



Ricardo Villarreal, Mayor
Benito Hernandez, Mayor Pro-Tem
Javier Ramirez, Councilmember
Jose Luis Perez, Councilmember
Alexandra Flores, Councilmember

Michael Leo, City Manager

June 13, 2024

Dear Aspiring Candidate:

Congratulations on taking the first step in consideration of a position for public office with the City of Palmview. At this time, there is a seat open on the City Council for Councilmember Place 2, to fill a vacancy for an unexpired term, to be filled in an election to be held on Tuesday, July 30, 2024.

Your candidacy declaration (with proper application) entails the obligation to comply with certain applicable state statutes, charter provisions and local ordinances. To inform you of legal requirements of the State and City pertaining to elections and correlating important dates, I have prepared the attached "Candidate's Packet" which contains the necessary forms, pertinent information and basic instructions. A copy of the City Charter is also provided to give each candidate an overview of the roles and responsibilities provided to the elected and appointed officials of the City of Palmview, as well as the power given to the citizens.

The filing period for a place on the City election ballot begins Wednesday, June 12, 2024, and will continue through Thursday, June 20, 2024, at 5:00 p.m. My regular office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. Please be advised that while I am able to assist you with any aspect of the campaign and city services, my role is limited to accepting and filing the various forms, applications, affidavits, and/or statements, and noting the date and time of the filing thereon; hence, I should not be expected to comment upon the timeliness or sufficiency of reports filed. Accordingly, it is the candidate's responsibility to become familiar with the laws applicable in campaigning for office.

A candidate will be required to designate a Campaign Treasurer and thereafter, ensure that financial reports be completed by the Candidate's Campaign Treasurer, signed by the Candidate, and filed in my office in a timely manner as prescribed by Title 15 of the Texas Election Code which governs campaign expenditures. For specific questions regarding reporting procedures, contributions, or expenditures, please contact the Texas Ethics Commission directly at (512) 463-5800 or 1(800)325-8506 and/or visit their website: www.ethics.state.tx.us. Please note that Campaign Reports and other forms submitted by candidates (including the Application for a Place on the Ballot) are considered open records and will be made available for reporters and opponents alike with a proper written Open Records Request filed through my office or via the on-line "Open Records Portal" at www.cityofpalmview.com.



400 W. Veteran's Blvd. Palmview, TX 78572-8327 • 956.432.0300
cityofpalmview.com

Your interest in municipal government is appreciated and I hope that this will be a positive and exciting experience for you. I look forward to working with you during this election campaign period and thereafter. Best wishes on a successful campaign!

If you should have any questions, please do not hesitate to contact me at (956) 432-0324, via email at avbarrera@cityofpalmviewtx.us, or at my office at City Hall located at 400 W. Veterans Blvd., Palmview, Texas.

Sincerely,

A handwritten signature in blue ink that reads "Annette V. Barrera". The signature is fluid and cursive, with the first name "Annette" being more prominent than the last name "Barrera".

Annette V. Barrera, CMC/CPM
City Secretary

SUMMARY OF DOCUMENTS IN PACKET

- A. Candidate Requirements for City Council.
- B. Affinity and Consanguinity Charts
- C. City of Palmview City Charter
- D. Important Election-related dates
- E. Application for a Place on the Ballot (filing period January 17 – February 16)
- F. Appointment of a Campaign Treasurer by a Candidate (form CTA) & Instruction Guide
- G. Code of Fair Campaign Practices form (CF CP) - Voluntary
- H. Candidate/Officeholder Campaign Finance Report Form (C/OH) & Instruction Guide - reports are due 30 days before Election Day and 8 days before Election Day. Note: This form is utilized for both reports and you are urged to make extra copies as needed.
- I. Texas Ethics Commission's *Political Advertising* guide, City of Palmview Ordinance relating to Electioneering and an outline of the Sign Ordinance addressing political signs
- J. City of Palmview Municipal Boundaries and Extraterritorial Jurisdiction (ETJ) Map

The following websites may also provide information and answer questions:

- Texas Ethics Commission – <http://www.ethics.state.tx.us>
- Texas Secretary of State – <http://www.sos.state.tx.us/elections>
- Texas Election Code <https://statutes.capitol.texas.gov/Docs/SDocs/ELECTIONCODE.pdf>
- Hidalgo County Elections Department <https://www.hidalgocounty.us/105/Elections-Department>
- Hidalgo County Voter look-up tool: <https://teamrv-mvp.sos.texas.gov/mvp/voterdetails.do>
- Palmview City Secretary – <https://cityofpalmview.com/>

REQUIREMENTS FOR CANDIDATES FOR CITY COUNCIL
REQUISITOS PARA CANDIDATURA PARA EL CONCEJO MUNICIPAL

1. Be a U.S. Citizen (Section 141.001 of the Texas Election Code and Article VI, Section 6.04, City Charter);
Deberá ser ciudadano americano (Código Electoral de Texas, Sección 141.001 y Artículo VI, Sección 6.04 de la Carta Constitucional de la Ciudad);
2. Be a registered voter of the City at time of filing (Article III, Section 3.02 and Article VI, Section 6.04, City Charter);
Deberá ser inscrito como elector de la Ciudad al tiempo de archivar (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02 y Artículo VI, Sección 6.04)
3. Have resided in the City for at least twelve (12) months preceding the election at which they are candidates (Article III, Section 3.02, City Charter and Article VI, Section 6.04, City Charter);
Deberá ser habitante de la ciudad por lo menos doce (12) meses antes de la elección en la cual se ha inscrito como postulante. (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02 y Sección 6.04);
4. Continue residency in the City during the term of office (Article III, Section 3.02 and Article VI, Section 6.04, City Charter);
Deberá continuar la residencia en la ciudad durante del término de la cual fuese elegido (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02 y Artículo VI, Sección 6.04);
5. Not hold more than one public elective office (Article III, Section 3.02, City Charter);
No deberá ocupar más de una oficina pública electiva (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02);
6. Not hold an appointed office of the city excluding boards, committees, and commissions (Article III, Section 3.02, City Charter);
No deberá ocupar una oficina designada de la ciudad excluyendo, comités, juntas, y comisiones (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02);
7. Be at least 21 years of age (Article III, Section 3.02 and Article VI, Section 6.04, City Charter);
Deberá tener a lo menos 21 años de edad (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02 y Artículo VI, Sección 6.04);
8. Not have been determined mentally incompetent by a final judgement of a court (Article III, Section 3.02, City Charter and Texas Election Code Title 9, Chapter 141.001);
No deberá haber sido determinado mentalmente incompetente por una sentencia final de un tribunal. (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02 y Código Electoral Estatal, Titular 9, Capítulo 141.001);

9. Not have been convicted, whether final for appeal purposes or not, of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities (Article III, Section 3.02, City Charter and Article VI, Section 6.04, City Charter);
No deberá haber sido condenado ya sea final para fines de apelación o no, de un delito grave del cual la persona no ha sido perdonada o liberada de las discapacidades resultantes. (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02 y Artículo VI, Sección 6.04);
10. Complete an “Application for a Place on the Ballot” (Article VI, Section 6. Section 6.04, City Charter & Section 134.004, Texas Election Code);
Deberá presentar una solicitud oficial para postulación de candidatura. (Carta Constitucional de la Ciudad, Artículo VI, Sección 6.04 y Código Electoral de Texas Sección 134.004);
11. Complete an “Appointment of Campaign Treasurer” form; (Section 252.001, Texas Election Code);
Deberá presentar una solicitud de designación de un Tesorero de Campaña (Código Electoral de Texas Sección 252.001);
12. Any City Employee or officer announcing their candidacy or who in fact become a candidate for an elected city office, must resign from said employment on position immediately (Article VI, Section 6.04, City Charter);
Cualquier funcionario o funcionario de la Ciudad que anuncie su candidatura, o que de hecho se convierta en candidato para una oficina elegida de la Ciudad, deberá dimitir de dicho empleo o posición inmediatamente (Carta Constitucional de la Ciudad, Artículo VI, Sección 6.04);
13. A Member of the Council ceasing to possess any of the qualifications specified in this section or any other section of this Charter, or convicted of a felony while in office, shall immediately forfeit his office (Article III, Section 3.02, City Charter).
Un miembro del Consejo que deje de poseer cualquiera de los requisitos especificados en esta sección o cualquiera otra sección de esta carta, o condenado por un delito mayor durante de su cargo, perderá inmediatamente su cargo (Carta Constitucional de la Ciudad, Artículo III, Sección 3.02).

NOTE: Any candidate for office in a duly held municipal election receiving a majority (over 50%) of the votes cast for the office for which he or she is a candidate, shall be elected to such office. (Article VI, Section 6.05, City Charter)

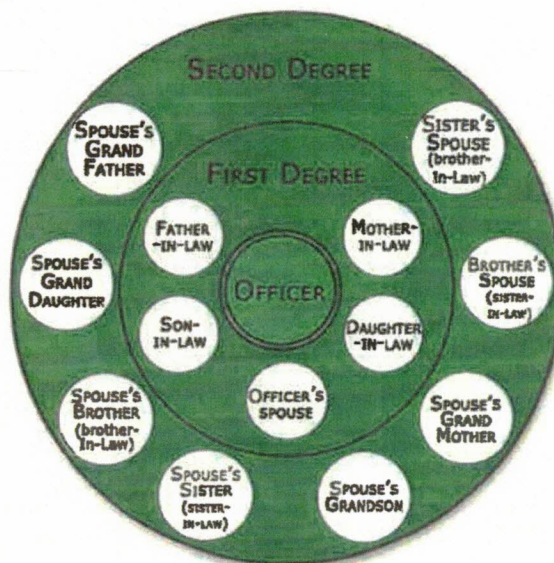
NOTA: Cada candidato para un puesto al Consejo Municipal deberá recibir una mayoría de votos (más de 50 por ciento) para el cargo por la cual se ha postulado como candidato, será declarado elegido para tal puesto. (Carta Constitucional de la Ciudad, Artículo VI, Sección 6.05)

NEPOTISM CHART

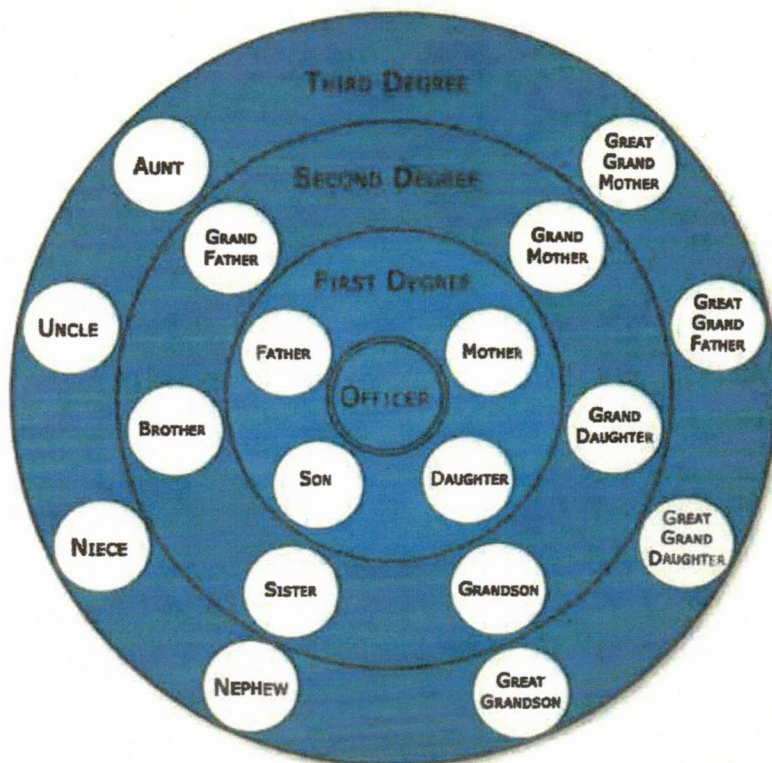
The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025

AFFINITY KINSHIP
Relationship by Marriage



CONSANGUINITY KINSHIP
Relationship by Blood





CITY OF PALMVIEW
TEXAS

City of Palmview City Charter

*Adopted October 3, 2006
Amended November 7, 2023*

HOME RULE CHARTER OF THE
CITY OF PALMVIEW TEXAS
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PREAMBLE

We, the citizens of Palmview, Texas, in order to establish a home rule municipal government, provide for the future progress of our City and obtain more fully the benefits of local self-government, do hereby adopt this Home Rule charter in accordance with the Statutes of the State of Texas; and do hereby declare the residents of the City of Palmview in Hidalgo County, Texas, living within the legally established boundaries of said City, to be a political subdivision of the State of Texas, incorporated forever under the name and style of the "City of Palmview" with such powers, rights and duties as are herein provided.

ARTICLE I. INCORPORATION; FORM OF GOVERNMENT; BOUNDARIES

SECTION 1.01 INCORPORATION.

The inhabitants of the City of Palmview, in Hidalgo County, Texas, within the corporate limits as now established or as hereafter established in the manner prescribed by this Charter, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the "City of Palmview".

SECTION 1.02 FORM OF GOVERNMENT.

The municipal government prescribed by this Charter shall be known as the "Council-manager government". Pursuant to its provisions and subject only to the limitations imposed by the state of Texas constitution and by this Charter, all powers of the City shall be vested in an elective City Council hereinafter referred to as "the City Council", which shall enact local legislation, adopt budgets, determine policies appoint the City Secretary, the City Attorney, the Judge of the Municipal Court, and employ the City Manager, who shall execute the laws and administer the government of the City. All powers of the City shall be exercised in the manner prescribed by this Charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

SECTION 1.03 BOUNDARIES.

The bounds and limits of the City of Palmview are hereby established as now constituted or as hereafter established through annexation or disannexation in the manner prescribed by this Charter and the laws of the State of Texas.

ARTICLE II. POWERS OF THE CITY

SECTION 2.01 POWERS OF THE CITY.

(A) Powers of the City. The City of Palmview shall be a home rule city and shall have the power to ordain and establish such acts, laws, rules, regulations, resolutions, and ordinances not inconsistent with the Constitution and laws of the State of Texas and of this Charter, and shall be required for the government, interest, health, welfare and good order of said City and its inhabitants. Under the name of the City of Palmview, it shall be known in law and have succession and be capable of contracting and being contracted with, and, being suing, impleading and being impleaded, answering and being answered unto, in all courts and tribunals and in all amounts, whatsoever, subject to the laws of the State of Texas, or which shall hereafter be passed.

The City of Palmview shall have the power to take, hold, lease, grant, purchase and convey such real property or mixed property or estate, situated within, or without, the limits thereof, as the purpose of said corporation may require and shall have and use a corporate seal, and change and renew the same at pleasure.

(B) Rights Reserved. All suits, taxes, penalties, fines, forfeitures and all other rights, claims and demands, of every kind and character, which have accrued under the laws in favor of said City, heretofore in force governing the same, shall belong to and vest in said City and shall not abate by reason of the adoption of this Charter, and shall be prosecuted and collected for the use and the benefit of said City of Palmview and shall not be in any manner affected by the taking effect of this Charter; but as to all of such rights, the laws under which they shall have accrued, shall be deemed to be in full force and effect.

(C) Local Self-Government. The City of Palmview shall possess and may exercise the full power of local self-government. It may hold, by gift, deed, devise, or otherwise any character of property, including any charitable or trust fund and subject to and within the limits of superior law may act in perpetual succession as a body politic.

(D) Other Powers. For greater certainty, the following are hereby especially enumerated and referred to as being among the other powers which are hereby conferred upon and which may be exercised by the City of Palmview, to wit:

1. all powers conferred upon cities and towns by Title 22, Revised Civil Statutes of Texas, 1911, except as may hereafter be denied, limited, or extended, are hereby conferred upon the City of Palmview as fully and completely as if such powers were herein separately enumerated;

2. all powers conferred upon home rule cities by Chpt. 13, Title 28, Art. 1175, Revised Civil Statutes of Texas, 1925, except as may hereinafter be denied, limited or extended, are hereby conferred upon the City of Palmview as fully and completely as if such powers were herein separately enumerated; and,

3. all powers, privileges and immunities conferred upon cities of more than five thousand (5,000) inhabitants by Section 4, Chpt. 147, Acts of the 33rd Legislature, General Laws Regular Session, at page 310 to 316, entitled, "An Act Authorizing Cities Having More Than Five Thousand Inhabitants, By A Majority Vote Of The Qualified Voters Of Said City, And An Election Held For The Purpose To Adopt And Amend Their Charters: etc.", and such powers are hereby conferred upon the City of Palmview as fully and completely as if each of said mentioned powers were herein separately enumerated; but enumeration of special powers herein, or in the statutes referred to, shall not be held, or construed to preclude the City from exercising all powers of local government not inhibited by the Constitution and the laws of the State of Texas, or by special limitations in this Charter contained, the purpose of this Charter being to enlarge upon the power extended by the general laws of cities incorporated thereunder, and to secure to the City of Palmview, all the powers conferred by the Constitution and the laws of this State upon cities having more than five thousand (5,000) inhabitants.

SECTION 2.02 EMINENT DOMAIN.

The City shall have the full power and right to exercise the power of eminent domain, when necessary to the conduct of public affairs, within the authority and scope conferred by this Charter or by the Constitution and laws of the State of Texas. Such authority shall include the obligation to pay adequate compensation and the right to take the fee in land so

condemned and to institute condemnation proceedings for municipal or public purposes even though not specifically enumerated herein.

SECTION 2.03 ALTERATION AND EXTENSION OF BOUNDARIES.

The City shall have the power to provide for the alteration and extension of its boundaries, and to annex or detach territories pursuant to the authority conferred by the Constitution and laws of the State of Texas. Annexation is restricted to area adjacent to the City and within the City's extra-territorial jurisdiction, except where the City owns the area to be annexed. Annexation may be initiated by either of the following methods:

- (A) by petition of a majority of the qualified voters who are inhabitants of an area defined by the City Council; or if there are no qualified voters who are inhabitants of the area, by petition of persons owning a majority of the land in the area; or
- (B) by action of the City Council, with or without the consent of the inhabitants or owners of the territory to be annexed.

SECTION 2.04 ANNEXATION PROCEDURES.

When annexation is either by petition, or by action of the City Council, the City shall follow the procedures and requirements as laid out in Chpt. 43, Texas Local Government Code and any other applicable state law.

SECTION 2.05 DISANNEXATION.

(A) If the City fails to provide the services specified in the service plan within the time period specified in the service plan or required by state law, a majority of the qualified voters residing within the annexed area, or a majority of the landowners in the annexed area may petition the City Council to be disannexed as laid out in Chpt. 43, Texas Local Government Code and any other applicable state law.

(B) If the petition is refused by the City Council, or not acted upon within sixty (60) days, the petitioners may file suit for disannexation in the District Court.

(C) The petition for disannexation shall meet the requirements as laid out under the Chpt. 43, Texas Local Government Code and any other applicable state law. The City Council may, by ordinance, disannex territory within the City. Any territory so detached shall be liable for its pro rata share of any debts incurred while it was a part of the City, and the City shall continue to levy and collect taxes on the property until such indebtedness has been discharged. Disannexation actions are subject only to such procedural roles and regulations as prescribed by Chpt. 43, Texas Local Government Code, and any other applicable state statute.

ARTICLE III. CITY COUNCIL

SECTION 3.01 GENERAL POWERS AND DUTIES.

All powers of the City shall be vested in the City Council, except as otherwise provided by law or this Charter and the City Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law. Without limitation of the foregoing and among the other powers that may be exercised by the Council, the following are hereby enumerated for greater certainty:

1. Abolish or consolidate such offices, departments, and agencies of the City government as it may deem to be to the best interest of the City, and may divide the administration of any such departments as it may deem advisable; may create new departments, and may discontinue any offices or departments at its discretion, except those specifically established by this Charter.

2. Adopt the budget of the City.
3. Authorize the issuance of bonds by a bond ordinance.
4. Inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs.
5. Establish operating policy.
6. Adopt and modify the zoning plan and the building codes of the City.
7. Adopt and modify the official map of the City.

SECTION 3.02 QUALIFICATIONS.

Each of the four (4) Council members and the Mayor shall meet the following qualifications:

1. Be a registered voter of the City;
2. Have resided in the City for at least twelve (12) months preceding the election at which they are candidates;
3. Continue residency in the City during the term of office;
4. Not hold more than one public elective office;
5. Not hold an appointed office of the City excluding boards, committees, and commissions;
6. Be at least 21 years of age;
7. Not have been determined mentally incompetent by a final judgment of a court; and
8. Not have been convicted, whether final for appeal purposes or not, of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities.

A member of the Council ceasing to possess any of the qualifications specified in this section or any other section of this Charter, or convicted of a felony while in office, shall immediately forfeit his office.

SECTION 3.03 COMPOSITION; ELIGIBILITY; ELECTION AND TERMS.

(A) Composition. There shall be a City Council composed of the Mayor and four (4) Council members after the May 2024 elections; previously five (5) Councilmembers with Place 5 being eliminated post-May 2024 elections. The Council members shall be elected by the voters of the City at large, by place, and the Mayor shall be elected as provided in subsection (C) of this Section and in Section 3.03.

(B) Eligibility. Only registered voters of the City shall be eligible to hold the office of Council member or Mayor. No person shall be eligible for the office of Mayor or Council member, who shall hold any other public office or emolument, or shall be interested in the profits of the emoluments of any contract job, work or service for the City, or interested in the sale to the City of any supplies, equipment, material, or articles purchased. No Mayor or Council member shall hold any other public office, except that of Notary Public, member of National Guard or any Military Reserve, or a retired member of the Armed Services.

(C) Election and Terms. Council members shall be elected to serve staggered four (4) year terms in municipal elections held every even year. At the first election under this Charter, candidates receiving a majority of votes for Place 1 and Place 3, City Council seats shall be elected to serve four (4) year terms. At the second municipal election held under this Charter, candidates receiving a majority of votes for Mayor, Place 2, and Place 4 shall be elected to serve four (4) year terms.

SECTION 3.04 MAYOR.

A Mayor shall be elected to a four (4) year term. The next Mayoral election after the approval of this charter shall be conducted during the regular election designated in May, 2010. Thereafter, a Mayoral election shall take place every four (4) years during the May regular election as designated by the State. The Mayor shall be a member of the City Council and shall preside at meetings of the City Council, represent the City in intergovernmental relationships, appoint, with the advice and consent of the City Council, members of citizen advisory boards and commissions, to include, but not limited to a Zoning Commission, a Planning Commission, and a Board of Adjustments, present an annual State of the City message, and perform other duties specified by the City Council. The Mayor shall be recognized as head of the City government for all ceremonial purposes and by the Governor for purposes of military law but shall have no administrative duties. The City Council shall elect one (1) of its members as Mayor Pro-Tem who shall perform the duties of Mayor in the absence or temporary inability of the Mayor to perform the duties of office, and who shall for such time be vested with all of the powers belonging to the Mayor. In the case of the absence of both the Mayor and the Mayor Pro-Tem, the remaining Council members shall select one (1) of their members to act in the place of the Mayor. The Mayor Pro-Tem shall be selected after each election and shall serve for a period to be determined by the City Council. The Mayor Pro-Tem is subject to removal as Mayor Pro-Tem at any time by a majority vote of the entire City Council.

SECTION 3.05 COMPENSATION; EXPENSES.

The Mayor shall be compensated in the amount of \$75 per the regularly scheduled monthly meeting attended and each of the other Council Members shall be compensated in the amount of \$50 per the regularly scheduled monthly meeting attended. Compensation may be increased by ordinance passed by a vote of the Mayor and all four (4) City Council Members.

The Mayor and Council Members shall receive no compensation for other non-scheduled monthly meetings. The Mayor and City Council Members may receive reimbursement for necessary expenses incurred in the performance of their duties of office, according to policies to be determined by the Council.

SECTION 3.06 PROHIBITIONS.

(A) Holding Other Office. No Councilmember shall hold any other city office or employment during the terms for which the member was elected to the City Council. No former Councilmember shall hold any compensated appointive office or employment with the City until one (1) year after the expiration of the term for which the member was elected to the City Council. Nothing in this section shall be construed to prohibit the City

Council from selecting any current or former Councilmember to represent the City on the governing board of any regional or other intergovernmental agency.

(B) Appointments and Removals. Neither the City Council nor any of its members shall in any manner control or demand the appointment or removal of any City administrative officer or employee whom the City Manager or any subordinate of the City Manager is empowered to appoint, but the City Council may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

(C) Interference with Administration. Except for the purpose of inquiries and investigations under Section 3.08, the City Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the City Council nor its members shall give orders to any such officer or employee, either publicly or privately.

SECTION 3.07 VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES.

(A) Vacancies. The office of a Councilmember or Mayor shall become vacant upon the death, resignation, forfeiture of office, or removal from office in any manner authorized by law.

(B) Forfeiture of Office. A Councilmember, or Mayor, shall forfeit that office if the Councilmember or Mayor:

1. lacks at any time during the term of office for which elected any qualification for the office prescribed by the Charter or by law,
2. violates any express prohibition of this Charter,
3. is convicted of a crime involving moral turpitude, or
4. fails to attend, three (3) consecutive regular meetings of the City Council without being excused by the Council.

(C) Filling of Vacancies. A vacancy on the City Council shall be filled by a majority vote in an election called to fill said vacancy. The election shall be held no later than one hundred-twenty (120) days after such vacancy occurs as per Art. II, Section II of the Texas Constitution.

SECTION 3.08 JUDGE OF QUALIFICATIONS.

The City Council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office. The City Council shall have the power to set additional standards of conduct for its members beyond those specified in the Charter and may provide for such penalties as it deems appropriate, including forfeiture of office. In order to exercise these powers, the City Council shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one (1) or more newspapers of general circulation in the City at least one (1) week in advance of the hearing. Decisions made by the City Council under this section shall be subject to judicial review.

SECTION 3.09 INVESTIGATIONS.

The City Council may make investigations into the affairs of the City and the conduct of any City department, office or agency and for this purpose may subpoena witnesses, administer

oaths, take testimony and require the production of evidence. Failure or refusal to obey a lawful order issued in the exercise of these powers by the City Council shall be a Class C misdemeanor and punishable by a fine not to exceed the amount authorized by law.

SECTION 3.10 INDEPENDENT AUDIT.

The City Council shall provide for an independent annual audit of all City accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City government or any of its officers. The City Council may, without requiring competitive bids, designate such, accountant, or firm annually or for a period not exceeding three (3) years, but the designation for any particular fiscal year shall be made no later than thirty (30) days after the beginning of such fiscal year. If the state makes such an audit, the City Council may accept it as satisfying the requirements of this section.

SECTION 3.11 PROCEDURE.

(A) Meetings. The City Council shall meet regularly at least once in every month at such times and places as the City Council may prescribe by rule. Special meetings may be held on the call of the Mayor or of three (3) or more Councilmembers and, whenever practicable, upon no less than twelve (12) hours notice to each member of the Council. All meetings of the City Council shall be open to the public, except as allowed by state law.

(B) Rules and Journal. The City Council shall determine its own rules and order of business and shall provide for keeping a journal of its proceedings. This journal shall be a public record except as allowed by state law.

(C) Quorum. After the May 2024 elections, a quorum shall consist of three (3) members: Mayor and two (2) Council members, or three (3) Council members. A quorum of the City Council must be present at the start of each City Council meeting. Should the City Council at any meeting lose a quorum, the fact may be raised by any City Councilmember, at which time the City Council may continue its meeting, however, no action or ordinance requiring a vote may be taken or passed. Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. No action of the City Council shall be valid or binding unless adopted by the affirmative vote of a majority of the quorum of the City Council present and voting. The Mayor may vote on all matters.

SECTION 3.12 ACTION REQUIRING AN ORDINANCE.

In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the City Council shall be by ordinance which:

1. Adopt or amend an administrative code or establish, alter, or abolish any City department, or agency;
2. Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
3. Levy taxes;
4. Grant, renew or extend a franchise;
5. Regulate the rate charged for its services by a public utility;
6. Authorize the borrowing of money;
7. Convey or lease or authorize the conveyance or lease of any lands of the City;

8. Regulate land use and development;
9. Amend or repeal any ordinance previously adopted; and,
10. Adopt an annual budget.

Acts other than those referred to in the preceding sentence may be done either by ordinance or by resolution.

SECTION 3.13 ORDINANCES IN GENERAL.

(A) Form. Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one (1) subject which shall be clearly expressed in its title. The enacting clause shall read, "Be it ordained by the City Council of The City of Palmview, Texas..." Any ordinance which repeals or amends an existing ordinance or part of the City code shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate matters to be omitted by enclosing it in brackets with strikeout type, and shall indicate new matters by underscoring or by italics.

(B) Procedure. An ordinance may be introduced by any member of the City Council at any regular or special meeting of the City Council. Upon introduction of any ordinance, the City Secretary shall distribute a copy to each Councilmember and to the City Manager, shall file a reasonable number of copies in the office of the City Secretary and such other public places as the City Council may designate. As soon as practicable after adoption, the City Secretary shall have the ordinance and a notice of its adoption published and available at a reasonable price.

(C) Effective Date. Except as otherwise provided in this Charter, every adopted ordinance shall become effective at the expiration of fifteen (15) days after adoption or at any later date specified therein.

(D) Publication of Ordinance. The City may publish the ordinance, or caption of the ordinance that summarizes the purpose of the ordinance and any penalty for violating the ordinance. The ordinance may be published at least once in the municipality's official newspaper. The publication shall notify citizens where copies of the ordinance have been filed and the times when they are available for public inspection and purchase.

SECTION 3.14 EMERGENCY ORDINANCES.

To meet a public emergency affecting life, health, property or the public peace, the City Council may adopt one (1) or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services or authorize the borrowing of money. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of a majority of the quorum present and voting shall be required for adoption. After its adoption the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or such later time as it may specify.

SECTION 3.15 CODES OF TECHNICAL REGULATIONS.

The City Council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be as prescribed for ordinances generally except that:

1. The requirements of Section 3.13 for distribution and filing of copies of the ordinance shall be construed to include copies of the code of technical regulations as well as of the adopting ordinance; and,
2. A copy of each adopted code of technical regulations as well as of the adopting ordinances shall be authenticated and recorded by the City Secretary pursuant to Section 3.16(A).

Copies of any adopted code of technical regulations shall be made available by the City Secretary for distribution or for purchase at a reasonable price.

SECTION 3.16 AUTHENTICATION AND RECORDING; CODIFICATION; PRINTING.

(A) Authentication and Recording. The City Secretary shall authenticate by signing and shall record in full, in a properly indexed book kept for that purpose, all ordinances and resolutions adopted by the City Council.

(B) Codification. Within three (3) years after adoption of this Charter and at least every ten (10) years thereafter, the City Council shall provide for the preparation of a general codification of all City ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the City Council by ordinance and shall be published promptly in bound or loose-leaf form, together with this Charter and any amendments thereto, pertinent provisions of the constitution and other laws of the State of Texas, and such codes of technical regulations and other rules and regulations as the City Council may specify. This compilation shall be known and cited officially as the PALMVIEW CITY CODE. Copies of the code shall be furnished to City officers, placed in libraries and public offices for free public reference and made available for purchase by the public at a reasonable price fixed by the City Council.

(C) Printing of Ordinances and Resolutions. The City Council shall cause each ordinance and resolution having the force and effect of law and each amendment to this Charter to be printed promptly following its adoption, and the printed ordinances, resolutions and Charter amendments shall be distributed or sold to the public at reasonable prices as fixed by the City Council. Following publication of the first PALMVIEW CITY CODE and at all times thereafter, the ordinances, resolutions and Charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein.

The City Council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the constitution and other laws of the State of Texas, or the codes of technical regulations and other rules and regulations included in the code.

ARTICLE IV. CITY ADMINISTRATION

SECTION 4.01 CITY MANAGER.

(A) The City Council shall upon approval of a majority of the City Council appoint a City Manager who shall be the chief administrative and executive officer of the City, and shall be responsible to the City Council for the administration of the affairs of the City.

- (B) The City Manager shall be chosen by the City Council solely on the basis of executive and administrative training, experience, and ability.
- (C) The City Manager shall be appointed for an indefinite term and receive compensation as may be fixed by the City Council.
- (D) No member of the City Council shall, during the time for which he or she is not elected, nor for one (1) year thereafter, be appointed City Manager.
- (E) The City Manager serves at the pleasure of the City Council. The City Council may elect to negotiate and by majority vote, provide the City Manager an employment contract. The City Council may by affirmative vote of the majority of the full City Council adopt a resolution removing the City Manager from office during a regular meeting. The action of the City Council in removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the City Council.
- (F) The City Manager may, by letter filed with the City Secretary and subject to approval by the City Council, designate a qualified City administrative officer to be Acting City Manager to serve during the temporary absence or disability of the City Manager. The Acting City Manager serves at the pleasure of the City Council. The City Council may remove an Acting City Manager at any time.

SECTION 4.02 DUTIES OF THE CITY MANAGER.

The City Manager shall:

- (A) with the advice and consent of the City Council, appoint and remove all department heads of the City, except as otherwise provided in this Charter or by ordinance;
- (B) with the advice and consent of the City Council, determine proper and just compensation for all department heads;
- (C) attend all meetings of the City Council, taking part in discussion but having no vote, and shall be notified of all special meetings of the City Council;
- (D) see that all laws, provisions of this Charter, and acts of the City Council, subject to enforcement by the City Manager or by officers subject to his or her direction and supervision, are faithfully executed;
- (E) prepare and submit the annual budget and capital program to the City Council;
- (F) submit to the City Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;
- (G) keep the City Council fully advised as to the financial condition and future needs of the City and make such recommendations to the City Council concerning the affairs of the City;
- (H) make such other reports as the City Council may require concerning the operations of the City departments, offices, and agencies subject to his or her direction and supervision; and,
- (I) perform such other duties as are specified in the Charter or may be required by the City Council or the laws of the State of Texas.

SECTION 4.03 CITY SECRETARY.

- (A) The City Council shall appoint a City Secretary who shall report administratively to the City Manager, but may be removed from office only with the consent of the City Council.
- (B) The duties of the City Secretary shall be to:
 - 1. prepare and post notice of Council meetings;

2. keep the minutes of proceedings of Council meetings;
3. authenticate by signature and record in full, in a book kept and indexed for that purpose, all ordinances and resolutions passed by the City Council;
4. hold and maintain the City Seal and affix the Seal to all instruments requiring it; and,
5. perform such other duties as may be specified by the City Council, City Manager, this Charter, or the laws of the State of Texas.

SECTION 4.04 CITY ATTORNEY.

(A) The City Council may appoint an attorney, licensed to practice law in the State of Texas, as City Attorney. The City Attorney shall serve at the will of the City Council and be entitled to compensation as established by the City Council.

(B) The duties of the City Attorney shall be to:

1. serve as legal advisor to the City Council, to all offices, departments, and agencies of the City, and to all officers and employees of the City as authorized by the City Manager;
2. perform all services incident to his or her position as may be required by statute, this Charter, ordinances, or as directed by the City Council.

(C) The City Council may retain special counsel at any time it deems such action appropriate or necessary.

SECTION 4.05 MUNICIPAL COURT.

(A) There is hereby established a court designated the Municipal Court of the City of Palmview. The Court shall consist of one (1) Presiding Judge and two (2) Associate Judges. At least one Municipal Court Judge must be an attorney licensed to practice by the State Bar of Texas, collectively referred to as Judge.

(B) The Municipal Court shall have jurisdiction within the territorial limits of the City for the trial of misdemeanor offenses with all powers and duties granted by the laws of the State of Texas.

(C) The Judge of the Municipal Court shall be nominated by the Mayor and approved by the City Council for a term of four (4) years to run concurrently with the term of office of the Mayor. Compensation shall be set by the City Council and may not be reduced during the term of office for which the Judge was appointed.

(D) In the absence or disability of the Judge, the City Council shall appoint an interim judge to preside over the Municipal Court.

(E) All costs and fines collected by the Municipal Court shall be paid to the City treasury for the use and benefit of the City.

SECTION 4.06 BONDS FOR CITY EMPLOYEES.

The City Council shall require bonds of all municipal officers and employees who receive or pay out any monies of the City. The amount of such bonds shall be determined by the City Council and the cost thereof shall be borne by the City.

ARTICLE V. FINANCIAL PROCEDURES

SECTION 5.01 FISCAL YEAR.

The fiscal year of the City shall be established by ordinance.

SECTION 5.02 SUBMISSION OF BUDGET AND BUDGET MESSAGE.

Not later than sixty (60) days prior to the close of the fiscal year, the City Manager shall submit to the City Council a budget for the ensuing fiscal year and an accompanying message.

SECTION 5.03 BUDGET MESSAGE.

The City Manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall:

1. outline the proposed financial policies of the City for the ensuing fiscal year;
2. describe the important features of the budget;
3. indicate any major changes from the current year in financial policies, expenditures, and revenues, and the reasons for such changes;
4. summarize the City's debt position; and,
5. include such other material as the City Manager deems desirable.

SECTION 5.04 BUDGET.

(A) The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable or the City Council may require.

(B) In organizing the budget, the City Manager shall utilize the most feasible combination of expenditure classifications by fund, organization unit, program, purpose or activity and object. It shall begin with a clear general summary of its contents and shall show in detail:

1. all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year;
2. comparative figures for actual and estimated income and expenditures of the current fiscal year;
3. actual income and expenditures of the preceding fiscal year; and,
4. any other item(s) required by state law to be included in the budget.

(C) The budget shall indicate in separate sections:

1. estimated revenues for operations during the ensuing fiscal year, detailed by source;
2. proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments, and agencies in terms of their respective work programs;
3. proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments, and agencies when practicable, and the proposed method of financing each capital expenditure; and,
4. anticipated net surplus or deficits for the ensuing fiscal year of each enterprise owned or operated by the City and the proposed method of financing each capital expenditure.

(D) Subsidiary budgets for each enterprise, giving detailed income and expenditures information, shall be established as appendices to the budget.

(E) The total of proposed expenditures shall not exceed the total of estimated income plus any accumulated surplus.

SECTION 5.05 CITY COUNCIL ACTION ON BUDGET.

(A) The City Council shall publish in one (1) or more newspapers of general circulation in the City the general summary of the budget and a notice stating:

1. the times and places where copies of the message and budget are available for inspection by the public; and,

2. the time and place for a public hearing on the budget.

(B) After the public hearing, the City Council may adopt the budget with or without amendments. In amending the budget, it may add or increase programs or amounts and may delete or decrease any program or amounts, except expenditures required by law or for debt service provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income plus any accumulated surplus.

(C) The City Council shall adopt the budget on or before the twenty-ninth (29th) day of the twelfth (12) month of the fiscal year currently ending. If it fails to adopt the budget by this date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the City Council adopts a budget for the ensuing fiscal year.

(D) Adoption of the budget shall constitute appropriation of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed, provided that in no event shall such levy exceed the legal limit provided by the laws and Constitution of the State of Texas.

SECTION 5.06 BUDGET AMENDMENTS AFTER ADOPTION.

(A) If during the fiscal year the City Manager certifies that there are revenues available for appropriation in excess of those estimated in the budget, the City Council by ordinance may make supplemental appropriations for the year up to the amount of the excess.

(B) To meet a public emergency, as defined by state law, the City Council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions of Article III, Section 3.13 of this Charter. To the extent that, there are no available unappropriated revenues to meet such appropriations, the City Council may by emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time. The emergency notes and renewal of those notes during any fiscal year shall be paid not later than the last day of the current fiscal year.

(C) If at any time during the fiscal year it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, he shall report to the City Council without delay, indicating the estimated amount of the deficit, any remedial action taken, and recommendations as to any other steps to be taken. The City Council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may by ordinance reduce one (1) or more appropriations.

(D) At any time during the fiscal year the City Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency, but no funds may be transferred to increase a salary appropriation without the approval of the City Council. Upon written request by the City Manager, the City Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office, or agency to another.

(E) No appropriations for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this Section may be made effective immediately upon adoption.

SECTION 5.07 LAPSE OF APPROPRIATIONS.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent, that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue until the purpose of any such appropriation shall be deemed abandoned or completed.

SECTION 5.08 CAPITAL PROGRAM.

(A) The City Manager shall prepare and submit to the City Council a five (5) year capital program at least three (3) months prior to the final date for submission of the annual budget.

(B) The capital program shall include:

1. a clear general summary of its contents;
2. a list of all capital improvements which are proposed to be undertaken during the five (5) fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;
3. cost estimates, methods of financing, and recommended time schedules for each such improvement; and,
4. the estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

(C) The capital program shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

SECTION 5.09 PUBLIC RECORDS.

Copies of the budget as adopted shall be public records and shall be available to the public at suitable places in the City.

SECTION 5.10 PURCHASE PROCEDURES.

(A) No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriation duly made and unless the City Manager, or the City Manager's designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable.

(B) Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made shall be illegal. Such action shall be cause for removal of any elected or appointed officer who knowingly authorized or made such payment or incurred such obligation, and he or she shall also be liable to the City for any amount so paid.

(C) All purchases made and contracts executed by the City shall be in accordance with the requirements of the Constitution and laws of the State of Texas.

SECTION 5.11 ACCOUNTING AND REPORTING PROCEDURES.

The City shall adopt an accounting manual prepared by competent authority which shall provide procedures to be followed in the detail recording and reporting of financial transactions. Changes in such accounting manual may be made from time to time as necessary, by the City Manager, providing such changes do not weaken controls as may be advised by the City auditor. Accounting controls shall be adequate to protect the assets of the City, but shall not be restrictive beyond the value of the assets being controlled.

SECTION 5.12 AUTHORITY TO ISSUE BONDS.

The City Council shall have the power and authority to issue all tax bonds, revenue bonds, funding and refunding bonds, warrants, time warrants, certificates of obligation, notes, and other evidence of obligation as may be authorized by the Constitution and laws of the State of Texas.

SECTION 5.13 AUTHORITY TO LEVY TAXES.

The City may levy taxes of any type and amount not prohibited by the laws and Constitution of the State of Texas or other provisions of this Charter.

SECTION 5.14 COLLECTION OF TAXES.

- (A) The City Manager may, subject to approval by a majority of the full City Council, appoint an individual as City Tax Collector to collect taxes. The City Tax Collector shall obtain a fidelity bond. The amount of such bond shall be set by the City Council, but shall not be less than the amount of tax collections under his or her control at any one time.
- (B) All taxes due the City shall be payable at the office of the designated City Tax Collector or Assessor-Collector.
- (C) Due date of the taxes to be paid without penalty and the penalty and interest charged for late payment shall be in accordance with the Texas Property Tax Code and any other applicable laws of the State of Texas.

ARTICLE VI. ELECTIONS

SECTION 6.01 REGULAR ELECTIONS.

City elections shall be held on the first Saturday in May, or on the closest date to the first Saturday in May permitted by the laws of the State of Texas, the Constitution, and this Charter.

SECTION 6.02 QUALIFIED VOTERS.

All citizens qualified by the Constitution and laws of the State of Texas to vote in the City shall be qualified voters of the City.

SECTION 6.03 REGULATIONS OF ELECTIONS.

All municipal elections shall be held in accordance with the provisions of the general laws of the State of Texas regulating the holding of elections. The City Council shall have the

power to make rules and regulations not inconsistent with this Charter or the general laws of this state for the conduct of elections or for the prevention of frauds in elections.

SECTION 6.04 FILING FOR OFFICE.

(A) Any qualified citizen who desires to become a candidate for the City office shall file with the City Secretary a signed application for his or her name to appear on the ballot. This application must be filed in accordance with the laws of the State of Texas.

(B) In addition to all general requirements for application for a place on the ballot as specified in the Texas Election Code, or any other requirements specified in the laws or Constitution of the State of Texas, a candidate must possess the following qualifications:

1. be a qualified voter of the City;
2. reside within the corporate limits of the City; and
3. shall be a resident of the City for a period of one (1) year;
4. shall be 21 years of age or older at the time of filing for office;
5. shall NOT have been convicted of any felony in any state or country jurisdiction.

(C) Any City employee or officer announcing their candidacy, or who in fact becomes a candidate for an elected City office, must resign from said employment or position immediately.

SECTION 6.05 ELECTION BY MAJORITY.

Any candidate for office in a duly held municipal election receiving a majority (over 50%) of the votes cast for the office for which he or she is a candidate, shall be elected to such office. In the event no candidate receives a majority, the Mayor shall, following the completion of the official count of the ballots cast at said first election, issue a call for a run-off election to be held on the next to the last Saturday in May, or on the third (3rd) Saturday following the issuance of such call, at which election the ballots shall contain the names of the two (2) candidates receiving the highest number of votes in the first election.

SECTION 6.06 PROHIBITION.

No person who holds any compensated, appointed City position shall make, solicit, or receive any contribution for any candidate for an elected City office, or take any part in the management, affairs, or political campaign of such candidate, but he may exercise his/her rights as a citizen to express his opinions and to cast his vote.

ARTICLE VII. INITIATIVE; REFERENDUM; AND RECALL

SECTION 7.01 INITIATIVE.

(A) The voters of this City shall have the power to propose any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, or one repealing such an ordinance, and to adopt or reject the same at the polls.

(B) Any initiated ordinance may be submitted to the City Council by a petition signed, registered and qualified voters of the City equal in number to at least thirty (30) percent of the number of votes cast at the last regular City election, or three hundred (300) whichever is greater. Said petition signatures must meet the requirements as set out the Texas Election Code. The City Secretary shall certify the petitions.

(C) Initiative petitions shall contain the full text of the proposed ordinance.

(D) Such ordinances may be passed by the City Council without change, or must be submitted to the voters at an election called for that purpose and held in compliance with the Texas Election Code.

SECTION 7.02 REFERENDUM BY VOTERS.

(A) The voters of this City shall have the power to approve or reject at the polls any ordinance passed by the Council except an ordinance appropriating money, authorizing the levy of taxes, or authorizing the issuance of either tax or revenue bonds, whether original or refunding.

(B) The petition for referendum shall require the same number and qualification of signatures as required by this Charter for an initiative petition. Said petition signatures must meet the requirements as set out in the Texas Election Code.

(C) A referendum petition must contain sufficient description of the ordinance to positively identify it.

(D) A referendum petition must be filed with the City Secretary within thirty (30) days after the final passage of the ordinance which is the subject of the referendum, or the petition shall be barred by the lapse of time.

(E) When such petition has been certified as sufficient by the City Secretary, the ordinance shall not go into effect, or if it has gone into effect, further enforcement or action thereunder shall be suspended unless and until such ordinance is approved by the voter as herein provided.

SECTION 7.03 CONSIDERATION BY COUNCIL.

(A) Whenever the City Council receives a certified initiative or referendum petition from the City Secretary, it shall proceed at once to consider such petition. The City Council shall take final action on such ordinance not later than thirty (30) days after the date on which it was submitted to the City Council by the City Secretary.

(B) A referred ordinance shall be reconsidered by the City Council and Council's final vote upon such consideration shall be on the proposal to repeal.

SECTION 7.04 REFERENDUM BY CITY COUNCIL.

(A) In the absence of a petition, the City Council shall have the authority to submit a proposed ordinance to the voters.

(B) If the City Council specifies that the election is binding, and if the voters approve the proposed ordinance, then the ordinance is adopted.

(C) If the City Council specifies that the election is non-binding, then the results of the election are only to supply information and guidance to the City Council and the proposed ordinance is neither approved nor disapproved.

SECTION 7.05 SUBMISSION TO VOTERS.

(A) If the City Council shall fail to pass an ordinance proposed by initiative petition in the exact form proposed, or fail to repeal an ordinance referred by referendum petition, the proposed initiative or referred referendum ordinance shall be submitted to the voters.

(B) An initiative or referendum election shall be held within sixty (60) days from the date the City Council takes its final vote on the proposed or referred ordinance or at the earliest date thereafter permitted by the Texas Election Code.

(C) Any number of ordinances may be voted on at the same election.

SECTION 7.06 RESULTS OF ELECTION.

(A) A majority vote in favor of a proposed initiative ordinance shall constitute its adoption as a City ordinance.

(B) If two (2) or more ordinances with conflicting provisions are approved by the voters, the ordinance receiving the greater number of votes shall be adopted and the conflicting ordinance or ordinances shall be rejected.

(C) An ordinance referred by petition and voted on in a referendum election that does not receive a majority of the vote shall be deemed repealed.

(D) No ordinance adopted at the polls under initiative shall be amended or repealed by the City Council within six (6) months of adoption.

(E) No ordinance repealed at the polls in a referendum election shall be reenacted within six (6) months.

SECTION 7.07 PUBLICATION OF INITIATIVE AND REFERENDUM ORDINANCES.

Initiative and referendum ordinances shall be published in the same manner as adopted by the City Council.

SECTION 7.08 RECALL.

(A) The voters of this City shall have the power to recall any member of the City Council including the Mayor, and may exercise such power by filing with the City Secretary a petition which shall be signed and verified by registered and qualified voters of the city as required by the Texas Election Code and as specified below:

1. for a position elected from the City at-large, by a number of such voters equal to at least thirty (30) percent of the number of votes cast at the last regular election, or three hundred (300), whichever is greater.

(B) The City Secretary shall immediately notify by registered mail the officer whose removal is sought.

(C) If the petition is certified by the City Secretary to be sufficient, the City Council shall order and hold, or cause to be held, an election to determine whether such officer shall be recalled.

SECTION 7.09 FORM OF RECALL PETITION.

The recall petition must be addressed to the City Council and must distinctly and specifically point out the ground or grounds upon which such petition for removal is predicated. The signatures shall be verified by oath in the following form:

STATE OF TEXAS

COUNTY OF HIDALGO

I _____, being first duly sworn, on oath depose and say that I am one of the signed of the above petition, that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and solemnly swear that the same is the genuine signature of the person whose name it purports to be.

Sworn and subscribed to before me this _____ day of _____, 20____.

Notary Public in and for
Hidalgo County, Texas

SECTION 7.10 PUBLIC HEARING ON RECALL PETITION.

The officer whose removal is sought by a recall petition may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him or her to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing from said officer.

SECTION 7.11 RECALL ELECTION.

(A) If the officer whose removal is sought does not resign, and If the recall petition is certified by the City Secretary to be sufficient, the City Council shall order and hold, or cause to be held, an election to determine whether the officer shall be recalled.

(B) A recall election shall be held within thirty (30) days from the date the petition was submitted to the City Council or from the date of public hearing if one was held, whichever is later, or at the earliest date thereafter permitted by the Texas Election Code.

SECTION 7.12 BALLOTS FOR RECALL ELECTION.

Ballots used at recall elections shall conform to the following requirements:

(A) With respect to each person whose removal is sought, the question shall be submitted:
“Shall (name of person) be removed from the office of (name of office) by recall?”

(B) Immediately below each such question there shall be printed the two (2) following propositions, one above the other, in the order indicated:

FOR the recall of (name of person)

AGAINST the recall of (name of person)

SECTION 7.13 RESULTS OF RECALL ELECTION.

If the majority of the legal votes cast at a recall election is for the recall of the officer names on the ballot, the City Council shall immediately declare that office vacant. Such vacancy shall be filled in accordance with the provisions of this Charter.

SECTION 7.14 LIMITATION ON RECALL.

No recall petition shall be filed against an officer within six (6) months after he or she takes office, nor within six (6) months after an election for such officer's recall.

SECTION 7.15 FAILURE OF COUNCIL TO CALL AN ELECTION.

In case all of the requirements of this Charter shall have been met and the City Council shall fail or refuse to receive the recall petition or order, such recall election or discharge any other duties imposed upon said Council by the provisions of this Charter with reference to such recall, any citizen may seek recourse in District Court.

SECTION 7.16 FORMS OF PETITION.

(A) All papers necessary for the filing of petitions to be circulated for initiative, referendum, or recall must be obtained from the City Secretary. The petition forms shall be available at the City Secretary's office at all reasonable times and will be dated and signed by that City official when issued.

(B) The signatures to initiative, referendum, or recall petitions need not be appended to one paper, but all papers constituting a single petition shall be assembled and filed with the City Secretary as one (1) instrument. The petition must be accompanied by an affidavit made by the person filing such petition that the petition bears a stated number of signatures, and that all the signatures appended thereto are, in his or her belief, the genuine signatures, and that all the signatures are of the persons whose name they purport to be. All signatures must be in compliance with the requirements set out in the Texas Election Code.

(C) Petitions for initiative, referendum, or recall shall be filed with the City Secretary. Within twenty (20) days after a petition is filed, the City Secretary shall determine whether it has a proper affidavit attached of the person filing same. After completing examination of such petition and determining that the petition meets the requirements of this Charter, the Texas Election Code and any other applicable state law, the City Secretary shall certify the result thereof to the City Council at its next regular meeting. If such petition is insufficient, the City Secretary shall set forth the particulars in which it is defective, and shall at once notify the person who filed it.

SECTION 7.17 AMENDMENT OF PETITION.

An initiative, referendum, or recall petition may be amended as provided for in the Texas Election Code. The finding of insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose provided that the requirements of this Charter, the Texas Election Code and any other applicable state law allows for such filing.

ARTICLE VIII. FRANCHISES AND PUBLIC UTILITIES

SECTION 8.01 POWER TO GRANT FRANCHISE.

The City Council may, by ordinance, grant, amend, renew, cancel for cause, and extend franchises of all public utilities, including cable television, operating in the City. No franchise may be granted for an indefinite term.

SECTION 8.02 FRANCHISE EXTENSIONS.

All extensions of public utilities within the City limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant.

SECTION 8.03 TRANSFER OF FRANCHISE.

No public utility franchise may be transferred or assigned by the holder except with the approval of the City Council.

SECTION 8.04 OPTION TO PURCHASE.

Any public utility franchise may be terminated by ordinance after ten (10) years after the beginning of operation, whenever the City Council determines to acquire by condemnation or otherwise the property of such utility necessarily used in or conveniently useful for the operation of the City within the City limits of same.

SECTION 8.05 REGULATION OF FRANCHISE.

All grants, renewals, extensions, or amendments of public-utility franchises, whether it be so provided in the ordinance or not, shall be subject to the right of the City to:

- (A) repeal the same by ordinance at any time for failure to begin construction or operation within the time prescribed or for failure otherwise to comply with the terms of the franchise, such power to be exercised only after due notice and hearing;
- (B) require an adequate and reasonable extension of plant and service, and the maintenance of plant and fixtures at the standard necessary to render the highest reasonable quality of utility service to the public;
- (C) establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates;
- (D) prescribe, for each franchised utility, the form of accounts to be kept, or that the system of accounts conforms to those prescribed by the appropriate State and/or federal utility-regulatory agencies;
- (E) impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare, and accommodation of the public;
- (F) require franchise holders to furnish the City, without cost to the City, full information regarding the location and precise description of all facilities of the franchise holder in, over, or under the City, and to regulate and control the location, relocation, and removal of the facilities;
- (G) examine and audit at any time during normal business hours the accounts and records of the franchise holder; and,
- (H) require, at any time, such compensation, rental, and franchise fee as may be permitted by the laws of the State of Texas.

SECTION 8.06 FRANCHISE RECORDS.

The City shall compile and maintain a public record of all franchises granted by the City, including any extensions or amendments to such franchise grants.

ARTICLE IX. GENERAL PROVISIONS

SECTION 9.01 CONFLICT OF INTEREST.

- (A) No officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City except as allowed under Chpt. 171, Texas Local Government Code and any other applicable state law. Any violation of this provision with the knowledge, express or implied, of the person or corporation contracting with the City shall render the contract voidable by the City Manager or the City Council.
- (B) The City Council shall adopt an ethics code.

SECTION 9.02 NEPOTISM.

No person related within the second degree by affinity or the third degree by consanguinity to the Mayor, a member of the Council, or to the City Manager shall be appointed to any paid office, position or other service of the City. This prohibition shall not apply, however, to any person who shall have been employed by the City prior to and at the time of the election of the Mayor and/or Council member, or appointment of the City Manager, so related to him/her, in accordance with state law.

SECTION 9.03 OATH OF OFFICE.

Every person elected or appointed to any office of the City shall, before entering upon the duties of that office, take and subscribe to the oath of office prescribed by state law.

SECTION 9.04 PLANNING AND ZONING COMMISSION.

The Mayor and City Council shall have the authority to create and appoint a Planning and/or Zoning Commission in accordance with the general laws of the State of Texas as provided for in the Texas Local Government Code, as now or hereafter amended.

SECTION 9.05 PROHIBITION.

(A) The following activities are prohibited:

1. No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any City position or appointive City administrative office because of race, gender, age, handicap, religion, country of origin, or political affiliation.

2. No person who seeks appointment or promotion with respect to any City position or appointive City administrative office shall directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for or in connection with his or her test, appointment, promotion, or proposed promotion.

(B) Any person convicted of a violation of this Section shall be ineligible for a period of five (5) years following such conviction to hold any City office or position and, if an officer or employee of the City, shall immediately forfeit his or her office or position. The City Council shall establish by ordinance such further penalties as it may deem appropriate.

SECTION 9.06 PUBLIC RECORDS.

All records and accounts of every office, department, or agency of the City shall be open to inspection by any citizen or by any representative of the press at all reasonable times and under such reasonable regulations as may be established by the City Council, except those records and documents the disclosure of which may be exempted under the Texas Open Records Act.

SECTION 9.07 CLAIMS AGAINST THE CITY.

(A) Notice of Claim. Before the City shall be liable for a damage claim, suit for personal injury, or damage to property, the person who is injured or whose property has been damaged or someone on behalf of that person shall give the City Manager or the City Secretary notice in writing, duly verified, within sixty (60) days after the date of the alleged injury or damage. The notice shall state specifically when, where, and how the injury or damage was sustained, setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses known to claimant upon

whose testimony claimant is relying to establish the injury or damage. In case of injury resulting in death, the person or persons claiming damage shall within sixty (60) days after the death of the injured person give notice as required above. Nothing in this Section shall be construed to mean the City waives any rights, privileges, defenses, or immunities in tort action which are provided under the common law, the laws of the State of Texas, and the State Constitution.

(B) Security and Bond. It shall not be necessary in any action, suit or proceeding in which the City is a party, for any bond, undertaking, or security to be demanded or executed by or on behalf of said City in any of the State Courts, but in all such actions, suits, appeals and proceedings, the same shall be conducted in the same manner as if such bonds, undertaking or security had been given as required by law.

SECTION 9.08 LIENS; ASSIGNMENT; EXECUTION; AND GARNISHMENT.

The real and personal property belonging to the City shall not be liable for sale or appropriation under any writ or execution or cost bill, and no lien of any kind shall ever exist against any such property owned by the City except a lien created or authorized by this Charter or state law. The funds belonging to the City in the hands of any person, firm, or corporation shall not be liable to garnishment, attachment, or sequestration. The City shall not be liable to garnishment on account of any debt it may owe or funds or property it may have, on hand or owing to any person. Neither the City nor any of its officers or agents shall be required to answer any such writ or garnishment on any account whatever. The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents, or contractors except by court order.

SECTION 9.09 SEVERABILITY AND TRANSLATION.

(A) If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby, if the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

(B) This Charter is translated into Spanish. For purposes of interpretation and enforcement, the English versions of the Charter shall prevail.

SECTION 9.10 CHARTER AMENDMENT.

This Charter may be amended every five (5) years by a vote of the qualified voters of this City in compliance with the laws and Constitution of the State of Texas. The election may be called directly by the City Council, by the City Council as the result of a petition submitted by qualified voters of the City as specified by state law, or by any other means permitted by the laws and Constitution of the State of Texas.

ARTICLE X. TRANSITIONAL PROVISIONS

SECTION 10.01 OFFICERS AND EMPLOYEES.

Nothing in this Charter except as otherwise specifically provided shall affect, or impair the rights or privileges of persons who are City officers or employees at the time of its adoption.

SECTION 10.02 PENDING MATTERS.

All rights, claims, actions, orders, contracts, and legal administrative proceedings shall continue except as modified pursuant to the provisions of this Charter.

SECTION 10.03 EFFECT ON EXISTING LAW.

(A) All City ordinances, rules, and regulations in force on adoption of this Charter and not in conflict with it shall remain in force until altered, amended or repealed by the City Council. All rights of the City under existing franchises and contracts are preserved in full force and effect.

(B) Any ordinances, rules, or regulations inconsistent with this Charter are repealed as of the date of adoption of the Charter.

(C) Any laws, ordinances, rules, or regulations applicable to Type A General Law Municipalities and not also applicable to Home Rule Municipalities in the State of Texas shall be superseded upon adoption of this Charter. Any such ordinances, rules, or regulations are repealed as of the date of this Charter.

SECTION 10.04 TEMPORARY ORDINANCES.

(A) To deal with cases in which there is an urgent need for prompt action in connection with the transition of government and in which the delay incident to the appropriate ordinance procedure would probably cause serious hardship or impairment of effective City government, the City Council may, at any meeting held within sixty (60) days following adoption of this Charter, adopt temporary ordinances. Every temporary ordinance shall be plainly labeled as such but shall be introduced in the form and manner prescribed for ordinances generally.

(B) After adoption of a temporary ordinance, the City Council shall cause it to be printed and published as prescribed for other adopted ordinances.

(C) Every temporary ordinance, including any amendment made thereto after adoption, shall automatically stand repealed as of the ninety-first (91st) day following the date on which it was adopted.

(D) Temporary ordinances are not subject to referendum.

ARTICLE XI. SUBMISSION OF CHARTER TO VOTERS

The Charter Commission in preparing this Charter has decided that it is impracticable to segregate subjects so as to permit voting on individual subjects separately. Accordingly, the Charter Commission directs that this Charter be submitted to qualified voters of the City to be voted on as a whole at the General City Election on November, 2006.

This charter was amended by voters at a Special Election held November 7, 2023.

CERTIFICATION

I, Annette Y. Villarreal, City Secretary of the City of Palmview, do hereby certify that this is a true, complete and correct copy of the City of Palmview City Charter and its amendments, as filed in my office.

WITNESS MY HAND AND SEAL OF OFFICE, this 15th day of November 2023.

/s/ Annette Y. Villarreal, CMC, CPM
City Secretary

AMENDMENTS

Section 3.03 Composition; Eligibility; Election and Terms

(A) Composition. There shall be a City Council composed of the Mayor and four (4) Council members after the May 2024 elections; previously five (5) Council members with Place 5 being eliminated post-May 2024 elections. The Council members shall be elected by the voters of the City at large, by place, and the Mayor shall be elected as provided in subsection (C) of this Section and in Section 3.03. Section amended by voters. *Section was amended by a Charter Amendment Election held November 7, 2023.*

(C) Election and Terms. Council members shall be elected to serve staggered four (4) year terms in municipal elections held every even year. At the first election under this Charter, candidates receiving a majority of votes for Place 1 and Place 3, City Council seats shall be elected to serve four (4) year terms. At the second municipal election held under this Charter, candidates receiving a majority of votes for Mayor, Place 2, and Place 4 shall be elected to serve four (4) year terms. *Section was amended by a Charter Amendment Election held November 7, 2023.*

Section 3.11 Procedure.

(C) Quorum. After the May 2024 elections, a quorum shall consist of three (3) members: Mayor and two (2) Council members, or three (3) Council members. A quorum of the City Council must be present at the start of each City Council meeting. Should the City Council at any meeting lose a quorum, the fact may be raised by any City Councilmember, at which time the City Council may continue its meeting, however, no action or ordinance requiring a vote may be taken or passed. Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. No action of the City Council shall be valid or binding unless adopted by the affirmative vote of a majority of the quorum of the City Council present and voting. The Mayor may vote on all matters. *Section was amended by a Charter Amendment Election held November 7, 2023.*

Section 4.01, Subsection (E):

(E) The City Manager serves at the pleasure of the City Council. The City Council may elect to negotiate and by majority vote provide the City Manager an employment contract. The City Council may by affirmative vote of the majority of the full City Council adopt a resolution removing the City Manager from office during a regular meeting. The action of the City Council in removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the City Council. *Section was amended by a Charter Amendment Election held November 7, 2023.*

Section 4.05, Subsections (A):

(A) There is hereby established a court designated the Municipal Court of the City of Palmview. The Court shall consist of one (1) Presiding Judge and two (2) Associate Judges. At least one Municipal Court Judge must be an attorney licensed to practice by the State Bar of Texas. Collectively referred to as Judge. *Section was amended by a Charter Amendment Election held November 7, 2023.*

Section 5.05, Subsection (C):

(C) The City Council shall adopt the budget on or before the twenty-ninth (29th) day of the twelfth (12th) month of the fiscal year currently ending. If the Council fails to adopt the budget by this date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the City Council adopts a budget for the ensuing fiscal year. *Section was amended by a Charter Amendment Election held November 7, 2023.*

**ELECTION CALENDAR FOR THE JULY 30, 2024
CITY OF PALMVIEW SPECIAL ELECTION TO FILL VACANCY FOR
COUNCILMEMBER, PL. 2**

Wednesday, June 12th
First day to file an Application for a Place on the Ballot
Thursday, June 20th
5:00 p.m. - Last day to file for a place on the ballot
5:00 p.m. - Last day for write-in candidate to declare candidacy
Friday, June 21st
12:00 p.m. - City Secretary will conduct drawing for place on the ballot at City Hall Council Chambers
Monday, July 1st
5:00 p.m. – Last day a person may register to vote in the July 30,2024 Special Election
5:00 p.m. – Due date for <u>first report</u> of Campaign Contributions and Expenditures (C/OH Form) (30 th day before election). (Opposed candidates only not filing modified reporting)*
Monday, July 15th
Early Voting by Personal Appearance begins
Friday, July 19th
5:00 p.m. - Last day Early Voting Clerk can <u>receive applications for a mail ballot</u> to be received via US Mail, or common/contract carrier.
Monday, July 22nd
5:00 p.m. – Due date for <u>second report</u> of Campaign Contributions on Expenditures (8 th day before the election). (C/OH Form) (Opposed candidates only)*
Friday, July 26th
Early Voting by personal appearance ends.
Tuesday, July 30th
Election Day
7:00 a.m. to 7:00 p.m. – Voting at designated Election Day Polling place.
7:00 p.m. – Unofficial Results announced after the polls close on Election Day.
<u>Date to be determined</u> for official canvass of election results including a date for a Run-Off Election if necessary, and/or swearing in of newly elected officers

*For filings due on the 30th day before the election and the 8th day before the election; please feel free to make several copies of the form provided to you. Please submit your reports to the City Secretary.

**APPLICATION FOR A PLACE ON THE BALLOT FOR A SPECIAL 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 _____ SPECIAL 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 (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (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.			IN THE STATE OF TEXAS ____ year(s) ____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED ____ year(s) ____ month(s)
<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					
*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		
Title of Officer Authorized to Administer Oath			Notarial or Official Seal		
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		(See Section 1.007) _____ Signature of Filing Officer or Designee	

INSTRUCTIONS

A special election can be used to fill a vacancy only if authorized by law.

An application for a special election may not be filed until after the election is ordered. The filing deadline is governed by Section 201.054 of the Texas Election Code, and by the date the special election was ordered. The filing deadline should be stated in the election order. Please review the Secretary of State's current election law calendars for Section 201.054 deadlines.

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 himself, or to any other member of the governing body or court on which he serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at 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.

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.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1 Total pages filed:	
2 CANDIDATE NAME	MS / MRS / MR FIRST MI	OFFICE USE ONLY	
	NICKNAME LAST SUFFIX		
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Filer ID #	
		Date Received	
4 CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION	Date Hand-delivered or Postmarked	
	()	Receipt # Amount \$	Date Processed
5 OFFICE HELD (if any)		Date Imaged	
6 OFFICE SOUGHT (if known)			
7 CAMPAIGN TREASURER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX		
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS; APT / SUITE #; CITY; STATE; ZIP CODE		
9 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION		
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p>_____ Signature of Candidate</p> <p>_____ Date Signed</p>		

GO TO PAGE 2

CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

11 CANDIDATE
NAME

12 MODIFIED
REPORTING
DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

•• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. ••

•• The modified reporting option is valid for one election cycle only. ••
(An election cycle includes a primary election, a general election, and any related runoffs.)

•• Candidates for the office of state chair of a political party may NOT choose modified reporting. ••

I do not intend to accept more than \$1,010 in political contributions or make more than \$1,010 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

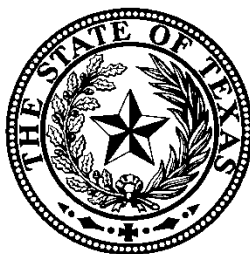
**Non-TEC Filers must file this form with the local filing authority
DO NOT SEND TO TEC**

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

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER
BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised January 1, 2023

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

FORM CTA—INSTRUCTION GUIDE

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APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form CTA). Use Form CTA only for appointing your campaign treasurer. Use the AMENDMENT (Form ACTA) for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. Note: Candidates for most judicial offices use Form JCTA to file a campaign treasurer appointment.

DUTIES OF A CANDIDATE OR OFFICEHOLDER

As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form and all candidate/officeholder reports of contributions, expenditures, and loans. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

QUALIFICATIONS OF CAMPAIGN TREASURER

A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period. A person who violates this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision. Note: A candidate may appoint himself or herself as his or her own campaign treasurer.

DUTIES OF A CAMPAIGN TREASURER

State law does not impose any obligations on a candidate's campaign treasurer.

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

If you plan to run for a public office in Texas (except for a federal office), you must file this form when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures. A "candidate" is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:

- (A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;
- (B) the filing of an application for a place on the ballot;

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

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

If you are an officeholder, you may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. If you do not have a campaign treasurer appointment on file and you wish to accept *campaign* contributions or make *campaign* expenditures in connection with your office or for a different office, you must file this form before doing so. In such a case, a sworn report of contributions, expenditures, and loans will be due no later than the 15th day after filing this form.

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT

The appropriate filing authority depends on the office sought or held.

a. Texas Ethics Commission. The Texas Ethics Commission (Commission) is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner.
- State Senator or State Representative.
- Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge.*
- State Board of Education.

- A multi-county district judge* or multi-county district attorney.
- A single-county district judge.*
- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
- A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
- A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.

* Judicial candidates use FORM JCTA to appoint a campaign treasurer.

b. County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate local filing authority for a candidate for:

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

c. Local Filing Authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

FILING WITH A DIFFERENT AUTHORITY

If you have a campaign treasurer appointment on file with one authority, and you wish to accept campaign contributions or make or authorize campaign expenditures in connection with another office that would require filing with a different authority, you must file a new campaign treasurer appointment and a copy of your old campaign treasurer appointment (certified by the old authority) with the new filing authority before beginning your campaign. You should also provide written notice to the original filing authority that your future reports will be filed with another authority; use Form CTA-T for this purpose.

FORMING A POLITICAL COMMITTEE

As a candidate, you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA). You may also form a specific-purpose committee to support your candidacy. Remember that filing a campaign treasurer appointment for a political committee does not eliminate the requirement that a candidate file his or her own campaign treasurer appointment (FORM CTA) and the related reports.

NOTE: *See the Campaign Finance Guide for Political Committees for further information about specific-purpose committees.*

CHANGING A CAMPAIGN TREASURER

If you wish to change your campaign treasurer, simply file an amended campaign treasurer appointment (FORM ACTA). This will automatically terminate the outgoing campaign treasurer appointment.

AMENDING A CAMPAIGN TREASURER APPOINTMENT

If *any* of the information reported on the campaign treasurer appointment (FORM CTA) changes, file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM ACTA) to report the change.

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

If you are an officeholder who appoints a campaign treasurer after a period of not having one, you must file a report of contributions, expenditures, and loans no later than the 15th day after your appointment is effective. This requirement is not applicable if you are a candidate or an officeholder who is merely changing campaign treasurers.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

You may terminate your campaign treasurer appointment at any time by:

- 1) filing a campaign treasurer appointment for a successor campaign treasurer, or
- 2) filing a final report.

Remember that you may not accept any campaign contributions or make or authorize any campaign expenditures without a campaign treasurer appointment on file. You may, however, accept officeholder contributions and make or authorize officeholder expenditures.

If your campaign treasurer quits, he or she must give written notice to both you and your filing authority. The termination will be effective on the date you receive the notice or on the date your filing authority receives the notice, whichever is later.

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make

any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. If you have surplus funds, or if you retain assets purchased with political funds, you will be required to file annual reports. (*See instructions for FORM C/OH - UC.*) If you are an officeholder at the time of filing a final report, you may be required to file semiannual reports of contributions, expenditures, and loans as an officeholder.

If you do not have an appointment of campaign treasurer on file, you may not accept *campaign* contributions or make *campaign* expenditures. A payment on a campaign debt is a campaign expenditure. An officeholder who does not have an appointment of campaign treasurer on file may accept *officeholder* contributions and make *officeholder* expenditures.

To file a final report, you must complete the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (FORM C/OH), check the “final” box on Page 1, Section 9, and complete and attach the DESIGNATION OF FINAL REPORT (FORM C/OH-FR).

ELECTRONIC FILING

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

GUIDES

All candidates should review the applicable Commission’s campaign finance guide. Guides are available on the Commission’s website at <http://www.ethics.state.tx.us>.

SPECIFIC INSTRUCTIONS

Each numbered item in these instructions corresponds to the same numbered item on the form.

PAGE 1

- 1. TOTAL PAGES FILED:** After you have completed the form, enter the total number of pages of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.
- 2. CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, of this form.
- 3. CANDIDATE MAILING ADDRESS:** Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. If this information changes, please notify your filing authority immediately.
- 4. CANDIDATE PHONE:** Enter your phone number, including the area code and extension, if applicable.

5. **OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
6. **OFFICE SOUGHT:** If you are a candidate, please enter the office you seek, if known. Include the district, precinct, or other designation for the office, if applicable.
7. **CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
8. **CAMPAIGN TREASURER STREET ADDRESS:** Enter the complete street address of your campaign treasurer, including the zip code. You may enter either the treasurer's business or residential street address. If you are your own treasurer, you may enter either your business or residential street address.
9. **CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer, including the area code and extension, if applicable.
10. **CANDIDATE SIGNATURE:** Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.
 - The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.
 - A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.
 - A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.
 - Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The degree of consanguinity is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. Examples: (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

PAGE 2

11. CANDIDATE NAME: Enter your name as you did on Page 1.

12. MODIFIED REPORTING DECLARATION: Sign this option if you wish to report under the modified reporting schedule.

The modified reporting option is not available for candidates for the office of state chair of a political party and candidates for county chair of a political party.

To the left of your signature, enter the year of the election or election cycle to which your selection of modified reporting applies.

Your selection of modified reporting is valid for an entire election cycle. For example, if you choose modified reporting before a primary election, your selection remains in effect for any runoff and for the general election and any related runoff. You must make this selection at least 30 days before the first election to which your selection applies.

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$1,010 in political contributions or make more than \$1,010 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$1,010 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semiannual reports, special pre-election reports, or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$1,010 maximums apply to each election within the cycle. In other words, you are limited to \$1,010 in contributions and expenditures in connection with the primary, an additional \$1,010 in contributions and expenditures in connection with the general election, and an additional \$1,010 in contributions and expenditures in connection with a runoff.

EXCEEDING \$1,010 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$1,010 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$1,010 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

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

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

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE ☐

POLITICAL COMMITTEE ☐

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

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

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

FIRST

MI

NICKNAME

LAST

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

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

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

FIRST

MI

NICKNAME

LAST

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

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

Signature

Date

Revised 11/15/2022

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

15 C/OH NAME		16 Filer ID (Ethics Commission Filers)
17 CONTRIBUTION TOTALS	1. TOTAL UNITEMIZED POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS, OR CONTRIBUTIONS MADE ELECTRONICALLY)	\$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	\$
EXPENDITURE TOTALS	3. TOTAL UNITEMIZED POLITICAL EXPENDITURE.	\$
	4. TOTAL POLITICAL EXPENDITURES	\$
CONTRIBUTION BALANCE	5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	\$
OUTSTANDING LOAN TOTALS	6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	\$

18 SIGNATURE I swear, or affirm, under penalty of perjury, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.

Signature of Candidate or Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

Sworn to and subscribed before me by _____ this the _____ day of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

Signature of Candidate/Officeholder (Declarant)

SUBTOTALS - C/OH

FORM C/OH COVER SHEET PG 3

19 FILER NAME		20 Filer ID (Ethics Commission Filers)
21 SCHEDULE SUBTOTALS NAME OF SCHEDULE		SUBTOTAL AMOUNT
1.	<input type="checkbox"/> SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS	\$
2.	<input type="checkbox"/> SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS	\$
3.	<input type="checkbox"/> SCHEDULE B: PLEDGED CONTRIBUTIONS	\$
4.	<input type="checkbox"/> SCHEDULE E: LOANS	\$
5.	<input type="checkbox"/> SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
6.	<input type="checkbox"/> SCHEDULE F2: UNPAID INCURRED OBLIGATIONS	\$
7.	<input type="checkbox"/> SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS	\$
8.	<input type="checkbox"/> SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD	\$
9.	<input type="checkbox"/> SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS	\$
10.	<input type="checkbox"/> SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH	\$
11.	<input type="checkbox"/> SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
12.	<input type="checkbox"/> SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER	\$

SCHEDULE A1

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

Forms provided by Texas Ethics Commission www.ethics.state.tx.us Revised 11/15/2022

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

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

The Instruction Guide explains how to complete this form.					
FILER NAME					
TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS \$					
Date	Full name of contributor out-of-state PAC (ID#: 			Amount of Contribution \$	In-kind contribution description
	Contributor address; City; State; Zip Code				
Principal occupation / Job title (FOR NON-JUDICIAL)(See Instructions)			Employer (FOR NON-JUDICIAL)(See Instructions)		
Contributor's principal occupation (FOR JUDICIAL)			Contributor's job title (FOR JUDICIAL)(See Instructions)		
Contributor's employer/law firm (FOR JUDICIAL)			Law firm of contributor's spouse (if any) (FOR JUDICIAL)		
If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)					
Date	Full name of contributor out-of-state PAC (ID#: 			Amount of Contribution \$	In-kind contribution description
	Contributor address; City; State; Zip Code				
Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)			Employer (FOR NON-JUDICIAL)(See Instructions)		
Contributor's principal occupation (FOR JUDICIAL)			Contributor's job title (FOR JUDICIAL)(See Instructions)		
Contributor's employer/law firm (FOR JUDICIAL)			Law firm of contributor's spouse (if any) (FOR JUDICIAL)		
If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)					
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED					
If contributor is out-of-state PAC, please see instruction guide for additional reporting requirements.					

PLEDGED CONTRIBUTIONS

SCHEDULE B

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

The Instruction Guide explains how to complete this form.		1 Total pages Schedule B:	
2 FILER NAME		3 Filer ID (Ethics Commission Filers)	
4 TOTAL OF UNITEMIZED PLEDGES		\$	
5 Date	6 Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) 7 Pledgor address; City; State; Zip Code	8 Amount of Pledge \$	9 In-kind contribution description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
10 Principal occupation / Job title (See Instructions)		11 Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of Pledge \$	In-kind contribution description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of Pledge \$	In-kind contribution description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of Pledge \$	In-kind contribution description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of Pledge \$	In-kind contribution description <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.			

LOANS

SCHEDULE E

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

The Instruction Guide explains how to complete this form.		1 Total pages Schedule E:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED LOANS		\$
5 Date of loan	7 Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	9 Loan Amount (\$)
6 Is lender a financial Institution? Y N	8 Lender address; City; State; Zip Code	10 Interest rate
		11 Maturity date
12 Principal occupation / Job title (See Instructions)		13 Employer (See Instructions)
14 Description of Collateral <input type="checkbox"/> none		15 <input type="checkbox"/> Check if personal funds were deposited into political account (See Instructions)
16 GUARANTOR INFORMATION <input type="checkbox"/> not applicable	17 Name of guarantor	19 Amount Guaranteed (\$)
	18 Guarantor address; City; State; Zip Code	
20 Principal Occupation (See Instructions)		21 Employer (See Instructions)
Date of loan	Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	Loan Amount (\$)
Is lender a financial Institution? Y N	Lender address; City; State; Zip Code	Interest rate
		Maturity date
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Description of Collateral <input type="checkbox"/> none		<input type="checkbox"/> Check if personal funds were deposited into political account (See Instructions)
GUARANTOR INFORMATION <input type="checkbox"/> not applicable	Name of guarantor	Amount Guaranteed (\$)
	Guarantor address; City; State; Zip Code	
Principal Occupation (See Instructions)		Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

If lender is out-of-state PAC, please see Instruction guide for additional reporting requirements.

POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F1

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F1:	2 FILER NAME		3 Filer ID (Ethics Commission Filers)				
4 Date	5 Payee name						
6 Amount (\$)	7 Payee address; City; State; Zip Code						
PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description					
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense						
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH							
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%; border: none;">Candidate / Officeholder name</td> <td style="width: 25%; border: none;">Office sought</td> <td style="width: 25%; border: none;">Office held</td> <td style="width: 25%; border: none;"></td> </tr> </table>				Candidate / Officeholder name	Office sought	Office held	
Candidate / Officeholder name	Office sought	Office held					
Date	Payee name						
Amount (\$)	Payee address; City; State; Zip Code						
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description					
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense						
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%; border: none;">Candidate / Officeholder name</td> <td style="width: 25%; border: none;">Office sought</td> <td style="width: 25%; border: none;">Office held</td> <td style="width: 25%; border: none;"></td> </tr> </table>				Candidate / Officeholder name	Office sought	Office held	
Candidate / Officeholder name	Office sought	Office held					
Date	Payee name						
Amount (\$)	Payee address; City; State; Zip Code						
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description					
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense						
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%; border: none;">Candidate / Officeholder name</td> <td style="width: 25%; border: none;">Office sought</td> <td style="width: 25%; border: none;">Office held</td> <td style="width: 25%; border: none;"></td> </tr> </table>				Candidate / Officeholder name	Office sought	Office held	
Candidate / Officeholder name	Office sought	Office held					
Date	Payee name						
Amount (\$)	Payee address; City; State; Zip Code						
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description					
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense						
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%; border: none;">Candidate / Officeholder name</td> <td style="width: 25%; border: none;">Office sought</td> <td style="width: 25%; border: none;">Office held</td> <td style="width: 25%; border: none;"></td> </tr> </table>				Candidate / Officeholder name	Office sought	Office held	
Candidate / Officeholder name	Office sought	Office held					

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F2:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
----------------------------	--------------	---------------------------------------

4 TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS	\$
---	----

5 Date	6 Payee name
--------	--------------

7 Amount (\$)	8 Payee address; City; State; Zip Code
---------------	--

9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political
-----------------------	---

10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	

11 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
-------------	--------------------------------------

TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political
---------------------	---

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	

Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
---	-------------------------------	---------------	-------------

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

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

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

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F4:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD		\$
5 Date	6 Payee name	
7 Amount (\$)	8 Payee address; City; State; Zip Code	
9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political	
10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
11 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address; City; State; Zip Code	
TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule G:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Payee name	
6 Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended	7 Payee address; City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$) <input type="checkbox"/> Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE H

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Candidate/Officeholder/Political Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)
Credit Card Payment			

The Instruction Guide explains how to complete this form.

1 Total pages Schedule H:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Business name	
6 Amount (\$)	7 Business address; City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Business name	
Amount (\$)	Business address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Business name	
Amount (\$)	Business address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule I:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Payee name	
6 Amount (\$)	7 Payee address;	City State Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories.)	(b) Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE K

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

The Instruction Guide explains how to complete this form.		1 Total pages Schedule K:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Name of person from whom amount is received	8 Amount (\$)
	6 Address of person from whom amount is received; City; State; Zip Code	
	7 Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE T

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

The Instruction Guide explains how to complete this form.		1 Total pages Schedule T:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
5 Contribution / Expenditure reported on: <div style="display: flex; flex-wrap: wrap; justify-content: space-between; padding: 5px 0;"><div><input type="checkbox"/> Schedule A2</div><div><input type="checkbox"/> Schedule B</div><div><input type="checkbox"/> Schedule B(J)</div><div><input type="checkbox"/> Schedule C2</div><div><input type="checkbox"/> Schedule D</div><div><input type="checkbox"/> Schedule F1</div><div><input type="checkbox"/> Schedule F2</div><div><input type="checkbox"/> Schedule F4</div><div><input type="checkbox"/> Schedule G</div><div><input type="checkbox"/> Schedule H</div><div><input type="checkbox"/> Schedule COH-UC</div><div><input type="checkbox"/> Schedule B-SS</div></div>		
6 Dates of travel	7 Name of person(s) traveling	
	8 Departure city or name of departure location	
	9 Destination city or name of destination location	
10 Means of transportation	11 Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <div style="display: flex; flex-wrap: wrap; justify-content: space-between; padding: 5px 0;"><div><input type="checkbox"/> Schedule A2</div><div><input type="checkbox"/> Schedule B</div><div><input type="checkbox"/> Schedule B(J)</div><div><input type="checkbox"/> Schedule C2</div><div><input type="checkbox"/> Schedule D</div><div><input type="checkbox"/> Schedule F1</div><div><input type="checkbox"/> Schedule F2</div><div><input type="checkbox"/> Schedule F4</div><div><input type="checkbox"/> Schedule G</div><div><input type="checkbox"/> Schedule H</div><div><input type="checkbox"/> Schedule COH-UC</div><div><input type="checkbox"/> Schedule B-SS</div></div>		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <div style="display: flex; flex-wrap: wrap; justify-content: space-between; padding: 5px 0;"><div><input type="checkbox"/> Schedule A2</div><div><input type="checkbox"/> Schedule B</div><div><input type="checkbox"/> Schedule B(J)</div><div><input type="checkbox"/> Schedule C2</div><div><input type="checkbox"/> Schedule D</div><div><input type="checkbox"/> Schedule F1</div><div><input type="checkbox"/> Schedule F2</div><div><input type="checkbox"/> Schedule F4</div><div><input type="checkbox"/> Schedule G</div><div><input type="checkbox"/> Schedule H</div><div><input type="checkbox"/> Schedule COH-UC</div><div><input type="checkbox"/> Schedule B-SS</div></div>		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.

•• Complete only if "Report Type" on page 1 is marked "Final Report" ••

1 C/OH NAME

2 Filer ID (Ethics Commission Filers)

3 SIGNATURE

I do not expect any further political contributions or political expenditures in connection with my candidacy. I understand that designating a report as a final report terminates my campaign treasurer appointment. I also understand that I may not accept any campaign contributions or make any campaign expenditures without a campaign treasurer appointment on file.

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

•• Complete A & B below *only* if you are not an officeholder. ••

A. CAMPAIGN FUNDS

Check only one:

- ☐ I do not have unexpended contributions or unexpended interest or income earned from political contributions.
- ☐ I have unexpended contributions or unexpended interest or income earned from political contributions. I understand that I may not convert unexpended political contributions or unexpended interest or income earned on political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain unexpended contributions or unexpended interest or income earned on political contributions longer than six years after filing this final report. Further, I understand that I must dispose of unexpended political contributions and unexpended interest or income earned on political contributions in accordance with the requirements of Election Code, § 254.204.

B. ASSETS

Check only one:

- ☐ I do not retain assets purchased with political contributions or interest or other income from political contributions.
- ☐ I do retain assets purchased with political contributions or interest or other income from political contributions. I understand that I may not convert assets purchased with political contributions or interest or other income from political contributions to personal use. I also understand that I must dispose of assets purchased with political contributions in accordance with the requirements of Election Code, § 254.204.

Signature of Candidate

5 OFFICEHOLDER

•• Complete this section *only* if you are an officeholder ••

- ☐ I am aware that I remain subject to filing requirements applicable to an officeholder who does not have a campaign treasurer on file. I am also aware that I will be required to file reports of unexpended contributions if, after filing the last required report as an officeholder, I retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.

Signature of Officeholder

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE

(PAPER FILERS ONLY)

To Report Activity Occurring on or after January 1, 2022



Revised January 1, 2022

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

FORM C/OH – INSTRUCTION GUIDE

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These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH) and all schedules that are filed with it. FORM C/OH includes a three-page cover sheet and Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T. Candidates or officeholders filing a Final Report should also attach Form C/OH-FR. All filers must submit the cover sheet, but only the schedules on which there is information to report need to be included.

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GENERAL INSTRUCTIONS

These general instructions apply to all C/OH forms required to be filed under title 15, Texas Election Code, for activity that occurs on or after January 1, 2022. For a report that includes activity occurring before January 1, 2022, you must use the instructions applicable before calendar year 2022, which are available on the Texas Ethics Commission's website at <https://www.ethics.state.tx.us/forms/coh/cohfrm.php>.

IMPORTANT UPDATES

Increased Disclosure Thresholds

On January 1, 2020, the Texas Ethics Commission began adjusting certain reporting thresholds to account for inflation. As directed by section 571.064 of the Texas Election Code, the Commission is required to annually adjust these 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. Accordingly, one or more thresholds will generally be adjusted each year, depending upon the figures in the index.

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.

Please 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.

Contributions Made Electronically Must Be Itemized

Beginning on September 1, 2019, all political contributions that are made electronically and accepted by a filer during the reporting period must be itemized in the filer's campaign finance report. This change is made by House Bill 2586, adopted by the 86th Texas Legislature.

ELECTRONIC FILING

All persons filing campaign finance reports with the Texas Ethics Commission (Commission) are required to file those reports electronically unless the person is eligible to claim an exemption. Please check the Commission's website at <https://www.ethics.state.tx.us> for information about exemptions from the electronic filing requirement.

FILLING OUT THE FORMS

All reports filed on paper must be either handwritten in ink or typewritten. If you complete the report by hand, please print everything other than your signature.

If you are filing with the Commission, and you are eligible to claim an exemption to electronic filing, ***you may use your own computer-generated form*** if it provides for disclosure of all the information required on the Commission's form and it is *substantially identical* in paper size, color, layout, and format. A substitute form that is substantially identical to the Commission's prescribed form must be submitted for pre-approval by the Commission's executive director.

Always file the cover sheet of the campaign finance report form. You need to file only those schedules on which you have information to report.

You must keep an exact copy of each report filed and all records necessary to complete the report for at least two (2) years after the deadline for filing the report.

If you have questions, please call our office at (512) 463-5800.

TEXAS ETHICS COMMISSION GUIDES

The Commission publishes a Campaign Finance Guide for each type of filer. These guides are designed to explain your responsibilities as a filer. The Commission encourages you to read the appropriate guide before you begin accepting political contributions or making or authorizing political expenditures.

PHOTOCOPIES OF FORMS

You may use photocopies of Commission forms. For example, if the space provided on Schedule A1 is insufficient, you may make copies of a blank Schedule A1 form and attach more pages as needed.

FILING DATE

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.

If you are filing with the Commission, please address your reports and correspondence to the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070. For hand-deliveries, the Commission's street address is 201 East 14th Street, Sam Houston Building, 10th Floor, Austin, Texas 78701.

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.

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

These instructions are for the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (Form C/OH). A complete report includes the Form C/OH cover sheet, and any of the following schedules on which there is information to report: A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T. A complete Final Report must also include Form C/OH-FR.

Note: Judicial candidates and officeholders must use a different form, Form JC/OH.

GENERAL INFORMATION

Use Form C/OH for filing the following reports:

- Semiannual reports (January 15 and July 15)
- Pre-election reports (30th day before election, 8th day before election)
- Runoff report (8th day before runoff election)
- Exceeded Modified Reporting Limit report
- 15th day after officeholder campaign treasurer appointment
- Final Report

See the instructions for sections 9 and 10 of the Cover Sheet for help in deciding which reports you are required to file.

OFFICEHOLDER ACTIVITY

An officeholder may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. However, an officeholder must have a campaign treasurer appointment on file before the officeholder may make campaign expenditures or accept campaign contributions.

DUTIES OF CANDIDATE OR OFFICEHOLDER

As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

DUTIES OF CAMPAIGN TREASURER

State law does not impose any reporting or record-keeping obligations on a candidate's campaign treasurer.

WHERE TO FILE

This form is filed with the same filing authority with which you were required to file your Campaign Treasurer Appointment (Form CTA). If you are an officeholder who does not have a campaign treasurer appointment on file, file your reports with the same authority with which a candidate for your office must file the campaign treasurer appointment.

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a Final Report of contributions and expenditures. A Final Report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports *as a candidate*. If you are an officeholder at the time of filing a Final Report, you may be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$940 in contributions or expenditures during the reporting period.

If you are not an officeholder at the time of filing a Final Report *and* if you have surplus funds or retain assets purchased with political funds, you will be required to file annual reports of Unexpended Contributions. (*See instructions for Form C/OH-UC.*)

To file a Final Report, you must complete the “C/OH CAMPAIGN FINANCE REPORT” (Form C/OH), check the “final” box in section 9 on the Cover Sheet, and complete and attach the “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH- FR).

COMPLETING THE COVER SHEET

Each numbered item in these instructions corresponds to the same numbered item on the form.

PAGE 1

- 1. FILER ID:** If you are filing with the Commission, you were assigned a filer identification number when you filed your initial campaign treasurer appointment. You should have received a letter acknowledging receipt of the form and informing you of your Filer ID. Enter this number wherever you see “FILER ID.” If you do not file with the Commission, you are not required to enter a Filer ID.
- 2. TOTAL PAGES FILED:** After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of page 1 only. Each side of a two-sided form counts as one page.
- 3. CANDIDATE/OFFICEHOLDER NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 4. CANDIDATE/OFFICEHOLDER MAILING ADDRESS:** Enter your complete mailing address. If your mailing address has changed since you last gave notice of your address, check the “Change of Address” box.
- 5. CANDIDATE/OFFICEHOLDER PHONE:** Enter your phone number including the area code, and your extension, if applicable.

Sections 6 - 8 pertain to a candidate’s campaign treasurer. If you are an officeholder who does not have a campaign treasurer appointment on file, skip these sections.

- 6. CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
- 7. CAMPAIGN TREASURER ADDRESS:** Enter the complete address of your campaign treasurer.
- 8. CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer including the area code, and the extension, if applicable.
- 9. REPORT TYPE:** Check the box that describes the type of report you are filing, according to the descriptions below. See the instructions for section 10 for the periods covered by each type of report.

January 15 Report: All candidates and most officeholders must file a semiannual report by January 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, **and** who do not exceed \$940 in contributions or expenditures during the reporting period.

All candidates and officeholders who file with the Commission must file this report by midnight Central Time on the January 15 report due date. All candidates and officeholders who file locally must file this report by 5 p.m. on the January 15 report due date.

Note: Anyone who has a campaign treasurer appointment (Form CTA) on file must file semiannual reports, even after an election has ended and even if the filer lost the election. To end this semiannual filing requirement, the filer must cease campaign activity and file a Final Report. (See “Final Report” below for more information.)

July 15 Report: All candidates and most officeholders must file a semiannual report by July 15. The only officeholders who are not required to file this report are officeholders who file locally, who do not have a campaign treasurer appointment on file, *and* who do not exceed \$940 in contributions or expenditures during the reporting period.

See “January 15 Report” above for more information on filing requirements and deadlines for semiannual reports.

30th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting, but then exceeded a threshold before the 30th day before the election, the candidate must file this report.

The report is due no later than 30 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

You are an “opposed” candidate if you have an opponent, including a minor party candidate, whose name is printed on the ballot. If your only opposition is a write-in candidate, you are not considered opposed for filing purposes. If you are a write-in candidate, you are an “opposed” candidate subject to the reporting requirements if you accept political contributions or make political expenditures. Candidates who are unopposed in an election are not required to file pre-election reports for that election.

8th Day Before Election Report: Opposed candidates in an election who did not choose the modified reporting schedule must file this pre-election report. If an opposed candidate chose modified reporting but then exceeded a threshold before the 8th day before the election, the candidate must file this report.

The report is due no later than 8 days before the election. For all candidates and officeholders who file with the Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Runoff Report: Opposed candidates who are participating in a runoff election and who did not choose the modified reporting schedule must file this runoff report. The report is due no later than 8 days before the runoff election. For all candidates and officeholders who file with Commission, this report must be received by the Commission no later than midnight Central Time on the report due date. For all candidates and officeholders who file

locally, this report must be received by the filing authority no later than 5 p.m. on the report due date.

See “30th Day Before Election Report” above for the definition of an opposed candidate.

Exceeded Modified Reporting Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded \$940 in contributions or \$940 in expenditures in connection with the election must file this Exceeded Modified Reporting Limit report within 48 hours after exceeding the \$940 limit. The candidate must meet this deadline even if it falls on a weekend or a holiday.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): An officeholder must file this report if he or she appoints a campaign treasurer after a period of not having a campaign treasurer appointment (Form CTA) on file. For all officeholders who file with Commission, this report is due no later than midnight Central Time on the 15th day after an officeholder files Form CTA with the Commission. For all officeholders who file locally, this report is due no later than 5 p.m. on the 15th day after an officeholder files Form CTA with the filing authority. It is not required of officeholders who are merely changing their campaign treasurer. It is not required of an officeholder who files locally if the officeholder did not exceed \$940 in either contributions or expenditures during the period covered by the report. Candidates who are not officeholders do not file this report.

Final Report: A person who has a campaign treasurer appointment on file may file this report when he or she does not expect to accept any further campaign contributions or make or authorize any further campaign expenditures. There is not a fixed deadline for this report. This report must have a completed “C/OH REPORT: DESIGNATION OF FINAL REPORT” (Form C/OH-FR) attached.

A candidate must have a CTA on file to accept campaign contributions or make campaign expenditures, including contributions intended to offset campaign debts or expenditures made to pay campaign debts. A candidate who intends to continue campaign activity should not file a Final Report.

A Final Report terminates a candidate’s CTA and relieves the candidate from any additional filing obligations as a candidate. Officeholders who file a Final Report will still be subject to the filing requirements applicable to officeholders. A person who is not an officeholder but who has surplus political funds or assets after filing a Final Report will be required to file annual Unexpended Contribution reports. (See “Form C/OH-FR: Designation of Final Report” for more information.) A candidate or officeholder who does not have a CTA on file may still be required to file a personal financial statement (PFS).

Filing a Final Report does not relieve a candidate of responsibility for any delinquent reports or outstanding civil penalties.

Daily Pre-Election Report of Contributions: A candidate or officeholder who files with the Commission may be required to file daily pre-election reports disclosing contributions during the period beginning the 9th day before an election and ending at 12 noon on the day before the election. This information can be disclosed on Form C/OH-T. For more information, please see the instructions for Form C/OH-T.

Legislative Special Session Report: A candidate or officeholder who files with the Commission and who accepts a political contribution during the period beginning on the date the governor signs the proclamation calling a special legislative session and continuing through the date of final adjournment is required to file a report after a special session of the legislature. This information can be disclosed on Form C/OH-SS. For more information, please see the instructions for Form C/OH-SS.

10. PERIOD COVERED: A reporting period includes the start date and the end date. The *due date* for filing will generally be *after* the end of the period. Generally, a report picks up where the last report left off, and there should be no gaps or overlapping periods. The exceptions are Daily Pre-election reports, which do create overlaps because you are required to report the activity twice.

First Reports: If this is the first report of contributions and expenditures that you have filed, the beginning date will depend on the date your campaign treasurer appointment (Form CTA) was filed or the date you took office.

- If you are a candidate (a person who has filed a Form CTA) and you are filing your first report, the start date will be the date your Form CTA was filed.
- If you are an officeholder who was appointed to an elective office and who did not have a Form CTA on file at the time of the appointment, the start date for your first report will be the date you took office.

January 15th Semiannual Report: The start date is July 1 of the previous year or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is December 31 of the previous year.

July 15th Semiannual Report: The start date is January 1 or the day after the last day covered by your last required report, whichever is later. If this is the first report you have filed, please see the “First Reports” section above. The end date is June 30.

30th Day Before Election Report: The start date is the day after the last day covered by your last required report. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 40th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

8th Day Before Election Report: The start date is the 39th day before the election if you filed a 30th Day Before Election Report. If you did not file the 30th Day Before Election Report, the day after the last day covered by your last required report is the start date. If this is the first report you have filed, please see the “First Reports” section above. The end date is the 10th day before the election. This report is not required for unopposed candidates or candidates who are filing under the modified reporting schedule.

Runoff Report: The start date is the 9th day before the main election if you filed an 8th Day Before Election Report. Otherwise, the start date is the day after the last day covered by your last required report or the day you appointed a campaign treasurer,

whichever is later. The end date is the 10th day before the runoff election. This report is not required for candidates who are filing under the modified reporting schedule.

Exceeded Modified Reporting Limit Report: The start date for the report is either the day you appointed your campaign treasurer or the day after the last day covered by your last required report, whichever is later. The end date is the day you exceeded the \$940 limit for contributions or expenditures.

15th Day After Campaign Treasurer Appointment Report (Officeholders Only): The start date is either the day after the last day covered by your last required report or the day you began serving an appointment to elective office. The end date is the day before the campaign treasurer appointment was filed. This report is due no later than 15 days after the campaign treasurer appointment was filed.

Final Report: The start date is the day after the last day covered by your last required report. The end date is the day the final report is filed.

If you are an officeholder without a campaign treasurer appointment on file, or if you have a campaign treasurer appointment on file but you are not a candidate in an upcoming election and were not a candidate in a recent election, you may skip Section 11.

11. ELECTION: If you are a candidate in an upcoming election or were a candidate in a recently held election, provide the following information concerning the upcoming or recent election.

Election Date: Enter the month, day, and year of the election for which this report is filed, if known.

Candidate in an Upcoming Election: If the political activity in the report primarily pertains to an upcoming election, provide the date of the upcoming election in which you intend to participate as a candidate that most immediately follows the deadline for this report.

Candidate in a Recently Held Election: If the political activity in this report primarily pertains to a recently held election, provide the date of the recently held election in which you participated as a candidate that most immediately precedes the deadline for this report.

Election Type: Check the box next to the type of election that most accurately describes the election for which this report is filed.

Primary: An election held by a political party to select its nominees for office.

Runoff: An election held if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote.

General: An election, other than a primary election, that regularly occurs at fixed dates.

Special: An election that is neither a general election nor a primary election nor a runoff election.

Other: If none of the listed election types apply, check “Other” and provide your own description of the election for which the report is filed.

12. OFFICE HELD: If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.

13. OFFICE SOUGHT: If you are a candidate in an upcoming election, please enter the office you seek. If you were a candidate in a recently held election, but were unsuccessful or are not currently an officeholder, please enter the office you sought during the election that most immediately precedes the deadline for this report. Include the district, precinct, or other designation for the office, if applicable.

14. NOTICE FROM POLITICAL COMMITTEE(S): Complete this section if you received notice from a political committee that it accepted political contributions or made political expenditures on your behalf. You are required to disclose the receipt of such a notice in the report covering the period in which you receive the notice. If you have not received such notice, you may skip this section.

The political committee is required to include in the notice the full name and address of the committee, the full name and address of the committee’s campaign treasurer, and a statement indicating whether the committee is a general-purpose committee or a specific-purpose committee. If the notice also describes the expenditure, do not include the description in this section.

“Additional Pages” box: If you received notice from more than one committee, check this box and attach an additional page listing the names and addresses of the other committees and of their campaign treasurers.

Committee Type:

“General” box: Check this box if the notice is from a general-purpose committee.

“Specific” box: Check this box if the notice is from a specific-purpose committee.

Committee Name: Enter the full name of the committee as reported in the notice.

Committee Address: Enter the address of the committee as reported in the notice.

Committee Campaign Treasurer Name: Enter the name of the committee’s campaign treasurer as reported in the notice.

Committee Campaign Treasurer Address: Enter the address of the committee’s campaign treasurer as reported in the notice.

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15. C/OH (CANDIDATE/OFFICEHOLDER) NAME: Enter your full name.

16. FILER ID: See instructions for section 1.

17. TOTALS: Complete this section only after you have completed all applicable schedules.

Line 1- Total Unitemized Political Contributions: Enter the total of all unitemized contributions (other than pledges, loans, guarantees of loans, or contributions made electronically) of \$90 or less. Do not include any contributions itemized on Schedules A1 or A2 or any contribution made electronically. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you are required to itemize political contributions that totaled more than \$90 from one person and any political contribution that is made electronically. You also may itemize contributions of \$90 or less from one person. Do not include any itemized contributions in the total entered on line 1, regardless of amount.

Line 2- Total Political Contributions: Add the total contributions listed on Schedules A1 and A2 to the amount you entered on line 1. Enter that total on line 2. Enter a “0” if you did not receive any contributions during the period covered.

Line 3- Total Unitemized Political Expenditures: Enter the total of all unitemized political expenditures of \$190 or less. Do not include any expenditures itemized on Schedules F1, F2, F3, F4, G, or H. Enter a “0” if you did not make any unitemized expenditures during the period covered.

On Schedule F1, you were required to itemize political expenditures that totaled more than \$190 to one payee. You also had the option of itemizing expenditures totaling \$190 or less to one payee. Do not include any expenditures itemized on Schedule F1 in the total entered on line 3, regardless of amount.

On Schedule F2, you were required to itemize incurred but not yet paid political expenditures that totaled more than \$190 to one payee. You also had the option of itemizing incurred political expenditures totaling \$190 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F2 in the total entered on line 3, regardless of amount.

On Schedule F4, you were required to itemize political expenditures made by a credit card that totaled more than \$190 to one payee. You also had the option of itemizing political expenditures totaling \$190 or less to one payee. Do not include any political or non-political expenditures itemized on Schedule F4 in the total entered on line 3, regardless of amount.

On Schedule G, you were required to itemize political expenditures from personal funds if you intend to seek reimbursement from political contributions. Do not include any expenditures itemized on Schedule G in the total entered on line 3, regardless of amount.

On Schedule H, you were required to itemize payments from political contributions made to certain businesses. Do not include any expenditures itemized on Schedule H in the total entered on line 3, regardless of amount.

Line 4- Total Political Expenditures: Add the following:

- (a) the total expenditures itemized on Schedule F1;
- (b) the total political expenditures itemized on Schedule F2;
- (c) the total political expenditures itemized on Schedule F4;
- (d) the total political expenditures itemized on Schedule G;
- (e) the total political expenditures itemized on Schedule H; and
- (f) the amount you entered on line 3.

Enter that total on line 4.

Enter a “0” if you did not make any expenditures during the period covered.

Line 5- Total Political Contributions Maintained: Enter the total amount of political contributions, including interest or other income on those contributions, maintained as of the last day of the reporting period. Enter “0” if you do not maintain political contributions, including interest or other income on those contributions, as of the last day of the reporting period. This is different from the total contributions reported on line 2. Only contributions accepted during the period covered by the report are entered on line 2.

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.

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.

Line 6- Total Principal Amount of All Outstanding Loans: Enter the aggregate outstanding principal amount of all loans accepted for campaign or officeholder purposes as of the last day of the reporting period. Enter a “0” if you did not accept any loans during the period covered and have no outstanding loans as of the last day of the reporting period. This is different from the information reported on Schedule E. This line must include outstanding principal of loans made in this reporting period as well as outstanding principal of loans made previously.

18. SIGNATURE: Complete this section only after you have completed all applicable sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. *Only the candidate or officeholder filing the report may sign the report.*

If you are using the paper form, fill this section out by hand after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says “Signature of Candidate/Officeholder (Declarant)” (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say “Signature of Candidate/Officeholder (Declarant)” (an electronic signature is not acceptable), and fill out the unsworn declaration section.

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19. C/OH (CANDIDATE/OFFICEHOLDER) NAME: Enter your full name.

20. FILER ID: See instructions for section 1.

21. SCHEDULE SUBTOTALS: Complete this section only after you have completed all applicable schedules.

Check the appropriate boxes to indicate which schedules are attached to your report. If a schedule is not included in the report, leave the check box blank.

Line 1- Schedule A1: Add the total amount of contributions itemized on Schedule A1 to the amount of unitemized monetary political contributions accepted during the period covered. Enter that total on line 1. Enter a “0” if you did not accept any contributions during the period covered.

Line 2- Schedule A2: Add the total amount of non-monetary in-kind contributions itemized on Schedule A2 to the amount of unitemized non-monetary in-kind contributions accepted during the period covered. Enter that total on line 2. Enter a “0” if you did not accept any non-monetary in-kind contributions during the period covered.

Line 3- Schedule B: Add the total amount of pledged contributions itemized on Schedule B to the amount of unitemized pledged contributions accepted during the

period covered. Enter that total on line 3. Enter a “0” if you did not accept any pledged contributions during the period covered.

Line 4- Schedule E: Add the total amount of loans itemized on Schedule E to the amount of unitemized loans accepted during the period covered. Enter that total on line 4. Enter a “0” if you did not accept any loans during the period covered.

Line 5- Schedule F1: Add the total amount of political expenditures from political contributions itemized on Schedule F1 to the amount of unitemized political expenditures from political contributions made during the period covered. Enter that total on line 5. Enter a “0” if you did not make any political expenditures from political contributions during the period covered.

Line 6- Schedule F2: Add the total amount of unpaid incurred obligations itemized on Schedule F2 to the amount of unitemized unpaid obligations incurred during the period covered. Enter that total on line 6. Enter a “0” if you did not incur any unpaid obligations during the period covered.

Line 7- Schedule F3: Enter the total amount of investments purchased from political contributions itemized on Schedule F3. Enter a “0” if you did not purchase any investments from political contributions during the period covered.

Line 8- Schedule F4: Add the total amount of expenditures made by a credit card itemized on Schedule F4 to the amount of unitemized expenditures made by a credit card during the period covered. Enter that total on line 8. Enter a “0” if you did not make any expenditures by credit card during the period covered.

Line 9- Schedule G: Add the total amount of political expenditures from personal funds itemized on Schedule G to the amount of unitemized political expenditures from personal funds made during the period covered. Enter that total on line 9. Enter a “0” if you did not make any political expenditures from personal funds during the period covered.

Line 10- Schedule H: Enter the total amount of payments from political contributions to a business of the candidate or officeholder itemized on Schedule H. Enter a “0” if you did not make any payments from political contributions to a business of the candidate or officeholder during the period covered.

Line 11- Schedule I: Enter the total amount of non-political expenditures from political contributions itemized on Schedule I. Enter a “0” if you did not make any non-political expenditures from political contributions during the period covered.

Line 12- Schedule K: Enter the total amount of interests, credits, gains, refunds, and contributions returned to the filer itemized on Schedule K. Enter a “0” if you did not have any such activity during the period covered.

SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about monetary campaign and officeholder contributions accepted during the reporting period. Do not enter on this schedule information on non-monetary, in-kind contributions, pledges, loans, or guarantees of loans. Once you actually receive pledged money, it must be reported on Schedule A1. (Report non-monetary, in-kind contributions on Schedule A2; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter incoming monetary contributions that exceed \$90 from one person, and any monetary contribution made electronically, during a reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds \$90, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$90 in the period on this schedule. If you do not itemize contributions of \$90 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE A1:** After you have completed Schedule A1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you *accepted* the contribution. Accepting a contribution is different from receiving a contribution. You accept a contribution when you decide to accept it rather than reject it. This may or may not be the same day that you receive the contribution.
- 5. FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor. If the contributor is an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable. If the contributor is an entity, enter the full name of the entity.

“Out-of-State PAC” box: If the contributor is an out-of-state political committee, check the box. Certain restrictions apply to contributions from out-of-state PACS. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state PAC for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state PAC. A political committee that makes most of its political expenditures outside of Texas may be an out-of-state PAC. A political committee must determine if it is an out-of-state PAC.

If the contributor is an out-of-state political committee from which you accepted more than \$940 in the reporting period (including pledges or loans from sources other than financial institutions that have been in business for more than a year), you must include one of the following with your report:

- 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 \$190 to the out-of-state political committee during the 12 months immediately preceding the contribution; *or*
- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee.

If the contributor is an out-of-state political committee from which you accepted \$940 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee; *or*
- a document listing 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.

"ID #" Line (Electronic Filing Only): If you are filing your report electronically, you may enter in this field the out-of-state committee's Federal Election Commission (FEC) identification number. If you do not have an FEC # for the out-of-state PAC or are not filing electronically with the Commission, you must provide other documentation as explained above.

6. CONTRIBUTOR ADDRESS: Enter the complete address of the contributor.

7. AMOUNT OF CONTRIBUTION: Enter the amount of the contribution.

8. PRINCIPAL OCCUPATION OR JOB TITLE: Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$940 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

9. EMPLOYER: Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the employer of an individual from whom the candidate or officeholder has accepted contributions (including pledges) of \$940 or more during the reporting period. In other circumstances, filers are not required to report this information but may do so.

SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-monetary, in-kind campaign and officeholder contributions received during the reporting period. An in-kind contribution is a contribution of goods, services, or any other thing of value ***other than money*** that is given to your campaign. You are not required to include contributions of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on monetary political contributions, pledges, loans, or guarantees of loans. Once you actually receive a pledged in-kind contribution, it must be reported on Schedule A2. (Report monetary contributions on Schedule A1; report pledges on Schedule B; report loans and guarantees of loans on Schedule E.)

Itemization: You must enter non-monetary (in-kind) contributions of goods, services, or other things of value that exceed \$90 from one person, and any non-monetary contribution made electronically, during a reporting period on this schedule. If you accepted two or more non-monetary contributions from the same person, the total of which exceeds \$90, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$90 in the period on this schedule. If you do not itemize contributions of \$90 and less on this schedule, you must total all such contributions and report them on the Cover Sheet, page 2, section 17, line 1.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE A2:** After you have completed Schedule A2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS:** Enter the total amount of in-kind political contributions of \$90 or less that you accepted during the period covered that are not itemized on this schedule. If you choose to itemize an in-kind contribution of \$90 or less on this schedule, do not include it in this total. All contributions made electronically must be itemized.
- 5. DATE:** See instructions for Schedule A1, section 4.
- 6. FULL NAME OF CONTRIBUTOR:** See instructions for Schedule A1, section 5.
“Out-of-State PAC” box: See instructions for Schedule A1, section 5.
- 7. CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
- 8. AMOUNT OF CONTRIBUTION:** Enter the fair market value of the in-kind contribution.

- 9. IN-KIND CONTRIBUTION DESCRIPTION:** Enter a description of the contribution. The description should be sufficiently detailed to allow a person reviewing your report to understand what was contributed.

“Travel Outside of Texas” box: If the contribution was for travel outside of Texas, please check the box and *report this information on Schedule T*.

- 10. PRINCIPAL OCCUPATION OR JOB TITLE:** See instructions for Schedule A1, section 8.

- 11. EMPLOYER:** See instructions for Schedule A1, section 9.

Sections 12-16 pertain to judicial candidates and officeholders only. Do not complete these sections. If you are a judicial candidate or officeholder, please use form JC/OH and the corresponding instructions.

SCHEDULE B: PLEDGED CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE B: PLEDGED CONTRIBUTIONS.

Use this schedule to disclose information about pledges accepted during the reporting period for campaign or officeholder purposes. You are not required to include pledges of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on contributions actually received, loans, or guarantees of loans. (Report contributions actually received on Schedule A1 or Schedule A2, as applicable; report loans and guarantees of loans on Schedule E.)

If you accept a pledge from a person to give you money, goods, services, or anything of value, that pledge is a reportable contribution and you must include the pledge on this schedule for the report covering the period in which you accept the pledge.

Itemization: You must itemize pledges that exceed \$90 in the aggregate from one person during the reporting period. If you received pledges totaling more than \$90 from one person during the reporting period, you must itemize all of those pledges, even if individual pledges were for \$90 or less. Although you are not required to do so, you may also itemize pledges for \$90 or less from one person. You must also disclose the receipt of the pledged contribution on Schedule A1 (used for monetary contributions) or A2 (used for non-monetary contributions), as applicable, in the reporting period in which you actually receive the pledged money or thing of value. If the pledge is accepted and received in the same reporting period, it is not required to be reported on Schedule B.

Note: See the Campaign Finance Guide for more information on pledges.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE B:** After you have completed Schedule B, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED PLEDGES:** Enter the total amount of pledges that you accepted during the period that did not exceed \$90 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of \$90 or less on this schedule. If you itemize some pledges of \$90 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of \$90 or less, do not enter a total amount here.
- 5. DATE:** Enter the date you *accepted* the pledge. Accepting a pledge is different from receiving a contribution. You accept a pledge when you decide to accept it rather than reject it.

Pledge accepted and received in different reporting periods: If you accept a pledge in one reporting period and then receive the pledged money or other thing of value in a later reporting period, you will disclose the pledge on this schedule in

the reporting period in which you accepted the pledge. You will also disclose the receipt of the pledged money or other thing of value on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E) in the reporting period in which you received the pledge.

Pledge received in same reporting period as accepted: If you receive a pledge in the same reporting period in which it was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (report monetary contributions on Schedule A1; report in-kind contributions on Schedule A2; report loans on Schedule E). The date of the contribution will be the date you accepted the pledged contribution, regardless of when the pledged contribution was actually received.

Pledge accepted but never received: You will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. If you never actually receive the pledge, it is not necessary to correct your report to delete the pledge.

Example: 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 disclose the pledge on his July 15 report covering the period in which he accepted the pledge. (Note: When he receives the \$1,000, he will disclose it as a monetary contribution on Schedule A1 of the report covering the period in which he received the money. Also, if he never receives the \$1,000, he does not correct/amend his report to delete the entry for the pledge.)

6. FULL NAME OF PLEDGOR: Enter the full name of the person who made the pledge.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

7. PLEDGOR ADDRESS: Enter the complete address of the person who made the pledge.

8. AMOUNT OF PLEDGE: Enter the amount of the pledge or the fair market value of any pledged goods or services or other thing of value, as applicable.

9. IN-KIND DESCRIPTION: If the pledge was for goods or services or any other thing of value, enter a description of the pledged goods or services or other thing of value. The description should be sufficiently detailed to allow a person reviewing your report to understand what was pledged.

“Travel Outside of Texas” box: If the pledged contribution was an in-kind contribution for travel outside of Texas, please check the box and *report this information on Schedule T.*

10. PRINCIPAL OCCUPATION OR JOB TITLE: See instructions for Schedule A1, section 8.

11. EMPLOYER: See instructions for Schedule A1, section 9.

You do not need Schedules C1-4 and D. These schedules are for political committees to report contributions from corporations and labor organizations. Candidates and officeholders are generally prohibited from accepting such contributions.

SCHEDULE E: LOANS

These instructions are for candidates and officeholders using SCHEDULE E: LOANS.

Use this schedule to disclose information about loans and guarantees of loans accepted during the reporting period for campaign or officeholder purposes. This schedule must also be used to disclose deposits of personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. This schedule may also be used to disclose political expenditures from personal funds.

Loans to Your Campaign from Your Personal Funds: You may disclose political expenditures from personal funds as a loan to your campaign on Schedule E. Outgoing political expenditures made from that loan must then be disclosed as if they were made from political contributions. The amount you disclose as a loan from yourself in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from your personal funds in the reporting period was \$5,000. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan. (You may also disclose political expenditures from personal funds on Schedule G. See the Schedule G instructions below for more information.)

Personal Funds Deposited into a Political Account: If you deposit personal funds in an account in which political contributions are held, you must disclose the deposited amount as a loan on Schedule E and check the box indicating "Personal Funds Deposited into Political Account." Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction. Disclose the outgoing political expenditures made from that loan as if they were made from political contributions. When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1. The reimbursement may not exceed the amount disclosed as a loan.

Itemization: You must itemize loans (including loans from personal funds) that exceed \$90 that you accepted during the period from one person. If you accepted two or more loans from the same person, the total of which exceeds \$90, itemize each loan separately. You must also itemize loans that are made electronically by a person other than a financial institution. Although you are not required to do so, you may also itemize any other loans that do not exceed \$90.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE E:** After you have completed Schedule E, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.

- 4. TOTAL OF UNITEMIZED LOANS:** Enter the total amount of loans accepted during the reporting period that did not exceed \$90 in the aggregate per person and were not from financial institutions, unless the loans were made electronically.

Although you are not required to do so, you may itemize loans of \$90 or less from persons other than financial institutions on this schedule. If you itemize some loans of \$90 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$90 or less, enter a “0” here.

- 5. DATE OF LOAN:** Enter the date you *accepted* the loan.
- 6. IS LENDER A FINANCIAL INSTITUTION?:** If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, circle “Y” for yes. If you accepted the loan from any other source, circle “N” for no. A loan from a corporation that has not been legally engaged in the business of making loans for more than one year is a corporate contribution. Candidates and officeholders may not accept corporate contributions.
- 7. NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan. If the lender is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the lender is an entity, enter the full name of the entity.

“Out-of-State PAC” box: See instructions for Schedule A1, section 5.

Note: See the Campaign Finance Guide for detailed information on accepting and reporting contributions from out-of-state political committees.

- 8. LENDER ADDRESS:** Enter the complete address of the person or financial institution that made the loan.
- 9. LOAN AMOUNT:** Enter the principal amount of the loan.
- 10. INTEREST RATE:** Enter the interest rate.
- 11. MATURITY DATE:** Enter the maturity date.
- 12. PRINCIPAL OCCUPATION OR JOB TITLE:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the principal occupation or job title of each individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$940 or more during the reporting period. Other types of filers are not required to report this information but may do so.
- 13. EMPLOYER:** Candidates for and holders of statewide offices in the executive branch and candidates for and holders of legislative offices must disclose the full name of the employer of an individual from whom the candidate or officeholder has accepted a loan (including a pledge of a loan) of \$940 or more during the reporting period. Other types of filers are not required to report this information but may do so.

- 14. DESCRIPTION OF COLLATERAL:** If there is no collateral for the loan, check the “none” box and go to section 15. If there is collateral for the loan, enter a description of the collateral for the loan.
- 15. “Check if personal funds were deposited into political account” box:** Check this box *only if* the loan is a deposit of your personal funds into an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. Political expenditures made from that loan, and any subsequent expenditures to reimburse the candidate or officeholder, must be reported as if they were made from political contributions. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restrictions.
- 16. GUARANTOR INFORMATION:** If there are no guarantors for the loan, check the “Not Applicable” box and go to the next loan. If you have no further loans to report, go to the next applicable schedule.
- A person who guarantees all or part of a loan makes a reportable contribution in the amount of the guarantee. You must report such a contribution on this schedule, and not on the contributions schedule.
- 17. NAME OF GUARANTOR:** Enter the full name of the person guaranteeing the loan. If the guarantor is an individual, enter the full first and last name and suffix (Jr., III, etc.) if applicable. If the guarantor is an entity, enter the full name of the entity.
- 18. GUARANTOR ADDRESS:** Enter the complete address of the guarantor.
- 19. AMOUNT GUARANTEED:** Enter the dollar amount of the loan that the guarantor has agreed to guarantee.
- 20. PRINCIPAL OCCUPATION:** Enter the principal occupation of the guarantor.
- 21. EMPLOYER:** Enter the employer of the guarantor.

SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F1: POLITICAL EXPENDITURES FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about political expenditures from political contributions that were made during the reporting period. Do not enter on this schedule unpaid incurred obligations, political expenditures made from personal funds, the purchase of investments from political contributions, expenditures made by credit card, or payments from political contributions made to a business that you own or control. (Report unpaid incurred obligations on Schedule F2; report expenditures from personal funds on Schedule G; report the purchase of investments from political contributions on Schedule F3; report expenditures made by credit card on Schedule F4; and report payments from political contributions made to a business that you own or control on Schedule H.)

Expenditures Made by Credit Card: You must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: [Expenditures Made by Credit Card](#) for more information.

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$190 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$190, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$190 in the period on this schedule. If you choose not to itemize expenditures of \$190 and less on this schedule, you must total all unitemized expenditures and report them on the Cover Sheet, page 2, section 17, line 3.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F1:** After you have completed Schedule F1, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made. Remember: Expenditure obligations you incurred in this reporting period *but have not yet paid* are entered on Schedule F2. Expenditures made by credit card are entered on Schedule F4.
- 5. PAYEE NAME:** Enter the full name of the person to whom the expenditure was made.

Note: If you make an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor who sold you the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 8, “Purpose of Expenditure.”

- 6. AMOUNT:** Enter the exact amount of the expenditure.
- 7. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
- 8. PURPOSE OF EXPENDITURE:** You must disclose the purpose of the expenditure in two parts: Category and Description. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

(a) Category: Select a category of goods, services, or other thing of value for which an expenditure is made. If none of the listed categories apply, select “Other” and enter your own category. Examples of acceptable categories include:

Advertising Expense

Accounting/Banking

Consulting Expense

Contributions/Donations Made By Candidate/Officeholder/Political Committee

Credit Card Payment

Event Expense

Fees

Food/Beverage Expense

Gifts/Awards/Memorials Expense

Legal Services

Loan Repayment/Reimbursement

Office Overhead/Rental Expense

Polling Expense

Printing Expense

Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense

Transportation Equipment and Related Expense

Travel In District

Travel Out Of District

Other

(b) Description: Enter a brief statement or description of the candidate or officeholder activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear. Merely disclosing the category of goods, services, or other thing of value for which the expenditure is made does not adequately describe the purpose of an expenditure.

For examples of acceptable ways to disclose the purpose of an expenditure, please see the "Examples: Purpose of Expenditures" on page 46.

“Check if travel outside of Texas” box: Check this box if the expenditure is for travel outside of Texas. The description of a political expenditure for travel outside of the state of Texas must include detailed information. Please report this information on Schedule T.

“Check if Austin, TX, officeholder living expense” box: Check this box if the expenditure is an officeholder expense for living in Austin, Texas.

- 9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:**
If you made a direct campaign expenditure to benefit another candidate or officeholder, enter the full name of the candidate or officeholder and the name of the office sought or held, including the district, precinct, or other designation of the office, as applicable. (Attach additional sheets to list multiple candidates.) Do not complete this section if the expenditure was not a direct campaign expenditure.

A “direct campaign expenditure” to benefit another candidate is not a “political contribution” to that other candidate. A direct campaign expenditure is a campaign expenditure that you make on someone else’s behalf and without the prior consent or approval of that person. This is in contrast to a political contribution, which the person has the opportunity to accept or reject.

Example: If you made expenditures to prepare and distribute an endorsement letter in support of a candidate after first asking for and getting the candidate’s approval, you made an *in-kind contribution*. However, if you did not get the candidate’s approval *before* you made the expenditure, you made a *direct campaign expenditure*.

SCHEDULE F2: UNPAID INCURRED OBLIGATIONS

These instructions are for candidates and officeholders using SCHEDULE F2: UNPAID INCURRED OBLIGATIONS.

Use this schedule to disclose information about obligations to make an expenditure that you incurred during the reporting period but have not yet paid. Do not enter on this schedule obligations that were incurred and paid during the reporting period, or other outgoing funds. (Report obligations incurred and paid during the reporting period on Schedule F1, F3, G, H, or I as appropriate, and report expenditures made by credit card on Schedule F4.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: Itemization requirements differ depending on whether the unpaid incurred obligation is for a political or non-political expenditure.

Unpaid Incurred Political Obligations: You must enter political obligations incurred but not yet paid to one individual or entity during a reporting period that in the aggregate exceed \$190 on this schedule. If you incurred more than one obligation to the same payee, the total of which exceeded \$190, enter each expenditure separately. Although you are not required to do so, you may also report political obligations incurred to one person that do not exceed \$190 in the period on this schedule. If you choose not to itemize incurred political obligations of \$190 and less on this schedule, you must total all unitemized obligations and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$190 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Unpaid Incurred Non-Political Obligations: You must enter non-political obligations incurred but not yet paid to one individual or entity during a reporting period on this schedule, regardless of the amount.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F2:** After you have completed Schedule F2, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS:** Enter the total amount of political obligations incurred during the reporting period that do not exceed \$190 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of \$190 or less, but if you choose to do so, do not include those unpaid incurred obligations in the total you enter here.
- 5. DATE:** Enter the date the obligation was incurred. Obligations you incurred *and* paid during the reporting period are not entered on this schedule.

6. PAYEE NAME: See instructions for Schedule F1, section 5.

Note: If you incurred an obligation for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you incurred the obligation. Include that information under section 10, “Purpose of Expenditure.”

7. AMOUNT: Enter the exact amount of the incurred obligation.

8. PAYEE ADDRESS: Enter the complete address of the person to whom the obligation is owed.

9. TYPE OF EXPENDITURE: Check only one box to indicate whether the incurred obligation was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. PURPOSE OF EXPENDITURE: See instructions for Schedule F1, section 8.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:
See instructions for Schedule F1, section 9.

SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE F3: PURCHASE OF INVESTMENTS FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about investments purchased from political contributions during the reporting period. Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, expenditures made by credit card, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report expenditures made by credit card on Schedule F4; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

See the *Campaign Finance Guide for Candidates and Officeholders* for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: You must enter investments purchased with political contributions during a reporting period that in the aggregate exceed \$120 on this schedule. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed \$120 in the period on this schedule.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F3:** After you have completed Schedule F3, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you purchased the investment.
- 5. NAME OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the full name of the person or entity from whom you purchased the investment. If you purchased the investment from an individual, enter the full first and last name, and suffix (Jr., III, etc.) if applicable (title is optional). If you purchased the investment from an entity, enter the full name of the entity.
- 6. ADDRESS OF PERSON FROM WHOM INVESTMENT IS PURCHASED:** Enter the complete address of the person or entity from whom you purchased the investment.
- 7. DESCRIPTION OF INVESTMENT:** Enter a brief statement or description of the investment. For example, “Ten shares of stock in ABC company.”
- 8. AMOUNT OF INVESTMENT:** Enter the amount of the investment purchased.

SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD

These instructions are for candidates and officeholders using SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD.

Use this schedule to disclose information about expenditures made by a credit card. You must disclose expenditures charged to a credit card on this schedule and identify the individual, entity, or vendor who receives payment from the credit card company. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable.

Do not enter on this schedule political expenditures from political contributions, unpaid incurred obligations, political expenditures made from personal funds, or payments from political contributions made to a business that you own or control. (Report political expenditures from political contributions on Schedule F1; report unpaid incurred obligations on Schedule F2; report the purchase of investments from political contributions on Schedule F3; report expenditures from personal funds on Schedule G; and report payments from political contributions made to a business that you own or control on Schedule H.)

For examples regarding the disclosure of expenditures made by credit card, please see “Examples: Reporting Expenditures Made by Credit Card” on page 43.

Itemization: Itemization requirements differ depending on whether the expenditure made by a credit card is for a political or non-political expenditure.

Political Expenditures Made by Credit Card: You must itemize political expenditures made by credit card that exceed \$190 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee, the total of which exceeded \$190, enter each expenditure made by credit card separately. Although you are not required to do so, you may also report political expenditures made by credit card that do not exceed \$190 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of \$190 and less on this schedule, you must total all unitemized political expenditures and report them in section 4 of this Schedule. You must also include that amount in the total unitemized political expenditures of \$190 or less on C/OH Cover Sheet, page 2, section 17, line 3.

Non-Political Expenditures Made by Credit Card: You must itemize any non-political expenditure made by credit card, regardless of the amount.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE F4:** After you have completed Schedule F4, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.

3. FILER ID: See instructions for Cover Sheet, page 1, section 1.

4. TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD:

Enter the total amount of political expenditures charged to a credit card during the reporting period that do not exceed \$190 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of \$190 or less, but if you choose to do so, do not include those political expenditures made by credit card in the total you enter here.

5. DATE: Enter the date you made the expenditure by credit card.

Note: There is a special reporting rule for expenditures made by credit card. For reports due 30 days and 8 days before an election (pre-election reports) and for runoff reports, the date of the credit card expenditure is the date the credit card is used. For other reports, the date of the credit card expenditure is either the date of the charge or the date the credit card statement is received. *A filer can never go wrong by disclosing the date of the expenditure as the date of the charge.*

6. PAYEE NAME: See instructions for Schedule F1, section 5. Disclose the name of the vendor who sold you the goods or services as the payee, NOT the credit card company. You do not report the name of the credit card company on this schedule.

Note: If you made an expenditure for goods or services to benefit another candidate, officeholder, or committee, enter the name of the vendor of the goods or services. Do not enter the name of the person for whose benefit you made the expenditure. Include that information under section 10, “Purpose of Expenditure.”

7. AMOUNT: Enter the amount of the credit card expenditure.

8. PAYEE ADDRESS: Enter the complete address of the payee of the credit card expenditure.

9. TYPE OF EXPENDITURE: Check only one box to indicate whether the credit card expenditure was political or non-political.

A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures.

10. PURPOSE OF EXPENDITURE: See instructions for Schedule F1, section 8.

Note: Do not choose “Credit Card Payment” as the category for an expenditure made by credit card when an individual, entity, or vendor receives payment from the credit card company. Instead, choose the category that corresponds to the goods, services, or other thing of value purchased from the individual, entity, or vendor.

11. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:

See instructions for Schedule F1, section 9.

SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

These instructions are for candidates and officeholders using SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS.

You may use this schedule to disclose information about political expenditures from personal funds that were made during the reporting period. Alternatively, you may choose to disclose political expenditures from personal funds as a loan on Schedule E (see the Schedule E instructions above for more information). Do not enter on this schedule information about personal funds deposited in an account in which political contributions are held as permitted by section 253.0351(c) of the Election Code. (Report the deposit of personal funds into a political account as a loan on Schedule E.)

Expenditures Made by Credit Card: You must disclose expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: Expenditures Made by Credit Card for more information.

If you intend to seek reimbursement *in any amount* from political contributions for a political expenditure made from personal funds, you must either report the expenditure on Schedule E or itemize the expenditure on this schedule and check the box in Section 6 to indicate that you intend to seek reimbursement from political contributions. ***You may not correct a report to allow reimbursement.*** When you reimburse yourself, disclose the reimbursement as an outgoing political expenditure on Schedule F1.

See the Campaign Finance Guide for important restrictions regarding the use of political funds to rent or purchase real property.

Itemization: If you choose to report political expenditures from personal funds on this schedule, you must itemize political expenditures paid to one individual or entity during a reporting period that in the aggregate exceed \$190 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$190, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$190 in the period on this schedule. You must total all political expenditures from personal funds that you do not itemize on this schedule and include them in the total of unitemized political expenditures on the C/OH Cover Sheet, page 2, section 17, line 3.

Officeholder expenditures from personal funds for which you do not intend to seek reimbursement are not required to be reported on this schedule or included in the total of unitemized political expenditures.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1 TOTAL PAGES SCHEDULE G: After you have completed Schedule G, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter your full name.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **DATE:** Enter the date the expenditure was made.
5. **PAYEE NAME:** See instructions for Schedule F1, section 7.
6. **AMOUNT:** Enter the exact amount of the expenditure.

 “Reimbursement from Political Contributions Intended” box: Check this box if you intend to reimburse yourself for the expenditure. (In order to be reimbursed from political contributions in any amount for an expenditure made out of personal funds, you must itemize the expenditure on this schedule and check this box or you must report the expenditure as a loan to yourself on Schedule E.)
7. **PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
8. **PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
9. **DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:**
See instructions for Schedule F1, section 9.

SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

These instructions are for candidates and officeholders using SCHEDULE H: PAYMENT FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH.

Use this schedule to disclose information about payments from political contributions that were made to a business in which you have an interest of more than 10%, a position on the governing body, or a position as an officer. Do not enter on this schedule other payments from political contributions made during the reporting period.

See the *Campaign Finance Guide for Candidates and Officeholders* for a discussion on the important restrictions on making and reporting payments from political contributions to a business in which you have an interest.

This schedule is for payments to a business in which you have one or more of the following interests or positions:

- 1) a participating interest of more than 10%;
- 2) a position on the governing body of the business; or
- 3) a position as an officer of the business.

Itemization: You must enter all payments from political contributions made to certain businesses (as defined above) of a candidate or officeholder made during the reporting period on this schedule, regardless of the amount.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE H:** After you have completed Schedule H, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date you made the payment.
- 5. BUSINESS NAME:** Enter the full name of the business to which you made the payment.
- 6. AMOUNT:** Enter the dollar amount of the payment.
- 7. BUSINESS ADDRESS:** Enter the complete address of the business to which you made the payment.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.
- 9. DIRECT CAMPAIGN EXPENDITURE TO BENEFIT CANDIDATE/OFFICEHOLDER:** See instructions for Schedule F1, section 9.

SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

These instructions are for candidates and officeholders using SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about non-political expenditures from political contributions made during the reporting period. Do not enter political expenditures on this schedule. Also, do not enter non-political expenditure obligations you incurred in this reporting period but have not yet paid or non-political expenditures made by credit card. (Report unpaid incurred obligations on Schedule F2; report expenditures made by a credit card on Schedule F4.)

Expenditures Made by Credit Card: You must disclose non-political expenditures charged to a credit card on Schedule F4 and *not* on this schedule. When you pay the credit card bill, you must disclose the payment to the credit card company on Schedule F1 (used for political payments from political contributions), Schedule G (used for political payments from personal funds), Schedule H (used for payments from political contributions made to a business that you own or control), or Schedule I (used for nonpolitical payments from political contributions), as applicable. See instructions for Schedule F4: Expenditures Made by Credit Card for more information.

Itemization: You must enter all non-political expenditures from political contributions on this schedule, regardless of the amount. A non-political expenditure is an expenditure that is neither a campaign expenditure nor an officeholder expenditure. As a practical matter, *very few* expenditures made from political contributions are non-political expenditures. For instance, expenditures for administrative expenses, banking fees, and professional dues are typically political expenditures. You may not convert political contributions to personal use.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE I:** After you have completed Schedule I, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the expenditure payment was made.
- 5. PAYEE NAME:** See instructions for Schedule F1, section 5.
- 6. AMOUNT:** Enter the exact amount of the expenditure payment.
- 7. PAYEE ADDRESS:** Enter the complete address of the person to whom the expenditure was made.
- 8. PURPOSE OF EXPENDITURE:** See instructions for Schedule F1, section 8.

SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

These instructions are for candidates and officeholders using SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER.

Use this schedule to report information regarding 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, any proceeds of the sale of an asset purchased with a political contribution, the amount of which exceeds \$120, and any other gain from a political contribution received during the reporting period.

Itemization: You must enter interest, credits, gains, refunds and returned contributions received during a reporting period that in the aggregate exceed \$120 on this schedule. Although you are not required to do so, you may also report any credit/gain/refund, or interest that does not exceed \$120 in the period on this schedule.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE K:** After you have completed Schedule K, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter your full name.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the credit/gain/refund was received or the interest was earned, as applicable.
- 5. NAME OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the full name of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 6. ADDRESS OF PERSON FROM WHOM AMOUNT IS RECEIVED:** Enter the complete address of the person or business from whom the credit/gain/refund/returned contribution or interest was received.
- 7. PURPOSE FOR WHICH AMOUNT IS RECEIVED:** Enter a brief statement or description of the purpose for which the amount was received (for example, “phone service deposit return” “returned contribution” or “interest on savings account”).

 “Check if political contribution returned to filer” box: If the incoming credit/gain was originally made by you in the form of a political contribution to another candidate or political committee and was returned to you in this reporting period, check this box.
- 8. AMOUNT:** Enter the exact dollar amount of the credit/gain/refund/returned contribution, or interest.

SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS

These instructions are for candidates and officeholders using SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS.

Use this schedule to disclose information about contributions accepted or expenditures made during the reporting period. In addition to completing this schedule, you must also report the actual contribution or expenditure on the appropriate schedule or form. The law requires detailed information regarding in-kind contributions or political expenditures for travel outside of the state of Texas.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. TOTAL PAGES SCHEDULE T:** After you have completed Schedule T, count the total number of pages. Each side of a two-sided form counts as one page.
- 2. FILER NAME:** Enter the full name of the candidate, committee, or party on whose report you are including this schedule.
- 3. FILER ID:** If you are filing with the Commission, enter your filer account number. If you do not file with the Commission, you are not required to enter a filer account number.
- 4. NAME OF CONTRIBUTOR / CORPORATION OR LABOR ORGANIZATION / PLEDGOR / PAYEE:** Enter the full name of the contributor / corporation or labor organization / pledgor / payee as it appears on the schedule or form on which you reported the actual contribution or expenditure.
- 5. CONTRIBUTION / EXPENDITURE REPORTED ON:** Check the appropriate box for the schedule or form on which you reported the actual contribution or expenditure.
- 6. DATES OF TRAVEL:** Enter the dates on which the travel occurred.
- 7. NAME OF PERSON(S) TRAVELING:** Enter the full name of the person or persons traveling on whose behalf the travel was accepted or on whose behalf the expenditure was made.
- 8. DEPARTURE CITY OR NAME OF DEPARTURE LOCATION:** Enter the name of the departure city or the name of each departure location.
- 9. DESTINATION CITY OR NAME OF DESTINATION LOCATION:** Enter the name of the destination city or the name of each destination location.
- 10. MEANS OF TRANSPORTATION:** Enter the method of travel (e.g., airplane, bus, boat, car, etc.)
- 11. PURPOSE OF TRAVEL:** Enter the campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

These instructions are for candidates and officeholders using Form C/OH-FR: C/OH REPORT: DESIGNATION OF FINAL REPORT. A final report must include this form (Form C/OH-FR) and the CAMPAIGN FINANCE REPORT (Form C/OH) with the “Final Report” box checked on page 1, section 9. It must also include Schedules A1, A2, B, E, F1, F2, F3, F4, G, H, I, K, and T, as applicable.

GENERAL INFORMATION

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate.

If you do not have an appointment of campaign treasurer on file, you may not accept **campaign** contributions or make **campaign** expenditures. A payment on a campaign debt is a campaign expenditure. An officeholder who does not have an appointment of campaign treasurer on file may accept **officeholder** contributions and make **officeholder** expenditures.

The effect of filing a final report differs depending on whether you are an officeholder at the time you file a final report.

Officeholders Filing a Final Report: You will not have to worry about surplus political funds and assets until you cease to be an officeholder. You may still be required to file semiannual reports of contributions and expenditures as an officeholder. The only officeholders who are not required to file semiannual reports are local officeholders who do not exceed \$940 in contributions or \$940 in expenditures during the reporting period.

If you cease to be an officeholder at a time when you do not have a campaign treasurer appointment on file, and you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions after filing the last required report as an officeholder, you **must** file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year following the year in which you filed the last required report as an officeholder. You may not retain these unexpended funds longer than six years after the date you ceased to be an officeholder. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

Non-Officeholders Filing a Final Report: You will no longer be required to file reports **unless** you retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions. If you retain any of those items, you must file an annual report of unexpended contributions not earlier than January 1 and not later than January 15 of each year after the year in which you filed your final report. You may not retain these unexpended funds longer than six years after the date of filing a final report. For information about important restrictions regarding the use and reporting of unexpended contributions, see the Campaign Finance Guide.

COMPLETING THE FORM

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. **C/OH NAME:** Enter your full name.
2. **FILER ID:** If you are filing with the Commission, enter your Filer ID. If you do not file with the Commission, you are not required to enter a Filer ID.
3. **SIGNATURE:** You must sign this section to indicate that you understand the consequences of filing a final report.
4. **FILER WHO IS NOT AN OFFICEHOLDER:** Complete this section if you are not an officeholder at the time of filing your final report. Be sure to check the appropriate box in both sections A and B and sign on the “Signature” line.
5. **OFFICEHOLDER:** Complete this section if you are an officeholder at the time of filing your final report. You must check the box to indicate awareness of further filing requirements.

ADDITIONAL INFORMATION REGARDING EXPENDITURES

EXAMPLES: REPORTING EXPENDITURES MADE BY CREDIT CARD

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures made by credit card and payments made to credit card companies.

Example #1: Candidate Using Credit Card to Make Political Expenditures and Using Political Contributions to Pay the Credit Card Bill in the Same Reporting Period

A candidate for office uses her credit card to buy \$1,000 in campaign office supplies from an office store. During the same reporting period, the candidate uses her credit card to buy \$500 in political advertising signs from a sign company. During the same reporting period, the candidate makes a single payment from her political contributions account to pay the \$1,500 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which she made the credit card charges and sent the payment to the credit card company:

1. For the credit card charges: a \$1,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the office store as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Office Overhead/Rental Expense,” and a description as “Campaign Office Supplies.” In Section 9 of the schedule, the box for “Political” is also checked. The candidate also reports the \$500 expenditure on the “Expenditures Made by Credit Card” Schedule and identifies the sign company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Signs.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$1,500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for credit card expenditures.”
3. Both \$1,500 amounts reported on each schedule will also be included in the appropriate totals sections of Cover Sheet Pages 2 and 3.

Example #2: Candidate Using Credit Card to Make a Political Expenditure and Using Personal Funds to Pay the Credit Card Bill in the Same Reporting Period

A candidate for *non-judicial* office uses his credit card to purchase \$3,000 in political advertising materials from a print shop. During the same reporting period, the candidate makes a payment from his personal funds account to pay the \$3,000 credit card bill.

To report that activity, the candidate would report all of the following on a campaign finance report (Form C/OH) covering the period in which he made the credit card charge and sent the payment to the credit card company:

1. For the credit card charge: a \$3,000 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the print shop as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising Materials.” In Section 9 of the schedule, the box for “Political” is also checked.
2. For the payment to the credit card company: a \$3,000 expenditure on the “Political Expenditures Made from Personal Funds” Schedule (G). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising materials.” If the candidate intends to seek reimbursement from political contributions, the candidate may also check the appropriate box in Section 6.
3. Both \$3,000 amounts reported on each schedule will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #3: Political Committee Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A general-purpose committee uses its credit card to buy \$500 in political advertising in a newspaper. The committee receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the committee sends a payment to the credit card company, it makes a \$500 payment from its political contributions account.

To report the credit card charge, the committee’s campaign treasurer would report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the committee’s campaign treasurer would also report all of the following on a campaign finance report (Form GPAC) covering the period in which it made the payment to the credit card company:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as

“Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”

2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

Example #4: Candidate Using Credit Card to Make a Political Expenditure and Using Political Contributions to Pay the Credit Card Bill in Different Reporting Periods

A candidate for *judicial* office uses her credit card to buy \$500 in political advertising in a newspaper. The candidate receives the statement from the credit card company but does not send a payment until after the reporting period ends. When the candidate sends a payment to the credit card company, she makes a \$500 payment from her political contributions account.

To report the credit card charge, the candidate would report all of the following on a campaign finance report (Form JC/OH) covering the period in which she made the credit card charge:

1. A \$500 expenditure on the “Expenditures Made by Credit Card” Schedule (F4). The schedule identifies the newspaper as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Advertising Expense,” and a description as “Political Advertising.” In Section 9 of the schedule, the box for “Political” is also checked.
2. The \$500 amount reported on the “Expenditures Made by Credit Card” Schedule (F4) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

To report the payment to the credit card company, the candidate would also report all of the following on a campaign finance report (Form JC/OH) covering the period in which the payment to the credit card company was made:

1. A \$500 expenditure on the “Political Expenditures from Political Contributions” Schedule (F1). The schedule identifies the credit card company as the payee of the expenditure and includes the address, date, amount, a category of the expenditure as “Credit Card Payment,” and a description as “Payment of credit card bill for political advertising.”
2. The \$500 amount reported on the “Political Expenditures from Political Contributions” Schedule (F1) will also be included in the appropriate sections of Cover Sheet Pages 2 and 3.

EXAMPLES: PURPOSE OF EXPENDITURES

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting the purpose of an expenditure. However, it is not, and is not intended to be, an exhaustive or an exclusive list of how a filer may permissibly report the purpose of an expenditure.

(1) Example: Candidate X is seeking the office of State Representative, District 2000. She purchases an airline ticket from ABC Airlines to attend a campaign rally within District 2000. The acceptable category for this expenditure is “travel in district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign rally. An acceptable brief statement is “airline ticket to attend campaign event.”

(2) Example: Candidate X purchases an airline ticket to attend a campaign event outside of District 2000 but within Texas, the acceptable category is “travel out of district.” The candidate activity that is accomplished by making the expenditure is to attend a campaign event. An acceptable brief statement is “airline ticket to attend campaign or officeholder event.”

(3) Example: Candidate X purchases an airline ticket to attend an officeholder related seminar outside of Texas. The acceptable method for the purpose of this expenditure is by selecting the “travel out of district” category and completing the “Schedule T” (used to report travel outside of Texas).

(4) Example: Candidate X contracts with an individual to do various campaign related tasks such as work on a campaign phone bank, sign distribution, and staffing the office. The acceptable category is “salaries/wages/contract labor.” The candidate activity that is accomplished by making the expenditure is to compensate an individual working on the campaign. An acceptable brief statement is “contract labor for campaign services.”

(5) Example: Officeholder X is seeking re-election and makes an expenditure to purchase a vehicle to use for campaign purposes and permissible officeholder purposes. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “purchase of campaign/officeholder vehicle.”

(6) Example: Candidate X makes an expenditure to repair a flat tire on a campaign vehicle purchased with political funds. The acceptable category is “transportation equipment and related expenses” and an acceptable brief description is “campaign vehicle repairs.”

(7) Example: Officeholder X purchases flowers for a constituent. The acceptable category is “gifts/awards/memorials expense” and an acceptable brief description is “flowers for constituent.”

(8) Example: Political Committee XYZ makes a political contribution to Candidate X. The acceptable category is “contributions/donations made by candidate/officeholder/political committee” and an acceptable brief description is “campaign contribution.”

(9) Example: Candidate X makes an expenditure for a filing fee to get his name on the ballot. The acceptable category is “fees” and an acceptable brief description is “candidate filing fee.”

(10) Example: Officeholder X makes an expenditure to attend a seminar related to performing a duty or engaging in an activity in connection with the office. The acceptable category is “fees” and an acceptable brief description is “attend officeholder seminar.”

(11) Example: Candidate X makes an expenditure for political advertising to be broadcast by radio. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.” Similarly, Candidate X makes an expenditure for political advertising to appear in a newspaper. The acceptable category is “advertising expense” and an acceptable brief description is “political advertising.”

(12) Example: Officeholder X makes expenditures for printing and postage to mail a letter to all of her constituents, thanking them for their participation during the legislative session. Acceptable categories are “advertising expense” OR “printing expense” and an acceptable brief description is “letter to constituents.”

(13) Example: Officeholder X makes an expenditure to pay the campaign office electric bill. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office electric bill.”

(14) Example: Officeholder X makes an expenditure to purchase paper, postage, and other supplies for the campaign office. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office supplies.”

(15) Example: Officeholder X makes an expenditure to pay the campaign office monthly rent. The acceptable category is “office overhead/rental expense” and an acceptable brief description is “campaign office rent.”

(16) Example: Candidate X hires a consultant for fundraising services. The acceptable category is “consulting expense” and an acceptable brief description is “campaign services.”

(17) Example: Candidate/Officeholder X pays his attorney for legal fees related to either campaign matters or officeholder matters. The acceptable category is “legal services” and an acceptable brief description is “legal fees for campaign” or “for officeholder matters.”

(18) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting with her constituents. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting with constituents.”

(19) Example: Candidate X makes food and beverage expenditures for a meeting to discuss candidate issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign issues.”

(20) Example: Officeholder X makes food and beverage expenditures for a meeting to discuss officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss officeholder issues.”

(21) Example: Candidate/Officeholder X makes food and beverage expenditures for a meeting to discuss campaign and officeholder issues. The acceptable category is “food/beverage expense” and an acceptable brief statement is “meeting to discuss campaign/officeholder issues.”

EXAMPLES: REPORTING EXPENDITURES FROM PERSONAL FUNDS

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting expenditures from personal funds.

If you intend to seek reimbursement of any amount from political contributions for a political expenditure made from your personal funds, you must report the expenditure in one of three ways. Keep in mind that this reporting system is not an accounting system and duplication of expenditures is not uncommon when reporting transactions related to expenditures made from personal funds.

Method #1: Itemize the expenditure on the “Political Expenditures Made from Personal Funds” schedule (Schedule G) and check the box to indicate that you intend to seek reimbursement from political contributions. You may not correct a report to allow reimbursement without subjecting yourself to a possible penalty. When you reimburse yourself, which could be months or years later, report the reimbursement on the “Political Expenditures” schedule (Schedule F1).

Example: On December 1, 2007, Candidate A spends \$500 of her own personal funds to purchase political advertising signs. She reports the expenditure to the vendor on Schedule G and checks the box to indicate that reimbursement is intended. One year later, Candidate A reimburses herself from political contributions. She reports the reimbursement on Schedule F1. Candidate A is the payee and the purpose of the expenditure is to reimburse herself for a political expenditure made from personal funds on December 1, 2007.

If you intend to seek reimbursement from political contributions for a political expenditure of any amount made from personal funds, you must itemize the expenditure on Schedule G.

Method #2: Report the political expenditures made from your personal funds as a loan to your campaign on the “Loans” schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, F4, or H as appropriate). Do NOT report political expenditures made from the loan on Schedule G.

The amount you report as a loan in a reporting period may NOT exceed the amount you actually spent from personal funds in that reporting period. In other words, do not report a \$100,000 loan to your campaign if the amount actually spent from personal funds in the reporting period was \$5,000. When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1.

Example: In one reporting period, Candidate B spends \$5,000 of his own personal funds to purchase political advertising materials. He spends \$3,000 at Business One and \$2,000 at Business Two. He reports the expenditures as a \$5,000 loan on Schedule E and then itemizes each of the two expenditures as a political expenditure on Schedule F1. A year later, Candidate B reimburses himself from political contributions by disclosing the reimbursement on Schedule F1. He reports the reimbursement on Schedule F1. The payee in this instance is Candidate B, the category of the expenditure is “Loan Repayment/Reimbursement,” and “political expenditure made from personal funds reported as a loan” is an acceptable brief description.

Method #3: Deposit personal funds in an account in which your political contributions are maintained and report that amount as a loan on the "Loans" schedule (Schedule E). Next, report the political expenditures made from that loan as if they were made from political funds (report on Schedules F1, F2, F3, or H as appropriate). When you reimburse yourself, which could be months or years later, report the reimbursement on the Schedule F1. The reimbursement may not exceed the amount reported as a loan. Personal funds deposited in an account in which political contributions are held are subject to the personal use restriction.)

Example: In one reporting period, Candidate C opens a campaign bank account and deposits \$5,000 of her own personal funds into the account. She makes one \$3,000 expenditure for political advertising. Candidate C has no other activity in the reporting period. She reports the \$5,000 as a loan on Schedule E, itemizes the \$3,000 expenditure for the political advertising on Schedule F1, and includes the remaining \$2,000 on her contributions maintained at the end of the reporting period total. A year later, Candidate C reimburses herself from political contributions by disclosing the reimbursement on Schedule F1. The payee in this instance is Candidate C, the category of expenditure is "Loan Repayment/Reimbursement," and "political expenditure made from personal funds reported as a loan" is an acceptable brief description.

EXAMPLES: REPORTING STAFF REIMBURSEMENT

This list is for illustrative purposes only. It is intended to provide helpful information and to assist filers in reporting staff reimbursements.

When a staff member makes political payment(s) out of his or her personal funds, how you disclose the payment(s) depends on two things: 1) the aggregate total of those payments in the reporting period; and 2) whether or not you reimburse the staff worker in the same reporting period.

Example #1: The payment out of the staff worker's personal funds does not exceed \$5,000 in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will simply itemize the payment (if over the \$190 itemization threshold) on Schedule F1 as if you made the expenditure directly to the vendor out of your political funds, with the name of the vendor who sold the goods or services as the payee for the expenditure. **Do not** disclose as the payee the name of your staff worker.

Example #2: The payment(s) out of the staff worker's personal funds are over \$5,000 in the aggregate in the reporting period **and** you reimburse the staff worker from political funds in the same reporting period – You will use a 3-step process, disclosing everything on the same report: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) On Schedule F1, disclose the payment to your staff worker for the reimbursement of the loan.

Example #3: The payment(s) out of the staff worker's personal funds do not exceed \$5,000 in the aggregate in the reporting period **but** you reimburse the staff worker from political funds in a different reporting period – You will use a 3-step process, disclosing steps 1 and 2 on the same report and step 3 later, when the reimbursement occurs: (1) On Schedule E, disclose the total amount paid from the staff worker's personal funds as a loan from the staff worker to your campaign; (2) On Schedule F1, itemize the payments made by your staff worker separately, with the names of the vendors who sold the goods or services to your staff worker as the payees for the expenditures. **Do not** disclose as the payee the name of your staff worker; and (3) When you reimburse your staff worker, if ever, disclose on Schedule F1 of the report covering the period in which the reimbursement occurs the payment to your staff worker for the reimbursement of the loan.

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

(512) 463-5800

TDD (800) 735-2989

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

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](#).

ORDINANCE NO. 2022-17-O

**AN ORDINANCE OF THE CITY OF PALMVIEW, TEXAS
AMENDING THE PALMVIEW CODE OF ORDINANCES
CHAPTER 33. ELECTIONS**

CHAPTER 33: ELECTIONS

ELECTIONEERING

§ 33.01 INTRODUCTION.

In an effort to comply with the state's Election Code, as recently amended by the 83rd Legislative Session, the city has established the following policy to regulate the time, place and manner of electioneering city-owned property.

(Ord. 2014-08, passed 3-18-2014)

§ 33.02 DEFINITIONS.

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

EARLY VOTING PERIOD. The period described by Tex. Election Code § 85.001.

ELECTIONEERING. The posting, use or distribution of political signs or literature.

VOTING PERIOD. The period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later.

(Ord. 2014-08, passed 3-18-2014)

§ 33.03 PROHIBITED CONDUCT.

(A) Except as provided herein, electioneering is prohibited at all times on city-owned property not designated as a polling location.

(B) Electioneering will not be allowed at any time within 100 feet of the polling location when that location is a city-owned property in accordance with the state's Election Code.

(C) Electioneering will be allowed outside the 100-foot marker at polling locations owned by the city, but only during the early voting period and the voting period and at no time before, during or after. This means electioneering on city-owned property can only

take place during the early voting period and voting period. Signage and literature can only be left over night during the early voting period or voting period, but not later than one hour after the early voting period or voting period ends.

(D) The city will not allow tractors, trailer, tents, use of loudspeakers, microphones, megaphone, amplified devices or any other activity not defined as “electioneering” on city-owned property any at time before, during or after the early voting period and the voting period. The use of any type of incendiary equipment such as, but not limited to, barbeque pits or any flammable or combustible equipment or supplies are strictly prohibited on city-owned property.

(E) The city will allow prepared food and beverages such as water or drink that does not contain alcohol. The consumption or distribution of alcoholic beverages or illegal drugs on city property at any time before, during or after the early voting period and the voting period is strictly prohibited.

(F) Threatening or harassing conduct and the use of inappropriate language will not be allowed and may result in the removal of any candidate, measure or political party.

(G) The city will allow the placement of one political sign per candidate, regardless of whether the candidate is on a slate, no larger than four feet by eight feet on designated city-owned property during the early voting period and the voting period. The distribution of literature or other political materials will not be allowed within the 100-foot marker. (Amended Ord. 2022-17-O, passed 9-29-2022)

(H) The city parking lots are for public use and to conduct official city business; therefore, use of handicapped or designated parking spaces will not be allowed for electioneering purposes. All others parking spaces or available area will be limited to one parking space or the equivalent of one parking space per candidate, measure or political party.

(I) Persons with political signs, literature or other political material (i.e., to conduct electioneering) may enter city-owned property no earlier than 12:00 p.m. of the day before the first day of early voting, and shall remove all signage, literature or materials no later than one day after election day. If there is no early voting on city-owned property, then persons with political signs, literature or other political material (i.e., to conduct electioneering) may enter city-owned property no earlier than 12:00 p.m. of the day before the election day, and shall remove all signage, literature or materials no later than one day after election day. This section applies to general elections, special elections, and run-off elections. (Amended Ord. 2022-17-O, passed 9-29-2022)

(J) Electioneering will occur in the designated areas only. Spots will be allocated for each local candidate via lottery system. This will occur at the same time as the candidate draws for their spot on the ballot. These spots shall be designated for the entire voting period,

including early vote, election day, and run-off election period. (Amended Ord. 2022-17-O, passed 9-29-2022)

(K) Electioneering spots will be no larger than a standard 10x10 tent if space permits, but may be reduced to accommodate more candidates if needed.

(L) Caravans of any sort will not be allowed in any of the parking lots or streets leading up to the polling sites.

(M) To ensure compliance with this section, candidates will receive a copy of all rules and regulations and will sign for them to acknowledge such.

(Ord. 2014-08, passed 3-18-2014; Ord. 2021-18-O, passed 9-7-2021) Penalty, see § 10.99

APPROVED BY

PALMVIEW CITY COUNCIL

ON: 09-29-2022

City of Palmview Candidate Information Sheet: Political Sign Ordinances

Introduction

Welcome candidates! As you embark on your electoral journey in the City of Palmview, it's vital to familiarize yourself with our sign ordinances. This guide offers a snapshot of the key regulations to help you navigate the process responsibly and legally. Remember, this is a summary; for complete ordinance details, visit: https://codelibrary.amlegal.com/codes/palmview/latest/palmview_tx/0-0-0-7.

Definition:

A **Political Sign** is defined as any temporary signage exclusively designed to convey information about a forthcoming political issue, election, campaign, or a public concern significant to the community at large.

Timeframe: Signs can be placed 60 days before and must be removed within 15 days after the election.

Zoning District Variations and Sign Ordinances:

- **§ 153.035:** Agricultural Open-Interim and Permanent Districts.
- **§ 153.036:** Residential Districts.
- **§ 153.037:** Neighborhood Commercial District and Office Building District.
- **§ 153.038:** General Business, Heavy Commercial, and Industrial Districts.
- **§ 153.039:** Expressway Corridor and Secondary Arterial Corridor Districts.
- **§ 153.040:** Public Zone District.

Note: Each district has specific rules regarding political signs.

Property Owner Permissions and Legal Implications (§ 153.059 & § 153.999):

- **Consent Requirement:** Secure explicit permission from property owners before placing any political signs.
- **Legal Responsibility:** Non-compliance can lead to legal actions against property owners, including fines and misdemeanor charges.

Respecting Property and Community

- Always seek permission before placing signs to avoid legal implications for property owners.
- Timely removal of signs post-election is crucial to maintain community aesthetics and compliance. Timely removal of signs is not just a legal obligation but a gesture of respect to our community and its residents.

Further Information

- Visit the City of Palmview's official https://codelibrary.amlegal.com/codes/palmview/latest/palmview_tx/0-0-0-7 for detailed information.
- For any queries or clarification, contact the City's Secretary's Office at 956-432-0324.

Closing Note

Your participation in the democratic process is highly valued. Adhering to these guidelines not only ensures legal compliance but also demonstrates your commitment to maintaining the integrity and aesthetics of our community. As future leaders, your mindfulness in these matters sets a positive example for our citizens.

CHAPTER 153: SIGNS

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GENERAL PROVISIONS

§ 153.001 DEFINITIONS.

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

ADVERTISING SIGN. A sign which identifies or promotes any product, commodity or service.

AGRICULTURAL SIGN. A sign which identifies the farm or ranch on which it is placed and advertising the products, crops, animals or poultry raised or quartered thereon.

ANIMATED SIGN. A sign with action or motion, flashing color ranges requiring electrical energy, automatic electronically controlled copy changes, electronic or manufactured sources of supply, but not including wind actuated elements such as flags, banners or special items.

AUTHORIZED AGENT. An architect, builder, developer, engineer or other person empowered to act on behalf of other persons, entity or business operation.

BOARD. The city's Zoning Board of Adjustments.

DISTRICT. A zoning district within Palmview's city limits.

DRIVEWAY AND STREET INTERSECTION RADIUS. A 30-inch by 30-inch triangular shaped area on each side of such driveway or street intersection measured as described in these regulations.

EXPRESSWAY CORRIDOR. The commercially or industrially zoned areas along or within 600 feet north and south of U.S. Expressway Highway 83 within the city's corporate limits.

EXTRATERRITORIAL JURISDICTION (ETJ). The area extending beyond the corporate limits of the city to the extent prescribed in Tex. Local Government Code § 212.001 or as mutually agreed with area cities via interlocal ETJ agreements.

GUTTER FLOW LINE. In the absence of typical curb and gutter, the invisible lines to either side of the paved or used right-of-way of a road at which water will naturally flow parallel to such road.

HOME OCCUPATION. A commercial use customarily carried on in the home by members of the occupant, and as authorized by a conditional use permit as prescribed in Ch. 156 of this code of ordinances, and of which a one-foot by one-foot sign may be permitted when affixed to the primary structure and is permissible only during which said HOME OCCUPATION is viable; once the HOME OCCUPATION does not exist, the home occupation sign must be removed immediately.

ILLUMINATED SIGN. A sign which identifies a school, church, hospital or similar publicly-owned building.

NON-CONFORMING SIGN. Any sign which does not conform to the regulations of this chapter.

OFF-PREMISES SIGN. A sign, including the supporting sign structure, which directs the attention of the general public to a business, service or activity not conducted or a product not offered or sold upon the premises where such sign is located.

ON-PREMISES SIGN. A sign which directs the attention of the general public to a lawful use on the premises on which it is located.

PERMANENT SIGN. A sign that is securely attached to a building or premises according to the prevailing building codes.

PREMISES or SITE. Any property or combination of contiguous properties held under a single ownership.

PREVAILING BUILDING CODE. The code adopted by the City Council and being a set of rules and regulations designed to protect the public's life, health and general welfare in the built environment. It may also be interpreted as the International Building Code and related appendices that may from time to time be formally adopted by the city.

SECONDARY ARTERIAL CORRIDOR. The area along both sides of U.S. Business Highway 83 within the corporate limits of the city.

SIGN. A sign is any device designed to inform or attract the attention or persons not on the premises on which the sign is located. The following shall be deemed to be excluded from the definition of the term SIGN, as it applies to these regulations:

(1) Signs not exceeding two square feet in area and bearing only property numbers, post box numbers or names of occupants of the premises;

(2) Flags and insignia of any government, except when displayed in connection with a commercial promotion;

(3) Public signs of a public or non-commercial nature, which shall include community service information signs, public transit service signs, public utility information signs, safety signs, danger signs, trespassing signs, signs indicating scenic or historical points of interest and all signs erected by a public officer in the performance of a public duty;

(4) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights;

(5) Signs which are fully located within the interior of any building or stadium, or within an enclosed lobby or court of any building; and signs located within the inner or outer lobby, court or entrance of any theater which are intended solely for information relating to the interior operation of the building in which they are located; and

(6) Memorial plaques, grave markers, statues and other remembrances of persons or events that are non-commercial in nature.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.002 PURPOSE.

The purpose of this chapter is to permit such signs that will not, by reason or their size, location, construction or manner of display, endanger the public safety of persons, confuse, mislead or obstruct the vision necessary for traffic safety; or otherwise endanger public health, safety and morals; and to permit and regulate signs in such a way as to support and complement the land use objectives set forth in Ch. 156 of this code of ordinances.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.003 ENFORCEMENT; RIGHT OF ENTRY.

The Planning Director, or a designated representative, is hereby authorized and directed to administer and enforce all the provisions of this chapter, and shall have the right to enter any premises for inspection purposes during reasonable hours and after reasonable notice has been given in order to ensure the enforcement of this chapter. This chapter, in conjunction with the prevailing Building Code and regulations of the state's Department of Highways and Public Transportation, provides the guidelines and regulations for any and all signs constructed, erected, altered, installed, relocated or renovated within the corporate limits of the city and its extraterritorial jurisdiction.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.004 RESTRICTIONS GENERALLY.

(A) No more than two permanent signs shall be allowed on one lot, except those lots with double frontage, in which case a maximum of three permanent signs will be permitted with at least one sign on each frontage. If a multi-frontage development, another tenant sign may be permitted, but not to exceed 40 feet in height and 400 square feet per face.

(B) No site may utilize more than three different types of signs, excluding temporary and exempted signs.

(C) Signs shall not create a nuisance to the occupancy of the reasonable use of other properties as a result of the sign's size, height, brightness or movement.

(D) Signs shall be in harmony with the building, the neighborhood or other signs in the area, except when such other signs do not meet the purposes of this chapter.

(E) No sign shall be allowed within the restricted area described as follows: all of that portion of land lying within a triangular shaped corner clip area on each street corner beginning at the precise intersecting point where the two corner streets (would) intersect, and extending 30 feet along such curb line alignment; thence from one such 30-foot extension to the other, whether such land is privately owned or unpaved or untraveled street right-of-way, or along similar property of private streets. Furthermore, no sign shall be placed on public right-of-way without the prior approval of the City Council and said sign permit and accompanying fee to be reassessed in approximately one-year intervals so that the city may assess any evolving land use conditions which may require the sign to be removed and/or relocated. In considering approval or not to have a sign in public right-of-way, the city may consider the intent and/or message of the community service sign, its size, location, height, aesthetics and other similar features including liability and maintenance aspects. If approved, the sign shall be subject to removal, at the expense of the owner, upon a 30-day written notice to have said sign removed. Also, if such private sign is approved on public right-of-way, the owner shall sign and record a hold harmless agreement to be recorded in the office of the County Clerk. The application fee to consider such a sign shall be \$50 and, if approved, a permit fee of \$100 will be imposed prior to permit issuance.

(F) Searchlights may be allowed only on a temporary basis, but shall be operated to not create a traffic hazard or risk traffic safety.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.005 APPEALS.

(A) Any person contesting any disapproval, interpretation and/or application of any rule, standard, regulation, determination, requirement or necessity set forth in this chapter shall have the right to appeal the decision of the Planning Director to the Zoning Board of Adjustments (ZBA), as established in Ch. 156 of this code of ordinances, and which will use

their public hearing procedures to consider such requests. The fees for such appeals, waivers and variances shall be the same as for any zoning variance issue.

(B) The ZBA shall have the delegated jurisdiction to grant special variance from the provisions of this chapter where it is found, upon presentation of adequate proof that compliance with any provisions of this chapter will result in an arbitrary and unreasonable taking of property or in the practical closing or elimination of any lawful business, or a substantial financial hardship or inequity in any case without sufficient corresponding benefit or advantage of the city and its citizens in terms of accomplishing the purposes of this chapter.

(C) The ZBA may permit such modification of the requirements of this chapter as may be found necessary to avoid inconvenience arising because of the location of existing structures or of topography. The ZBA may request, with the approval of the City Manager's office, the attendance of the City Attorney to any case brought before it where, in the opinion of the Planning Director and the ZBA Chairperson, there will be a beneficial need of his or her presence and legal guidance.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.006 INTERPRETATION; INTENT.

The provisions of this chapter, or any amendments thereto, are minimum requirements for the promotion of the public safe, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this chapter to interfere with or abrogate or annul any easements, covenants or other agreements between parties, or any statute, local ordinance or regulations; except that, if this chapter or any amendment thereto imposes a greater restriction, or higher standard, this chapter or any amendment thereto shall control.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.007 POSTING ON POLES.

It shall be unlawful for any person, agency or entity, either private or public, to leave or place upon trees or fences, street signs or on/in any public right-of-way or city property or against any telephone or electric light pole within the city any advertisement, ribbons and/or balloons or similar items regardless of the message affixed to such signage.

(Ord. 2016-07A, passed 8-9-2016) Penalty, see § 153.999

§ 153.008 CONFLICTING PROVISIONS.

(A) Whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

(B) Should any regulation, phrase, provision or section be in conflict with any existing regulation or requirement, be it in ordinance format or Building Code format, the more stringent provision shall prevail and be fully enforceable.

(Ord. 2016-07A, passed 8-9-2016)

TYPES AND CLASSIFICATIONS

§ 153.020 SIGN TYPES.

The various types of signs regulated by this chapter are hereby defined as follows.

ACCESSORY SIGN. A sign that is incidental to the effective operation of the enterprise to which it pertains, and is not intended to serve as the primary identification of the premises, and does not attract the attention of passers-by for the purpose of advertising a product or service available therein.

BANNER SIGN. Any temporary sign intended to be hung either with or without frames, characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions and symbolic flags or any institution or business shall not be considered BANNERS for the purpose of this chapter.

BENCH SIGN. An off-premises sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

BILLBOARD SIGN. Any flat surface erected on a framework or on any structure, or attached to posts and used for, or designed to be used for, the display of bills, posters or other advertising material, for the purpose of advertising a business, organization, event, person, place or thing not located on the same premises as such advertising material, with one or two parallel and directly opposite signs with their faces oriented in opposite directions.

CANOPY SIGN. A sign that is hung, affixed or suspended beneath an awning or canopy and is intended to identify a business, product or service primarily for the benefit of pedestrian traffic.

CHANGEABLE COPY SIGN. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or surface of the sign. A sign on which the only copy that changes, is an electronic or mechanical indication of, for example, time and/or temperature shall be considered the "time and temperature" portion of a sign and not a CHANGEABLE COPY being for purposes of this chapter. All CHANGEABLE COPY SIGNS must comply with the following requirements.

(1) **Brightness.** Maximum brightness shall not exceed 5,000 candelas per square meter during daylight hours and 500 candelas per square meter between dusk and dawn. The sign must have an automatic dimmer control to properly adjust between one-half hour

before sunset and one-half hour after sunrise. Users must submit documentation of this capability and compliance.

(2) Colors. No changeable copy sign may be of such intensity or brilliance as to interfere with the effectiveness of an official traffic sign, device or signal. Such signs shall not produce glare or other lighting nuisance.

(3) Static intervals. Every message or picture display must remain static for a minimum of ten seconds and must accomplish a change in display within two seconds or less.

CONSTRUCTION SIGN. Any temporary sign giving the name of architects, engineers, builders, contractors, lending institutions and the like responsible for construction on the site where the sign is placed, together with other information included thereon.

DIRECTORY SIGN. A sign on which the names and location of occupants or the use of a building is given such as an office building, church and shopping malls.

GROUND AND/OR TENANT SIGN. Any sign which is supported by structures or supports in or upon the ground and independent of support from any building, for the purpose of directing attention to the general public to a lawful use of the premises on which it is located. A TENANT SIGN shall be required on a series of two or more commercial lots of the same development; it has a corner side. A second TENANT SIGN shall always require the approval of the City Council based on unforeseen, but unique circumstances that may be factored in during such consideration.

HOME OCCUPATION SIGN. Any sign that is no larger than one foot by one foot, indicating the name of the occupant and/or occupation of a customary home occupation as approved through the conditional use public hearing process. Once the home occupation is deemed terminated, the sign shall be removed immediately.

MARQUEE SIGN. Any sign attached to and made a part of a marquee. A MARQUEE is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

POLITICAL SIGN. Any temporary sign whose sole purpose is the transmittal of information concerning an upcoming political issue, election or campaign, or a public issue or potential concern to the community as a whole. The intervals between POLITICAL SIGNS shall be not less than 20 feet.

PORTABLE SIGN. A movable sign that is not attached to a permanent support or building, designed to be temporary and mobile.

REAL ESTATE SIGN. Any temporary sign which is used to offer for sale, lease or rent the property upon which the sign is placed. No permit is required if the sign has an area of 40 square feet or less.

ROOF SIGN. Any sign erected or constructed wholly upon any over the roof of any building and supported solely on the roof structure.

SNIPED SIGN. Any sign of any material whatsoever that is attached in any way to a utility pole, tree or any object located or situated on public or private property.

STREET BANNER SIGN. Any sign that may be placed over public street right-of-way. Such signs shall require the pre-approval of the City Manager's office and the Police Chief to safeguard public traffic safety.

WINDOW SIGN. Any sign affixed or attached to the interior or exterior of a window, not to exceed in size the surface of the window area.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.021 EXEMPTED SIGNS.

All signs indicated below shall not require a sign permit:

- (A) Home occupation (via approved conditional use permits);
- (B) Temporary political signs;
- (C) Temporary real estate sign;
- (D) Window signs;
- (E) Construction signs;
- (F) Signs placed on motor vehicles;
- (G) Signs directing and guiding traffic;
- (H) Yard sale signs; no such yard sale sign shall be placed on utility poles, or in such a way to be in public rights-of-way (e.g., box signs in ROWs. Once the yard sale is finished, all signs are to be immediately removed.);
- (I) Gasoline price signs;
- (J) Street banner signs hanging over a public right-of-way for a limited time with the permission from the City Manager and Police Chief; and
- (K) Any other temporary sign that the Planning Director may determine would be unreasonable to require a permit for.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.022 PROHIBITED SIGNS.

- (A) It shall be unlawful to erect or maintain any sign which is not included under the types of signs permitted in the relevant zoning district regulations of which the property is situated.

(B) Prohibited signs include the following:

(1) Any sign which resemble an official traffic sign or signal which bear the words “Stop”, “Go Slow”, “Caution”, “Danger” or similar words and which were not placed by proper governmental authority;

(2) Signs placed on trees, rocks, other natural features, utility poles;

(3) Signs that block other signs, fire escapes, exit doors and exit windows which would impede or restrict someone from exiting during an emergency;

(4) Signs which emit sound, smoke or steam;

(5) Signs erected or placed within the public right-of-way shall be immediately removed;

(6) Signs that are obsolete, damaged to an extent or more than 50% of its fair market value, that do not meet the prevailing Building Code; out of date political billboards, signs advertising defunct businesses and signs which require a sign permit, but were erected without such a permit having been issued;

(7) Signs that are not legible or in good repair, such as with broken faces, faded and/or missing letters and the like; and

(8) Signs that are not securely fixed as per the Building Code.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.023 TEMPORARY SIGNS.

(A) Temporary construction sign. These signs shall be permitted on the site of approved projects or developments. Temporary construction signs may be erected and maintained for a period of 90 days prior to commencement of construction and shall be removed by the owner within 60 days after completion of building on the site.

(B) Temporary political sign. These signs may be placed in all zoning districts, subject to any limitations in this Chapter; however, and except for polling places, such signs shall not be placed in the public right-of-way or any railroad right-of-way. Political signs shall be removed within 15 calendar days after the election is completed and decided and may not be placed before the 60th day from the date of the election of which the political sign advertises

(C) Temporary real estate sign. These signs shall be located only upon the premises for sale, lease or rent. Such signs may be erected no more than 30 days prior to construction and shall be removed within 30 days following the sale or lease of the premises upon which the sign is located.

(D) Temporary banner sign. These signs shall not exceed three feet in width and shall not require a permit. Typically, banner signs shall not be wider than three feet.

(E) Abandoned sign. Except as otherwise provided, any sign that is located on property which becomes vacant and is unoccupied for a period of three months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six consecutive months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign, owner of the premises or the Planning Director after written notice has been served via certified mail.

(F) Unsafe sign. Should any sign become unsecured or in danger of falling or otherwise be at risk of being unsafe, the owner of the sign and/or premises shall be send a written notice of such opinion providing not more than ten calendar days in which to secure the unsafe sign to a status of where it is deemed "safe" by the Building Official. The owner may also remove said sign to be in compliance. If such order is not complied within the ten-day allotted, the city shall remove such sign at the expense of the owner or lessee thereof, including filing a lien on said property.

(G) Non-conforming sign.

(1) Allowing non-conforming signs to remain in place indefinitely hampers a primary function of this chapter which is to improve the aesthetics of the overall community. For any non-conforming sign requiring removal, the city shall reimburse the owner according to the provisions of state law (HB 1330).

(2) No non-conforming sign shall be repaired or renovated where the effect of such repair or renovation shall be to enlarge or increase the structure of the non-conforming sign. For the purposes of this section, normal maintenance shall not be considered to be repair or renovation.

(H) Institutional sign. Such signs, when the institutional use is permitted outright by either zoning or, if an option in a non-public zoning district, via an approved conditional use permit, shall be entitled to one temporary sign only per site, the maximum height to be no more than 15 feet; the maximum square footage to be no more than 60 square feet; the building setback to be no less than five feet to the property lines; and the maximum number of advertising faces to be no more than two.

(Ord. 2016-07A, passed 8-9-2016)

SIGNS PERMITTED BY ZONING DISTRICTS

§ 153.035 AGRICULTURAL OPEN-INTERIM AND AGRICULTURAL OPEN PERMANENT DISTRICTS.

(A) Real estate, political, construction and/or commercial but only if the agricultural items are produced on the premises and are sold on the premises with the condition that a business permit has been legally issued for said agricultural-related business.

(B) Additional requirements are as follows.

(1) No sign shall have less than a minimum setback of five feet from any property line.

(2) No permanent sign shall have a face larger than 32 square feet.

(3) No sign shall exceed 15 feet in height.

(4) When computing the face area of an on-premises sign, the measurement thereof shall be as outlined in this chapter.

(5) This section prohibits the use of vehicles and trailers, defined as any motorized or non-motorized conveyance, as stationary mediums for displaying signs under this Chapter. It is unlawful to park, station, or leave any such vehicle or trailer on both private and public property within the jurisdiction of this section solely for the purpose of sign display. This rule applies irrespective of the vehicle's or trailer's attendance status or the duration of its parking or stationing. (6) There shall be no limit to the number of political signs allowed except that such signs are to be separated a minimum 50 feet apart to other signs to avoid visual obstructions for purposes of safety and security.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.036 RESIDENTIAL DISTRICTS.

The following signs are permitted in all residentially zoned districts as classified by the city.

(A) Temporary signs shall comply as follows.

(1) Real estate signs shall be permitted; only one per residentially subdivided site shall be permitted. If the residential site has double frontage where the two streets fronting it do not intersect, said site may have two real estate signs.

(2) Construction signs may be placed no more than 20 days prior to construction, and shall be removed within 20 days after construction is completed. The minimum setback shall be five feet, no more than 16 square feet and the height shall not exceed ten feet.

(3) Political signs shall be limited to temporary signs, and shall require each sign to be at 10 feet intervals from each other, . There is no minimum setback prescribed, the maximum size to be no more than 5 square feet and the height of all political signs in residential zones shall not be more than 4 feet. Signs may be placed on fences, but may not be placed within 15 feet of the corner of a property on the corner of an intersection to avoid obstructions to driver safety.

(4) Home occupation signs shall be permitted pursuant to the prevailing requirements of Ch. 156 of this code of ordinances that govern them; once the home occupation ceases, all signage must be immediately removed.

(5) A subdivision sign may be permitted on the wall's entrance to said subdivision subject to there being an officially recorded homeowner's association that shall be responsible for its maintenance.

(B) Off-premises signs are prohibited in all residential zones.

(C) (1) No sign shall have less than a minimum setback of five feet from any property line.

(2) No permanent sign shall have a face larger than 32 square feet.

(3) No sign shall exceed 15 feet in height.

(4) No sign or part of any sign in the residential districts shall move, flash, rotate or change its illumination. It is noted that temporary holiday decorations are permitted though.

(5) No portable signs shall be permitted in any residential zoning district.

(6) There shall be no limit to the number of political signs allowed in the residential zoning districts; except that, they be spaced at 10-foot intervals from each other to minimize visual clutter.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.037 NEIGHBORHOOD COMMERCIAL DISTRICT AND OFFICE BUILDING DISTRICT.

The following signs are permitted in the C-2 and C-1 Districts, except as classified along the city's expressway's corridor.

(A) On-premises signs. The following on-premises signs shall be limited to a combination of any two of the following permanent signs per business and/or site, unless otherwise specified:

(1) Accessory sign.

(a) Minimum setback shall be five feet from all property lines.

(b) Maximum size shall be no more than 15 square feet.

(c) Maximum height shall not be more than ten feet.

(2) Canopy signs. A canopy sign shall be limited to one permanent sign per business and shall comply with the prevailing Building Code.

(3) Changeable copy sign.

- (a) Minimum setback shall be five feet to all property lines.

- (b) Maximum size shall not be over 100 square feet.

- (c) Maximum height shall not be over 20 feet.

- (4) Directory sign.

- (a) Minimum setback shall be five feet to all property lines.

- (b) Maximum size shall not be over 40 square feet.

- (c) Maximum height shall not be over 20 feet.

- (5) Ground/tenant sign. Ground/tenant signs shall be limited to one permanent sign per site. In the case of a multi-unit building, one ground or tenant sign will be allowed per site along with a wall sign, canopy sign or roof sign for each business as permitted in this division (A)(4).

- (a) Minimum setback shall be five feet to all property lines.

- (b) Maximum size shall not be over 32 square feet.

- (c) Maximum height shall not be over 40 feet.

- (6) Subdivision sign.

- (a) Minimum setback: attached to a fence or wall at the entrance of a subdivision shall be permitted;

- (b) Maximum size: 32 square feet on each side of the entrance to the subdivision; and

- (c) Maximum height shall not be over ten feet.

- (7) Wall sign. Wall signs shall be limited to two per site, of which there shall be no more than one facing in each direction. Wall signs shall comply with the prevailing Building Code.

- (a) Minimum setback: sign shall be attached or painted on wall or fence.

- (b) Maximum size shall be no more than 32 square feet of wall or fence surface area.

- (B) Temporary signs.

- (1) Banner signs shall be limited to one temporary banner per lot and shall not exceed three feet in width. Such signs may be displayed for a period of no more than 30 consecutive days. A permit shall be required for all banner signs.

- (2) Construction sign: shall be limited to one sign per site.

- (a) Minimum setback shall be five feet to all sides.

- (b) Maximum size shall be no more than 32 square feet.

(c) Maximum height shall be no more than ten feet.

(3) Portable signs shall be permitted on an “on-premises” basis and only during the business’ grand opening date which commences from the date the city issues a business permit for such business. Portable signs shall be removed no later than 30 calendar days from the grand opening date. No portable signs shall be otherwise permitted.

(a) Minimum setback shall be five feet from property lines.

(b) Maximum size shall be no more than 32 square feet.

(c) Maximum height shall be no more than ten feet.

(4) Political sign: shall be limited to temporary signs and their placement shall be at 20-foot intervals from each other; after the results of the election, said political signs shall be removed in accordance to this Chapter.

(a) Minimum setback shall be five feet to all property lines.

(b) Maximum size shall be no more than 32 square feet.

(c) Maximum height shall be no more than ten feet.

(d) This section prohibits the use of vehicles and trailers, defined as any motorized or non-motorized conveyance, as stationary mediums for displaying signs under this Chapter. It is unlawful to park, station, or leave any such vehicle or trailer on both private and public property within the jurisdiction of this section solely for the purpose of sign display. This rule applies irrespective of the vehicle’s or trailer’s attendance status or the duration of its parking or stationing.

(5) Real estate signs shall be limited to one temporary, non-illuminated sign per site.

(a) Minimum setback shall be five feet to all lot lines.

(b) Maximum size shall be no more than 32 square feet.

(c) Maximum height shall be no more than ten feet.

(6) Street banner sign: shall be allowed on special occasion with the permission of the City Manager and the Police Chief; such signs shall in no way affect the traffic flow’s visibility.

(C) Off-premises signs. The following off-premises signs shall be limited to one per site. A person may not place a sign on any property without first obtaining written permission from the owner or the owner’s authorized agent. A bench sign shall be permitted subject to approval of the Planning Director and the City Manager’s office. Bench signs shall be allowed in C-1 and C-2 Districts only at sites along a bus route or at locations characterized by substantial pedestrian traffic. The number and spacing of such bench signs shall be determined by the city.

(D) All signs under this Section may be placed on fences, unless expressly prohibited by setback limitations, but may not be placed within 15 feet of the corner of a property on the corner of an intersection to avoid obstructions to driver safety(Ord. 2016-07A, passed 8-9-2016)

§ 153.038 GENERAL BUSINESS, HEAVY COMMERCIAL AND INDUSTRIAL DISTRICTS.

The following signs are permitted in the C-3, C-4 and I Districts, except for said zoning districts along the city's Expressway Corridor (as defined in this chapter).

(A) On-premises signs. The following on-premises signs shall be permitted, limited to a combination of any two of the following permanent signs per business site, unless otherwise specified:

(1) Accessory sign: allowed as required.

(a) Minimum setback is five feet to all property lines.

(b) Maximum size to be no more than 20 square feet.

(c) Maximum height to be no more than ten feet.

(2) Canopy sign: shall be limited to one permanent sign per business and shall comply with the prevailing Building Code.

(3) Changeable copy sign:

(a) Minimum setback shall be five feet to all property lines.

(b) Maximum size to be no more than 100 square feet

(c) Maximum height to be no more than 20 feet.

(4) Directory sign:

(a) Minimum setback shall be five feet to all property lines.

(b) Maximum size to be no more than 40 square feet.

(c) Maximum height to be no more than 20 feet.

(5) Ground or tenant sign: in the case of a multi-unit building, one ground pole or tenant sign, will be allowed per site.

(a) Minimum setback shall be five feet to all property lines.

(b) Maximum size: one square foot per every linear foot of frontage to a public street, not to exceed 200 square feet per face. In the case of a multi-unit complex, a tenant sign may not exceed 200 square feet.

(c) Maximum height: 50 feet, however, properties commercially or industrially zoned that are within 1,200 feet from the Expressway Corridor and having frontage to a state-maintained road or thoroughfare, shall have increased height consideration from 50 feet to 60 feet.

(6) Marquee sign: shall be limited to one permanent sign per site and shall comply with the prevailing Building Code. Size of marquee shall not exceed eight feet in width and 32 feet in length.

(7) Subdivision sign:

(a) Minimum setback: attached to fence or wall at the entrance of a subdivision;

(b) Maximum size shall not exceed 40 square feet on each side of the entrance to the subdivision; and

(c) Maximum height shall be no more than ten feet.

(8) Wall sign: shall be limited to four per premises, of which there shall be no more than one facing each direction. Wall signs shall comply with the prevailing Building Code.

(a) Maximum 10% of wall face, but no more than 500 square feet; any wall sign over 500 square feet, but at 10% of the wall face, shall require the prior approval of the Planning and Zoning Commission. Wall signs proposed along the Expressway Corridor and secondary arterials, but zoned C-1 and C-2 shall still only be permitted to have a maximum 64-square foot wall signs.

(b) Building setback: attached or painted to wall.

(B) Temporary signs. Temporary signs shall be limited to one temporary sign per site and shall comply with all provisions of this chapter.

(1) Banner signs: shall be limited to one temporary banner per lot and shall not exceed three feet in width. Such signs may be displayed for a period of no more than 30 consecutive calendar days. A permit shall be required for all banner signs.

(2) Construction sign: shall be limited to one temporary construction sign for each project or development and shall comply with all provisions of this chapter.

(a) Minimum setback shall be not less than five feet to property lines.

(b) Maximum size shall be no more than 40 square feet.

(c) Maximum height shall not be more than ten feet.

(3) Portable signs shall be permitted on an "on-premises" basis and only during the business grand opening date which commences from the date the city issues a business permit for such business. Portable signs shall be removed no later than 30 calendar days from the grand opening date. No portable signs shall be otherwise permitted. Portable signs existing at the time of the passage of this chapter shall be amortized and remain as is;

however, once six months elapse, such signs shall be removed from the property where it is not visible to the public.

(4) Political sign: shall be limited to temporary signs and shall be placed at no less than 20-foot intervals from each other. Such signs shall be removed from the premises in accordance with this Chapter.

(a) Minimum setback: may be placed up to the property line.

(b) Maximum size shall not exceed 32 square feet.

(c) Maximum height shall not be more than ten feet.

(d) This section prohibits the use of vehicles and trailers, defined as any motorized or non-motorized conveyance, as stationary mediums for displaying signs under this Chapter. It is unlawful to park, station, or leave any such vehicle or trailer on both private and public property within the jurisdiction of this section solely for the purpose of sign display. This rule applies irrespective of the vehicle's or trailer's attendance status or the duration of its parking or stationing.

(5) Portable sign: shall comply as follows.

(a) Minimum setback shall be five feet to all property lines.

(b) Maximum size shall not be over 32 square feet.

(c) Maximum height shall not be over ten feet.

(6) Real estate sign: shall be limited to one temporary sign per approved site. Such signs may be erected no more than 30 days prior to construction.

(a) Minimum setback shall be five feet to all property lines.

(b) Maximum size shall not be over 32 square feet.

(c) Maximum height shall not be over ten feet.

(7) Street banner sign shall be allowed on special occasions with the permission of the City Manager and the Police Chief. Such signs shall in no way affect traffic flow or visibility.

(C) Off-premises signs. The following off-premises signs shall be limited to one per site. A person may not place a sign on the property of another without first obtaining written permission from the owner or the owner's authorized agent.

(1) Bench sign. Bench signs shall be permitted subject to approval of the Planning Director and the City Manager's office which shall consider their placement, number and spacing of bench signs prior to any approval or conditional approval.

(2) Billboard sign. Off-premises billboard signs shall not be permitted in the General Business (C-3), the Heavy Commercial (C-4) or the Industrial (I) Districts, except as provided for in the Expressway Corridor and the secondary arterial corridors.

(D) All signs under this Section may be placed on fences, unless expressly prohibited by setback limitations, but may not be placed within 15 feet of the corner of a property on the corner of an intersection to avoid obstructions to driver safety

(Ord. 2016-07A, passed 8-9-2016)

§ 153.039 EXPRESSWAY CORRIDOR AND SECONDARY ARTERIAL CORRIDOR DISTRICTS.

This section specifies which signs are permitted in the city's Expressway Corridor and secondary arterials.

(A) On-premises signs. The following on-premises signs shall be permitted, limited to a combination of any two of the following permanent signs per business and/or commercially or industrially zoned site, unless otherwise specified:

(1) Accessory sign:

(a) Minimum setback shall be five feet to property lines;

(b) Maximum size shall be no more than 60 square feet;

(c) Maximum height shall be no more than 18 feet;

(d) Separation: 50 feet from any other sign or accessory sign; and

(e) Landscaping: one square foot of landscaping around the proposed accessory sign per every square foot of accessory sign's face.

(2) Canopy sign: shall be limited to one permanent sign per business and shall comply with the prevailing Building Code.

(3) Changeable copy sign:

(a) Minimum setback shall be five feet to property lines;

(b) Maximum size shall be no more than 484 square feet; and

(c) Maximum height shall not be over 60 feet.

(4) Directory sign:

(a) Minimum setback shall be five feet to property lines;

(b) Maximum size shall not be over 40 square feet; and

(c) Maximum height shall not be over 20 feet.

(5) Portable signs shall be permitted on an "on-premises" basis and only during the business' grand opening date which commences from the date the city issues a business permit for such business. Portable signs shall be removed no later than 30 calendar days from the grand opening date. No portable signs shall be otherwise permitted. Any portable

sign existing at the time of the passage of this chapter shall be amortized and remain as is; however, once six months elapse from the passage of this chapter, such signs shall be removed from the property where it is not visible to the public as alerted in writing by the city to the owners/tenants of the subject property.

(6) Ground or tenant sign: in the case of a multi-unit building, one ground or tenant sign will be allowed per site.

(a) Minimum setback shall be five feet to property lines.

(b) Maximum size shall not be over 800 square feet (maximum four faces).

(c) Maximum height shall not be over 80 feet.

(7) Marquee sign: shall be limited to one permanent sign per site and shall comply with the prevailing Building Code. Size of marquee cannot exceed eight feet in width and 32 feet in length.

(8) Roof sign: shall be limited to one permanent sign per site and shall comply with the prevailing Building Code. Size of roof sign cannot exceed four feet in height and 16 feet in length.

(9) Subdivision sign:

(a) Minimum setback: attached to fence or wall at the entrances of the subdivision;

(b) Maximum size shall not be over 40 square feet on each side of entrance(s) to the subdivision; and

(c) Maximum height shall not be over ten feet in height.

(10) Wall sign: shall be limited to four per premises, of which there shall be no more than one wall sign facing each direction. Wall signs shall comply with the prevailing Building Code.

(a) Maximum 10% of wall face, but no more than 500 square feet; any wall sign over 500 square feet, but at 10% of the wall face shall require the site plan approval by the Planning and Zoning Commission. Wall signs proposed along the Expressway Corridor and secondary arterials, but zoned C-1 and C-2 shall still only be permitted to have a maximum 64 square foot wall signs.

(b) Maximum setback: attached or painted on the structure's wall.

(B) Temporary signs. Temporary signs shall be permitted as listed in this section. Such signs shall be limited to one temporary sign per site.

(1) Banner signs: shall be limited to one temporary banner per lot and shall not exceed three feet in width. Such signs may be displayed for a period of no more than 30 consecutive days. A permit shall be required for all banner signs.

(2) Construction sign: shall be limited to one temporary construction sign for each project or development.

(a) Minimum setback shall be five feet to property lines.

(b) Maximum size shall not exceed 40 square feet.

(c) Maximum height shall not be over ten feet.

(3) Political sign: shall be limited to one temporary sign including the 20-foot interval to other signs on adjoining properties. All such political signs shall be removed in accordance to this Chapter.

(a) Minimum setback: may be anywhere within the property.

(b) Maximum size shall not exceed 32 square feet.

(c) Maximum height shall not exceed eight feet.

(d) This section prohibits the use of vehicles and trailers, defined as any motorized or non-motorized conveyance, as stationary mediums for displaying signs under this Chapter. It is unlawful to park, station, or leave any such vehicle or trailer on both private and public property within the jurisdiction of this section solely for the purpose of sign display. This rule applies irrespective of the vehicle's or trailer's attendance status or the duration of its parking or stationing.

(4) Portable signs shall comply with the following.

(a) Minimum setback shall be five feet to property lines.

(b) Maximum size shall not exceed 40 square feet.

(c) Maximum height shall not exceed ten feet.

(5) Real estate sign: shall be limited to one temporary sign per approved site. Such signs may be erected no more than 30 calendar days prior to construction and shall comply with the following.

(a) Minimum setback shall be five feet to the property lines.

(b) Maximum size shall not exceed 40 square feet.

(c) Maximum height shall not exceed ten feet.

(6) Street banner sign: shall be allowed on special occasions with the permission of the City Manager and the Police Chief. Such banner signs shall in no way affect traffic flow or obstruct visibility.

(C) Off-premises signs. The following off-premises signs shall be permitted, limited to one per site. A person may not place a sign on the property of another without first obtaining written permission from the owner or the owner's authorized agent.

(1) Bench sign. Bench signs shall be permitted subject to approval of the Planning Director and the City Manager's office. The placement, number and spacing of bench signs shall be factored in prior to any approval or conditional approval.

(2) Billboard sign - Expressway Corridor. Billboard signs shall only be permitted along the commercially or industrially zoned properties along the Expressway Corridor, and to a lesser degree, along the defined secondary arterial corridor, and no billboard, new or its replacement, shall be permitted along any other street, arterial or thoroughfare.

(a) Minimum setback shall be five feet to property lines.

(b) Maximum size shall not be over 672 square feet per face (maximum two faces).

(c) Maximum height shall not be over 80 feet.

(d) Spacing: off-premises billboards shall not be erected within 1,500 feet of any other off-premises sign, said spacing radius to also include any other off-premises sign that may be located on the opposite side of the expressway.

(e) Any billboard sign that proposed LED lights and/or electronic or motorized motion components shall first be approved by the Planning and Zoning Commission under site plan approval and then presented to the City Council for its final action. Any contractor proposing such type signs must also provide the LED details on illumination, brightness, timed intervals for rotating messages and the like.

(3) Billboard sign - Secondary Arterial Corridor. Billboard signs along the defined Secondary Arterial Corridor shall comply with the following requirements when such properties are commercially or industrially zoned.

(a) Minimum setback shall be five feet to property lines.

(b) Maximum size shall not be over 484 square feet per face (maximum two faces).

(c) Maximum height shall not be over 60 feet.

(d) Spacing: off-premises billboards shall not be erected within 1,320 feet from any other billboard sign, and shall be beyond a 1,000-foot radius of institutional uses such as a church, park or school, and located so as to not create traffic or a visual nuisance. There shall be no electronic or LED billboard signs along the secondary arterial corridor.

(D) All signs under this Section may be placed on fences, unless expressly prohibited by setback limitations, but may not be placed within 15 feet of the corner of a property on the corner of an intersection to avoid obstructions to driver safety

(Ord. 2016-07A, passed 8-9-2016)

§ 153.040 PUBLIC ZONE DISTRICT.

The following signs are permitted in the public zone districts as classified by the city.

(A) On-premises signs. The following on-premises signs shall be limited to a combination of any two of the following permanent signs per site, unless otherwise specified:

(1) Accessory sign:

- (a) Minimum setback shall be five feet to property lines;
- (b) Maximum size to be no more than 16 square feet; and
- (c) Maximum height to be no more than ten feet.

(2) Canopy sign: shall be limited to one permanent sign per entity and shall comply with the prevailing Building Code.

(3) Changeable copy sign:

- (a) Minimum setback five feet to property lines;
- (b) Maximum size to be no more than 40 square feet; and
- (c) Maximum height to be no more than 20 feet.

(4) Directory sign:

- (a) Minimum setback to be five feet to property lines;
- (b) Maximum size to be no more than 40 square feet; and
- (c) Maximum height to be no more than 20 feet.

(5) Ground/tenant sign: shall be limited to one permanent sign per site.

- (a) Minimum setback shall be five feet to property lines.
- (b) Maximum size shall be no more than 60 square feet.
- (c) Maximum height to be no more than 30 feet.

(6) Wall sign: shall be limited to two per site, of which there shall be no more than one facing in each direction. Wall signs shall comply with the prevailing Building Code.

- (a) Minimum setback: attached or painted on wall or fence.
- (b) Maximum size shall be no more than 64 square feet of wall or fence.

(B) Temporary signs. Temporary signs shall be permitted as allowed in this division (B). Such signs shall be limited to one temporary sign per site.

(1) Banner signs shall be limited to one temporary banner per lot and shall not exceed three feet in width. Such signs may be displayed for a period of no more than 30 consecutive days. A permit shall be required for all banner signs.

(2) Construction sign shall be limited to one temporary sign per site and shall comply with the following.

- (a) Minimum setback shall be five feet to property lines.
- (b) Maximum size shall not exceed 40 square feet.
- (c) Maximum height shall not exceed ten feet.

(3) Portable signs shall be permitted on an “on-premises” basis and removed no later than 30 calendar days from the date the permit is issued for its usage.

(4) Political signs shall be limited to temporary signs and, as much as possible, shall comply with 20-foot intervals between political signs, banners and the like; such political signs shall be removed in accordance to this Chapter, if additional time is needed to have the public entity make removal arrangements, then the City Manager’s office is so authorized to allow such unique extensions.

- (a) Minimum setback: anywhere on the property.
- (b) Maximum size per sign shall not exceed 32 square feet.
- (c) Maximum height shall not exceed ten feet.

(d) This section prohibits the use of vehicles and trailers, defined as any motorized or non-motorized conveyance, as stationary mediums for displaying signs under this Chapter. It is unlawful to park, station, or leave any such vehicle or trailer on both private and public property within the jurisdiction of this section solely for the purpose of sign display. This rule applies irrespective of the vehicle’s or trailer’s attendance status or the duration of its parking or stationing.

(5) Portable sign:

- (a) Minimum setback shall be five feet to property lines;
- (b) Maximum size shall not be over 40 square feet; and
- (c) Maximum height shall not be over ten feet.

(6) Real estate signs shall be limited to one temporary, non-illuminated sign per site.

- (a) Minimum setback shall be five feet to property lines.
- (b) Maximum size shall not be over 40 square feet.
- (c) Maximum height shall not be over ten feet.

(7) Street banner signs shall be allowed on special occasion with the permission of the City Manager’s office and the Police Chief’s office; such signs shall in no way affect the traffic flow or obstruct visibility.

(C) Proposals. Since not all type of signage can be realistically determined for all public properties by all public entities, as defined herein, if there is a proposal to erect a sign, either temporary or otherwise, that is not classified above, then that sign proposal shall be considered for action by the City Council after deliberation to do so by the Planning Director and the City Manager.

(D) All signs under this Section may be placed on fences, unless expressly prohibited by setback limitations, but may not be placed within 15 feet of the corner of a property on the corner of an intersection to avoid obstructions to driver safety

(Ord. 2016-07A, passed 8-9-2016)

COMPLIANCE WITH CODES AND STANDARDS

§ 153.055 COMPLIANCE.

All signs hereafter shall comply with all applicable provisions of this chapter, with the prevailing Building Code relating to structural design, and to the city's Electrical Code, and other similar construction codes as may be adopted from time to time.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.056 STRUCTURAL AND DESIGN REQUIREMENTS.

(A) Design and stress diagrams. Before a permit shall be granted, the erector of every outdoor advertising sign, with the exception of temporary signs, shall submit to the Building Official or duly authorized representative a design and stress diagram or plan containing the design and stress specifications for such sign.

(B) Wind pressure. All outdoor advertising displays shall be constructed to withstand the wind pressure as specified by the prevailing Building Code.

(C) Plastic materials. All outdoor advertising displays using plastic materials, wholly or partially, shall comply with the specifications stipulated in the prevailing Building Code.

(D) Measurements of sign area. The size of a sign shall be measured from the outside dimensions of the sign structure and frame. A sign may have one or more display faces, unless otherwise specified. For off-premises signs which are double faced, each face is considered a separate sign in computing the face area. For on-premises signs which are double faced, each face is considered a separate sign in computing the face area if each face is advertising a different business on the property. If the face area of an on-premises sign is identical on both sides, then the face area is computed by measuring one side only.

(E) Setbacks. The setbacks shall be measured from the outside frame of the sign. Setbacks are determined according to the type of sign and zoning district in which it is located. Under no circumstances shall a private sign be allowed to project into a public right-of-way.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.057 INSPECTIONS.

To ensure compliance, the Planning Director, Building Official or other duly authorized representative shall have the right to enter any premises for inspection purposes during reasonable hours.

(A) Foundation inspection. A foundation inspection is required of all permanent outdoor advertising displays constructed of block or brick or for which footings are required. Such inspections shall be made after trenches are excavated and any reinforcing steel is in place and prior to the placing of concrete. At no time shall concrete be poured without it being inspected and approved by the city.

(B) Setback inspection. A setback inspection is required of all signs, permanent and temporary. Setbacks shall be inspected at the time the foundation inspection is made for permanent signs and prior to the placing of concrete and after placement for temporary signs.

(C) Electrical inspection. An electrical inspection is required of all illuminated signs. All electrical work shall be done by a master licensed electrician. It shall be the responsibility of the electrician to call for the required inspection.

(D) Succeeding interval of inspections. Work shall not be done on any part of the sign installation beyond the point indicated in each successive inspection without first obtaining the approval of the Planning Director, Building Official or other duly authorized city official.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.058 MAINTENANCE, REPLACEMENT OR REPAIR.

(A) Maintenance. All signs for which a permit is required by this chapter, together with all their supports, braces, guys and anchors, shall be kept in good repair and, unless constructed of galvanized or non-corroding metal, shall be thoroughly painted at least once every two years. The Planning Director, Building Official or other duly authorized city official, may, after due notice is given, order the removal of any sign that is not maintained in accordance with the provisions of this chapter. Such removal shall be at the expense of the owner or lessee.

(B) Replacement or repair. When any sign or a substantial part of any sign is blown down or otherwise destroyed or taken down or removed for any purpose other than

maintenance operations or for changing the letters, symbols or other matter on the sign, it may not be re-erected, reconstructed or rebuilt, except in full conformance with the provisions and requirements of this chapter, including whether said sign is permitted or not under zoning assessment. For purposes of this provision, a sign or substantial part of a sign is considered to have been destroyed only if the cost of repairing such sign is more than 50% of the original cost of the existing sign at the same location.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.059 REMOVAL OF SIGNS ORDERED BY CITY.

(A) The Building Official, or duly authorized representative, shall cause to be removed any sign that endangers the public safety, such as an abandoned, dangerous or materially, electrically or structurally defective and/or unstable sign; or a sign for which no permit has been issued. A notice shall be prepared which shall describe the sign and specify the violation involved, and which shall state that, if the sign is not removed or the violation is not corrected within ten calendar days, the sign shall be removed in accordance with the provisions of this chapter.

(B) All notices mailed by the Planning Department under this section shall be sent by certified mail. Any time periods provided in this section shall be deemed to commence on the date of mailing the certified letter. For all other signs, the notice shall be mailed to the owner of the property on which the sign is located as shown on the last tax roll.

(C) The property owner where such sign is situated may appeal the determination of the Building Official ordering removal or compliance by filing a written notice of appeal accompanied with a completed application for a public hearing with the Zoning Board of Adjustment within 10 calendar days after the date of the mailed notice, or within 10 days after receipt of the notice if the notice was not mailed.

(D) Notwithstanding the provisions of this section, in cases of dire emergency which poses an immediate life and safety threat to the general public, the Building Official or duly authorized representative, after consulting the City Manager's office, may cause the immediate removal of a dangerous or defective sign without notice, but shall provide reasonable photographic and/or video evidence of the deemed emergency.

(Ord. 2016-07A, passed 8-9-2016)

PERMITS

§ 153.070 REQUIRED APPLICATION.

It shall be unlawful to display, erect, relocate, rebuild, reconstruct or alter any sign without first filing with the city an application for obtaining a sign permit, with the exception of temporary signs.

(A) The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or the authorized agent, or a sign contractor. Such applications shall be made in writing on forms furnished by the city and shall be signed by the applicant.

(B) The Planning Director or his or her duly authorized representative shall, within ten working days of the date of the application being fully and completely filed with all required data, either approve or deny the application or refer the application back to the applicant in any instance where insufficient information may be evident.

(Ord. 2016-07A, passed 8-9-2016) Penalty, see § 153.999

§ 153.071 PLANS.

Every application for a permit under this subchapter shall be accompanied by a plan or plans drawn to scale of the proposed sign and all existing signs maintained on the premises, and shall include:

- (A) Dimensions of the sign and/or wall it will be affixed unto;
- (B) The dimensions of the sign's supporting members;
- (C) The maximum and minimum height of the sign;
- (D) The location of the sign in relation to the face of the building including a current photograph;
- (E) The location of the sign in relation to the subject property's boundaries;
- (F) The location of any other buildings and signs on the same property;
- (G) The name, address and other contact data of the owner and/or contractor;
- (H) The street address of the proposed sign structure;
- (I) The legal description of the property where the sign is proposed to be located;
- (J) An application for any related electrical permit necessitated by the proposed sign;
- (K) A statement of valuation; and
- (L) The license numbers of the contractors who will actually be performing the proposed work.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.072 FEES.

(A) The application for a sign permit shall tender the required fee according to the following schedule:

Sign Value	Fee	Fee if Electrified
\$0 - \$2,000	\$20	\$35
\$2,001 - \$4,000	\$45	\$60
\$4,001 - \$8,000	\$70	\$90
Over \$8,000	\$80 + \$5 for each additional \$1,000 value	Add \$50

(B) Should any person actually begin any work for which a permit is required by the city without taking out a permit therefor, he or she shall pay a double permit fee pursuant to typical city policy.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.073 DEVIATION FROM TERMS.

(A) When a sign permit has been issued by the city, it shall be unlawful to change, modify, alter or otherwise deviate from the terms or conditions of such permit without prior approval. A written record of such (modified) approval shall be entered upon the original permit application and maintained in the files of the Inspections Division.

(B) Permits, once approved, cannot be transferred to another sign or property, and the sign may not be moved to another location without another permit first being filed for.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.074 TIME LIMIT FOR OBTAINING APPROVED PERMIT.

If a sign permit required by this subchapter is not obtained within 120 calendar days after the applicant has been notified, either by documented telephone call or in writing, that the plans are approved, the Planning Director shall reasonably assume that the application is withdrawn and may destroy the plans, specifications and calculations. Renewed action shall require a new plan and induce the typical application process.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.075 TIME LIMIT FOR COMPLETION.

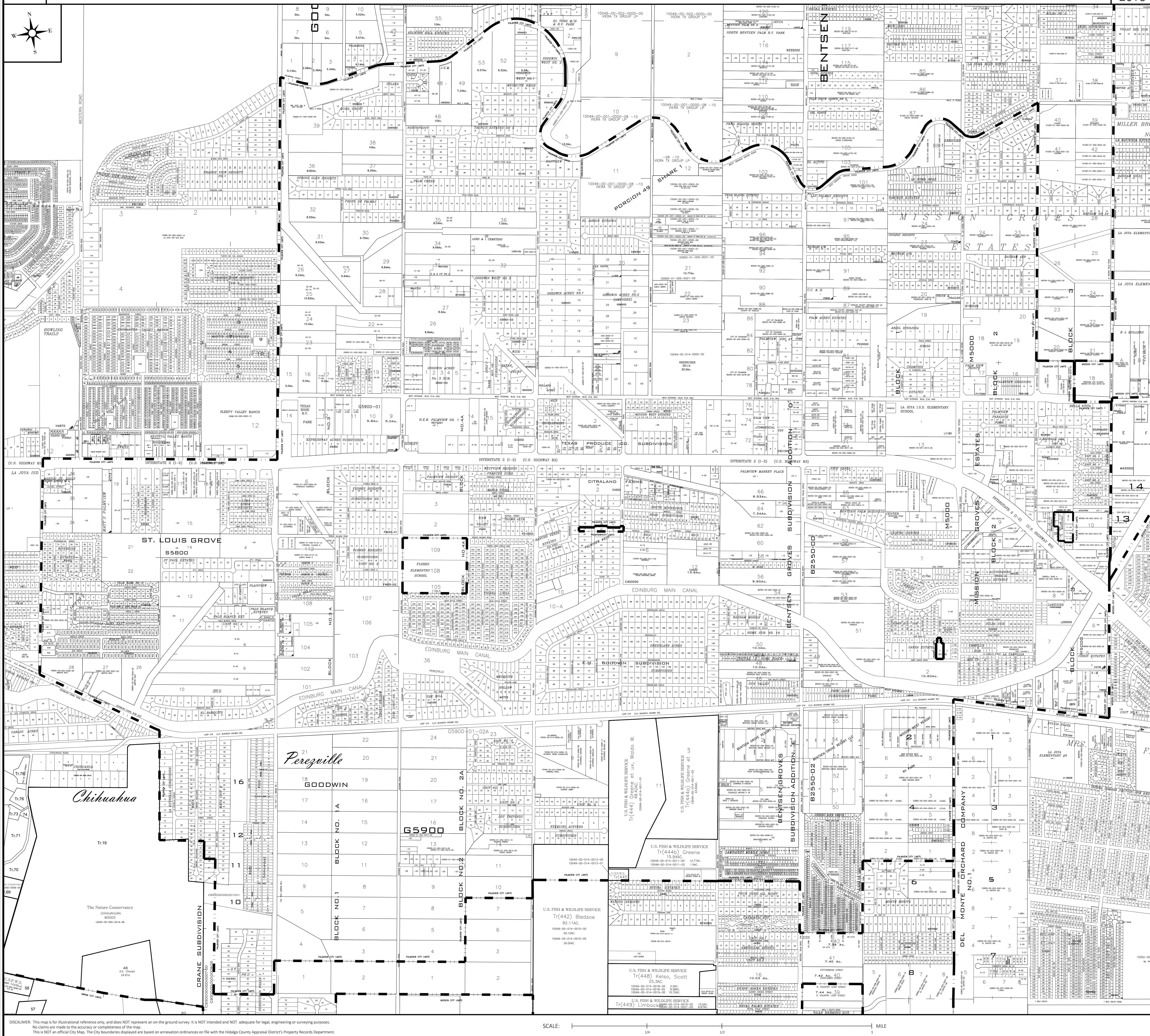
If the work authorized under a sign permit has not been commenced and/or completed within four months after the date of issuance, such permit shall become null and void, and there shall be no refund of any fee paid. If there is a justifiable reason to warrant an extension, the Planning Director may grant such extension up to an additional four months; provided that, there is a written request made prior to the expiration of the permit.

(Ord. 2016-07A, passed 8-9-2016)

§ 153.999 PENALTY.

Any property owner or tenant violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined as provided in this chapter. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violation of this chapter.

(Ord. 2016-07A, passed 8-9-2016)



DISCLAIMER: This map is for illustrative reference only, and does NOT represent an on-the-ground survey. It is NOT intended and NOT adequate for legal, engineering or surveying purposes. No claims are made to the accuracy or completeness of the map. This is NOT an official City Map. The City boundaries displayed are based on annexation ordinances on file with the Hidalgo County Appraisal District's Property Records Department.

SCALE: 1/4 1/2 1 MILE