



The City of Huntsville, TX 2025 City Council Candidate Forms and Instruction Guides



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February 5, 2025

Dear Candidates and Officeholders:

Thank you for considering to offer your services to the citizens of Huntsville by becoming a candidate for this year's municipal election. In an effort to inform you of dates that will be important to you and your obligation to comply with applicable State statutes and City Charter and ordinances, the attached *Candidate's Packet* has been prepared with the necessary forms and pertinent instructions. I encourage you to read this letter and the enclosed material before filling out the specific forms. Please understand the material in this packet is not exhaustive, and additional information or forms may be needed.

All candidates for office in the City of Huntsville shall be compliant with all of the eligibility requirements attached.

Below is a list of forms to be submitted to the City Secretary's Office in addition to or along with the Application for a Place on the Ballot.

- **Application for a Place on the City of Huntsville General Election Ballot Form (Application Form) - required:**
This form must be filed with the City Secretary's Office no earlier than 8:00 a.m. July 19, 2025, and not later than 5:00 p.m., Monday, August 18, 2025. There is no filing fee. The "Loyalty Oath" is included on this application and must be notarized. The content of each application must be carefully reviewed to determine if it complies with Texas Election Code requirements.
- **Appointment of Campaign Treasurer by a Candidate Form (Form CTA) - required:**
This form must be submitted with the Candidate Application form or shortly thereafter. The Form CTA should be filed with the City Secretary's office prior to accepting any campaign contributions or making/authorizing any campaign expenditures, including expenditures from personal funds. The Candidate Modified Reporting Declaration should be completed if you do not intend to accept or spend more than \$1,110.00 in political contributions or expenditures. However, during the campaign, if expenses or contributions exceed \$1,110.00, then the form CTA and the contribution reports will need to be completed and submitted. Please note that the candidate's signature attests to awareness of the Nepotism Law, Chapter 573 of the Texas Government Code, and Title 15 of the Texas Election Code.
- **Code of Fair Campaign Practices Form - optional:**
If completing this form, submit it simultaneously with the form CTA. While this form is completed and submitted voluntarily, the Texas State Ethics Commission encourages all candidates to subscribe to this Code.

Each application must be carefully reviewed to determine whether it complies with the Election Code requirements as to the content, so please file your application as soon as practicable to allow sufficient time for this review. An incomplete or defective application must be returned to the applicant as being rejected. Section 141.032 governs the review of a candidate's application for a place on the ballot for form, content, and procedure.

It is the duty of the candidate to become familiar with the laws applicable to campaigns for office. The candidates may request the City Secretary to advise them when reports are due, but the duty of the City Secretary is limited to accepting and filing the various applications, affidavits, and statements, and noting the date and time of filing thereon. The City Secretary is not required to judge or comment upon the timeliness, accuracy, or sufficiency of reports filed.

The Texas Election Law requires certain disclosures and notices on political advertising. Please review the political advertising guide and the sign regulation (both of which are also referenced as enclosures). No permit is required for political signs; however, they do not belong on utility poles, attached to trees, or between the sidewalks and the curbs (street right-of-ways). We ask for your discretion in the placing of such signs.

A candidate must become familiar with and comply with the City of Huntsville Charter, Ordinances, State statutes, and laws applicable to filing and campaigning for office. All applications, affidavits, statements, and campaign reports filed with the City Secretary's office are considered public information, may be posted on the City website, and are open for inspection by any person.

If elected, a Council Member is obligated to attend regular City Council meetings and any additional meetings of the City Council that may be held as required to carry out the business of the City. In addition to attending City Council Meetings, there are also required trainings that must be completed, conferences, and seminars.

Interest in your municipal government is appreciated, and I trust this will be a positive and exciting experience for you and your supporters. I hope this information is informative and beneficial. If you have any questions or concerns, don't hesitate to contact the City Secretary's office at 936-291-5413 or via email CitySecretary@HuntsvilleTX.gov. You may also wish to visit the Elections page on the City's website at <http://www.HuntsvilleTX.gov/Elections>.

Sincerely,

Kristy Doll
City Secretary
City of Huntsville, Texas



RESOURCES

- ***Texas Ethics Commission*** – For information regarding campaign finance reporting or political advertising, contact the Texas Ethics Commission.
 - Phone: 512-463-5800
 - Website: <http://www.Ethics.State.Tx.US>

- ***Texas Secretary of State*** – The Secretary of State’s Elections Division provides assistance and advice on election laws. The entire election calendar for candidates and entities holding elections can also be found on the SOS website. Assistance is also provided to the general public on voter registration and other election issues.
 - Phone: 800-252-VOTE (8683)
 - Website: <http://www.SOS.State.Tx.Us/Elections>
 - Email: elections@SOS.State.Tx.US

- ***Walker County Elections*** – The City of Huntsville contracts with Walker County Elections Administration to administer the City’s elections. Walker County can provide information on voter registration.
 - Walker County Election Department, Walker County Annex
 - Phone: 936-436-4959
 - Website: www.CO.Walker.TX.US

- ***City of Huntsville City Secretary’s Office***
 - Kristy Doll, City Secretary
 - Phone: 936-291-5413
 - Email: CitySecretary@HuntsvilleTX.gov

Additional City Resources:

[*City of Huntsville Website*](#)

[*City of Huntsville Charter*](#)

[*Code of Ordinances*](#)

[*Council Rules of Procedure*](#)

[*Development Code*](#)

[*City of Huntsville Budget*](#)



ELIGIBILITY REQUIREMENTS

To become a candidate for a City officer, the City Charter requires:

1. At the time of election to office and during their tenure of office, the Mayor and each member of the Council shall be a citizen and a qualified registered voter of the State of Texas and the City of Huntsville.
2. Be at least 21 years of age on the date of the election.
3. Be a resident of the City for at least 12 months preceding the election.
4. If running for a specific Ward, candidate must be a resident of that Ward.
5. No member of the Council shall be indebted to the City or be delinquent in the payment to the City of any tax or assessment.
6. No member of Council shall hold any other office or employment under the City government.

A member of the Council ceasing to possess any of the foregoing qualifications shall immediately forfeit their office.

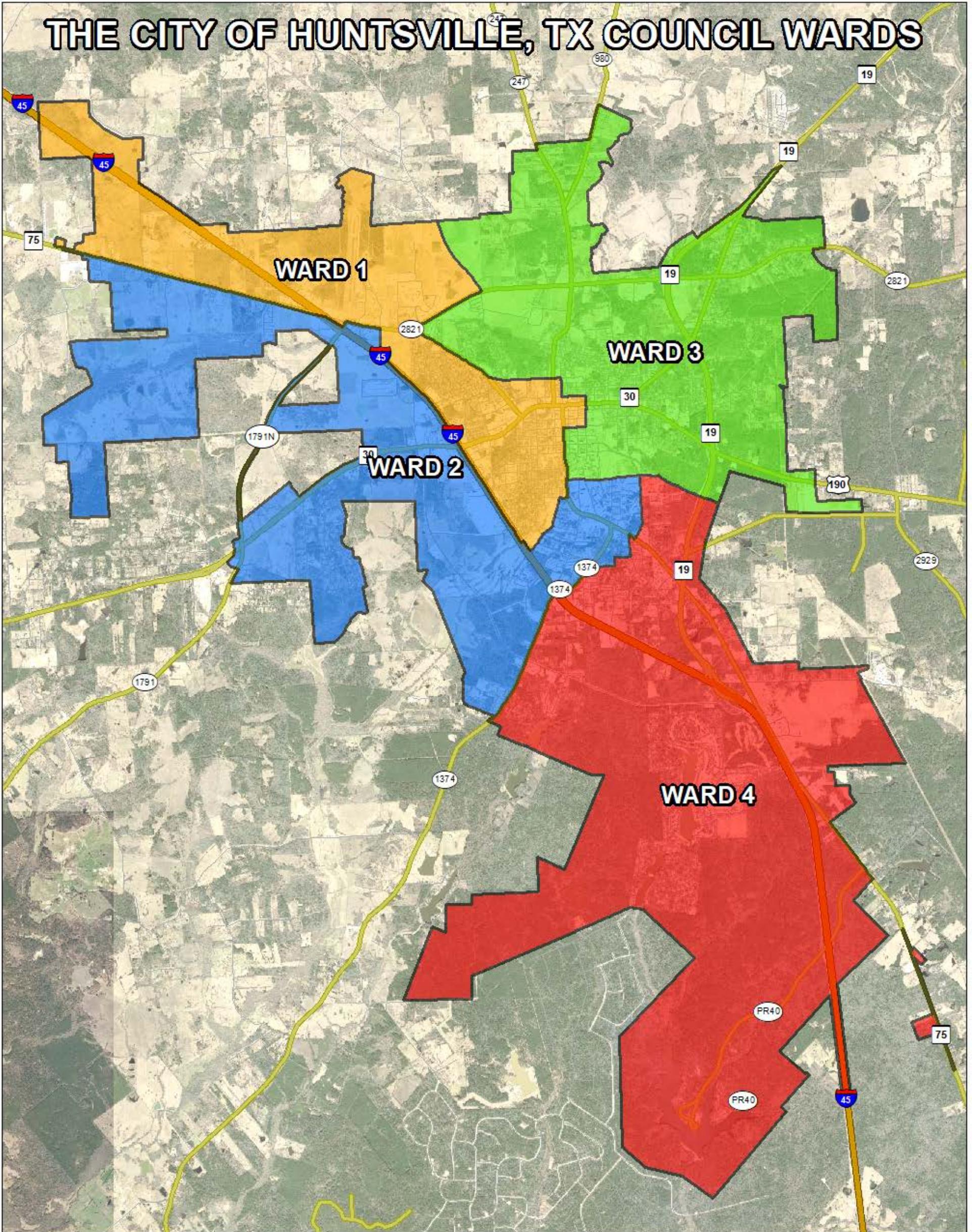
Additionally, State law requires that to become a candidate for City officer:

1. Be a citizen of the United States.
2. Resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the date of the regular filing deadline for a candidate's application for a place on the ballot
3. 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; and
4. Have not been finally convicted of a felony from which the candidate has not been pardoned or otherwise released from the resulting disabilities.

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

- * *City of Huntsville Municipal Charter Section 4.02 – Eligibility requirements*
- * *Texas Election Code, Chapter 145, Section 141.001 – Eligibility requirements.*
- * *Texas Election Code Chapter Sections 141.003 - Age and Residence Requirements for Home-Rule City Office.*
- * *Texas Election Code Chapter 141 Sec. 141.001 (5)(b)*
- * *Texas Election Code Chapter Sections 145.003; 145.004 for ineligibility*

THE CITY OF HUNTSVILLE, TX COUNCIL WARDS



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 OPTIONAL¹ 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 <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 location of residence.) | | | PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.) | | |
| CITY | STATE | ZIP | CITY | STATE | ZIP |
| PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) | | OCCUPATION (Do not leave blank) | DATE OF BIRTH / / | VOTER REGISTRATION VOID NUMBER² (Optional) | |
| TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____ | | | | | |
| FELONY CONVICTION STATUS (You MUST check one) | | LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN | | | |
| <input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³ | | IN THE STATE OF TEXAS | | IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED | |
| | | _____ year(s) _____ month(s) | | _____ year(s) _____ month(s) | |
| This Box Must ONLY be Completed by Candidates for School District Board of Trustees | | | | | |
| Check the Box Below: | | | | | |
| <input type="checkbox"/> I am aware that I am not eligible to serve as a trustee of an independent school district if I am required to register as a sex offender under Chapter 62, Code of Criminal Procedure. | | | | | |
| *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) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, 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 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. | | | | | |
| X _____ | | | | | |
| SIGNATURE OF CANDIDATE | | | | | |
| Sworn to and subscribed before me this the _____ day of _____, _____, by _____. | | | | | |
| (day) (month) (year) (name of candidate) | | | | | |
| Signature of Officer Authorized to Administer Oath ⁴ | | | 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: | | | | | |
| <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. | | | | | |
| This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified | | | | | |
| _____/_____/_____ | | _____/_____/_____ | | (See Section 1.007) | |
| Date Received | | Date Accepted | | Signature of Filing Officer or Designee | |

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

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

²Inclusion 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. <https://www.sos.state.tx.us/elections/laws/voter-reg-req-candidate-faq.shtml>

³Proof 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

⁴All 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 lo hay.) | | | INDIQUE TÉRMINO <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO | | |
| NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido) | | | ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA* | | |
| DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.) | | | DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.) | | |
| CIUDAD | ESTADO | CÓDIGO POSTAL | CIUDAD | ESTADO | CÓDIGO POSTAL |
| DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.) | | OCUPACIÓN (No deje este espacio en blanco) | FECHA DE NACIMIENTO / / | VOID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional) | |
| INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Hogar: _____ Trabajo: _____ 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 | | |
| <input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³ | | | EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es) | | EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es) |
| Esta casilla SÓLO debe ser rellena por los candidatos para la Junta Directiva del Distrito Escolar Marque la casilla a continuación: <input type="checkbox"/> Reconozco que no soy elegible para servir como fideicomisario de un distrito escolar independiente si estoy obligado a registrarme como delincuente sexual conforme al Capítulo 62 del Código de Procedimiento Penal. | | | | | |
| *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.” | | | | | |
| | | | X | | |
| | | | _____ FIRMA DEL CANDIDATO | | |
| Jurado y suscrito ante mí este día ____ de ____ del ____ por ____. (día) (mes) (año) (nombre de candidato) | | | | | |
| _____ Firma del oficial autorizado para administrar el juramento ⁴ | | | _____ 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: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. | | | | | |
| This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified | | | | | |
| _____/_____/_____ Date Received | | _____/_____/_____ Date Accepted | | _____ Signature of Filing Officer or Designee | |

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 7^o día 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

¹Una 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)

²La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) 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 División de Elecciones de la Secretaría de Estado para obtener información adicional. <https://www.sos.state.tx.us/elections/laws/voter-reg-req-candidate-faq.shtml>

³La 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

⁴Todos 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.

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 \$1,110 in political contributions or make more than \$1,110 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

Year of election(s) or election cycle to
which declaration applies

Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us
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

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE

POLITICAL COMMITTEE

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

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

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

Signature

Date

| November 4, 2025 - Uniform Election Date <i>These dates are subject to changes from the 2025 legislative session.</i> | |
|---|--|
| Authority conducting elections | County Elections Officer/Local political subdivisions |
| Deadline to post candidate requirements⁵ <u>Form 1-20</u> | Monday, November 4, 2024 |
| First day to apply for a ballot by mail using Application for a Ballot by Mail (ABBM) or Federal Post Card Application (FPCA) | Wednesday, January 1, 2025* <i>*First day to apply does not move because of New Year's Day holiday. An "Annual ABBM" or FPCA for a January or February 2025 election may be filed earlier, but not earlier than the 60th day before the date of the January or February election.</i> |
| Deadline to post notice of candidate filing deadline | Friday, June 20, 2025* for local political subdivisions that have a first day to file for their candidates ¹ *First business day after Juneteenth |
| First Day to File for Place on General Election Ballot (for local political subdivisions ONLY) ¹ | Saturday, July 19, 2025 ("first day" does not move; office hours not required) |
| Last Day to Order General Election or Election on a Measure | Monday, August 18, 2025 |
| Last Day to File for Place on General Election Ballot (for local political subdivisions ONLY) ² | Monday, August 18, 2025 at 5:00 p.m. See note below relating to four-year terms ³ |
| Last Day to Register to Vote | Monday, October 6, 2025 |
| First Day of Early Voting by Personal Appearance | Monday, October 20, 2025 (17th day before election day falls on a Saturday, first day moves to next business day) |
| Last Day to Apply for Ballot by Mail (Received, not Postmarked) | Friday, October 24, 2025 |
| Last Day of Early Voting by Personal Appearance | Friday, October 31, 2025 |
| Last day to Receive Ballot by Mail | Tuesday, November 4, 2025 (election day) at 7:00 p.m. if carrier envelope |

is **not** postmarked, **OR** Wednesday, November 5, 2023 (next business day after Election Day) at 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply)⁴

¹ For the few entities who do not have a first day to file: **For the May 3, 2025 election**, Wednesday, January 15, 2025 is the deadline to post notice of candidate filing deadline **for local political subdivisions that do not have a first day to file for their candidates**. **For the November 4, 2025 election**, Saturday, July 19, 2025 is the deadline to post notice of candidate filing deadline for local political subdivisions that do not have a first day to file for their candidates.

Local political subdivisions include: cities, school districts, water districts, hospital districts, and any other local government entity that conducts elections. Many of these elections are conducted on the May uniform election date. Note: Counties may also be holding local proposition (measure) elections on May 3, 2025.

² Filing deadlines: generally, the filing deadline is the 78th day prior to Election Day. The Code may provide a different special election filing deadline. See Section 201.054 of the Texas Election Code (the “Code”). Write-in deadlines for general and special elections vary. See the long calendar for this election date for details. The write-in deadline for most local (city, school, other) **special elections** is now the same day as the filing deadline for application for a place on the ballot. Section 201.054.

³ If no candidate for a **four-year term** has filed an application for a place on the ballot for a city office, the filing deadline for that office is extended to 5 p.m. of the 57th day before the election. For the May 3, 2025 election, this is Friday, March 7, 2025. For the November 4, 2025 election, this is Monday, September 8, 2025. See Section 143.008 of the Code.

⁴ Different deadlines apply to the last day to receive ballots sent by the following: 1) non-military and military voters who mailed ballots from overseas and submitted a regular state Application for Ballot by Mail (“ABBM”), 2) non-military voters who mailed ballots from overseas and who submitted a Federal Postcard Application (“FPCA”), and (3) military voters and members of the Texas National Guard, who mailed ballots domestically or from overseas and who submitted an FPCA. See Secs. 86.007, 101.001 and 101.057 of the Code.

⁵ Section 2051.152 of the Government Code requires all political subdivisions with the authority to impose a tax maintain a publicly accessible Internet website and post the date and location of the next election for officers



TEXAS ETHICS COMMISSION
2025 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH
ELECTIONS HELD ON UNIFORM ELECTION DATES

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2025 are May 3 and November 4.

Candidates and officeholders must file semiannual reports (due on January 15, 2025, and July 15, 2025). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file two pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2025 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2025 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

EXPLANATION OF THE FILING SCHEDULE CHART

COLUMN I: REPORT DUE DATE - This is the date by which the report must be filed. If the due date for a report falls on a Saturday, Sunday, or legal holiday, the report is due on the next regular business day. This schedule shows the extended deadline where applicable. A report transmitted to the Texas Ethics Commission over the Internet is considered timely filed if it is transmitted *by midnight, Central Time Zone, on the night of the filing deadline*. For most filing deadlines, a report filed on paper is considered timely filed if it is deposited with the U.S. Post Office or a common or contract carrier properly addressed with postage and handling charges prepaid, or hand-delivered to the filing authority by the filing deadline. **Pre-Election Reports:** A report due 30 days before an election and a report due 8 days before an election must be *received* by the appropriate filing authority no later than the report due date to be considered timely filed.

COLUMN II: TYPE OF REPORT (WHO FILES) - This column gives the report type and explains which reporting form to use and which filers are required to file the report.

COLUMN III: BEGINNING DATE OF PERIOD COVERED - This column sets out the beginning date of the time period covered by the report. Use the latest one of the applicable dates. The "date of campaign treasurer appointment" is the beginning date only for the *first* report filed after filing a campaign treasurer appointment. For officeholders recently appointed to an elective office, the beginning date for the first report will be the date the officeholder took office, provided that he or she was not already filing as an officeholder or candidate at the time of the appointment. (*NOTE:* If you are ever confused about the beginning date for a required report, remember this rule: **There should never be gaps between reporting periods and, generally, there should not be overlaps.**)

COLUMN IV: ENDING DATE OF PERIOD COVERED - This column sets out the ending date of the time period covered by the report. The report must include reportable activity occurring on the ending date.

Please consult the CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES or the CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES for further information.

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|---|--|---|---|
| Wednesday, January 15, 2025 | January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,080 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs) | July 1, 2024, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | December 31, 2024 |
| Wednesday, January 15, 2025 | Annual report of unexpended contributions [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions) | January 1, 2024, <i>or</i> the day after the date the final report was filed. | December 31, 2024 |

REPORTS DUE BEFORE THE MAY 3, 2025, UNIFORM ELECTION

| | | | |
|--|--|--|----------------|
| Thursday, April 3, 2025 NOTE: This report must be received by the appropriate filing authority no later than April 3, 2025. | 30th day before the May 3, 2025, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 3 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved with the May 3 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 3 election) | January 1, 2025, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | March 24, 2025 |
|--|--|--|----------------|

NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|--|--|--|--|
| <p>Friday, April 25, 2025</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 25, 2025.</p> | <p>8th day before May 3, 2025, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the May 3 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the May 3 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the May 3 election)</p> | <p>March 25, 2025, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>April 23, 2025</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 23, 2025, may be required. Please consult the Campaign Finance Guide for further information.</p> |

| | | | |
|--|--|---|----------------------|
| <p>Tuesday, July 15, 2025</p> | <p>July semiannual</p> <p>[FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,110 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p> | <p>January 1, 2025, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>June 30, 2025</p> |
|--|--|---|----------------------|

NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|---|--|---|---|
|---|--|---|---|

REPORTS DUE BEFORE THE NOVEMBER 4, 2025, UNIFORM ELECTION

| | | | |
|---|--|--|--|
| <p>Monday, October 6, 2025</p> <p><i>Deadline is extended because of weekend.</i></p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 6, 2025.</p> | <p>30th day before the November 4, 2025, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 4 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that are involved with the November 4 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 4 election)</p> | <p>July 1, 2025, <u>or</u></p> <p>the date of campaign treasurer appointment, <u>or</u></p> <p>the day after the date the last report ended.</p> | <p>September 25, 2025</p> |
| <p>Monday, October 27, 2025</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 27, 2025.</p> | <p>8th day before the November 4, 2025, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 4 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the November 4 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the November 4 election)</p> | <p>September 26, 2025, <u>or</u></p> <p>the date of campaign treasurer appointment, <u>or</u></p> <p>the day after the date the last report ended.</p> | <p>October 25, 2025</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 25, 2025, may be required. Please consult the Campaign Finance Guide for further information.</p> |

NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|---|---|--|---|
| Thursday, January 15, 2026 | <p>January semiannual</p> <p>[FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,110 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p> | <p>July 1, 2025, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | December 31, 2025 |
| Thursday, January 15, 2026 | <p>Annual report of unexpended contributions</p> <p>[FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)</p> | <p>January 1, 2025, <i>or</i></p> <p>the day after the date the final report was filed.</p> | December 31, 2025 |

First Steps for Candidates Running for a City Office

This quick-start guide for candidates seeking a city office 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 www.ethics.state.tx.us.

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. File [Form CTA](#) with the city clerk or city secretary, as applicable.

2. Opposed Candidates: Will you accept or spend more than **\$1,110*** for the election?

• YES:

- You do not qualify to file on the modified reporting schedule.
- 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 city clerk or city 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 city clerk or city secretary.
- If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.
- Exceed \$1,110*: If you elect to file on the modified reporting schedule but later exceed \$1,110 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$1,110*.
 - If you exceed \$1,110* on or before 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 city clerk or city 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 \$1,110* 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 city clerk or city secretary within 48 hours of exceeding \$1,110.* You must also file the pre-election report due 8 days prior to an election. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage. If you exceed \$1,110* on or before 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 city clerk or city 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 city clerk or city 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, add your treasurer information, get it notarized, and file it with the city clerk or city 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 www.ethics.state.tx.us under the “Resources” and “Forms/Instructions” main menu items.

***NOTE:** *The \$1,110 threshold is specific to transactions made in 2025.*

Starting Your Campaign – Candidates

Texas Ethics Commission – April 2021

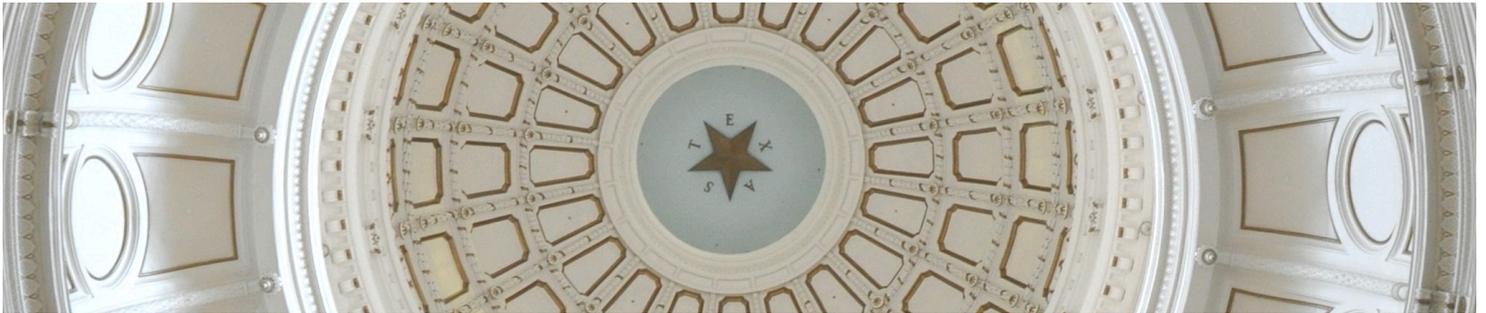
You Decided to Run for Office – Now What??

- First, review the information on the Texas Ethics Commission website about starting a new campaign [Texas Ethics Commission](#)
- File a Campaign Treasurer Appointment
- Open a separate bank account if you plan to accept contributions
- Be aware of filing deadlines
 - Semiannual reports due on January 15 of each year;
 - Semiannual reports due on July 15 of each year;
 - 30-day pre-election reports;
 - 8-day pre-election reports; and
 - Runoff reports
- Keep records of contributions and expenditures so you can file your Campaign Finance Reports
- Know about possible penalties for missing or late reports
- Then, and ONLY then, start campaigning! Have fun!



Texas Ethics Commission

Promoting Public Confidence in Government



Resources

Frequently Asked Questions For Candidates

1. I've decided to run for office. Now what?

After you make the decision to run for office, you must file a Campaign Treasurer Appointment (</data/forms/coh/cta.pdf>). (Judicial candidates need to use Form JCTA (</data/forms/coh/jcta.pdf>)). This is required before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy publicly or privately. Please be aware that becoming a candidate will trigger filing requirements. You can familiarize yourself with these requirements by consulting the appropriate campaign finance guide (</resources/cf>) and filing schedule (/filinginfo/schedules/filing_schedules.php).

If this is your first time filing reports with the Texas Ethics Commission, you will be assigned a Filer ID from the Commission after the Commission has received your Campaign Treasurer Appointment. This Filer ID and a link to set your password will be emailed to you. The Ethics Commission will also mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission's forms, schedules, and guides. Once you have a Filer ID and have set your password, you can electronically file your campaign finance reports.

2. I'm not going to raise any money. Do I still need to appoint a treasurer?

Yes. The law requires every candidate to file a campaign treasurer appointment, even if the candidate does not intend to raise or spend money. You are permitted to appoint yourself as your treasurer.

3. If I run for office again do I need to appoint a campaign treasurer again?

If you are running for the same office and have not terminated your campaign treasurer appointment by filing a final report, you are not required to file another appointment of a campaign treasurer (Form CTA).

4. Where do I file my forms?

Where you file depends on whether you are running for a "local" office or one that is required to file with the Texas Ethics Commission.

5. How do I determine whether I am a "local" filer or a Texas Ethics Commission filer?

Local offices may include:

- County offices (county commissioner, tax assessor/collector, constable, justice of the peace, sheriff, etc.)
- City offices (mayor, council member, secretary, etc.)
- Political Subdivision offices (school board, community college trustee, municipal utility district, water district, etc.)

Statewide offices and other offices that file with the Texas Ethics Commission include:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Railroad Commissioner, Land Commissioner, Agriculture Commissioner, State Chair of political party
 - Texas Senate, Texas House of Representatives
 - Multi-county District Attorney
 - State Board of Education
 - Supreme Court Justice, Court of Appeals Justice, Court of Criminal Appeals Judge, and district judges
-

6. I am a “local” filer. Where do I file my forms?

Local candidates do not file with the Texas Ethics Commission. If you are a local candidate, you will file with your local filing authority.

The filing authority for a local candidate or officeholder depends on the nature of the office sought or held:

- County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate filing authority for a candidate for:
 - a county office
 - a precinct office
 - a district office (except for multi-county district offices)
 - an office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.
 - Other local filing authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body’s presiding officer.
-

7. I have never filed with the Ethics Commission. How do I get started?

To file with the Texas Ethics Commission, you need a Filer ID. This Filer ID is assigned to you by the Commission. The fastest way to get started is to fill out a Campaign Treasurer Appointment – Form CTA (</data/forms/coh/cta.pdf>) (judicial candidates need to use Form JCTA (</data/forms/coh/jcta.pdf>)) and a Form Security (</data/forms/security/security-cf.pdf>). Email your treasurer appointment to the Ethics Commission at treasappoint@ethics.state.tx.us and email your security form to the Ethics Commission at formsecurity@ethics.state.tx.us. Your new Filer ID and a link to set your password will be emailed to you. The Ethics Commission will mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission’s forms, schedules, and guides.

8. What reports will I need to file?

Candidates will typically need to file a treasurer appointment and periodic campaign finance reports disclosing the candidate's activity. The specific forms required will depend on what office you are seeking. Other forms may be required in less common situations, such as filing a

correction or amending a treasurer appointment. All potentially required forms and their companion instruction guides can be found on our Forms/Instructions ▾ Candidates and Officeholders (/forms/COHindex.php) tab located at the top of this page.

9. Do I have to file my reports electronically?

Filers who file with the Texas Ethics Commission are required to file campaign finance reports electronically. A filer must request an electronic filing password using a Form Security (/data/forms/security/security-cf.pdf) and email it to the Ethics Commission at formsecurity@ethics.state.tx.us to file the reports. An exception exists for filers who have limited activity and do not use computer equipment to keep track of their political activity. A filer claiming this exception must attach an affidavit of exemption (/data/forms/affd/elf_coh_aff.pdf) to each report filed on paper. The appointment of a campaign treasurer form and any amendments to that form must still be filed on paper.

Filers who file with local authorities are not required to file electronically under state law. However, these filers should check with their local filing authority to determine whether that authority requires electronic filing.

10. How do I get my name on the ballot?

Contact the Secretary of State's Elections Division or your local party for questions about the application for a place on the ballot.

11. Do I still have to file reports if I chose modified reporting on my treasurer appointment?

By selecting the modified reporting schedule you are indicating that you plan to stay under the \$1,110 threshold in both contributions or expenditures in connection with an election. The modified reporting schedule exempts you from filing 30-day and 8-day pre-election reports. If you have selected the modified reporting schedule, you must still report activity during the entire period you were a candidate, either on a semiannual report or on a final report. Please note that the payment of a filing fee is not considered when calculating whether a filer has exceeded \$1,110 in expenditures.

12. What happens if I select modified reporting and then exceed \$1,110*?

If you select modified reporting and exceed \$1,110 (in either contributions or expenditures in connection with an election) before the 30-day pre-election report is due, you must file required 30-day and 8-day pre-election reports (keep in mind that unopposed candidates are not required to file these reports regardless of their level of activity). If you exceed a \$1,110 threshold after the

30-day pre-election report is due, you must file an “Exceeded Modified Reporting Limit report” within 48 hours of exceeding the threshold and, if the threshold is exceeded before the 8-day pre-election report is due, you must file the 8-day pre-election report.

13. When do I have to file my campaign finance reports?

Due dates for campaign finance reports can be found on the appropriate filing schedule (/filinginfo/schedules/filing_schedules.php).

14. When do I have to file my report for it to be timely?

Most reports are considered timely filed if they are postmarked or electronically submitted by the due date. If filing electronically, a report must be filed by midnight Central time on the night of the due date to be considered timely filed. A 30-day, 8-day, or special pre-election report must be received by the filing authority no later than the due date to be considered timely filed.

15. I was a candidate in an election, and I lost. Do I need to file any further reports?

Losing an election does not end your filing responsibilities with the Texas Ethics Commission or with your local filing authority.

If your situation meets all of the following criteria, you may file a final report to terminate your treasurer and terminate future filing requirements:

- you do not currently hold an office, and
- you lost the election, and
- you have no remaining funds or assets in your campaign account

The final report will cover the period beginning where your last report ended and ending on the day the final report is filed.

Filing a final report terminates your campaign treasurer appointment and terminates your status as a “candidate” for filing purposes. Please remember that you may not accept campaign contributions or make campaign expenditures without having a campaign treasurer appointment on file.

If you do not file a final report after the election, you will be required to file semiannual reports until you file a final report. Officeholders who have filed a final report may still have additional filing requirements. See the relevant campaign finance guide (</resources/cf>) for additional information.

16. How do I complete the campaign finance report?

Each form has a companion instruction guide (</forms/coh/cohfrm.php>) that instructs you how to fill out the form line-by-line. Most questions about how to fill out the form can be answered by consulting these instructions. Other topics like reporting expenditures from personal funds, reporting staff reimbursements, and reporting credit card expenditures are explained more fully in the reporting resources found in the Helpful Information section (</resources/cf>) on the Campaign Finance Resources page.

17. What kind of bank account should I open?

You must deposit your political contributions in a separate account from any other account you maintain. State law does not require this account to be a particular type of account (e.g., a business account), but bank policies may restrict the type of account you can use. Please consult your financial institution.

18. Do I need to get a tax identification number?

The laws under the jurisdiction of the Texas Ethics Commission do not require a candidate or political committee to obtain a Tax Identification Number. Please contact the Internal Revenue Service and the Texas Workforce Commission for further information.

19. How can I spend my campaign funds?

You may use your political funds to pay for most expenses you incur as a candidate or officeholder. The primary restriction in using campaign funds is that you cannot convert them to personal use. You can consult the commission's preexisting opinions (/resources/cf/Personal_Use_Of_Contributions.php) about permissible and impermissible uses of political funds.

Additional restrictions exist for payments to close family members, payments to a business of the candidate, and payments from judicial candidates and officeholders to candidates or political committees. These restrictions are discussed in more detail in the campaign finance guides (</resources/guides/>).

20. I'm running for a city or county office. Do I need to file a personal financial statement?

A personal financial statement is a document disclosing a candidate or officer's personal financial activity over the period of a calendar year (in contrast to a campaign finance report, which discloses a campaign's financial activity).

Generally, the Texas Ethics Commission does not have jurisdiction to determine whether a candidate for local office is required to file a personal financial statement. However candidates for district attorney must file personal financial statements with the Commission. Other candidates should contact their local filing authority to determine whether they need to file a personal financial statement.

21. What has to be on my signs?

Most political advertising requires a political advertising disclosure statement and signs designed to be seen from a road must contain a highway right-of-way notice. Additionally, non-incumbent candidates must use the word "for" before the name of the office they are seeking. Please see the Political Advertising Guide (/data/resources/advertising/Gpol_adv.pdf) for more specific information.

22. Where and when can I post my campaign signs?

The Texas Ethics Commission generally does not regulate the placement or removal of political signs. The Texas Ethics Commission primarily regulates the disclosure statements that must appear on political advertising signs. You may find this guide from TXDOT to be helpful:

<http://ftp.dot.state.tx.us/pub/txdot-info/row/political-signs.pdf> (<http://ftp.dot.state.tx.us/pub/txdot-info/row/political-signs.pdf>).

Before distributing any political advertising, a candidate must have a treasurer appointment on file with the proper filing authority.

The answer to this question largely depends on where the signs are placed, and whether there are any local government restrictions set by the county, city, or HOA. Regarding signs placed on city-owned public property, you may wish to contact the city attorney to see if the city has any restrictions, such as a 90 day. Regarding signs placed on rural roads, those are regulated by Chapter 394 of the Texas Transportation Code and you may wish to contact TXDOT.

<https://www.txdot.gov/inside-txdot/division/right-of-way/outdoor-signs.html>
(<https://www.txdot.gov/inside-txdot/division/right-of-way/outdoor-signs.html>).

Also, note that Chapter 259 of the Election Code actually prohibits municipalities and HOAs from adopting and enforcing regulations, such as any 90 day restrictions, that prohibit the placement of certain political advertising signs within an HOA or on private property.

<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.259.htm>
(<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.259.htm>).

23. What are my contribution limits?

The state does not have contribution limits for most offices. Judicial candidates are subject to contribution limits, which are discussed further in the Campaign Finance Guide for Judicial Candidates (/data/resources/judicial/jcoh_guide.pdf). Some political subdivisions do impose their own contribution limits, so a candidate should always check with the local authority to see if any relevant limits apply.

24. What are my restrictions on fundraising?

All candidates are prohibited from accepting contributions from a corporation or labor organization and from accepting a cash contribution exceeding \$100. Candidates are also prohibited from accepting anonymous contributions, so for this reason, fundraising strategies like contribution jars are discouraged. For more information about fundraising, see the Political Fundraising Guide (</data/resources/guides/Gpolfund.pdf>).

25. How do I correct a report?

A filer may correct a report filed with the Texas Ethics Commission or a local filing authority at any time. If you are required to file reports electronically with the Ethics Commission, then reports can be corrected through the software by selecting the option to "Correct a Filed Report." If you qualify to file reports on paper with the Ethics Commission, then you will need to submit a correction affidavit, an *affidavit for electronic filing exemption* (/data/forms/affd/elf_coh_aff.pdf), and the pages of the report that are being corrected. If you are required to file reports with a local filing authority, you will need to submit a correction affidavit and the pages of the report that are being corrected. Depending on the type of report that is being corrected, you should use the appropriate correction affidavit form found at the *Forms/Instructions* ▾ *Candidate/Officeholders* (</forms/COHindex.php>) tab at the top of this page.

26. Will the Ethics Commission make paper copies of electronically filed reports available?

Yes for a surcharge. Members of the public may make an open records request (</contact/index.php#records>) for specified copies of reports. There is a fee for copies.

27. May someone who files with a local filing authority file electronically?

Local filers may file electronically if your local authority has an electronic filing system for campaign finance reports. Check with your local authority to find out if electronic filing is an option. At this time, most local authorities *do not* offer electronic filing. There are, however, a few local filing authorities that offer, and in some instances even require, electronic filing. Local filers wanting to generate a pdf copy of their report, can also use the TEC filing application to generate

the report. The report must still be filed with your local filing authority. See *Filing Reports* ▾ *Local Filers* ▾ *Campaign Finance Reports (/filinginfo/LOCALindex.php#cfs)* tab found at the top of this page to generate your report using TEC filing application

***NOTE: The \$1,110 threshold is specific to transactions made in 2025 and has been updated.**

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 [Chapter 255 of the Election Code](#), which is distinct from political reporting requirements under [Chapter 254 of the Election Code](#).

Texas Ethics Commission
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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;

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 [Fair Campaign Practices Act](#) 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

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

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 [Chapter 255 of the Election Code](#).

STATEWIDE CAMPAIGN SIGN REGULATIONS

Texas Department of Transportation:

- It is illegal to place any signs on or within the right of way. This includes posting signs on trees, telephone poles, traffic signs and other objects on the right of way.
- Campaign signs along Texas roads can be placed on private property with the owner's permission. Signs must be made of lightweight material and be no larger than 50 square feet.
- Campaign signs may be posted as early as 90 days before an election (no earlier) and must be removed within 10 days after the election.
- Before placing a sign inside of incorporated city limits, check with the city for applicable ordinances.
- Sign Removal: If you've placed your sign in the right of way or it's posing a traffic hazard, we will remove it without prior notice. All costs associated with sign removal will be paid by the sign owner.
Campaign Signs (Home > Inside TxDOT > Divisions > Right of Way)

Texas Election Code (Sec. 259.002):

Sec. 259.002. REGULATION OF DISPLAY OF POLITICAL SIGNS BY PROPERTY OWNERS' ASSOCIATION. (a) In this section, "property owners' association" has the meaning assigned by Section 202.001, Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

- (1) on or after the 90th day before the date of the election to which the sign relates; or
- (2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

- (1) requires a sign to be ground-mounted; or
- (2) limits a property owner to displaying only one sign for each candidate or measure.

(d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

- (1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;
- (2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;
- (3) includes the painting of architectural surfaces;
- (4) threatens the public health or safety;
- (5) is larger than four feet by six feet;
- (6) violates a law;
- (7) contains language, graphics, or any display that would be offensive to the ordinary person;
- (8) or is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

(e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

Transferred, redesignated and amended from Property Code, Section 202.009 by Acts 2019, 86th Leg., R.S., Ch. 824 (H.B. 2554), Sec. 3, eff. September 1, 2019.

COUNTYWIDE CAMPAIGN SIGN REGULATIONS

Walker County Early Voting Location(s):

- In addition to the size of political signs stated below, **no canopies, tents, tarps, etc. are allowed to be erected in the parking lot by any candidate, campaign, or party during Early Voting or on Election Day.** Also, we ask that you be respectful of the others when it comes to occupying parking spaces for campaigning. In multi-purpose facilities with limited parking availability, we must keep the safety of all citizens a number one priority. *(Excerpt from official Walker County correspondence documented 05/16/2016; Updated 08/13/2021)*
- **Candidates on the ballot may display standard size yard signs with wire stakes, approximately 18" x 24" in size,** outside the posted distance marker of 100ft from the poll place entrance(s). As you can imagine, joint election agreements between the county and other governing entities have increased the number of candidates on the ballot at one time generating even more candidate and political signs at the Early Voting site. Signs cannot be hazardous to public safety or obstruct a clear vision. Please join us in keeping the citizens safety first. *(Excerpt from official Walker County correspondence documented 10/23/2012; Updated 08/13/2021)*
- Posting of campaign signs **at the Walker County Early Voting location(s) is prohibited before 5:00pm the Friday prior to Early Voting.** All signs shall be removed within 10 days following Election Day. *Texas Property Code Sec. 202.009(a)(2)*
- Any posted campaign sign(s) posted that are not in compliance will be removed by Walker County Elections staff members, and placed on the ground where it was originally posted. Candidates will be able to repost signs accordingly. Candidates will not be contacted regarding sign compliance.

CITY OF HUNTSVILLE CAMPAIGN SIGN REGULATIONS

City of Huntsville, Texas:

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.

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.

8.402 Temporary Signs in the Public Right-of-Way

The City Planner is authorized to allow the placement of temporary signs in public rights-of-way when all of the conditions of this subsection are met.

8.402.A Permit Required

Any person or entity desiring to place a temporary sign in the public right-of-way must obtain a permit to do so from the City Planner.

8.402.B Size, Type and Number

1. A temporary sign placed in the public right-of-way must be freestanding and may not exceed 6 square feet in area.
2. No more than 2 signs may be permitted per intersection, and no more than one sign is allowed per block.
3. A maximum of 50 signs may be located within the right-of-way within the City limits at any one time.

8.402.C Duration and Location

1. A temporary sign may be placed in the right-of-way for a period of up to 21 days with a limit of 2 permits per year (per individual or organization) with a minimum of 45 days between permit periods. Removal of the temporary signs must be accomplished by the responsible person, as noted on the permit, before the 22nd day from the date the permit was issued.
2. Temporary signs are not allowed on IH-45 or State Highway 19 rights of way.

8.403 Removal of Signs in the Public Right-of-Way

The City Council authorizes the seizure and removal of any unlawful sign found within a public right-of-way. The Building Official, street department employees, and police department employees are authorized to impound any unlawful signs found on a public right-of-way and to store them for up to 30 days, except that any developer, political, real estate, garage sale or other similar stake-type signs constructed of cloth, wood, paper or similar lightweight materials may be disposed of immediately.

Exert from Huntsville Development Code (eff. 08.31.2015), Article 8 Signs

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:



Contact Us

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

www.txdot.gov → About → 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 FUNDRAISERS: What You Need to Know



A GUIDE FOR CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES

January 1, 2025

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 \$1,110, 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: texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights 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.

Texas Ethics Commission

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.

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer by telephone at 512-463-5800 or through RELAY Texas at 800-735-2989; or by mail in care of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711.

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TEXAS ETHICS COMMISSION
CHAPTER 258, ELECTION CODE
FAIR CAMPAIGN PRACTICES



**Effective September 1,
1997 (Revised 9/1/2023)**

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

www.ethics.state.tx.us

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Promoting Public Confidence in Government

CHAPTER 258, ELECTION CODE

FAIR CAMPAIGN PRACTICES

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ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 258. FAIR CAMPAIGN PRACTICES

Sec. 258.001. SHORT TITLE. This chapter may be cited as the Fair Campaign Practices Act.

Sec. 258.002. PURPOSE.

(a) The purpose of this chapter is to encourage every candidate and political committee to subscribe to the Code of Fair Campaign Practices.

(b) It is the intent of the legislature that every candidate and political committee that subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents.

Sec. 258.003. DELIVERY OF COPY OF CODE.

(a) When a candidate or political committee files its campaign treasurer appointment, the authority with whom the appointment is filed shall give the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The authority shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with the authority and that subscription to the code is voluntary.

Sec. 258.004. TEXT OF CODE. The Code of Fair Campaign Practices reads as follows:

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.

VOID – COPY ONLY - VOID¹

Date

Signature

Sec. 258.005. FORMS. The commission shall print copies of the Code of Fair Campaign Practices and shall supply the forms to the authorities with whom copies of the code may be filed in quantities and at times requested by the authorities.

Sec. 258.006. ACCEPTANCE AND PRESERVATION OF COPIES.

(a) An authority with whom a campaign treasurer appointment is filed shall accept each completed copy of the code submitted to the authority that is properly subscribed to by a candidate or the campaign treasurer of a political committee.

(b) Each copy of the code accepted under this section shall be preserved by the authority with whom it is filed for the period prescribed for the filer's campaign treasurer appointment.

Sec. 258.007. SUBSCRIPTION TO CODE VOLUNTARY. The subscription to the Code of Fair Campaign Practices by a candidate or a political committee is voluntary.

¹ This document is a copy of chapter 258, Election Code. To subscribe to the Code of Fair Campaign Practices, a candidate or campaign treasurer of a political committee must submit Texas Ethics Commission FORM CFCP, not a signed copy of this document.

Sec. 258.008. INDICATION ON POLITICAL ADVERTISING. A candidate or a political committee that has filed a copy of the Code of Fair Campaign Practices may so indicate on political advertising in a form to be determined by the commission.

Sec. 258.009. CIVIL CAUSE OF ACTION. This chapter does not create a civil cause of action for recovery of damages or for enforcement of this chapter.

TEXAS ETHICS COMMISSION

CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES



This guide is for candidates for and officeholders in the following positions:

- **county offices;**
- **precinct offices;**
- **single-county district offices;**
- **city offices; and**
- **offices of other political subdivisions such as school districts**

This guide applies to candidates for and officeholders of justice of the peace. This guide does not apply to candidates for and judges of statutory county courts, statutory probate courts, or district courts. For those candidates and officeholders, the Ethics Commission makes available a CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS.

The Ethics Commission also makes available a CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH THE ETHICS COMMISSION, a CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES, and a CAMPAIGN FINANCE GUIDE FOR POLITICAL PARTIES.

Revised January 1, 2025

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

**CAMPAIGN FINANCE GUIDE FOR CANDIDATES
AND OFFICEHOLDERS WHO FILE WITH
LOCAL FILING AUTHORITIES**

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INTRODUCTION

This guide is a summary of reporting requirements and other regulations set out in Title 15 of the Texas Election Code (Chs. 251-259) and in the rules adopted by the Texas Ethics Commission. This guide applies to candidates for and officeholders in most local offices in Texas.

This guide does not apply to candidates for or officeholders of statewide elective offices, the State Legislature, seats on the State Board of Education, or multi-county district offices. Nor does it apply to candidates for or judges of statutory county courts, statutory probate courts, or district courts.

IMPORTANT UPDATES

As directed by section 571.064 of the Texas Government Code, the Commission is required to annually adjust certain reporting thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor.

These changes will be made effective January 1st of each calendar year; the affected numbers and corresponding new thresholds are located in 1 T.A.C. §18.31, which can be found here: <https://www.ethics.state.tx.us/rules/>. The higher itemization thresholds will be reflected on the paper forms and in these instructions, as applicable.

Verify that you are using the correct thresholds and forms that apply to your filing. For example, if you are filing a campaign finance report or lobby activities report that is due in January of 2021, you must use the forms and instructions that are applicable to the period ending December 31, 2020.

OFFICEHOLDERS

Officeholders as well as candidates are subject to regulation under Title 15. An officeholder who has a campaign treasurer appointment on file with a filing authority is a “candidate” for purposes of Title 15 and is subject to all the regulations applicable to candidates. An officeholder who does not have a campaign treasurer appointment on file is subject only to the regulations applicable to officeholders.

Most of the requirements discussed in this guide apply to both candidates (individuals who have a campaign treasurer appointment on file) and to officeholders who do not have a campaign treasurer appointment on file. The guide will indicate whether a particular requirement applies to individuals who have campaign treasurer appointments on file, to officeholders who do not have campaign treasurer appointments on file, or to both.

JUDICIAL CANDIDATES AND OFFICEHOLDERS

Candidates for and officeholders in most judicial offices are subject to various restrictions that do not apply to other candidates and officeholders. Those candidates and officeholders should review the CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS and the POLITICAL ADVERTISING GUIDE which are available on the commission’s website.

Nonjudicial Officeholder Seeking Judicial Office. Pursuant to Op. Tex. Ethics Comm'n No. 465 (2005), a nonjudicial officeholder who becomes a judicial candidate is required to file two campaign finance reports, one reporting nonjudicial activity and the other reporting judicial activity. Alternatively, a nonjudicial officeholder who becomes a judicial candidate may select to file a single report that includes both candidate and officeholder activity if the activity is clearly and properly reported. *See* the CAMPAIGN FINANCE GUIDE FOR JUDICIAL CANDIDATES AND OFFICEHOLDERS for more information.

FEDERAL OFFICES

This guide does not apply to candidates for federal offices. Candidates for federal offices should contact the Federal Election Commission. The FEC's toll-free number is (800) 424-9530.

FILING AUTHORITIES

Title 15 requires candidates and officeholders to file various documents and reports with the appropriate filing authority.

The filing authority for a local candidate or officeholder depends on the nature of the office sought or held.

County Clerk. The county clerk (or the county elections administrator if the county has an elections administrator, or tax assessor-collector if the county's commissioners court has transferred the filing authority function to the tax assessor-collector and the county clerk and tax assessor-collector have agreed to the transfer) is the appropriate filing authority for a candidate for:

- a county office;
- a precinct office;
- a district office (except for multi-county district offices); and
- an office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.

Other local filing authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer.

Texas Ethics Commission. The Texas Ethics Commission is the appropriate filing authority for candidates for:

- Multi-county district offices. (Reminder: This guide does not apply to multi-county district offices.)

- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.

POLITICAL COMMITTEES (PACS)

Often a candidate or officeholder chooses to establish a specific-purpose political committee. A political committee is subject to *separate* filing requirements. Establishing a specific-purpose political committee does not relieve a candidate or officeholder of the obligation to file as an individual. For more information about political committees, see the Ethics Commission's CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES.

FINANCIAL DISCLOSURE STATEMENTS

Some local candidates and officeholders are required to file an annual personal financial statement in accordance with Government Code Chapter 572 or Local Government Code Chapter 159. This statement is not a campaign finance document, and is not addressed in this guide.

FEDERAL INCOME TAX

This pamphlet does not address the federal tax implications of campaign finance. Questions regarding federal tax law should be directed to the Internal Revenue Service.

TEXAS ETHICS COMMISSION

If you have a question about how Title 15 applies to you, you may call the Ethics Commission for assistance or you may request a written advisory opinion.

The Ethics Commission has authority to impose fines for violations of Title 15. If you have evidence that a person has violated Title 15, you may file a sworn complaint with the Ethics Commission.

The Ethics Commission's mailing address is P.O. Box 12070, Austin, Texas 78711. The phone number is (512) 463-5800. The Ethics Commission maintains a website at www.ethics.state.tx.us.

APPOINTING A CAMPAIGN TREASURER

If you plan to run for a public office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) with the proper filing authority before you become a candidate, even if you do not intend to accept campaign contributions or make campaign expenditures. A "candidate" is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:

- (A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the

automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;

- (B) the filing of an application for a place on the ballot;
- (C) the filing of an application for nomination by convention;
- (D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;
- (E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;
- (G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and
- (H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

NO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES WITHOUT TREASURER APPOINTMENT ON FILE

Additionally, the law provides that you must file a campaign treasurer appointment form with the proper filing authority before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment form with the proper filing authority.

APPOINTING TREASURER TRIGGERS REPORTING DUTIES

After a candidate has filed a form appointing a campaign treasurer, the candidate is responsible for filing periodic reports of contributions and expenditures. Filing reports is the responsibility of the candidate, not the campaign treasurer. Even if a candidate loses an election, he or she must continue filing reports until he or she files a final report. *See* “Ending Filing Obligations” in this guide. (An officeholder who files a final report, and thereby terminates his or her campaign treasurer appointment, may still be required to file semiannual reports of contributions and expenditures as an officeholder.)

QUALIFICATIONS OF CAMPAIGN TREASURER

A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period. A person who violates

this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision.

DUTIES OF CAMPAIGN TREASURER

A candidate's campaign treasurer has no legal duties. (**Note:** The campaign treasurer of a *political committee* is legally responsible for filing reports.)

EFFECTIVE DATE OF APPOINTMENT

A campaign treasurer appointment is effective when filed. A hand-delivered appointment takes effect on the date of delivery. A mailed appointment takes effect on the date of the postmark.

CODE OF FAIR CAMPAIGN PRACTICES

A filing authority should provide to each individual who files a campaign treasurer appointment a form containing a Code of Fair Campaign Practices. A candidate may pledge to conduct his or her campaign in accordance with the principles and practices set out in the Code by signing the form and filing it with the appropriate filing authority.

APPOINTMENT BY OFFICEHOLDER

If an officeholder files an appointment of campaign treasurer after a period in which he or she did not have a campaign treasurer appointment on file, the officeholder may have to file a report of contributions and expenditures no later than 15 days after filing the appointment of campaign treasurer. *See* "15th Day After Appointment of Campaign Treasurer by Officeholder" in this guide. An officeholder who *changes* a campaign treasurer is not required to file this report.

Note: An officeholder who has a campaign treasurer appointment on file is a candidate for purposes of Title 15.

FILING FOR A PLACE ON THE BALLOT

Filing a campaign treasurer appointment and filing for a place on the ballot are two completely separate actions. The Secretary of State can provide information about filing for a place on the ballot. Call the Secretary of State at (512) 463-5650 or toll-free at (800) 252-8683.

CHANGING TREASURERS

A candidate may change campaign treasurers at any time by filing an amended appointment of campaign treasurer (FORM ACTA). Filing an appointment of a new treasurer automatically terminates the appointment of the old treasurer.

TRANSFERRING TO A DIFFERENT FILING AUTHORITY

If a candidate has a campaign treasurer appointment on file with one filing authority and wishes to accept campaign contributions or make campaign expenditures in connection with a candidacy for an office that would require reporting to a different filing authority, the candidate must file a new campaign treasurer appointment and a copy of the old campaign treasurer appointment (certified by original authority) with the second filing authority. The candidate should also

provide written notice to the original filing authority that future reports will be filed with another authority. In general, funds accepted in connection with one office may be used in connection with a campaign for a different office, as long as neither of the offices is a judicial office.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

A candidate may terminate a campaign treasurer appointment by filing an amended appointment of campaign treasurer or by filing a final report.

A campaign treasurer may terminate his or her own appointment by notifying both the candidate and the filing authority in writing. The termination is effective on the date the candidate receives the notice or on the date the filing authority receives the notice, whichever is later.

DECIDING NOT TO RUN

A campaign treasurer appointment does not simply expire. An individual who has a campaign treasurer appointment on file must file reports of contributions and expenditures until he or she files a final report with the filing authority. *See* “Ending Filing Obligations” in this guide.

THINGS TO REMEMBER

- If you plan to run for a public office in Texas (except for a federal office), you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA) with the proper filing authority before you become a candidate, even if you do not intend to accept campaign contributions or make campaign expenditures.
- A person may not accept a campaign contribution or make a campaign expenditure unless the person has a campaign treasurer appointment on file with the proper filing authority.
- Once a person files a form appointing a campaign treasurer, the person is a candidate for disclosure filing purposes and is responsible for filing periodic reports of contributions and expenditures with the proper filing authority until the person files a “final report.”
- The candidate, not the campaign treasurer, is responsible for filing periodic reports of contributions and expenditures.
- Filing a campaign treasurer appointment does not automatically “sign you up” for a place on the ballot. The Secretary of State can provide information about getting on the ballot. Call (512) 463-5650 or (800) 252-8683.

POLITICAL CONTRIBUTIONS AND EXPENDITURES

Title 15 regulates political contributions and political expenditures. There are two types of political contributions: campaign contributions and officeholder contributions. Similarly, there are two kinds of political expenditures: campaign expenditures and officeholder expenditures.

CAMPAIGN CONTRIBUTIONS

A person makes a campaign contribution to a candidate if the person provides or promises something of value with the intent that it be used in connection with a campaign. A contribution of goods or services is an “in-kind” campaign contribution. A loan is considered to be a contribution unless it is from an incorporated financial institution that has been in business for more than a year. Candidates must report all loans made for campaign purposes, including loans that are not “contributions.”

- Donations to a candidate at a fund-raiser are campaign contributions.
- The provision of office space to a candidate is an “in-kind” campaign contribution.
- A promise to give a candidate money is a campaign contribution.
- An item donated to be auctioned at a fund-raiser is an “in-kind” campaign contribution. The purchase of the item at the auction is also a contribution.
- A campaign volunteer is making a contribution in the form of personal services. (Contributions of personal services are sometimes not required to be reported. See “Contributions of Personal Services” in this guide.)

Note: An individual may not accept a campaign contribution without an appointment of campaign treasurer on file with the proper filing authority.

CAMPAIGN EXPENDITURES

A campaign expenditure is a payment or an agreement to make a payment in connection with a campaign for an elective office.

- Paying a filing fee in connection with an application for a place on a ballot is a campaign expenditure.
- Purchasing stationery for fund-raising letters is a campaign expenditure.
- Renting a field to hold a campaign rally is a campaign expenditure.
- Paying people to put up yard signs in connection with an election is a campaign expenditure.

Note: An individual may not make a campaign expenditure unless he or she has a campaign treasurer appointment on file with the proper filing authority.

OFFICEHOLDER CONTRIBUTIONS

The provision of or a promise to provide goods or services to an officeholder that is intended to defray expenses in connection with an officeholder's duties or activities is an officeholder contribution if the expenses are not reimbursable with public money. A contribution of goods or services is an "in-kind" officeholder contribution.

A loan from an incorporated financial institution that has been in business for more than a year is not considered a contribution, but an officeholder must report any such loans made for officeholder purposes.

An officeholder is not required to have a campaign treasurer appointment on file to accept officeholder contributions. An officeholder who does not have a campaign treasurer on file may not accept *campaign* contributions.

OFFICEHOLDER EXPENDITURES

A payment or agreement to pay certain expenses in connection with an officeholder's duties or activities is an officeholder expenditure if the expenses are not reimbursable with public money.

An officeholder is not required to have a campaign treasurer appointment on file to make officeholder expenditures. An officeholder who does not have a campaign treasurer on file may not make *campaign* expenditures.

CAMPAIGN EXPENDITURES BY OFFICEHOLDER

An officeholder who has a campaign treasurer appointment on file may accept both campaign contributions and officeholder contributions and make both campaign expenditures and officeholder expenditures. On a report, there is no need for an officeholder who is a candidate to distinguish between campaign contributions and officeholder contributions or between campaign expenditures and officeholder expenditures. Both campaign contributions and officeholder contributions are reported as "political contributions" and both campaign expenditures and officeholder expenditures are reported as "political expenditures."

An officeholder who does not have a campaign treasurer on file may accept officeholder contributions and make officeholder expenditures but may not accept campaign contributions or make campaign expenditures.

PERMISSIBLE USE OF POLITICAL CONTRIBUTIONS

An officeholder may use officeholder contributions for campaign purposes if the officeholder has an appointment of campaign treasurer on file. Candidates and officeholders may not convert political contributions to personal use. See "Campaign Finance Restrictions" in this guide.

USE OF POLITICAL FUNDS TO RENT OR PURCHASE REAL PROPERTY

A candidate or officeholder is prohibited from using political funds to purchase real property or

to pay the interest on or principal of a note for the purchase of real property.

A candidate or officeholder may not knowingly make or authorize a payment from political funds for the rental or purchase of real property from: (1) a person related to the candidate or officeholder within the second degree of consanguinity or affinity as determined under Chapter 573, Government Code; or (2) a business in which the candidate or officeholder (or a person related to the candidate or officeholder within the second degree of consanguinity or affinity) has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer. Tex. Elec. Code § 253.038 (a-1). This restriction applies to a payment made from political funds on or after September 1, 2007, without regard to whether the payment was made under a lease or other agreement entered into before that date.

ACCEPTING CONTRIBUTIONS

A candidate or officeholder must report contributions that he or she has *accepted*. Receipt is different from acceptance. A decision to *accept* a contribution must be made by the end of the reporting period during which the contribution is received.

Failure to make a determination about acceptance or refusal. If a candidate or officeholder fails to make a timely determination to accept or refuse a contribution by the deadline, the contribution is considered to have been accepted.

Returning refused contributions. If a candidate or officeholder receives a political contribution but does not accept it, he or she must return the contribution not later than the 30th day after the end of the reporting period in which the contribution was received. Otherwise, the contribution is considered to have been accepted.

REIMBURSEMENT FOR POLITICAL EXPENDITURES FROM PERSONAL FUNDS

If a candidate or officeholder makes political expenditures from personal funds, he or she may use political contributions to reimburse himself or herself if the expenditures are properly reported either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds. In order for a candidate or officeholder to use political contributions to reimburse his or her personal funds, the political expenditure from personal funds must be properly reported on the report covering the period in which the expenditures are made. *A filed report may not be later corrected to indicate an intention to reimburse personal funds from political contributions.*

If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan and reimbursements to the candidate or officeholder may not exceed the amount reported as a loan. *See* “Campaign Expenditures from Personal Funds” in this guide for additional information.

SEPARATE ACCOUNT REQUIRED

A candidate or officeholder must keep political contributions in one or more accounts that are separate from any other account maintained by the candidate or officeholder. (There is no

requirement to keep campaign contributions in a separate account from officeholder contributions.)

RESTRICTIONS INVOLVING LOBBYING

The 2019 legislature passed House Bill 2677 to amend Chapter 305 of the Government Code and Chapter 253 of the Election Code to enact the following restrictions. Each prohibition begins on September 27, 2019. For the language of the bill, go to <https://capitol.texas.gov/tlodocs/86R/billtext/html/HB02677F.htm>.

Making Political Contributions and Direct Campaign Expenditures. Unless expressly prohibited, a lobbyist may make political contributions and direct campaign expenditures. The campaign finance law, however, generally prohibits corporations and labor organizations from making political contributions. Tex. Elec. Code § 253.094.

Section 253.006 of the Election Code prohibits a person required to register as a lobbyist under Chapter 305 of the Government Code from making political contributions or direct campaign expenditures from certain sources of funds. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or making or authorizing a direct campaign expenditure, from political contributions accepted by:

- (1) the lobbyist as a candidate or officeholder;
- (2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or
- (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made.

Two-Year Lobbying Prohibition After Making a Political Contribution or Direct Campaign Expenditure. Section 253.007 of the Election Code prohibits lobbying by persons who make political contributions or direct campaign expenditures from certain sources of funds. A person who makes a political contribution to another candidate, officeholder, or political committee, or makes a direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder is prohibited from engaging in activities that require registration as a lobbyist under Chapter 305 of the Government Code for two years thereafter.

However, an exception to this prohibition allows a person who does not receive compensation other than reimbursement for actual expenses to lobby on behalf of a nonprofit organization, a group of low-income individuals, or a group of individuals with disabilities.

Lobby Expenditures from Political Contributions. Section 305.029 of the Government Code prohibits certain lobby expenditures made from political contributions. A lobbyist registered under Chapter 305 of the Government Code, or a person on behalf of the lobbyist and with the lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by:

- (1) the lobbyist as a candidate or officeholder;

- (2) a specific-purpose committee that supports the lobbyist as a candidate or assists the lobbyist as an officeholder; or
- (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure.

INFORMATION REQUIRED ON REPORTS

CONTRIBUTIONS

A report must disclose the amount of each contribution or the value and nature of any in-kind contribution, as well as the name and address of the individual or political committee making the contribution, and the date of the contribution. (Detailed information about a contributor is not required to be reported if the contributor contributed \$110 or less during the reporting period. However, all contributions made electronically must be itemized with this information.)

PLEDGES

Promises to transfer money, goods, services, or other things of value are contributions. If a filer accepts such a promise, he or she must report it (along with the information required for other contributions) on the reporting schedule for “pledges.” Once a pledge has been received, it is reported on the appropriate receipts schedule for the reporting period in which the pledge is received. A pledge that is actually received in the same reporting period in which the pledge was accepted shall be reported only on the appropriate receipts schedule.

Note: A pledge is not a contribution unless it has been accepted.

Example 1: In June a supporter promises that he will give Juan Garcia \$1,000 in the last week before the November election. Juan accepts his promise. Juan must report the pledge on his July 15 report. Juan must also report a political contribution when the pledge is actually received. (**Note:** If Juan receives the pledge during the July semiannual reporting period then he does not report the pledge and only reports a political contribution. Also, if he never receives the \$1,000, he does not amend his report to delete the entry for the pledge.)

Example 2: At a party, an acquaintance says to Juan, “I’d like to give you some money; call me at my office.” Juan agrees to call. At this point, Juan has accepted nothing and has nothing to report. Juan has not agreed to accept money; he has merely agreed to call.

LOANS

Loans made for campaign or officeholder purposes are reportable. A filer must report the amount of a loan, the date the loan is made, the interest rate, the maturity date, the type of collateral, and the name and address of the lender. The filer must also report the name, address, principal occupation, and employer of any guarantor and the amount guaranteed by the guarantor. (Detailed information is not required if a particular lender lent \$110 or less during a reporting period.) If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan. *See* “Campaign Expenditures from Personal

Funds” in this guide for additional information.

Note: A loan from an incorporated financial institution that has been in business for more than one year is not a contribution. Other loans are considered to be contributions. This distinction is important because of the prohibition on contributions from banks and certain other financial institutions. *See* “Campaign Finance Restrictions” in this guide. All loans are reported on the same schedule, regardless of whether they are contributions. Additionally, the forgiveness of a loan is a reportable in-kind contribution. *See* 1 Tex. Admin. Code § 20.64.

CONTRIBUTIONS OF PERSONAL SERVICES

A political contribution consisting of an individual's personal services is not required to be reported if the individual receives no compensation *from any source* for the services.

CONTRIBUTIONS OF PERSONAL TRAVEL

A political contribution consisting of personal travel expense incurred by an individual is not required to be reported if the individual receives no reimbursement for the expense.

CONTRIBUTIONS FROM OUT-OF-STATE POLITICAL COMMITTEES

There are restrictions on contributions from out-of-state political committees. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state political committee for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state political committee for purposes of these restrictions.

Contributions over \$1,110 in a reporting period. Before *accepting* more than \$1,110 in a reporting period from an out-of-state committee, a candidate or officeholder must obtain either (1) a written statement, certified by an officer of the out-of-state political committee, listing the full name and address of each person who contributed more than \$220 to the out-of-state political committee during the 12 months immediately preceding the contribution, *or* (2) a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee.

This documentation must be included with the report of contributions and expenditures for the period in which the contribution was received.

Contributions of \$1,110 or less in a reporting period. For a contribution of \$1,110 or less from an out-of-state committee in a reporting period, there is no requirement to obtain documentation *before accepting* the contribution. But there is a requirement to include certain documentation with the report of the contribution. The report must include *either* (1) a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission and certified by an officer of the out-of-state committee, *or* (2) the committee's name, address, and phone number; the name of the person appointing the committee's campaign treasurer; and the name, address, and phone number of the committee's campaign treasurer.

EXPENDITURES

A filer must report any campaign expenditure (regardless of whether it is made from political contributions or from personal funds) and any political expenditure (campaign or officeholder) from political contributions (regardless of whether the expenditure is a political expenditure). A filer must also report unpaid incurred obligations. *See* “Unpaid Incurred Obligations” in this guide. If the total expenditures to a particular payee do not exceed \$220 during the reporting period, a filer may report those expenditures as part of a lump sum. Otherwise, a filer must report the date of an expenditure, the name and address of the person to whom the expenditure is made, and the purpose of the expenditure.

UNPAID INCURRED OBLIGATIONS

An expenditure that is not paid during the reporting period in which the obligation to pay the expenditure is incurred shall be reported on the Unpaid Incurred Obligations Schedule for the reporting period in which the obligation to pay is incurred.

The use of political contributions to pay an expenditure previously disclosed on an Unpaid Incurred Obligations Schedule shall be reported on the appropriate disbursements schedule for the reporting period in which the payment is made.

The use of personal funds to pay an expenditure previously disclosed on an Unpaid Incurred Obligations Schedule shall be reported on the Political Expenditure Made from Personal Funds Schedule for the reporting period in which the payment is made.

EXPENDITURES MADE BY CREDIT CARD

An expenditure made by a credit card must be reported on the Expenditures Made to Credit Card Schedule for the reporting period in which the expenditure is made. The report must identify the vendor who receives the payment from the credit card company.

The use of political contributions to make a payment to a credit card company must be reported on the appropriate disbursements schedule for the reporting period in which the payment is made and identify the credit card company receiving the payment.

The use of personal funds to make a payment to a credit card company must be reported on the Political Expenditure Made from Personal Funds Schedule for the reporting period in which the payment is made and identify the credit card company receiving the payment.

CAMPAIGN EXPENDITURES FROM PERSONAL FUNDS

A candidate must report all campaign expenditures, whether made from political contributions or from personal funds. In order to use political contributions to reimburse himself or herself for campaign expenditures from personal funds, the candidate must properly report the expenditures either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds. If the candidate does not indicate the intention to seek reimbursement on that report, he or she may not later correct the report to permit reimbursement.

If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited

amount must be reported as a loan on Schedule E. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported on Schedule F1. The reimbursement may not exceed the amount reported as a loan. Any unexpended funds from such a loan are required to be included in the total amount of political contributions maintained as of the last day of the reporting period. Note: Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.

OFFICEHOLDER EXPENDITURES FROM PERSONAL FUNDS

An officeholder is not required to report *officeholder expenditures* made from personal funds unless he or she intends to be reimbursed from political contributions. This rule applies regardless of whether an officeholder has an appointment of campaign treasurer on file.

In order for an officeholder to use political contributions to reimburse an officeholder expenditure from personal funds, the officeholder must properly report the expenditures either on the reporting schedule for loans or on the reporting schedule for political expenditures from personal funds. If the officeholder does not indicate the intention to seek reimbursement, he or she may not later correct the report to permit reimbursement.

If a candidate or officeholder deposits personal funds in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code, the deposited amount must be reported as a loan on Schedule E. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported on Schedule F1. The reimbursement may not exceed the amount reported as a loan. Any unexpended funds from such a loan are required to be included in the total amount of political contributions maintained as of the last day of the reporting period. Note: Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.

DIRECT EXPENDITURES

A direct campaign expenditure is “a campaign expenditure that does not constitute a campaign contribution by the person making the expenditure.” As a practical matter, a direct campaign expenditure is an expenditure to support a candidate incurred without the candidate’s prior consent or approval.

If a candidate or officeholder makes a direct campaign expenditure to support *another* candidate or officeholder, the expenditure must be included on the reporting schedule for political expenditures, and the report must indicate that the expenditure was a direct campaign expenditure.

SUPPORTING POLITICAL COMMITTEES

A political committee that accepts political contributions or makes political contributions on behalf of a candidate or officeholder is required to give the candidate or officeholder notice of that fact. The candidate or officeholder must report the receipt of such a notice on the report covering the period in which he or she receives the notice.

PAYMENTS TO A BUSINESS OF THE CANDIDATE OR OFFICEHOLDER

A candidate or officeholder is required to report payments from political funds to a business in which the candidate or officeholder has a participating interest of more than 10 percent; a position on the governing body of the business; *or* a position as an officer of a business.

A candidate or officeholder may not make a payment to such a business if the payment is for personal services rendered by the candidate or officeholder or by the spouse or dependent child of the candidate or officeholder. (Nor may a candidate or officeholder use political contributions to pay directly for such personal services.) Other payments to such a business are permissible only if the payment does not exceed the amount necessary to reimburse the business for actual expenditures made by the business. *See generally* Op. Tex. Ethics Comm'n No. 35 (1992).

A candidate or officeholder may not make or authorize a payment from political funds for the rental or purchase of real property from such a business. *See* "Use of Political Funds to Rent or Purchase Real Property" in this guide.

INTEREST EARNED AND OTHER CREDITS/GAINS/REFUNDS

A candidate or officeholder is required to disclose information regarding the following types of activity from political contributions:

- any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution, the amount of which exceeds \$140;
- any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$140; and
- any other gain from a political contribution, the amount of which exceeds \$140.

A candidate or officeholder must use Schedule K to report such information. Although you are not required to do so, you may also report any credit/gain/refund or interest that does not exceed \$140 in the period on this schedule. (Previously, this was an optional schedule because a candidate or officeholder was not required to report this information.) A candidate or officeholder may not use interest and other income from political contributions for personal purposes. Political expenditures made from such income must be reported on the expenditures schedule.

PURCHASE OF INVESTMENTS

A candidate or officeholder must report any investment purchased with a political contribution, the amount of which exceeds \$140. This information must be disclosed on Schedule F3 of the campaign finance report.

TOTAL POLITICAL CONTRIBUTIONS MAINTAINED

The law requires you to disclose the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which

political contributions are deposited as of the last day of the reporting period. The “total amount of political contributions maintained” includes: the total amount of political contributions maintained in one or more accounts, including the balance on deposit in banks, savings and loan institutions and other depository institutions; the present value of any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks, bonds, treasury bills, etc.; and the balance of political contributions accepted and held in any online fundraising account over which the filer can exercise control by making a withdrawal, expenditure, or transfer. 1 Tex. Admin. Code § 20.50.

The total amount of political contributions maintained does NOT include personal funds that the filer intends to use for political expenditures, *unless* the personal funds have been disclosed as a loan to your campaign and deposited into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. Any unexpended funds from such a loan are required to be included in the total amount of political contributions maintained as of the last day of the reporting period. Note: Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.

TIME OF ACCEPTING CONTRIBUTION

A filer must report the date he or she *accepts* a political contribution. The date of receipt may be different from the date of acceptance. *See* “Accepting Contributions” in this guide.

TIME OF MAKING EXPENDITURE

For reporting purposes, an expenditure is made when the amount of the expenditure is readily determinable. An expenditure that is not paid during the reporting period in which the obligation to pay is incurred must be reported on the reporting schedule for “Unpaid Incurred Obligations,” and then reported again on the appropriate expenditure schedule when payment is actually made. If a filer cannot determine the amount of an expenditure until a periodic bill, the date of the expenditure is the date the bill is received.

Credit Card Expenditures. For purposes of 30 day and 8 day pre-election reports, the date of an expenditure made by a credit card is the date of the purchase, not the date of the credit card bill. For purposes of other reports, the date of an expenditure made by a credit card is the date of receipt of the credit card statement that includes the expenditure. For additional information regarding how to report expenditures made by credit card, *see* “Expenditures Made by Credit Card” in this guide.

PREPARING REPORTS

FORMS

Reporting forms are available at <http://www.ethics.state.tx.us>. An individual who is both a candidate and an officeholder files one report for each reporting period and is not required to distinguish between campaign activity and officeholder activity.

SIGNATURE REQUIRED

The candidate or officeholder, not the campaign treasurer, must sign reports.

FILING DEADLINES

The next section of this guide explains the types of reports candidates and officeholders are required to file. Annual filing schedules are available at <http://www.ethics.state.tx.us>.

Note: Deadlines for filing reports for special elections or runoff elections will not be listed on the filing schedule. Call the Ethics Commission for specific information in these cases.

PERIODS COVERED BY REPORTS

Each report covers activity during a specific time period. Generally, a report begins where the last report ended. For a candidate's first report, the beginning date will be the date the campaign treasurer appointment was filed. For an officeholder who is appointed to an elective office and who did not have a campaign treasurer appointment on file at the time of the appointment, the beginning date for the first report will be the date the officeholder took office. Generally, there should not be gaps between the periods covered or overlapping time periods. See "Reports" below for information about filing deadlines and periods covered by reports.

DEADLINE ON WEEKEND OR HOLIDAY

If the due date for a report falls on a Saturday, Sunday, or legal holiday, the report is due on the next regular business day.

5 P.M. DEADLINE

The deadline for filing a report is 5 p.m. on the due date.

DELIVERY BY MAIL OR OTHER CARRIER

For most reporting deadlines, a document is considered timely filed if it is properly addressed with postage or handling charges prepaid and bears a postmark or receipt mark of a common or contract carrier indicating a time on or before the deadline.

Pre-Election Reports. A report due 30 days before an election and a report due 8 days before an election must be *received* by the appropriate filing authority no later than the report due date to be considered filed on time.

RETENTION OF RECORDS USED FOR REPORTS

A filer must keep records of all information used to prepare a report of contributions and expenditures, including, for example, receipts or ledgers of contributions and expenditures. A filer must maintain the records for two years after the deadline for the report.

REPORTS

SEMIANNUAL REPORTS

Generally, candidates and officeholders are required to file reports of contributions and expenditures by January 15 and July 15 of each year. The reports filed on these dates are known as semiannual reports. These reports must be filed even if there is no activity to report for the period covered.

However, there is an exception to this requirement for officeholders who file with a local filing authority, do not have a campaign treasurer appointment on file, and do not accept more than \$1,110 in officeholder contributions or make more than \$1,110 in officeholder expenditures during the period covered by the report.

REPORTS DUE 30 DAYS AND 8 DAYS BEFORE AN ELECTION

An *opposed* candidate in an upcoming election must file reports of contributions and expenditures 30 days and 8 days before the election. Each of these pre-election reports must be *received* by the appropriate filing authority no later than the report due date. (A person who has elected modified reporting and who remains eligible for modified reporting is not required to file these reports. *See* “Modified Reporting” in this guide.)

An opposed candidate is a candidate who has an opponent whose name is printed on the ballot. If a candidate’s only opposition is a write-in candidate, that candidate is considered unopposed for filing purposes. (**Note:** A write-in candidate who accepts political contributions or makes political expenditures is subject to the reporting requirements discussed in this guide.)

The report that is due 30 days before the election covers the period that begins on the first day after the period covered by the last required report and ends the 40th day before the election. If this is a filer’s first required report, the period covered by the report begins on the day the filer filed a campaign treasurer appointment.

The report that is due 8 days before the election covers the period that begins on the first day after the period covered by the last required report and ends on the 10th day before the election.

REPORT DUE 8 DAYS BEFORE A RUNOFF ELECTION

A candidate in a runoff must file a report 8 days before the runoff election. A runoff report must be *received* by the appropriate filing authority no later than the report due date. (A candidate who has elected modified reporting and who remains eligible for modified reporting is not required to file this report. *See* “Modified Reporting” below.)

This report covers a period that begins either the first day after the period covered by the last required report or the day the filer filed a campaign treasurer appointment (if this is the filer’s first report of contributions and expenditures). The period covered by the runoff report ends the 10th day before the runoff election.

MODIFIED REPORTING

On the campaign treasurer appointment form, there is an option to choose modified reporting for the next election cycle. Modified reporting excuses an opposed candidate from filing reports 30 days and 8 days before an election and 8 days before a runoff. An opposed candidate is eligible for modified reporting only if the candidate does not intend to exceed either \$1,110 in contributions or \$1,110 in expenditures (excluding filing fees) in connection with an election.

If an opposed candidate selects modified reporting but exceeds a threshold before the 30th day before the election, the candidate must file reports 30 days and 8 days before the election.

If an opposed candidate selects modified reporting but exceeds the \$1,110 threshold for contributions or expenditures after the 30th day before the election, the filer must file a report within 48 hours of exceeding the threshold. (The filer must meet this deadline even if it falls on a weekend or a holiday.) At that point, the filer is no longer eligible for modified reporting and must file according to the regular filing schedule.

A selection to file on the modified reporting schedule lasts for an entire election cycle. In other words, the selection is valid for a primary, a primary runoff, and a general election (as long as the candidate does not exceed one of the \$1,110 thresholds). A candidate must submit an amended campaign treasurer appointment (FORM ACTA) to select modified reporting for a different election cycle.

“15TH DAY AFTER APPOINTMENT OF CAMPAIGN TREASURER BY AN OFFICEHOLDER” REPORT

An officeholder must file a report after filing a campaign treasurer appointment. (A report is not required after a *change* in campaign treasurers.) This report of contributions and expenditures is due no later than 15 days after the campaign treasurer appointment was filed. The report must cover the period that begins the day after the period covered by the last required report. The period ends on the day before the campaign treasurer appointment was filed. (**Note:** A person who is *appointed* to elective office may not have filed any previous reports. In that case, the beginning date for the report due 15 days after the campaign treasurer appointment is the date the officeholder took office.) The report is not required if the officeholder did not accept more than \$1,110 in contributions or make more than \$1,110 in expenditures by the end of the reporting period.

FINAL REPORT

See “Ending Filing Obligations” below.

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

See “Ending Filing Obligations” below.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT

See “Ending Filing Obligations” below.

THINGS TO REMEMBER

- An officeholder must file semiannual reports for any period during which he or she is an officeholder. (There is an exception to this rule for officeholders who do not have a campaign treasurer appointment on file and who do not accept more than \$1,110 in political contributions or make more than \$1,110 in political expenditures during the period covered by the report.)
- An opposed candidate in an election must file reports of contributions and expenditures 30 days and 8 days before the election, unless the candidate has selected (and remains eligible for) modified reporting. An opposed candidate who has not selected modified reporting must also file a report 8 days before a runoff election. A report due 30 days before an election and a report due 8 days before an election must be received by the appropriate filing authority no later than the report due date.
- An unopposed candidate is not required to file reports 30 days before an election or 8 days before an election but is required to file semiannual reports.
- A candidate who selects modified reporting must file semiannual reports.

A filer who selects modified reporting for one election cycle will be required to file on the regular reporting schedule for the next election cycle unless the filer submits an amended campaign treasurer appointment selecting modified reporting for the next election cycle.

ENDING FILING OBLIGATIONS

FINAL REPORT

If a filer expects to accept no further political contributions and to make no further political expenditures and if the filer expects to take no further action to get elected to a public office, the filer may file a final report. Filing a final report terminates a filer's campaign treasurer appointment and relieves the filer from any additional filing obligations *as a candidate*. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with Chapter 572 of the Government Code or Chapter 159 of the Local Government Code.) If the filer is an officeholder, the filer will still be subject to the filing requirements applicable to officeholders. A filer who is not an officeholder at the time of filing a final report *and* who has surplus political funds or assets will be required to file annual reports of unexpended contributions and a report of final disposition of unexpended contributions. See "Annual Report of Unexpended Contributions" and "Report of Final Disposition of Unexpended Contributions" below.

A filer who intends to continue accepting contributions to pay campaign debts should *not* terminate his or her campaign treasurer appointment. An individual must have a campaign treasurer appointment on file to accept contributions to offset campaign debts or to pay campaign debts.

Terminating a campaign treasurer appointment does not relieve a filer of responsibility for any delinquent reports or outstanding civil penalties.

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

The following individuals must file annual reports of unexpended contributions:

- a former officeholder who did not have a campaign treasurer appointment on file at the time of leaving office and who retained any of the following after filing his or her last report: political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.
- a former candidate (a person who previously had a campaign treasurer appointment on file) who was not an officeholder at the time of filing a final report and who retained any of the following at the time of filing a final report: political contributions, interest or other income from political contributions, or assets purchased with political contributions.

Annual reports are due not earlier than January 1 and not later than January 15 of each year. An annual report (FORM C/OH-UC) must contain the following information: (1) information about expenditures from or disposition of surplus funds or assets; (2) the amount of interest or other income earned on surplus funds during the previous year; and (3) the total amount of surplus funds and assets at the end of the previous year.

The obligation to file annual reports ends when the former candidate or officeholder files a report of final disposition of unexpended contributions.

REPORT OF FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS

A former candidate or former officeholder who has disposed of all surplus funds and assets must file a report of final disposition of unexpended contributions. This report may be filed as soon as all funds have been disposed of.

A former candidate or former officeholder has six years from the date of filing a final report or leaving office (whichever is later) to dispose of surplus funds and assets. The latest possible date for filing a report of unexpended contributions is 30 days after the end of that six-year period.

At the end of the six-year period, a former candidate or officeholder *must* dispose of surplus assets or funds in one of the following ways:

- The former candidate or officeholder may give them to the political party with which he or she was affiliated when last on the ballot;
- The former candidate or officeholder may contribute them to a candidate or a political committee. (This triggers a requirement to file a report of the contribution.);
- The former candidate or officeholder may give them to the comptroller for deposit in the state treasury to be used to finance primary elections;

- The former candidate or officeholder may give them to one or more contributors, but the total returned to any person may not exceed the aggregate amount accepted from that person during the last two years during which the former candidate or officeholder accepted political contributions;
 - The former candidate or officeholder may give them to certain charitable organizations; or
 - The former candidate or officeholder may give them to a public or private post-secondary educational institution or an institution of higher education as defined by section 61.003(8), Education Code, for the purpose of assisting or creating a scholarship program.
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THINGS TO REMEMBER

- Anyone who has an appointment of campaign treasurer on file must file periodic reports of campaign contributions and expenditures.
 - An individual who expects no further reportable activity in connection with his or her candidacy, files a final report and thereby terminates his or her campaign treasurer appointment. (Note: A candidate who does not have a campaign treasurer appointment on file may still be required to file a personal financial statement in accordance with Chapter 572 of the Government Code or Chapter 159 of the Local Government Code.)
 - An officeholder may be required to file semiannual reports even if he or she does not have a campaign treasurer appointment on file. A local officeholder who has not accepted more than \$1,110 in contributions or made more than \$1,110 in expenditures in a semiannual period since terminating his or her campaign treasurer appointment is not required to file a semiannual report for that period.
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PENALTIES FOR REPORTING VIOLATIONS

Any citizen may file a criminal complaint with the district attorney, a civil complaint with the Ethics Commission, or a civil action against a candidate or officeholder for violations of Title 15. Any penalty stemming from such complaints would be assessed against *the candidate or officeholder*, not the campaign treasurer.

CAMPAIGN FINANCE RESTRICTIONS

Chapter 253 of the Election Code contains a number of restrictions regarding the acceptance and use of political contributions, including the following:

1. An individual may not accept a campaign contribution or make a campaign expenditure (including a campaign expenditure from personal funds) without a campaign treasurer appointment on file. Tex. Elec. Code § 253.031. An officeholder may accept officeholder contributions and make officeholder

expenditures regardless of whether he or she has a campaign treasurer appointment on file.

2. Political contributions from labor organizations and from most corporations are prohibited. Tex. Elec. Code § 253.091, *et seq.* Partnerships that include one or more corporate partners are subject to the prohibition.
3. Certain documentation must be obtained in order to accept contributions from an out-of-state political committee. Tex. Elec. Code § 253.032. *See* “Contributions from Out-of-State Political Committees” in this guide.
4. Cash contributions of more than \$100 in the aggregate from one contributor in a reporting period are prohibited. (Here “cash” means coins and currency, not checks.) Tex. Elec. Code § 253.033.
5. The use of political contributions to purchase real property is prohibited. There is also a restriction on the use of political funds to rent or purchase real property from a person related to the candidate or officeholder within the second degree of consanguinity or affinity or from a business in which the candidate or officeholder or such a relative has a participating interest of more than 10 percent, holds a position on the governing body, or serves as an officer. Tex. Elec. Code § 253.038.
6. Texas law does not allow anonymous contributions. Also, reports must disclose the actual source of a contribution, not an intermediary. Tex. Elec. Code § 253.001.
7. Personal use of political contributions is prohibited. Tex. Elec. Code § 253.035.
8. A candidate or officeholder may not use political contributions to pay for personal services rendered by the candidate or officeholder or by the spouse, or dependent children of the candidate or officeholder. There are also restrictions of a candidate’s or officeholder’s use of political contributions to make payments to a business in which the candidate or officeholder holds a participating interest of more than 10 percent, a position on the governing body of the business, or a position as an officer of the business. *See* Op. Tex. Ethics Comm’n No. 35 (1992) (regarding the combined effect of this prohibition and the prohibition on corporate contributions). Tex. Elec. Code § 253.041.

There are restrictions on the use of political contributions to reimburse political expenditures from personal funds. *See* “Reimbursement for Political Expenditures from Personal Funds,” in this guide.

9. A candidate, officeholder, or political committee may not accept political contributions in the Capitol, the Capitol Extension, or a courthouse. “Courthouse” means any building owned by the state, a county, or a municipality, or an office or part of a building leased to the state, a county, or a municipality, in which a justice or judge sits to conduct court proceedings. Tex. Elec. Code § 253.039.
10. A person required to register as a lobbyist is prohibited from making or authorizing a political contribution to another candidate, officeholder, or political committee, or

making or authorizing a direct campaign expenditure, from political contributions accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the contribution or expenditure was made. Tex. Elec. Code § 253.006.

11. A person who makes a political contribution to another candidate, officeholder, or political committee, or makes a direct campaign expenditure, from political contributions accepted by the person as a candidate or officeholder is prohibited from engaging in activities that require registration as a lobbyist for two years thereafter. This does not apply to a person who does not receive compensation other than reimbursement for actual expenses to lobby on behalf of a nonprofit organization, a group of low-income individuals, or a group of individuals with disabilities. Tex. Elec. Code § 253.007.
12. A registered lobbyist, or a person on behalf of the lobbyist and with the lobbyist's consent or ratification, is prohibited from making a reportable lobby expenditure from a political contribution accepted by: (1) the lobbyist as a candidate or officeholder; (2) a specific-purpose committee that supports or assists the lobbyist as a candidate or officeholder; or (3) a political committee that accepted a political contribution from (1) or (2), described above, during the two years immediately before the lobbyist made or authorized the expenditure. Tex. Gov't Code § 305.029.
13. Federal law generally prohibits the acceptance of contributions from foreign sources. Contact the Federal Election Commission for more detailed information.