

# **CITY COUNCIL CANDIDATE PACKET**



**NOVEMBER 8, 2016  
ELECTION**



# City of Huntsville

Incorporated in 1845 under the Republic of Texas

June 28, 2016

Dear Candidates and Officeholders:

The City of Huntsville, Texas, is a municipal corporation that operates under its own Charter and state law. Please understand the material in this packet is not exhaustive and it is the duty of the candidate/officeholder to become familiar with and follow the laws, rules, and regulations applicable to campaigns for office.

The role of the City Secretary's Office is to accept and file the various candidate applications, affidavits, and statements required, and note the date of filing thereon. There is no legal duty to inform anyone of the necessity of or deadlines for filing any of the documents or to advise anyone in regard to the meaning and requirements of statutes. The City Secretary should not be expected to judge or comment upon the timeliness or sufficiency of reports filed, but rather to serve only as the custodian of the records for the benefit and convenience of the public.

On the filing of an application for a place on the ballot, the City Secretary must review the application to determine whether it complies with the requirements as to form, content, and procedure only. That is, the City Secretary checks to be sure it was filed correctly and in a timely manner and that all required information is completed and attested to. The review must be completed not later than the fifth day after the date the application is received by the authority. If an application does not comply with applicable requirements, the City Secretary must reject the application and immediately deliver to the candidate written notice of the reason for the rejection. [Sec. 141.032(e)]

Section 141.032, which governs the review of a candidate's application for a place on the ballot for form, content, and procedure, does not apply to a determination of a candidate's eligibility.

**All applications, affidavits, statements, and campaign reports filed with the City Secretary's office are considered public information, may be posted on the City web site, and are open for inspection by any person.**

Persons with general election or campaign questions may contact the Elections Division of the Secretary of State's Office at 1-800-252-VOTE or [www.sos.state.tx.us](http://www.sos.state.tx.us), or the Texas Ethics Commission at 512-463-5800 or [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

If you have specific questions for the City Secretary's office, please do not hesitate to call 936-291-5403 or email [citysecretary@huntsvilletx.gov](mailto:citysecretary@huntsvilletx.gov). You may also wish to visit the Elections page on the City's website at <http://www.huntsvilletx.gov/Elections>.

Sincerely,

Lee Woodward, TRMC, MMC, CPM, RP  
City Secretary

CITY SECRETARY

1212 Avenue M • Huntsville, TX 77340 • 936.291.5403 • [citysecretary@huntsvilletx.gov](mailto:citysecretary@huntsvilletx.gov)

*Our vision for the City of Huntsville is a community that is beautiful, historic, culturally diverse, affordable, safe, and well planned with great opportunity for our citizens.*

## **2016 Candidate's Packet**

### **General Information in the Packet:**

1. Eligibility requirements - City Officers
2. Election calendar – At-a-Glance – full calendars will be available on the Texas Secretary of State website at <http://www.sos.state.tx.us/elections/candidates/index.shtml>
3. Excerpts of City and State regulations concerning candidacy and political activity
4. Political Advertising brochure cover page – full *Political Advertising, What You Need to Know* brochure (revised January 2015) available on Texas Ethics Commission website at <https://www.ethics.state.tx.us/filinginfo/padpubs.htm>
5. Application forms & instructions

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### **Additional Resources Available Elsewhere:**

**Campaign Finance Reporting Information** - Available through the Texas Ethics Commission web site, <http://www.ethics.state.tx.us/>

**State Election Information** – Available from the Texas Secretary of State web site, <http://www.sos.state.tx.us/>

**City Charter & City Council Rules of Procedure** - <http://www.huntsvilletx.gov/348/Laws-Rules>

**City Budget documents** - <http://www.huntsvilletx.gov/193/Budget>

**City website** – [www.huntsvilletx.gov](http://www.huntsvilletx.gov) - The City of Huntsville also maintains a Facebook page and Twitter account, and issues regular publications – links and/or subscriptions to all of these are available on the website. Also find access to all City Departments, Meetings and Events, archived material, contact information, the City's Code of Ordinances and Development Code, etc.

## ELIGIBILITY REQUIREMENTS – CITY OFFICERS

To become a candidate for a City officer, the City Charter requires (section 4.02):

1. be a citizen of and a qualified, registered voter of the State of Texas and the City of Huntsville;
2. if applicable, be a resident of the ward in which the Council seat is sought;
3. be free of debts in taxes or any assessment to the City;
4. be at least 21 years of age on the date of the election; and
5. be a resident of the City for at least 12 months next preceding the election.

Additionally, State law requires that to become a candidate for City officer (Election Code, Subchapter A, section 141.001 V.T.C.A.):

1. be a citizen of the United States;
2. not be under an adjudication of mental competence; and
3. not have been convicted of a felony for which he or she has not been pardoned or had his or her civil rights restored by other official action.

Candidates are also subject to the requirements of the State's nepotism law, conflicts of interest law and the loyalty clause.

[Section 141.003 V.T.C.A. permits a home rule city, by Charter, to prescribe age and residence qualifications different from those prescribed in section 141.001 V.T.C.A. within certain limits (Election Code – Texas)]

For ineligibility, see sections 145.003; 145.004.

### CITY CHARTER – City of Huntsville

#### SECTION 6.06. FILING FEES.

An application to become a candidate for Mayor and/or Councilmember must be accompanied by a filing fee of One Dollar (\$1.00). The payment of such filing fees shall be in cash.

# City & State Regulations (in part) concerning Candidacy and political activity

## **CoH - CITY CHARTER**

### SECTION 14.09. PERSONAL INTEREST IN CITY CONTRACTS.

No City official or employee shall participate in a vote or decision on any matter involving a business entity or real property in which the official or employee has a substantial interest as provided by state law.

## **CoH - EMPLOYEE POLICIES & PROCEDURES [EXCERPT]**

### **12.07 Political Activity**

- A. City employees will not be appointed or retained on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. City employees may not:
- B. Engage in political activities that are violations of law, or while on duty, while in uniform or in a City vehicle, by use of employee official title or states, in offices, buildings or non-public areas of City property;
- C. Publicly campaign in any manner for any person seeking a City public office;
- D. Use the employee's position or office to coerce political support from employees or citizens;
- E. Use the employee's official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office;
- F. Make, solicit or receive any contribution to the campaign funds of any candidate, directly or indirectly through an organization or association, for the City Council or take any part in the management, affairs or political campaign of any such candidate; provided nothing herein shall infringe upon the constitutional rights of an employee to express his or her opinions and to cast his or her vote; and,
- G. Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.

## **CoH – Development Code, updates effective from 8/31/2015**

### **Article 8: Signs - 8.300 Exempt Signs**

The following signs are exempt signs, which means that they are not counted as signs for purposes of determining the number of signs or amount of signage on a lot. These exempt signs do not require a sign permit unless they are illuminated, in which case they do require a sign permit and review for compliance with applicable codes.

**8.304.C Campaign Signs** – Temporary campaign signs are allowed only on private property and only with the consent of the subject property owner. In NC districts campaign signs may not exceed 8 square feet in area.

# STATE OF TEXAS LOCAL GOVERNMENT CODE

## TITLE 5. MATTERS AFFECTING PUBLIC OFFICERS AND EMPLOYEES SUBTITLE C. MATTERS AFFECTING PUBLIC OFFICERS AND EMPLOYEES OF MORE THAN ONE TYPE OF LOCAL GOVERNMENT

### CHAPTER 171. REGULATION OF CONFLICTS OF INTEREST OF OFFICERS OF MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS

Sec. 171.001. DEFINITIONS. In this chapter:

(1) "Local public official" means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), county, municipality, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature.

(2) "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 171.002. SUBSTANTIAL INTEREST IN BUSINESS ENTITY. (a) For purposes of this chapter, a person has a substantial interest in a business entity if:

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

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

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

(c) A local public official is considered to have a substantial interest under this section if a person related to the official in the first degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a substantial interest under this section.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989; Acts 1991, 72nd Leg., ch. 561, Sec. 37, eff. Aug. 26, 1991; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(27), eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 849, Sec. 1, eff. Sept. 1, 1997.

Sec. 171.0025. APPLICATION OF CHAPTER TO MEMBER OF HIGHER EDUCATION AUTHORITY. This chapter does not apply to a board member of a higher education authority created under Chapter 53, Education Code, unless a vote, act, or other participation by the board member in the affairs of the higher education authority would provide a financial benefit to a financial institution, school, college, or university that is:

(1) a source of income to the board member; or

(2) a business entity in which the board member has an interest distinguishable from a financial benefit available to any other similar financial institution or other school, college, or university whose students are eligible for a student loan available under Chapter 53, Education Code.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 41(a), eff. Aug. 28, 1989.

Sec. 171.003. PROHIBITED ACTS; PENALTY. (a) A local public official commits an offense if the official knowingly:

(1) violates Section 171.004;

(2) acts as surety for a business entity that has work, business, or a contract with the governmental entity; or

(3) acts as surety on any official bond required of an officer of the governmental entity.

(b) An offense under this section is a Class A misdemeanor.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.004. AFFIDAVIT AND ABSTENTION FROM VOTING REQUIRED. (a) If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

(1) in the case of a substantial interest in a business entity the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or  
(2) in the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.  
(b) The affidavit must be filed with the official record keeper of the governmental entity.  
(c) If a local public official is required to file and does file an affidavit under Subsection (a), the official is not required to abstain from further participation in the matter requiring the affidavit if a majority of the members of the governmental entity of which the official is a member is composed of persons who are likewise required to file and who do file affidavits of similar interests on the same official action.  
Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.005. VOTING ON BUDGET. (a) The governing body of a governmental entity shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the governing body has a substantial interest.  
(b) Except as provided by Section 171.004(c), the affected member may not participate in that separate vote. The member may vote on a final budget if:  
(1) the member has complied with this chapter; and  
(2) the matter in which the member is concerned has been resolved.  
Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 171.006 and amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.006. EFFECT OF VIOLATION OF CHAPTER. The finding by a court of a violation under this chapter does not render an action of the governing body voidable unless the measure that was the subject of an action involving a conflict of interest would not have passed the governing body without the vote of the person who violated the chapter.  
Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 171.008 by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.007. COMMON LAW PREEMPTED; CUMULATIVE OF MUNICIPAL PROVISIONS. (a) This chapter preempts the common law of conflict of interests as applied to local public officials.  
(b) This chapter is cumulative of municipal charter provisions and municipal ordinances defining and prohibiting conflicts of interests.  
Amended by Acts 1989, 71st Leg., ch. 1, Sec. 40(a), eff. Aug. 28, 1989.

Sec. 171.009. SERVICE ON BOARD OF CORPORATION FOR NO COMPENSATION. It shall be lawful for a local public official to serve as a member of the board of directors of private, nonprofit corporations when such officials receive no compensation or other remuneration from the nonprofit corporation or other nonprofit entity.  
Added by Acts 1989, 71st Leg., ch. 475, Sec. 2, eff. Aug. 28, 1989.

Sec. 171.010. PRACTICE OF LAW. (a) For purposes of this chapter, a county judge or county commissioner engaged in the private practice of law has a substantial interest in a business entity if the official has entered a court appearance or signed court pleadings in a matter relating to that business entity.  
(b) A county judge or county commissioner that has a substantial interest in a business entity as described by Subsection (a) must comply with this chapter.  
(c) A judge of a constitutional county court may not enter a court appearance or sign court pleadings as an attorney in any matter before:  
(1) the court over which the judge presides; or  
(2) any court in this state over which the judge's court exercises appellate jurisdiction.  
(d) Upon compliance with this chapter, a county judge or commissioner may practice law in the courts located in the county where the county judge or commissioner serves.  
Added by Acts 2003, 78th Leg., ch. 227, Sec. 21, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1206, Sec. 3, eff. June 20, 2003.

# The Texas Constitution

## Article 16 - GENERAL PROVISIONS

### Section 40 - HOLDING MORE THAN ONE OFFICE; EXCEPTIONS; RIGHT TO VOTE

(a) No person shall hold or exercise at the same time, more than one civil office of emolument, except that of Justice of the Peace, County Commissioner, Notary Public and Postmaster, Officer of the National Guard, the National Guard Reserve, and the Officers Reserve Corps of the United States and enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserves of the United States, and retired officers of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and retired warrant officers, and retired enlisted men of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and the officers and directors of soil and water conservation districts, unless otherwise specially provided herein. Provided, that nothing in this Constitution shall be construed to prohibit an officer or enlisted man of the National Guard, and the National Guard Reserve, or an officer in the Officers Reserve Corps of the United States, or an enlisted man in the Organized Reserves of the United States, or retired officers of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and retired warrant officers, and retired enlisted men of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and officers of the State soil and water conservation districts, from holding at the same time any other office or position of honor, trust or profit, under this State or the United States, or from voting at any election, general, special or primary in this State when otherwise qualified.

(b) State employees or other individuals who receive all or part of their compensation either directly or indirectly from funds of the State of Texas and who are not State officers, shall not be barred from serving as members of the governing bodies of school districts, cities, towns, or other local governmental districts. Such State employees or other individuals may not receive a salary for serving as members of such governing bodies, except that:

(1) a schoolteacher, retired schoolteacher, or retired school administrator may receive compensation for serving as a member of a governing body of a school district, city, town, or local governmental district, including a water district created under Section 59, Article XVI, or Section 52, Article III; and

(2) a faculty member or retired faculty member of a public institution of higher education may receive compensation for serving as a member of a governing body of a water district created under Section 59 of this article or under Section 52, Article III, of this constitution.

(c) It is further provided that a nonelective State officer may hold other nonelective offices under the State or the United States, if the other office is of benefit to the State of Texas or is required by the State or Federal law, and there is no conflict with the original office for which he receives salary or compensation.

(d) No member of the Legislature of this State may hold any other office or position of profit under this State, or the United States, except as a notary public if qualified by law.

(Amended Nov. 2, 1926, Nov. 8, 1932, Nov. 7, 1972, Nov. 6, 2001, and Sept. 13, 2003.)

sign permit unless they are illuminated, in which case they do require a sign permit and review for compliance with applicable codes.

8.301 Directional Signs

8.301.A One directional sign may be installed at each vehicle entrance and exit. Such signs may be illuminated, but they may not exceed 4 square feet in area or 5 feet in height. Commercial messages may not comprise more than 50% of the area of a directional sign.

8.301.B Off-street parking areas with a capacity of more than 4 vehicles may display signs that do not exceed 12 square feet in area or 10 feet in height. Such signs are allowed for the purposes of informing patrons and visitors about parking rates and rules, the location of stairways and elevators, pedestrian routes, restrooms, and other on-site facilities. Such signs may not be illuminated and may not contain any commercial message.

8.302 Menu Board Signs

Menu board signs that are accessory to allowed drive-through uses are permitted in addition to other allowed signs, as follows:

8.302.A Number and Dimensions

One primary menu board not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary menu boards. One secondary menu board not to exceed 15 square feet in area or 6 feet in height is allowed.

8.302.B Residential Separation

Menu board signs must be set back at least 50 feet from NC districts.

8.302.C Visibility

Menu board signs are intended to convey information to motorists within the boundaries of the development and therefore may not be located or oriented to be visible from off site.

8.303 Newspaper Vending Boxes

Vending boxes offering newspapers, brochures or other printed material (whether for sale or free) are not regulated as signs. Such boxes may be placed on sidewalks, provided they do not impede motorized or nonmotorized traffic.

8.304 Temporary Signs

8.304.A Real Estate Signs

One "For Sale," "For Rent" or similar real estate sign is allowed per street frontage. Such signs are limited to a maximum of 32 square feet in area and 16 feet in height except in NC districts, where they are limited to 8 square feet in area and 8 feet in height.

8.304.B Construction Signs

Up to 3 construction signs are allowed per street frontage during the time that construction or development activity is occurring on the subject lot. Such signs may not exceed 32 square feet in area or 16 feet

in height. Construction signs must be removed within 2 weeks of completion of the construction or development.

- 8.304.C Campaign Signs  
Temporary campaign signs are allowed only on private property and only with the consent of the subject property owner. In NC districts campaign signs may not exceed 8 square feet in area.
  - 8.304.D Nameplates  
Nameplates attached to the wall of a building are exempt signs, provided they do not exceed 4 square feet in area.
  - 8.304.E Window Signs  
Window signs are exempt signs, provided they do not cover more than 50% of the area of the window to which they are affixed.
- 8.305 Other Exempt Signs  
The following additional signs are exempt signs:
- 8.305.A Signs established by, or by order or authorization of, any governmental agency;
  - 8.305.B Flags, emblems or insignia of any nation or political subdivision;
  - 8.305.C Commemorative wall plaques and memorial wall signs;
  - 8.305.D Signs that are not legible from any public right-of-way or from beyond the boundaries of the lot or parcel;
  - 8.305.E Signs within completely enclosed buildings and that are located more than 12 inches from any window;
  - 8.305.F Holiday displays containing no commercial message;
  - 8.305.G Labels and notices on accessory equipment or structures, provided the label or notice does not exceed 15 square inches in area;
  - 8.305.H Address and street number signs;
  - 8.305.I Signs within a stadium or ball field designed to be viewed solely by spectators within facility;
  - 8.305.J "No trespassing," "no dumping" and similar warning/security signs that do not to exceed 8 square feet in area; and
  - 8.305.K Non-illuminated awnings with no more than 6 square feet of sign (copy) area on the border of the awning.

**8.400 Signs in the Right-of-Way**

- 8.401 General Prohibition  
With the exception of signs lawfully permitted or erected before June 16, 1981 or as otherwise expressly stated in this article, signs are prohibited on a public street, public sidewalk, public right-of-way, public curb or other public property without the express consent of the City Council.

November 8, 2016 – Uniform Election Date

Authority Conducting Elections	County Election Officers and Local Political Subdivisions
Deadline to Post Notice of Candidate Filing Deadline (Local Political Subdivisions Only)	Thursday, June 23, 2016
First Day to File for a Place on the General Election Ballot (Local Political Subdivisions Only)	Saturday, July 23, 2016
Last Day to Order a General Election (or Special Election on a Measure)	Monday, August 22, 2016
Last Day to File for Place on General Election Ballot (Local Political Subdivisions Only)	Monday, August 22, 2016
Last Day to File a Declaration of Write-in Candidacy (Local Political Subdivisions Only)	Friday, August 26, 2016 (NEW LAW: the deadline to submit a declaration of write-in candidacy for most local (city, school, other) general elections is now the 74th day before election day.)
Last Day to Register to Vote	Tuesday, October 11, 2016* *First business day after Columbus Day
First Day of Early Voting	Monday, October 24, 2016
Last Day to Apply for Ballot by Mail (Received, not Postmarked)	Friday, October 28, 2016 (NEW LAW: 11th day before election day; ABBM and FPCA.)
Last Day of Early Voting	Friday, November 4, 2016
Last Day to Receive Ballot by Mail	Tuesday, November 8, 2016 (election day) at 7:00 p.m. (unless overseas deadline applies)

Please visit the Texas Secretary of State website (<http://www.sos.state.tx.us/index.html>) for a full calendar.

# **POLITICAL ADVERTISING**

## **What You Need To Know**



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

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

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

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

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

**(512) 463-5800**

**FAX (512) 463-5777**

**TDD (800) 735-2989**

**Visit us at [www.ethics.state.tx.us](http://www.ethics.state.tx.us) on the Internet.**

Revised January 12, 2015



# CODE OF FAIR CAMPAIGN PRACTICES

## FORM CFCP COVER SHEET

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

*Subscription to the Code of Fair Campaign Practices is voluntary.*

### OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

**1 ACCOUNT NUMBER**  
(Ethics Commission Filers)

**2 TYPE OF FILER**

CANDIDATE

POLITICAL COMMITTEE

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

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

**3 NAME OF CANDIDATE**  
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)      FIRST      MI  
.....  
NICKNAME      LAST      SUFFIX (SR., JR., III, etc.)

**4 TELEPHONE NUMBER OF CANDIDATE**  
(PLEASE TYPE OR PRINT)

AREA CODE      PHONE NUMBER      EXTENSION  
(      )

**5 ADDRESS OF CANDIDATE**  
(PLEASE TYPE OR PRINT)

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

**6 OFFICE SOUGHT BY CANDIDATE**  
(PLEASE TYPE OR PRINT)

**7 NAME OF COMMITTEE**  
(PLEASE TYPE OR PRINT)

**8 NAME OF CAMPAIGN TREASURER**  
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)      FIRST      MI  
.....  
NICKNAME      LAST      SUFFIX (SR., JR., III, etc.)

**GO TO PAGE 2**

## CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

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Signature

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Date

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

<b>APPLICATION FOR A PLACE ON THE _____</b>			<b>GENERAL ELECTION BALLOT</b>		
TO: City Secretary/Secretary of Board					
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.)				<b>INDICATE TERM</b> <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe the address at which you receive personal mail and location of residence.)			PUBLIC MAILING ADDRESS (Campaign mailing address, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (If available)		OCCUPATION (Do not leave blank)		DATE OF BIRTH  / /	VOTER REGISTRATION VOID NUMBER (Optional) <sup>1</sup>
TELEPHONE CONTACT INFORMATION (Optional) Home:  Work:  Cell:		<b>LENGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN</b> <b>IN STATE</b> _____ year (s)  _____ month(s)		<b>IN TERRITORY ELECTED FROM</b> _____ year (s)  _____ month(s)	
If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.					
Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says:  "I, (name) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.  I further swear that the foregoing statements included in my application are in all things true and correct."					
X _____ SIGNATURE OF CANDIDATE				SEAL	
Sworn to and subscribed before me at _____, this the _____ day of _____, _____.					
Signature of Officer Administering Oath <sup>2</sup>			Title of Officer Administering Oath		
TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD: (See Section 1.007)					
Date Received		Signature of Secretary			
Voter Registration Status Verified <input type="checkbox"/>					

## INSTRUCTIONS

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

The general election filing deadline is 5:00 p.m. 78 days prior to election day for any uniform election date.

## NEPOTISM LAW

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

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

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

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

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

These include relatives by blood, half-blood, and legal adoption. Examples of relatives within the second degree of affinity are as follows:

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

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

## FOOTNOTES

<sup>1</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. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

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

Debe proporcionarse la información requerida a menos que se indique que es opcional.

<b>SOLICITUD PARA FIGURAR EN LA BOLETA DE _____ ELECCIÓN GENERAL</b>					
A: Secretario(a) de la Ciudad					
Solicito que mi nombre figure en la boleta oficial indicada más arriba como candidato/a al cargo a continuación.					
PUESTO OFICIAL SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si el cargo lo tiene).				<b>INDIQUE TÉRMINO</b> <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO	
NOMBRE COMPLETO (Primer nombre, segundo nombre, apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE FIGURE EN LA BOLETA		
DIRECCIÓN RESIDENCIAL PERMANENTE (No incluya una casilla postal o una ruta rural. Si usted no tiene una dirección residencial, describa el lugar en que recibe correspondencia personal y la ubicación de su residencia)			DIRECCIÓN POSTAL PÚBLICA (Dirección en la que recibirá correspondencia relacionada a su campaña, si es disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
CORREO ELECTRÓNICO PÚBLICO (Si está disponible.)	EMPLEO (No deje este espacio en blanco.)		FECHA DE NACIMIENTO / /	VUID – NÚMERO UNICO DE IDENTIFICACION DE VOTANTE <sup>1</sup> (Opcional)	
INFORMACIÓN DE CONTACTO (Opcional) Tel. residencial:  Tel. laboral:  Tel. celular:		<b>DURACIÓN DE RESIDENCIA CONTINUA AL MOMENTO DE JURAMENTAR ESTA SOLICITUD</b>			
		<b>EN EL ESTADO</b> ____ año(s) ____ mes(es)		<b>EN EL TERRITORIO POR EL CUAL SERIA ELECTO/A</b> ____ año(s) ____ mes(es)	
En caso de usar un apodo como parte de su nombre en la boleta, usted también firma y jura lo siguiente: Asimismo, juro que mi apodo no constituye un lema político ni tampoco es una indicación de mis creencias o afiliaciones políticas, económicas, sociales o religiosas. Se me ha conocido por este apodo durante al menos tres años antes de esta elección.					
Ante mí, la autoridad suscrita, compareció (nombre) _____, quien frente a mí y bajo juramento debido, declara:					
"Yo, (nombre) _____, del condado de _____, Texas, siendo candidato para el cargo oficial de _____, juro solemnemente que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal cargo oficial bajo la Constitución y las leyes de este Estado. No se me ha condenado por un delito mayor por el cual no haya sido absuelto o por el cual no se me hayan restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. No existe un fallo final de un tribunal testamentario que me declare total o parcialmente incapacitado mentalmente sin derecho a votar. Yo tengo conocimiento de la ley sobre el nepotismo según el Capítulo 573 del Código de Gobierno.					
Además, juro que las declaraciones anteriores que incluyo en mi solicitud son verdaderas y correctas".					
<b>X</b>			_____		
			FIRMA DEL CANDIDATO		
Jurado y suscrito ante mí en _____, este día _____ de _____, _____.					
			<b>SELLO</b>		
Firma del oficial que administra el juramento <sup>2</sup>			Título del oficial que administra el juramento		
TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD:					
(See Section 1.007)					
_____			_____		
Date Received			Signature of Secretary		

## INSTRUCCIONES

La solicitud para que el nombre de un candidato figure en la boleta para cualquier elección general no deberá registrarse antes de los treinta (30) días previos a la fecha límite para registrar la solicitud, según lo prescribe este código. Cualquier solicitud registrada antes de esa fecha se declarará inválida.

El último día para registrarse es a las 5 de la tarde setenta y ocho (78) días antes del día de la elección en el caso de elecciones uniformes.

## LEY SOBRE EL NEPOTISMO

El candidato deberá firmar esta declaración para indicar que tiene conocimiento sobre la ley sobre el nepotismo. A continuación figuran las prohibiciones del nepotismo según el capítulo 573 de Código Gobierno:

Ningún funcionario podrá nombrar, votar por o confirmar el nombramiento o empleo de ninguno de sus parientes en segundo grado por afinidad (matrimonio) o en tercer grado por consanguinidad (sangre), o de los parientes de cualquier otro integrante del cuerpo directivo o tribunal en que el funcionario celebre sesión cuando la compensación para esa persona se pague con fondos públicos u honorarios de su puesto oficial. Sin embargo, la ley no prohíbe el nombramiento, el votar por o la confirmación de ninguna persona que haya trabajado en la oficina de manera continua o el empleo para el siguiente período 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 se elige en una elección general de funcionarios de estado y condado.

Ningún candidato podrá influir sobre un empleado relacionado al puesto oficial al cual el candidato aspira o un empleado o funcionario del cuerpo fiscal al cual el candidato aspira respecto del nombramiento o el empleo de un pariente del candidato en un grado prohibido según se indica arriba. Esta restricción no se dirige a las acciones de un candidato respecto de una clase o categoría de empleados o posibles empleados de buena fe.

Los ejemplos de parentesco en tercer grado por consanguinidad son los siguientes:

- (1) Primer grado: padre, madre, hijo(a);
- (2) Segundo grado: hermano(a), abuelo(a), nieto(a);
- (3) Tercer grado: bisabuelo(a), bisnieto(a), tío(a), sobrino(a).

Los siguientes incluyen parentescos de consanguinidad, medios hermanos y adopción legal. Los ejemplos de parentescos en segundo grado por afinidad son los siguientes:

- (1) Primer grado: cónyuge, suegro(a), yerno, nuera;
- (2) Segundo grado: cuñado(a), abuelo(a) del cónyuge.

Las personas que están emparentadas por afinidad (matrimonio) incluyen los cónyuges de parientes emparentados por consanguinidad, y, si casados, el cónyuge y los parientes del cónyuge por consanguinidad. No todos estos ejemplos son inclusivos.

## NOTAS

<sup>1</sup>La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, para muchos candidatos, es un requisito estar registrados como votantes en el territorio por el cual serían electos a partir de la fecha límite de la solicitud. Puede encontrar información adicional sobre el requisito de registro de votante en nuestra página: <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

<sup>2</sup>Los juramentos, las declaraciones juradas o las afirmaciones que se efectúen dentro de este Estado podrán ser administradas por un juez, escribano o comisionado de alguna corte de registro, por un notario público, un juez de paz, un secretario de la ciudad o el Secretario de Estado de Texas, quienes cuentan con la capacidad de proporcionar un certificado del hecho.

**CERTIFICATE OF WITHDRAWAL**

I, \_\_\_\_\_, a candidate for the office of \_\_\_\_\_, hereby withdraw my candidacy from the \_\_\_\_\_ election. The election is being conducted by \_\_\_\_\_ and is to be held on \_\_\_\_\_.  
(political subdivision/county/party) (date)

\_\_\_\_\_  
Signature of Candidate

"The State of \_\_\_\_\_,

"County of \_\_\_\_\_,

"This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
(date)

\_\_\_\_\_  
(withdrawing candidate)

\_\_\_\_\_  
(Signature of officer)

(Seal)

\_\_\_\_\_  
(Title of officer)

My commission expires: \_\_\_\_\_

*Forma prescrita por la Secretaría de Estado  
Fracción 145.001 del Código Electoral de Tejas*

**CONSTANCIA DE RETIRO DE CANDIDATURA**

Yo, \_\_\_\_\_, candidato/a al cargo de \_\_\_\_\_, por este medio retiro mi candidatura de la elección \_\_\_\_\_. Dicha elección estará a cargo de \_\_\_\_\_ y se celebrará el \_\_\_\_\_.  
(subdivisión política/condado/partido) (fecha)

\_\_\_\_\_  
Firma del/de la Candidato/a

"El estado de \_\_\_\_\_,

"Condado de \_\_\_\_\_,

# WALKER COUNTY NEEDS ELECTION WORKERS!

Election workers are fully trained to (1) prepare the area for voting and open the polls on time, (2) process voters during check-in on the electronic poll books, (3) provide assistance to voters when called upon, (4) and properly close the polls by completing and returning all required paperwork to Election Central.



## WHO CAN BE AN ELECTION WORKER?

You are eligible to work elections if you are:

- ✓ Registered to vote in Walker County
- ✓ You are not an elected official
- ✓ You have good computer skills
- ✓ You have good customer service
- ✓ You enjoy meeting other people and serving the public

## WHAT TYPE OF PEOPLE WORK AS ELECTION WORKERS?

Just about everyone! We have everyone from retired citizens to high school students. We have professional individuals that work full-time or part-time; those who are self-employed and stay-at-home parents. Election workers are a very diverse workforce. **We are always in need of bilingual election workers as well!**

## WHEN ARE ELECTIONS HELD? WHAT ARE THE HOURS?

- **General Elections** are held each year on the first Tuesday in May and November
- **Primary Elections** are held in even years on the second Tuesday in March
- **Runoff Elections** are held as necessary
- **Special Elections** are held as necessary
- **Polls are open on Election Day from 7:00am to 7:00pm**

*Election workers arrive an hour early for set-up and stay an hour late for closing.*



## WHAT DO ELECTION WORKERS DO?

Election workers work in their own home precinct. Duties include:

- ✓ Arriving at the poll place at 6:00am to set up voting area and prepare for voting;
- ✓ Greeting voters with a friendly smile;
- ✓ Qualifying and checking in voters using electronic poll books;
- ✓ Assisting voters when asked, including those with special needs;
- ✓ Ensure that all laws are followed and the election process is honest as well as organized;
- ✓ Closing polls at 7:00pm (or once the last voter in line has voted), then close out poll place properly;
- ✓ And returning all required forms and equipment to Election Central.

## IS TRAINING PROVIDED?

Yes! All election workers must complete (1) online poll-worker training, (2) a mandatory DVD training, (3) electronic poll book training, (4) and an in-person state mandatory training (*normally held the Saturday before the election*). Additional training sessions could be required.

**ARE ELECTION WORKERS PAID? YES!** All election workers are paid \$9.00 per hour.

**PLEASE CALL (936) 436-4959 FOR MORE INFORMATION.**

**THANK YOU FOR YOUR INTEREST IN BECOMING AN ELECTION WORKER!**