointing a campaign treasurer and other issues related to campaign finance, see Texas Ethics Commission's <u>Frequently Asked Questions for Candidates</u> and <u>Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities</u>.

## 10. What should a school board candidate know about campaigning?

A school board candidate, including a current trustee running for re-election, must adhere to certain legal requirements while on school property or at school events, including school board meetings. Specifically, district employees and trustees may not knowingly use public funds, directly or indirectly, for political advertising to advocate for

or against a candidate or measure that will appear on a ballot. Political advertising is defined generally as a communication that advocates a particular outcome in an election. Tex. Elec. Code §§ 251.001(16), 255.003(a); 1 Tex. Admin. Code § 20.1(11)(A). The Texas Ethics Commission interprets this prohibition broadly to apply to the use of any district resources for political advertising. For instance, any use of school district employee time, no matter how minimal, is prohibited, as is any use of school district facilities. See, e.g., Tex. Ethics Comm'n Op. No. 443 (2002) (concluding that Texas Election Code section 255.003 would be violated by using a school employee to place a trustee's campaign flyers in the teachers' lounge). Further, Texas Election Code section 255.0031 specifically prohibits an officer or employee of a political subdivision from knowingly using or authorizing the use of an internal mail system for the distribution of political advertising. Tex. Elec. Code § 255.0031(a).

Trustees acting independently, without the use of public funds, have a free speech right to engage in political advocacy, including advocacy for their re-election. In its <u>Short</u> <u>Guide to the Prohibition against Using School District Resources for Political Advertising</u>, the Texas Ethics Commission states, "Although you may not use school district resources for political advertising, you are free to campaign for or against a proposition on your own time and with your own resources." For example, a school board trustee may attend a community meeting and advocate for re-election. When engaging in advocacy using personal time and resources, a trustee need not conceal the trustee's position on the board or claim to be acting as a private citizen. See</u>, e.g., Op. Tex. Ethics Comm'n No. 321 (1996) (determining that a sitting judge did not violate the law by sending campaign solicitations on letterhead that she purchased herself, but that identified her position).

For more extensive information, see TASB Legal Services' <u>Campaign Speech During Elections</u>. For information regarding political advertising, including requirements and restrictions related to contents, see Texas Ethics Commission's <u>Political Advertising</u>: <u>What You Need to Know.</u>

This document is continually updated at <a href="tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/documents/running-for-sch-bd.pdf">tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/documents/running-for-sch-bd.pdf</a>. For more information on school law topics, visit TASB School Law eSource at <a href="schoollawesource.tasb.org">schoollawesource.tasb.org</a>.

This document is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is not an exhaustive treatment of the law on this subject nor is it intended to substitute for the advice of an attorney. Consult with your own attorneys to apply these legal principles to specific fact situations.

Updated February 2022

# Political and Campaign Signs



**Right of Way Division** 

# **Interstate and Primary Highways**

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers which are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful.

TxDOT only controls the location of commercial signs, and never controls the content of any signage. If you have questions about what may be on a political sign, please contact the Texas Ethics Commission at (512) 463-5800.

# **Frequently Asked Questions**

### Where can I place political signs?

You can place your signs anywhere so long as they are:

- 1) not in the highway right of way;
- 2) not in a location that poses a safety hazard (e.g. blocking sight to a driveway); and
- 3) placed with the landowner's permission.

Always make sure to check with local authorities (cities, counties, etc.) as they may have their own restrictions on sign placement.

#### When can I place political signs?

Cities and counties may have their own time restrictions for political signs, however TxDOT does not enforce any timing restrictions.

#### There is a sign on private property posing a safety hazard

If you believe a sign or signs create a safety hazard, contact local law enforcement as they can have the owner remove or relocate their sign(s).

## There are signs located on the Right of Way (ROW)

Signs cannot be placed on the ROW as per Texas Transportation Code §393.002. "A sheriff, constable, or other trained volunteer authorized by the commissioners court of a county may confiscate a sign placed in violation of Section 393.002." [Tex. Trans. Code §393.003]. For state-maintained highways, your local TxDOT district office also has the authority to remove signs located on state owned right of way.

#### Where is the ROW?

If you are unsure where the ROW starts or ends, you should contact your local TxDOT district office.

#### **Online Information**

This same information is available online on TxDOT's website and can be accessed by the below method:

Go to

#### www.txdot.gov



Select "Do business"



Select "Right of Way"



Select "View campaign sign laws"

OR

Search Online: "TxDOT Campaign Signs"

# **Contact Us**

The contact information for your local TxDOT office can be found online at:

www.txdot.gov o About o TxDOT Districts

Then find your county and select the "Discover" link for specific contact information.

For any other questions concerning signs along Texas highways, contact the TxDOT Commercial Signs Regulatory Section:

ROW\_OutdoorAdvertising@txdot.gov

or by phone:

(512) 416-3030

# POLITICAL AND CAMPAIGN SIGNS

NON-COMMERCIAL SIGNS VISIBLE TO PUBLIC HIGHWAYS

## PRIMARY HIGHWAYS

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers which are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful.

TXDOT does not control the content of private signage. If you have questions about what may be on a political sign, please contact the Texas Ethics Commission at (512) 463-5800

#### FREQUENTLY ASKED QUESTIONS:

#### Where can I place political signs?

As far as TxDOT is concerned, you can place your signs anywhere so long as they are not in the highway right of way or in a location that poses a safety hazard (e.g. blocking sight to a driveway). Always make sure to check with local authorities (Cities, Counties, Homeowner's Associations, etc.) as they may have their own restrictions.

#### When can I place political signs?

TXDOT does not control when signs may be displayed for elections. However, cities and counties may have their own time restrictions for political signs.

#### There is a sign on private property posing a safety hazard

TXDOT does not have the authority to remove non-commercial signage from private property. If you believe a sign or signs create a safety hazard, contact local law enforcement as they can have the owner remove or relocate their sign(s).

#### There are signs located on the Right of Way (ROW)

Signs cannot be placed on the ROW as per Texas Transportation Code (TTC) §393.002. "A sheriff, constable, or other trained volunteer authorized by the commissioners court of a county may confiscate a sign placed in violation of Section 393.002." (TTC §393.003). For state-maintained highways, your local TxDOT district office also has the authority to remove signs located on state owned right of way.

#### Where is the ROW?

Typically, the ROW edge can be estimated by using one of the following features (whichever is furthest from the pavement's edge):

- Utility Lines
- Fences

If they are present, ROW markers would be the best way to determine the edge of state property. If you are unsure where the ROW starts or ends, you should contact your local TxDOT district office.

#### PRIMARY VS. RURAL HIGHWAYS

Interstates, US highways, and the majority of state highways, Farm to Market, and Ranch Roads in Texas are considered Primary Highways. The remaining public highways in Texas are considered Rural Roads.

TxDOT only regulates Rural Roads outside of incorporated city limits.

#### **PUBLIC MAPS**

TxDOT maintains a public map that shows which roads are considered Primary and which are considered Rural. To access this map, do the following:

Go to www.txdot.gov

Select Business



Select Commercial Signs



Go to the bottom of the page and select "Commercial Sign Maps"

OR

Search Online: "TxDOT Commercial Signs and Regulated Highways Map"

#### **RURAL ROADS**

On Rural Roads outside city limits, TxDOT controls the placement of political signage on private property. The placement of signs on the highway ROW is still prohibited on Rural Roads, and is handled the same as outlined above.

Political signs on Rural Roads must be:

- 1. On private property;
- 2. Erected no earlier than 90 days before an election and be removed no later than 10 days after the election;
- 3. Constructed of lightweight material; and
- 4. Not larger than 50 square feet.

For information on determining whether a roadway is a Primary or Rural Road, see above right or call our office at the number below.

For any other questions concerning political signs along Texas highways, contact the TxDOT Commercial Signs Regulatory Program by email at ROW\_OutdoorAdvertising@txdot.gov or by phone at (512) 416-3030.



# POLITICAL ADVERTISING What You Need to Know



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

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

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

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

Texas Ethics Commission P.O. Box 12070 Austin, Texas 78711-2070

> (512) 463-5800 TDD (800) 735-2989

Visit us at www.ethics.state.tx.us.

Revised July 16, 2019

#### REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

#### I. What Is Political Advertising?

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

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

#### Part A. What Does It Say?

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

#### Part B. Where Does It Appear?

- 1. Political advertising includes communications that appear in pamphlets, circulars, fliers, billboards or other signs, bumper stickers, or similar forms of written communication.
- 2. Political advertising includes communications that are published in newspapers, magazines, or other periodicals in return for consideration.
- 3. Political advertising includes communications that are broadcast by radio or television in return for consideration.
- 4. Political advertising includes communications that appear on an Internet website.

#### II. When Is a Disclosure Statement Required?

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

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

The precise language of political advertising authorized by someone other than a candidate, the candidate's agent, or a political committee will determine if the advertising contains express advocacy and is therefore required to include a disclosure statement. Generally, the question is whether the communication expressly advocates the election or defeat of an identified candidate, or expressly advocates the passage or defeat of a measure, such as a bond election. The inclusion of words such as "vote for," "elect," "support," "defeat," "reject," or "Smith for Senate" would clearly constitute express advocacy, but express advocacy is not limited to communications that use those words. Similar phrases, such as "Cast your ballot for X," would also constitute express advocacy. Additionally, in 2007, the United States Supreme Court held that an advertisement included express advocacy or its functional equivalent "if the ad is susceptible to no reasonable interpretation other than as an appeal to vote for or against a specific candidate." FEC v. Wis. Right to Life, Inc., 551 U.S. 449 (2007). It is a question of fact whether a particular communication constitutes express advocacy. If you are not sure whether political advertising contains express advocacy, do the cautious thing and include the disclosure statement. That way, there is no need to worry about whether you have violated the law.

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

#### III. What Should the Disclosure Statement Say?

A disclosure statement must include the following:

- 1. the words "political advertising" or a recognizable abbreviation such as "pol. adv."; and
- 2. the full name of one of the following: (a) the person who paid for the political advertising; (b) the political committee authorizing the political advertising; or (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

The disclosure statement must appear on the face of the political advertising or be clearly spoken if the political advertising is audio only and does not include written text.

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

#### IV. Are There Any Exceptions to the Disclosure Statement Requirement?

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

- 1. t-shirts, balloons, buttons, emery boards, hats, lapel stickers, small magnets, pencils, pens, pins, wooden nickels, candy wrappers, and similar materials;
- 2. invitations or tickets to political fundraising events or to events held to establish support for a candidate or officeholder;

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- 3. an envelope that is used to transmit political advertising, provided that the political advertising in the envelope includes the disclosure statement;
- 4. circulars or fliers that cost in the aggregate less than \$500 to publish and distribute;
- 5. political advertising printed on letterhead stationery, if the letterhead includes the name of one of the following: (a) the person who paid for the advertising, (b) the political committee authorizing the advertising, or, (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate. (Note: There is also an exception for holiday greeting cards sent by an officeholder, provided that the officeholder's name and address appear on the card or the envelope.)
- 6. postings or re-postings on an Internet website if the person posting or re-posting is not an officeholder, candidate, or political committee and did not make an expenditure exceeding \$100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth;
- 7. an Internet social media profile webpage of a candidate or officeholder, if the webpage clearly and conspicuously displays the full name of the candidate or officeholder; and
- 8. postings or re-postings on an Internet website if the advertising is posted with a link to a publicly viewable Internet webpage that either contains the disclosure statement or is an Internet social media profile webpage of a candidate or officeholder that clearly and conspicuously displays the candidate's or officeholder's full name.

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

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

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

#### VI. The Fair Campaign Practices Act.

The <u>Fair Campaign Practices Act</u> sets out basic rules of decency, honesty, and fair play to be followed by candidates and political committees during a campaign. A candidate or political committee may choose to subscribe to the voluntary code by signing a copy of the code and filing it with the authority with whom the candidate or committee is required to file its campaign

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treasurer appointment. A person subscribing to the code may indicate that fact on political advertising by including the following or a substantially similar statement:

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

#### VII. Special Notice to Political Subdivisions and School Districts.

You may not use public funds or resources for political advertising. Please see our "Publications and Guides" section of our website for more information.

#### ROAD SIGNS

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

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

- 1. if you enter into a contract or agreement to print or make written political advertising meant to be seen from a road; or
- 2. if you instruct another person to place the written political advertising meant to be seen from a road.

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

Section 259.001 of the Texas Election Code prescribes the exact language of the notice:

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

#### III. Do Yard Signs Have to Have the "Right-Of-Way" Notice?

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

#### IV. What About Bumper Stickers?

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

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

For information about exactly where you may or may not place signs, or for information regarding the length of time your signs may be posted, check with your city or county government or your homeowner's association. The Texas Ethics Commission does not have

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jurisdiction over matters involving the location of signs, and the length of time that they may be posted.

#### MISREPRESENTATION

#### I. Are There Restrictions on the Contents of Political Advertising?

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

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

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

#### II. Misrepresentation of Office Title.

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

Vote John Doe for Attorney General John Doe For Attorney General

A non-incumbent may not be allowed to use the following verbiage:

Elect John Doe Attorney General John Doe Attorney General

#### III. Misrepresentation of Identity or Source.

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

#### IV. Use of State Seal.

Only current officeholders may use the state seal in political advertising.

#### V. Criminal Offenses.

Be aware that many violations of the Election Code are criminal offenses. For example, unlawfully using public funds for political advertising can be a Class A misdemeanor. So can misrepresenting one's identity or office title in political advertising. For more details on these offenses and political advertising in general, see <u>Chapter 255 of the Election Code</u>.

Violations of the law often occur because someone finds it irresistible to wrap up a factual explanation with a motivational slogan such as:

# GOOD SCHOOLS ARE THE FOUNDATION OF A GOOD COMMUNITY

or

# EVERY CHILD DESERVES A GOOD EDUCATION

Another common misstep is to include "calls to action" such as:

# **PUT CHILDREN FIRST**

0

# SHOW THAT YOU CARE ABOUT EDUCATION

Remember: No matter how much factual information about the purposes of a measure election is in a communication, any amount of advocacy is impermissible.

★ A violation of the prohibition is a Class A misdemeanor. This means that a violation could lead to criminal prosecution. Also, the Ethics Commission has authority to impose fines for violations of section 255.003.

Another provision of the Texas Election Code prohibits a school district board member or employee from using or authorizing the use of an internal mail system to distribute political advertising. An internal mail system is a system operated by a school district to deliver written documents to its board members or employees. A violation of this prohibition could also lead to the imposition of fines by the Ethics Commission or to criminal prosecution.

Although you may not use school district resources for political advertising, you are free to campaign for or against a proposition on your own time and with your own resources. If you do plan to become involved in a campaign, you should educate yourself about filing requirements and about the rules regarding disclosures on political advertising.

Information is available from the Texas Ethics Commission by phone at (512) 463-5800 or on the Ethics Commission's web site at https://www.ethics.state.tx.us.

# A SHORT GUIDE TO THE PROHIBITION AGAINST USING SCHOOL DISTRICT RESOURCES FOR POLITICAL ADVERTISING



# **Texas Ethics Commission**P. O. Box 12070 Austin, Texas 78711-2070

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Commission, P. O. Box 12070, Austin, Texas 78711-2070

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# A SHORT GUIDE TO THE PROHIBITION AGAINST USING SCHOOL DISTRICT RESOURCES FOR POLITICAL ADVERTISING

No matter how enthusiastic you are about an election, it is important to remember that the Texas Election Code prohibits the use of political subdivision resources to produce or distribute political advertising in connection with an election. Section 255.003 of the Election Code provides as follows:

- An officer or employee of a political subdivision may not spend or authorize the spending of public funds for political advertising.
- This section does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure.
- A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

New legislation effective September 1, 2009, further clarifies that an officer or employee of a political subdivision may not spend or authorize the spending of public funds for a communication describing a measure if the communication contains information that:

- (1) the officer or employee knows is false; and
- (2) is sufficiently substantial and important as to be reasonably likely to influence a voter for or against the measure.

To understand the practical significance of this prohibition, it is useful to look at some of the specific words and phrases used in the law.

# 'Political advertising" means:

- candidate for nomination or election to a public office or office of a political party, a political party, or a public officer, that: (A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or (B) appears: (i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or (ii) on an Internet website; and
- (2) a communication that advocates passage or defeat of a measure, and that: (A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or (B) appears: (i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or (ii) on an Internet website.

Newsletter of Public Officer of a Political Subdivision. The Ethics Commission adopted a rule providing guidelines for when a newsletter of a public officer of a political subdivision is not political advertising. Texas Ethics Commission Rule 26.2 provides as follows:

For purposes of section 255.003 of the Election Code, a newsletter of a public officer of a political subdivision is not political advertising if:

- (1) It includes no more than two pictures of a public officer per page and if the total amount of area covered by the pictures is no more than 20 percent of the page on which the pictures appear;
- (2) It includes no more than eight personally phrased references (such as the public officer's name, "I", "me", "the city council member") on a page that is 8 ½ x 11" or larger, with a reasonable reduction in the number of such personally phrased references in pages smaller than 8 ½ x 11"; and
- (3) When viewed as a whole and in the proper context:
- (A) is informational rather than self-promotional;

- (B) does not advocate passage or defeat of a measure;
- (C) does not support or oppose a candidate for nomination or election to a public office or office of political party, a political party, or a public officer.
- The prohibition applies to any "officer or employee of a political subdivision." In other words, if a school district employee makes a decision to use district resources in violation of the prohibition, the employee could be fined by the Ethics Commission or held criminally liable. School board members, as "officers" of a school district, are also subject to the prohibition.
- \* A school district board member or employee would violate the prohibition by "spending or authorizing the spending of public funds" for political advertising. Not only does this mean that the school district may not purchase or authorize the purchase of new materials for use in creating political advertising, it also means that a school district board member or employee would violate the prohibition by using existing paper and machinery to generate, display, or distribute political advertising.

Also, it is not permissible to authorize the use of the paid time of school district employees to create or distribute political advertising. For example, school district staff may not copy, staple, or distribute political advertising on work time. Nor is it permissible to have school children work on political advertising during school time.

that factually describes the purposes" of a measure election. In other words, it is permissible to use district resources to produce explanatory material about what is at stake in a measure election. However, the communication may not contain information that an officer or employee of a political subdivision knows is false. The information must not be sufficiently substantial and important, such that it would be reasonably likely to influence a voter to vote a certain way.

## **POLITICAL FUNDRAISERS:**

What You Need to Know



## A GUIDE FOR CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES

January 1, 2024

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711

www.ethics.state.tx.us (512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

#### **Fundraising Events**

#### Rule No. 1

## File a Campaign Treasurer Appointment

All candidates must file a campaign treasurer appointment with the proper filing authority before accepting a campaign contribution or making or authorizing a campaign expenditure, including an expenditure from personal funds.

All political committees must file a campaign treasurer appointment before accepting or spending over \$1,080, and additional requirements may also apply.

#### Rule No. 2

#### No Raffles

Texas law allows only certain charitable and nonprofit organizations to conduct raffles to support their charitable causes. An unlawful raffle may constitute illegal gambling, which may carry criminal penalties.

For more information see: <u>texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights</u> on the Office of the Attorney General's website.

#### Rule No. 3

#### No Cash Contributions Over \$100

Texas law prohibits a candidate, officeholder, or specific-purpose committee from accepting political contributions in cash (excluding checks) that in the aggregate exceed \$100 from a single contributor in a reporting period.

#### Rule No. 4

# Auction Activity is Reportable

Donations to a candidate or political committee at a fundraiser are campaign contributions.

An item donated to be auctioned at a fundraiser is an "in-kind" campaign contribution. The purchase of the item at the auction is also a contribution. Both the item and the purchase price must be reported as political contributions.

#### Rule No. 5

#### No Anonymous Contributions

Texas law requires filers to know the name of each contributor and the amount of each contribution, even for small contributions. Do not "pass the hat" or use a contribution jar. Depending on the filer and the amount of the contribution, additional information may be required.

#### Rule No. 6

#### No Contributions from Corporations or Labor Organizations

Texas law prohibits corporations and labor organizations from making political contributions to candidates, officeholders, and related specific-purpose committees. Contributions to GPACs are also restricted. Limited exceptions also exist.

The prohibition also applies to other organizations, such as partnerships and limited liability companies (LLC), if they are owned by a corporation or include an incorporated member or partner.

#### Rule No. 7

# No Contributions from Foreign Nationals

The Federal Election Campaign Act (FECA) prohibits certain foreign nationals from contributing, donating, or spending funds in connection with any federal, state, or local election in the U.S., either directly or indirectly. It is also unlawful to help foreign nationals violate that ban or to solicit, receive, or accept contributions or donations from them.

#### Rule No. 8

#### No Misuse of Government Property to Campaign

Chapter 39 of the Penal Code prohibits a public servant from using government property, services, personnel, or any other thing of value belonging to the government to obtain a benefit or to harm or defraud another. The commission has held that the use of state computers to prepare campaign finance reports, or to use state resources to gather information for a campaign fundraiser, constitutes a misuse of government property.

P.O. Box 12070

Austin, Texas 78711-2070

(512) 463-5800

Note: This brochure is not intended to encompass all the rules, but is intended to give a broad overview of the most common questions involving fundraisers. Be sure to check with the Texas Ethics Commission and your local municipality for any additional limits that might apply.

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#### CANDIDATE / OFFICEHOLDER FORM C/OH CAMPAIGN FINANCE REPORT **COVER SHEET PG 1** 1 Filer ID (Ethics Commission Filers) 2 Total pages filed: The C/OH Instruction Guide explains how to complete this form. MS / MRS / MR 3 CANDIDATE / MI OFFICE USE ONLY **OFFICEHOLDER** NAME Date Received NICKNAME LAST SUFFIX 4 CANDIDATE / ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE OFFICEHOLDER MAILING **ADDRESS** Change of Address 5 CANDIDATE/ AREA CODE PHONE NUMBER EXTENSION Date Hand-delivered or Date Postmarked **OFFICEHOLDER** PHONE Receipt # Amount \$ 6 CAMPAIGN MS / MRS / MR FIRST TREASURER Date Processed NAME NICKNAME LAST SUFFIX Date Imaged CAMPAIGN STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE **TREASURER ADDRESS** (Residence or Business) 8 CAMPAIGN AREA CODE PHONE NUMBER EXTENSION **TREASURER** PHONE 9 REPORT TYPE January 15 30th day before election Runoff 15th day after campaign treasurer appointment (Officeholder Only) **Exceeded Modified** July 15 Final Report (Attach C/OH - FR) 8th day before election Reporting Limit 10 PERIOD Month Day Year Month Year COVERED THROUGH

Forms	provided	hy Tayas	<b>Ethics</b>	Commission

11 ELECTION

12 OFFICE

14 NOTICE FROM POLITICAL COMMITTEE(S)

Additional Pages

ELECTION DATE

OFFICE HELD (if any)

COMMITTEE TYPE

GENERAL

SPECIFIC

Month

Day

Year

COMMITTEE NAME

COMMITTEE ADDRESS

Primary

General

COMMITTEE CAMPAIGN TREASURER NAME

COMMITTEE CAMPAIGN TREASURER ADDRESS

Runoff

Special

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

ELECTION TYPE

Other Description

13 OFFICE SOUGHT (if known)

# CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

#### FORM C/OH COVER SHEET PG 2

15 C/OH NAME		16 Filer ID (Ethics Commission Filers)
17 CONTRIBUTION TOTALS	TOTAL UNITEMIZED POLITICAL CONTRIBUTIONS (OTHER THAT PLEDGES, LOANS, OR GUARANTEES OF LOANS, OR CONTRIBUTIONS MADE ELECTRONICALLY)	N \$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	, \$
EXPENDITURE TOTALS	3. TOTAL UNITEMIZED POLITICAL EXPENDITURE.	\$
	4. TOTAL POLITICAL EXPENDITURES	\$
CONTRIBUTION BALANCE	TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LA OF REPORTING PERIOD	ST DAY \$
OUTSTANDING LOAN TOTALS	TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS CLAST DAY OF THE REPORTING PERIOD	OF THE \$
	wear, or affirm, under penalty of perjury, that the accompanying report is truited to be reported by me under Title 15, Election Code.	ue and correct and includes all information
	Signature of C	andidate or Officeholder
	Please complete either option below	w:
(1) Affidavit		
NOTARY STAMP/SEAL	<u>.</u>	
Sworn to and subscribed	before me by this the	day of,
20, to certify	which, witness my hand and seal of office.	
Signature of officer administer	ring oath Printed name of officer administering oath	Title of officer administering oath
	OR	
(2) Unsworn Declaration	on	
My name is	, and my date of birth i	s
My address is		
		(state) (zip code) (country)
Executed in	County, State of , on the day of (mon	th) , 20
	Signature of Cand	idate/Officeholder (Declarant)

#### SUBTOTALS - C/OH

#### FORM C/OH COVER SHEET PG 3

		COVERS	SHEET PG 3
19	FILER NAME	20 Filer ID (Ethics Co	mmission Filers)
21	SCHEDULE SUBTOTALS NAME OF SCHEDULE		SUBTOTAL AMOUNT
1.	SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS		\$
2.	SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS		\$
3.	SCHEDULE B: PLEDGED CONTRIBUTIONS	*	\$
4.	SCHEDULE E: LOANS	_	\$
5.	SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CON	NTRIBUTIONS	\$
6.	SCHEDULE F2: UNPAID INCURRED OBLIGATIONS		\$
7.	SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL (	CONTRIBUTIONS	\$
8.	SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD		\$
9.	SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUN	IDS	\$
10.	SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A	BUSINESS OF C/OH	\$
11.	SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CO	NTRIBUTIONS	\$
12.	SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUT TO FILER	IONS RETURNED	\$

#### MONETARY POLITICAL CONTRIBUTIONS

#### SCHEDULE A1

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

	The	Instruction Guide explains how	1 Total pages Schedule A1:		
2	FILER NAME				3 Filer ID (Ethics Commission Filers)
4	Date	5 Full name of contributor	out-of-state PAC	: (ID#:)	7 Amount of contribution (\$)
		6 Contributor address;		State; Zip Code	
8	Principal occu	pation / Job title (See Instructions)	Ctions)		
	Date	Full name of contributor	out-of-state PAC	; (ID#:)	Amount of contribution (\$)
	ė	Contributor address;		State; Zip Code	
Principal occupation / Job title (See Instructions) Employer (See				Employer (See Instruc	Etions)
	Date	Full name of contributor	out-of-state PAC	; (ID#:)	Amount of contribution (\$)
		Contributor address;		State; Zip Code	
	Principal occup	pation / Job title (See Instructions)		Employer (See Instru	Ctions)
	Date	Full name of contributor	out-of-state PAC	C (ID#:)	Amount of contribution (\$)
		Contributor address;	City;	State; Zip Code	
	Principal occup	Deation / Job title (See Instructions)		Employer (See Instru	L ctions)
		If contributor is out-of-state PAC		OF THIS SCHEDULE AS I	

# NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

#### SCHEDULE A2

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

in the requested information is not applicable, be not include this page in the report.							
Th	ne Instruction Guide explains how to complete this form	n.	1 Total pages Schedule A2:				
2 FILER NAM	E		3 Filer ID (Ethics Commission Filers)				
4 TOTAL O	F UNITEMIZED IN-KIND POLITICAL CONTRI	BUTIONS	\$				
5 Date	6 Full name of contributor out-of-state PAC (ID#:		8 Amount of 9 In-kind contribution Contribution \$   description				
	7 Contributor address; City; State;	Zip Code	Check if travel outside of Texas. Complete Schedule T.				
10 Principal occ	cupation / Job title (FOR NON-JUDICIAL) (See Instructions)	11 Employe	er (FOR NON-JUDICIAL)(See Instructions)				
	principal occupation (FOR JUDICIAL)	13 Contribu	utor's job title (FOR JUDICIAL) (See Instructions)				
14 Contributor's	employer/law firm (FOR JUDICIAL)	15 Law firm	n of contributor's spouse (if any) (FOR JUDICIAL)				
16 If contributor	is a child, law firm of parent(s) (if any) (FOR JUDICIAL)						
Date	Full name of contributor	Zip Code	Amount of In-kind contribution description				
Principal occ	cupation / Job title (FOR NON-JUDICIAL) (See Instructions)	Employe	er (FOR NON-JUDICIAL)(See Instructions)				
Contributor's	principal occupation (FOR JUDICIAL)	Contribu	utor's job title (FOR JUDICIAL) (See Instructions)				
Contributor's	s employer/law firm (FOR JUDICIAL)	Law firm	n of contributor's spouse (if any) (FOR JUDICIAL)				
If contributor	r is a child, law firm of parent(s) (if any) (FOR JUDICIAL)						
	ATTACH ADDITIONAL COPIES OF 1 If contributor is out-of-state PAC, please see Instruct						

#### PLEDGED CONTRIBUTIONS

#### SCHEDULE B

	if the requested information is not applicable, DO NOT include this page in the report.								
	The	Instruction Guide explains how to complete this	form.	1 Total pages Schedule B:					
2	FILER NAME			3 Filer ID (Ethics Commission Filers)					
4	TOTAL OF	UNITEMIZED PLEDGES		\$					
5	Date	6 Full name of pledgor □ out-of-state PAC (ID#:_		8 Amount of Pledge \$	9 In-kind contribution description				
		7 Pledgor address; City; St.	ate; Zip Code	Check if travel outs	    .  .  ide of Texas. Complete Schedule T.				
10	Principal occu	pation / Job title (See Instructions)	11 Employer (See						
	Date	Full name of pledgor out-of-state PAC (ID#:		Amount of Pledge \$	In-kind contribution description				
			ate; Zip Code		 				
					ide of Texas. Complete Schedule T.				
	Principal occup	ation / Job title (See Instructions)	Employer (See	Instructions)					
	Date	Full name of pledgor		Amount of Pledge \$	In-kind contribution description				
		Pledgor address; City; St	ate; Zip Code		 				
	D			Check if travel outside of Texas. Complete Schedule T.					
	Principal occu	pation / Job title (See Instructions)	Employer (See	Instructions)					
	Date	Full name of pledgor		Amount of Pledge \$	In-kind contribution description				
		Pledgor address; City; State	; Zip Code		 				
				Check if travel outs	ide of Texas. Complete Schedule T.				
	Principal occup	ation / Job title (See Instructions)	Employer (See	Instructions)					
	lf	ATTACH ADDITIONAL COPIES contributor is out-of-state PAC, please see Inst			requirements.				

Forms provided by Texas Ethics Commission

### LOANS SCHEDULE E

	If the requested information is not applicable, DO NOT include this page in the report.								
	The	Instruction Guide explains how to compl	ete this form.	1 Total pages Schedule E:					
2	FILER NAME			3 Filer ID (Ethics Commission Filers)					
4	TOTAL OF UN	ITEMIZED LOANS		\$					
5	Date of loan	_	PAC (ID#:)	9 Loan Amount (\$)					
6	Is lender a financial Institution?	8 Lender address; City;	State; Zip Code	10 Interest rate  11 Maturity date					
	YN								
12	Principal occupation	n / Job title (See Instructions)	13 Employer (See Instructions)						
14	Description of Colle	ateral	Check if personal fundaccount (See Instruct	ds were deposited into political ions)					
16	GUARANTOR INFORMATION	17 Name of guarantor		19 Amount Guaranteed (\$)					
	not applicable	18 Guarantor address; City;	State; Zip Code						
20	Principal Occupat	on (See Instructions)	21 Employer (See Instructions)						
	Date of loan	Name of lender	PAC (ID#:)	Loan Amount (\$)					
	Is lender a financial Institution?	Lender address; City;	State; Zip Code	Interest rate					
	Y N			Maturity date					
	Principal occupation	n / Job title (See Instructions)	Employer (See Instructions)						
	Description of Colla	ateral		ds were deposited into political					
L	none		account (See Instruct	ions)					
	GUARANTOR INFORMATION	Name of guarantor		Amount Guaranteed (\$)					
		Guarantor address; City;	State; Zip Code						
	not applicable								
	Principal Occupation	on (See Instructions)	Employer (See Instructions)						
	ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED  If lender is out-of-state PAC, please see Instruction guide for additional reporting requirements.								

# POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

#### SCHEDULE F1

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

#### **EXPENDITURE CATEGORIES FOR BOX 8(a)**

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee

Event Expense Fees Food/Beverage Expense Gift/Awards/Memorials Expense Legal Services Loan Repayment/Reimbursement Office Overhead/Rental Expense Polling Expense Printing Expense Salaries/Wages/Contract Labor Solicitation/Fundraising Expense Transportation Equipment & Related Expense Travel In District Travel Out Of District Other (enter a category not listed above)

Credit Card Payment	The Instruction Guide explains how to complete this form.					
1 Total pages Schedule F1:	2 FILER NAME		3 Filer ID (Ethics Commission Filers)			
4 Date	5 Payee name					
6 Amount (\$)	7 Payee address;	City;	State; Zip Code			
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description				
	(c) Check if travel outside of Texas. Complete Schedule T.	Check if Austi	in, TX, officeholder living expense			
9 Complete ONLY if direct expenditure to benefit C/OF	Candidate / Officeholder name	Office sought	Office held			
Date	Payee name					
Amount (\$)	Payee address;	City;	State; Zip Code			
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description				
	Check if travel outside of Texas. Complete Schedule T.	Check if Austi	in, TX, officeholder living expense			
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held			
Date	Payee name					
Amount (\$)	Payee address;	City;	State; Zip Code			
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description				
	Check if travel outside of Texas. Complete Schedule T.	Check if Austin	in, TX, officeholder living expense			
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held			
	ATTACH ADDITIONAL COPIES OF THIS	SCHEDULE AS NEE	EDED			

#### **UNPAID INCURRED OBLIGATIONS**

#### SCHEDULE F2

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

#### **EXPENDITURE CATEGORIES FOR BOX 10(a)**

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee

Event Expense Fees Food/Beverage Expense Gift/Awards/Memorials Expense Legal Services Loan Repayment/Reimbursement Office Overhead/Rental Expense Polling Expense Printing Expense Salaries/Wages/Contract Labor Solicitation/Fundraising Expense Transportation Equipment & Related Expense Travel In District Travel Out Of District Other (enter a category not listed above)

	The Instruction Guide explains how to complete this form.							
1 Total pages Schedule F2:	2 FILER NAME		3 Filer ID (Ethics Co	mmission Filers)				
4 TOTAL OF UNITER	MIZED UNPAID INCURRED OBLIGATION	IS	\$					
5 Date	6 Payee name							
7 Amount (\$)	8 Payee address;	City;	State;	Zip Code				
9 TYPE OF EXPENDITURE	Political Non-Po	olitical						
10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description						
	(c) Check if travel outside of Texas. Complete Schedule T.	Check if Aus	stin, TX, officeholder living ex	pense				
11 Complete ONLY if direct expenditure to benefit C/O	Candidate / Officeholder name C	Office sought	Office held	d				
Date	Payee name							
Amount (\$)	Payee address;	City;	State;	Zip Code				
TYPE OF EXPENDITURE	Political Non-Po	plitical	9					
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description						
	Check if travel outside of Texas. Complete Schedule T.	Check if Au	ustin, TX, officeholder living	expense				
Complete ONLY if direct expenditure to benefit C/O	Candidate / Officeholder name C	Office sought	Office hel	d				
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED								

# PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

#### SCHEDULE F3

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

Т	he Instruction Guide explains how to complete this form.	1 Total pages Schedule F3:				
2 FILER NAME		3	Filer ID	(Ethics	s Commission	Filers)
4 Date	5 Name of person from whom investment is purchased					
	6 Address of person from whom investment is purchased; Cit	ty;			State;	Zip Code
	7 Description of investment					
	8 Amount of investment (\$)					
Date	Name of person from whom investment is purchased					
	Address of person from whom investment is purchased; City	у;			State;	Zip Code
	Description of investment					
	Amount of investment (\$)					
	ATTACH ADDITIONAL COPIES OF THIS SCHEDULE	EAS	NEED	ED		

#### **EXPENDITURES MADE BY CREDIT CARD**

#### SCHEDULE F4

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

#### **EXPENDITURE CATEGORIES FOR BOX 10(a)**

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee

Event Expense Fees Food/Beverage Expense Gift/Awards/Memorials Expense Legal Services Loan Repayment/Reimbursement Office Overhead/Rental Expense Polling Expense Printing Expense

Solicitation/Fundraising Expense Transportation Equipment & Related Expense Travel In District Travel Out Of District

Candidate/Officeholder/P				Expense Wages/Contract USE A NEW F			not listed above)
1 TOTAL PAGES SCHEDULE F4:	2 FILER NAME					- <del> </del>	Commission Filers
4 TOTAL OF UNITEMIZED E	XPENDITURES CHARGED TO A	CREDIT CARD			\$		
5 CREDIT CARD ISSUER	Name of financial institu	tion				-	
6 PAYMENT	(a) Amount Charged	(b) Date Expendit	ure Charged	(c) Date(s) Cre	edit Card Issuer Paid		
7 PAYEE	(a) Payee name	<u></u>	(b) Payee ad	dress;	City,	State,	Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories I	isted at the top of this sche	dule)	(b) Description	n	<del>,</del>	
Political Non-Political	(c) Check if travel ou	tside of Texas. Complet	te Schedule T.		Check if Austin, TX, officeholder living expense		
9 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder	name	Of	ice Sought		Office Held	
PAYMENT	(a) Amount Charged	(b) Date Expendit	ure Charged	(c) Date(s) Cre	edit Card Issuer Paid		
	\$						
PAYEE	(a) Payee name	•	(b) Payee ad	dress;	City,	State,	Zip Code
PURPOSE OF EXPENDITURE Political	(a) Category (See Categories I	isted at the top of this sche	dule)	(b) Description	n		
Non-Political	(c) Check if travel ou	tside of Texas. Complet	te Schedule T.		Check if Austin, TX, offic	ceholder living	expense
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder	name	Of	fice Sought		Office Held	
PAYMENT	(a) Amount Charged	(b) Date Expendit	ure Charged	(c) Date(s) Cre	edit Card Issuer Paid		
PAYEE	(a) Payee name		(b) Payee ad	dress;	City,	State,	Zip Code
PURPOSE OF EXPENDITURE Political	(a) Category (See Categories I	isted at the top of this sche	dule)	(b) Description	n:		
Non-Political	(c) Check if travel ou	tside of Texas. Comple	te Schedule T.		Check if Austin, TX, of	ficeholder livin	g expense
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder	name	Of	fice Sought		Office Held	
	ATTACH ADDI	TIONAL COPIE	S OF THIS	SCHEDULE	AS NEEDED		

# POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

#### SCHEDULE G

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

#### **EXPENDITURE CATEGORIES FOR BOX 8(a)** Advertising Expense **Event Expense** Loan Repayment/Reimbursement Solicitation/Fundraising Expense Transportation Equipment & Related Expense Accounting/Banking Office Overhead/Rental Expense Food/Beverage Expense Gift/Awards/Memorials Expense Consulting Expense Polling Expense Travel In District Contributions/Donations Made By Printing Expense Travel Out Of District Candidate/Officeholder/Political Committee Legal Services Salaries/Wages/Contract Labor Other (enter a category not listed above) Credit Card Payment The Instruction Guide explains how to complete this form. 1 Total pages Schedule G: 2 FILER NAME 3 Filer ID (Ethics Commission Filers) 4 Date 5 Payee name 6 Amount (\$) 7 Payee address; City; State; Zip Code Reimbursement from political contributions intended (a) Category (See Categories listed at the top of this schedule) (b) Description **PURPOSE EXPENDITURE** Check if Austin, TX, officeholder living expense Check if travel outside of Texas. Complete Schedule T. (c) Candidate / Officeholder name Office sought Office held Complete ONLY if direct expenditure to benefit C/OH Date Payee name Amount (\$) Payee address: City; State: Zip Code Reimbursement from political contributions intended Category (See Categories listed at the top of this schedule) Description **PURPOSE EXPENDITURE** Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense Candidate / Officeholder name Office sought Office held Complete ONLY if direct expenditure to benefit C/OH Date Payee name Amount (\$) Payee address; City; State; Zip Code Reimbursement from political contributions intended Category (See Categories listed at the top of this schedule) Description **PURPOSE** EXPENDITURE Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense Candidate / Officeholder name Office sought Office held Complete ONLY if direct expenditure to benefit C/OH

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

#### SCHEDULE H

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

#### **EXPENDITURE CATEGORIES FOR BOX 8(a)**

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee

Event Expense Fees Food/Beverage Expense Gift/Awards/Memorials Expense Legal Services Loan Repayment/Reimbursement Office Overhead/Rental Expense Polling Expense Printing Expense

Solicitation/Fundraising Expense Transportation Equipment & Related Expense Travel In District Travel Out Of District

Candidate/Officeholder/Polit Credit Card Payment	ical Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category	not listed above)
1 Total pages Schedule H:	2 FILER NAI		ins how to complete this form.	3 Filer ID (Ethics	Commission Filers
Total pages concude 11.	2 FILER NA	vie.		3 The ID (Lines	Commission Fliers)
4 Date	5 Business n	ame			
6 Amount (\$)	7 Business a	nddress;	City;	State;	Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (s	See Categories listed at the top of this	schedule) (b) Description		
	(c) Ch	eck if travel outside of Texas. Complete S	Schedule T. Check if Au	stin, TX, officeholder living exp	pense
9 Complete <u>ONLY</u> if direct expenditure to benefit C/C		e / Officeholder name	Office sought	C	Office held
Date	Business n	ame			
Amount (\$)	Business a	nddress;	City;	State;	Zip Code
PURPOSE OF EXPENDITURE	Category (S	iee Categories listed at the top of this	schedule) Description		
	Che	eck if travel outside of Texas. Complete S	chedule T. Check if Aus	stin, TX, officeholder living exp	pense
Complete ONLY if direct expenditure to benefit C/C		e / Officeholder name	Office sought	C	Office held
Date	Business r	ame			
Amount (\$)	Business a	address;	City;	State;	Zip Code
PURPOSE OF	Category (s	See Categories listed at the top of this	schedule) Description		
EXPENDITURE	Ch	eck if travel outside of Texas. Complete S	Schedule T. Check if Au	stin, TX, officeholder living ex	pense
Complete <u>ONLY</u> if direct expenditure to benefit C/C		e / Officeholder name	Office sought	C	Office held
	ATTA	CH ADDITIONAL COPIES	OF THIS SCHEDULE AS NE	EEDED	

#### NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

#### SCHEDULE |

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

PURPOSE OF EXPENDITURE  (a) Category (See Instructions for examples of acceptable categories.)  (b) Description (See Instructions regarding typs of Information required.)  (b) Description (See Instructions regarding typs of Information required.)  (c) Payee address:  City State Zip Code Category (See Instructions for examples of acceptable categories.)  PURPOSE OF EXPENDITURE  Date  Payee name  Category (See Instructions for examples of acceptable required.)  PURPOSE OF Category (See Instructions for examples of acceptable required.)  PURPOSE Categories.)  PURPOSE Categories.  Categories.  Category (See Instructions for examples of acceptable required.)  Category (See Instructions for examples of acceptable categories.)  City State Zip Code Categories.  City State Zip Code Category (See Instructions for examples of acceptable categories.)  PURPOSE Category (See Instructions for examples of acceptable Categories.)  PURPOSE Category (See Instructions for examples of acceptable categories.)  PURPOSE Category (See Instructions for examples of acceptable categories.)  PURPOSE Category (See Instructions for examples of acceptable categories.)  PURPOSE Category (See Instructions for examples of acceptable categories.)	PURPOSE OF	Payee name  Payee address;  (a) Category (See instructions for examples of acceptable	City State Zip Cod  (b) Description (See instructions regarding type of information	de
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EXPENDITURE		Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of inform required.)	mation

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

#### SCHEDULE K

If the reques	ted information is not applicable, DO NOT include this page in	the report.	_			
	Instruction Guide explains how to complete this form.	1 Total pages Schedule K:				
FILER NAME		3 Filer ID (Ethics Commission Filers)				
Date	8 Amount (\$)					
6 Address of person from whom amount is received; City; State; Zip Code						
7 Purpose for which amount is received Check if political contribution returned to						
Date	Name of person from whom amount is received	Amount (\$)				
	Address of person from whom amount is received; City; S	State; Zip Code				
Purpose for which amount is received Check if political contribution returned to filer  Date Name of person from whom amount is received  Amount (5)						
	Purpose for which amount is received Chec	k if political contribution returned to filer				
Date	Name of person from whom amount is received	Amount (	\$)			
	Address of person from whom amount is received; City;	State; Zip Code				
	Purpose for which amount is received	eck if political contribution returned to filer				
	ATTACH ADDITIONAL COPIES OF THIS SCHEI	DULE AS NEEDED				
Revised 1/1/20						

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

#### SCHEDULE T

If the requested information is not applicable, DO NOT include this page in the report.							
The Instruction Guide explains how to complete this form.	1 Total pages Schedule T:						
2 FILER NAME	3 Filer ID (Ethics Commission Filers)						
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee							
5 Contribution / Expenditure reported on:							
Schedule A2 Schedule B Schedule B(J) Schedule C2	Schedule D Schedule F1						
Schedule F2 Schedule F4 Schedule G Schedule H	Schedule COH-UC Schedule B-SS						
6 Dates of travel 7 Name of person(s) traveling							
8 Departure city or name of departure location							
9 Destination city or name of destination location							
10 Means of transportation	eminar, or other event)						
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee							
Contribution / Expenditure reported on:							
Schedule A2 Schedule B Schedule B(J) Schedule C2	Schedule D Schedule F1						
Schedule F2 Schedule F4 Schedule G Schedule H	Schedule COH-UC Schedule B-SS						
Dates of travel Name of person(s) traveling							
Departure city or name of departure location							
Destination city or name of destination location							
Means of transportation Purpose of travel (including name of conference, seminar, or other event)							
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee							
Contribution / Expenditure reported on:							
☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2	Schedule D Schedule F1						
Schedule F2 Schedule F4 Schedule G Schedule H	Schedule COH-UC Schedule B-SS						
Dates of travel Name of person(s) traveling							
Departure city or name of departure location							
Destination city or name of destination location							
Means of transportation Purpose of travel (including name of conference, s	Purpose of travel (including name of conference, seminar, or other event)						
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED							

# CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

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	The Instruction Guide explains how to complete this form.							
	•• Complete only if "Report Type" on page 1 is marked "Final Report" ••							
1	C/OH N	IAME	2 Filer ID (Ethics Commission Filers)					
3	SIGNA	TIRE						
•	I do not expect any further political contributions or political expenditures in connection with my candidacy. I understand that designating a report as a final report terminates my campaign treasurer appointment. I also understand that I may not accept any campaign contributions or make any campaign expenditures without a campaign treasurer appointment on file.  Signature of Candidate / Officeholder							
4		WHO IS NOT AN OFFICEHOLDER plete A & B below <i>only</i> if you are not an officeholder. ••						
	A.	CAMPAIGN FUNDS						
	Check	k only one:						
		I do not have unexpended contributions or unexpended interest or income earned fro	om political contributions.					
	I have unexpended contributions or unexpended interest or income earned from political contributions. I understand that I may not convert unexpended political contributions or unexpended interest or income earned on political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain unexpended contributions or unexpended interest or income earned on political contributions longer than six years after filing this final report. Further, I understand that I must dispose of unexpended political contributions and unexpended interest or income earned on political contributions in accordance with the requirements of Election Code, § 254.204.							
	В.	ASSETS						
	Check	k only one:						
	I do not retain assets purchased with political contributions or interest or other income from political contributions.							
		I do retain assets purchased with political contributions or interest or other income from that I may not convert assets purchased with political contributions or interest or other personal use. I also understand that I must dispose of assets purchased with political requirements of Election Code, § 254.204.	r income from political contributions to					
		S	ignature of Candidate					
5	5 OFFICEHOLDER							
		I am aware that I remain subject to filing requirements applicable to an officeholder who dile. I am also aware that I will be required to file reports of unexpended contributions if, an officeholder, I retain political contributions, interest or other income from political contributions or interest or other income from political contributions.	after filing the last required report as					
		Sig	gnature of Officeholder					



### **AFFIDAVIT FOR** CANDIDATE OR OFFICEHOLDER:

	ELECTRONIC FIL	ING EXEMPTION				
An exemption affidavit must be submitted with each paper report.  Beginning on January 1, 2024, a candidate or officeholder who has accepted more than				Date Hand-delivered or Date Postmarked		
\$32,810 in political co	ontributions or made more than must file all subsequent reports e	\$32,810 in political expenditu		Receipt #	Amount \$	
				Date Processed		
Filer name		Filer ID #		Date Imaged		
1. I swear or affirm more than \$32,8	that I have not accepted mo 310 in political expenditures	ore than \$32,810 in politica in a calendar year.	l con	tributions o	r made	
<ol><li>I further swear of contributions, po</li></ol>	or affirm that I do not use cor olitical expenditures, or perso	mputer equipment to keep on smaking political contrib	curre oution	nt records on the contract of	of political	
	or affirm that no person actin					

- expenditures, or persons making political contributions to me.
- 4. I further swear or affirm that I understand that I am required to file my campaign finance reports electronically if I, my agent or consultant, or a person with whom I contract exceeds \$32,810 in political contributions or political expenditures in a calendar year, or uses computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
- 5. I am filing this affidavit with the report due on I understand that this affidavit is required to be filed with each campaign finance report for which I am claiming an exemption from electronic filing.

#### Please complete either option below:

(1) Affidavit

NOTARY STAMP/SEAL		-	Signature of Filer			
Sworn to and subscribed before me to 20, to certify which, witness			thi	s the	day of	
Signature of officer administering oath	Printed name	e of officer administe	ering oath		Title of office	r administering oat
		OR				
(2) Unsworn Declaration						
My name is		, an	d my date of b	irth is		
My address is	(street)		(city)		(zip code)	(country)
Executed in Co	ounty, State of	, on the	day of	(month)	, 20 (year)	
		***	Siç	nature of Fi	ler (Declarant)	

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

OFFICE USE ONLY

Date Received