



INFORMATION

TO: Prospective Candidates

FROM: Peggy Cimics, City Secretary

SUBJECT: November 7, 2017, General Election for City Offices

Thank You for considering becoming a candidate for the City of Cibolo's November 2017 Municipal Election. Your candidacy entails the obligation to comply with certain applicable state statutes and local ordinances. In an effort to assist you I have prepared a "Candidate's Packet" with the necessary forms and instructions.

The items summarized below provide some very basic information regarding the election process:

- **QUALIFICATION FOR CANDIDATES**

All candidates for elective office in the City of Cibolo shall meet the following qualifications as listed in Section 5.02 of the City Charter as follows:

1. Shall be at least twenty-one (21) years of age at the time of the election.
2. Shall be a registered voter.
3. Shall have resided within the corporate limits of the City of Cibolo for at least twelve (12) months prior to the filing date and shall have their primary residence within the City limits of the City of Cibolo; If running for a district must have resided in that district for at least twelve (12) months prior to the filing date and shall have their primary residence within that district.
4. No candidate may file in a single election for more than one (1) elective office or position.
5. No employee of the City shall continue in such position after filing for an elective City office.
6. The office of an incumbent elected City official shall become vacant when the person holding such office files an application to have his/her name placed on an official ballot as a candidate for any elective public office other than the one such person holds, unless otherwise prohibited by law.
7. All candidates shall comply with all other City ordinances and/or resolutions that may be applicable.

- **POSITIONS ON THE CITY OF CIBOLO NOVEMBER 2017 BALLOT**

1. Mayor
2. City Council Member, District 2
3. City Council Member, District 3
4. City Council Member, District 7

- **FILING FOR A POSITION**

Candidates must file an application for a place on the ballot with the City Secretary no earlier than 8:00 a.m., Monday, July 24, 2017, and no later than 5:00 p.m., Monday, August 21, 2017. (*The first day to file for a place on the ballot is July 22, 2017. City offices are closed on this date moving the first day to Monday, July 24, 2017*) Each application must be carefully reviewed to determine whether it complies with the Election Code requirements as to content. Please file your application as soon as practicable to allow sufficient time for this review.

- **DRAWING FOR PLACE ON THE BALLOT**

Drawing for placement on the ballot will be on **Thursday, August 24, 2017 at 4:30 p.m.** at Cibolo City Hall, 200 S. Main.

- **CAMPAIGN TREASURER**

All candidates must designate a Campaign Treasurer and file the Appointment of a Campaign Treasurer with the City Secretary. The form must be filed before any contribution is accepted or any expenditure is made. The Texas Ethics Commission generates the Form CTA and instructions; a copy is in your Council Packet. Even if a candidate does not accept contributions and/or make political expenditures, a campaign treasurer must be appointed.

- **CONTRIBUTIONS AND EXPENDITURES**

Title 15 of the Texas Election Code pertains to campaign contributions and expenditures. Financial reports must be completed by the candidate or the candidate's Campaign Treasurer (signed only by the candidate), and filed with the City Secretary by 5:00 p.m. on the appropriate due dates.

It is extremely important to adhere to the financial reporting procedures. Remember that campaign reports are public information, and the media, opponents and general public will have the opportunity to review the report.

Questions regarding reporting procedures, contributions or expenditures should be directed to the Disclosure Filing Division of the Ethics Commission at 512-463-5800. The duties of the City Secretary are **limited** to accepting and filing the various applications, affidavits and statements. Candidates should use the Texas Ethics Commission for guidance and review Title 15 at the following link: <http://ethics.state.tx.us/statutes/11title15.pdf>

- **VOTING INFORMATION**

The last day to register to vote in order to be eligible to vote in the November 2017 Election is Tuesday, October 10, 2017. Early Voting begins Monday, October 23, 2017 and ends Friday, November 3, 2017.

- **FAIR CAMPAIGN PRACTICES**

Pursuant to Chapter 258 of the Election Code, all candidates are encouraged to subscribe to the Code of Fair Campaign Practices.

- **POLITICAL ADVERTISING**

Campaign signs are expensive to purchase and time-consuming to place. Therefore, you should ensure that all City and State laws and regulations regarding political signs are followed. A copy of our sign Ordinance and a Guide to Political advertising from the Texas Ethics Commission, Chapter

255 of the Texas Election Code, and the Texas Department of Transportation regulation on outdoor advertising and political signs is included in this packet.

- **PUBLIC INFORMATION**

The application for a Place on the Ballot and all Campaign Finance forms are open to the public upon request; as, well the media often requests copies of these documents. Please note that the Application for a Place on the Ballot has two optional fields: e-mail address and telephone number. Although it is important for the City to have your contact information, you are not required to complete it on this form.

- Since, personal e-mail addresses are protected under the Texas Public Information Act, an additional Authorization to Release will need to be filed if you choose to complete the optional fields.
- If you choose not to complete the optional fields, please provide this information to the City Secretary in an alternate method.

- **IMPORTANT CONTACT & REFERENCE INFORMATION**

City Website: www.cibolotx.gov

Peggy Cimics, City Secretary: pcimics@cibolotx.gov and contact number 210-566-6111

Texas Ethics Commission – Information about Campaign Finance Forms – www.ethics.state.tx.us

Texas Secretary of State – General Election Information – www.sos.state.tx.us

Texas Election Code – State Election Statutes – www.statutes.legis.state.tx.us/

- Forms and information for the 2017 City of Cibolo General Election for City Officials are attached. Please be aware that Section 254.036 of the Election Code requires that all forms regarding financial reporting be written in black ink or typed with black typewriter ribbon unless the report is a computer printout.

The first two forms will be the documents you will need to submit when you file for office.

Candidates must file an application for a place on the ballot with the City Secretary no earlier than 8:00 a.m., Monday, July 24, 2017, and no later than 5:00 p.m., Monday, August 21, 2017.

I would like to emphasize the importance of adhering to the financial reporting procedures. Campaign reports are considered open records and will be viewed as such by reporters and opponents alike.

(1) **Application for a place on the City of Cibolo General Election Ballot.** The loyalty oath is included on this application and must be notarized. Cibolo does have several individuals that are notaries that could help you with this if you need this service.

(2) **Appointment of a Campaign Treasurer by a candidate (Form CTA),** together with **Form CTA – Instruction Guide.** The Form CTA should be filed in my office at the same time as the above application. Please note the statement that must be signed regarding the nepotism law. A summary of the nepotism law is in the CTA Instruction Guide.

- (3) Candidate/Officeholder Campaign Finance Report (Form C/OH), together with Form C/OH – Instruction Guide.
- (4) Candidate/Officeholder Report of Unexpended Contributions (Form C/OH-UC) and the Form C/OH-UC – Instruction Guide.
- (5) A copy of the Texas Ethics Commission’s Code of Fair Campaign Practices (Form CFCP and Chapter 258, Election Code).
- (6) A copy of the Texas Ethics Commission 2017 Filing Schedule.
- (7) A copy of the Texas Ethics Commission Notice to Local Filing Authorities.
- (8) A Copy of the Texas Ethics Commission’s Political Advertising, What You Need To Know.
- (9) Rules for posting campaign signs.
- (10) Election Calendar
- (11) A Copy of Amendment of Appointment of a Campaign Treasurer by a Candidate (Form ACTA and Form ACTA-Instruction Guide)

If you have any questions regarding reporting procedures, contributions, or expenditures, please call the Texas Ethics Commission at (800) 325-8506 or (512) 463-5800, or go online at www.ethics.state.tx.us.

Groups or committees that are advertising or campaigning for a candidate or for/against a specific measure or proposition on the ballot are called Specific Purpose Committees and must file specific forms (SPAC) with the City Secretary at different times throughout the year. These groups are required to appoint a campaign treasurer before accepting or expending and funds. The forms and instructions are in my office, and I will make them available to you or to your committee’s representative upon request. If you prefer, you can download the forms yourself from the Texas Ethics Commission website at www.ethics.state.tx.us.

The City Secretary’s office is open to assist you in any way we can. Your interest in municipal government is appreciated, and I trust that this will be a positive and exiting experience for you. If you have any concerns or if I can be of assistance to you please don’t hesitate to contact me at (210) 566-6111 or via email at: pcimics@cibolotx.gov. Best wishes to you!

Sincerely,

A handwritten signature in blue ink that reads "Peggy Cimics". The signature is fluid and cursive, with the first name "Peggy" and last name "Cimics" clearly distinguishable.

Peggy Cimics, TRMC
City Secretary

Table of Contents

1	Application for a Place on the City of Cibolo General Election Ballot
2	Appointment of a Campaign Treasurer by a Candidate
3	Candidate/Officeholder Campaign Finance Report
4	Candidate/Officeholder Report of Unexpended Contributions
5	Texas Ethics Commission Code of Fair Campaign Practices
6	Texas Ethics Commission 2017 Filing Schedule
7	Texas Ethics Commission Notice to Local Filing Authorities
8	Texas Ethics Commission Political Advertising
9	Rules for Posting Campaign Signs
10	Election Calendar
11	Amendment: Appointing of a Campaign Treasurer by a Candidate
12	City of Cibolo Charter



"City of Choice"

APPLICATION FOR A PLACE ON THE CITY OF CIBOLO GENERAL ELECTION BALLOT

ALL INFORMATION IS **REQUIRED** TO BE PROVIDED UNLESS INDICATED OPTIONAL

APPLICATION FOR A PLACE ON THE _____				GENERAL ELECTION BALLOT							
TO: City Secretary/Secretary of Board											
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.											
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)				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 ¹								
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe the address at which you receive personal mail and location of residence.)			PUBLIC MAILING ADDRESS (Campaign mailing address, if available.)								
CITY	STATE	ZIP	CITY	STATE	ZIP						
PUBLIC EMAIL ADDRESS (If available)		OCCUPATION (Do not leave blank)	DATE OF BIRTH / /		VOTER REGISTRATION VOID NUMBER (Optional) ²						
TELEPHONE CONTACT INFORMATION (Optional) Home: Work: Cell:		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="width: 50%; padding: 5px;">IN STATE</th><th style="width: 50%; padding: 5px;">IN TERRITORY FROM WHICH THE OFFICE SOUGHT IS ELECTED³</th></tr></thead><tbody><tr><td style="padding: 5px; text-align: center;">_____ year (s)</td><td style="padding: 5px; text-align: center;">_____ year (s)</td></tr><tr><td style="padding: 5px; text-align: center;">_____ month(s)</td><td style="padding: 5px; text-align: center;">_____ month(s)</td></tr></tbody></table>				IN STATE	IN TERRITORY FROM WHICH THE OFFICE SOUGHT IS ELECTED ³	_____ year (s)	_____ year (s)	_____ month(s)	_____ month(s)
IN STATE	IN TERRITORY FROM WHICH THE OFFICE SOUGHT IS ELECTED ³										
_____ year (s)	_____ year (s)										
_____ month(s)	_____ month(s)										
If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.											
<p>Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says:</p> <p>"I, (name) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.</p> <p>I further swear that the foregoing statements included in my application are in all things true and correct."</p> <p style="text-align: center; font-size: 2em; margin: 10px 0;">X</p> <p style="text-align: right; margin-right: 50px;">_____</p> <p style="text-align: right; margin-right: 50px;">SIGNATURE OF CANDIDATE</p>											
Sworn to and subscribed before me at _____, this the _____ day of _____, _____.											
Signature of Officer Administering Oath ⁴ _____				Title of Officer Administering Oath _____							
TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD:											
(See Section 1.007)											
Voter Registration Status Verified <input type="checkbox"/>		Date Received _____		Signature of Secretary _____							

INSTRUCTIONS

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

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

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. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

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

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

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

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

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

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

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

FOOTNOTES

¹For rules concerning the form of a candidate's name or nickname on the ballot, see Subchapter B, Chapter 52 of the 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. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

³This refers to the length of residence inside the district or territory from which the office is elected. For example, length of residence in a school district, for a school trustee office elected at large. This field **MUST BE COMPLETED**.

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.

DEBE PROPORCIONARSE LA INFORMACIÓN REQUERIDA A MENOS QUE SE INDIQUE QUE ES OPCIONAL

SOLICITUD PARA FIGURAR EN LA BOLETA DE _____ ELECCIÓN GENERAL					
A: Secretario(a) de la Ciudad/ Secretario del Consejo					
Solicito que mi nombre figure en la boleta oficial indicada más arriba como candidato/a al cargo a continuación.					
PUESTO OFICIAL SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si el cargo lo tiene.)				INDIQUE TÉRMINO <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO	
NOMBRE COMPLETO (Primer nombre, segundo nombre, apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE FIGURE EN LA BOLETA ¹		
DIRECCIÓN RESIDENCIAL PERMANENTE (No incluya una casilla postal o una ruta rural. Si usted no tiene una dirección residencial, describa el lugar en que recibe correspondencia personal y la ubicación de su residencia.)			DIRECCIÓN POSTAL PÚBLICA (Dirección en la que recibirá correspondencia relacionada a su campaña, si es disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
CORREO ELECTRÓNICO PÚBLICO (Si está disponible.)		EMPLEO (No deje este espacio en blanco.)		FECHA DE NACIMIENTO / /	VID – NÚMERO UNICO DE IDENTIFICACION DE VOTANTE (Opcional) ²
INFORMACIÓN DE CONTACTO (Opcional) Tel. residencial: Tel. laboral: Tel. celular:		DURACIÓN DE RESIDENCIA CONTINUA AL MOMENTO DE JURAMENTAR ESTA SOLICITUD			
		EN EL ESTADO ____ año(s) ____ mes(es)		EN EL TERRITORIO POR EL CUAL SERIA ELECTO/A ³ ____ año(s) ____ mes(es)	
En caso de usar un apodo como parte de su nombre en la boleta, usted también firma y jura lo siguiente: Asimismo, juro que mi apodo no constituye un lema político ni tampoco es una indicación de mis creencias o afiliaciones políticas, económicas, sociales o religiosas. Se me ha conocido por este apodo durante al menos tres años antes de esta elección.					
Ante mí, la autoridad suscrita, compareció (nombre) _____, quien frente a mí y bajo juramento debido, declara: "Yo, (nombre) _____, del condado de _____, Texas, siendo candidato para el cargo oficial de _____, juro solemnemente que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy ciudadano de los Estados Unidos elegible para ocupar tal cargo oficial bajo la Constitución y las leyes de este Estado. No se me ha condenado por un delito mayor por el cual no haya sido absuelto o por el cual no se me hayan restituido enteramente mis derechos de ciudadanía por medio de otra acción oficial. No existe un fallo final de un tribunal testamentario que me declare total o parcialmente incapacitado mentalmente sin derecho a votar. Yo tengo conocimiento de la ley sobre el nepotismo según el Capítulo 573 del Código de Gobierno. Además, juro que las declaraciones anteriores que incluyo en mi solicitud son verdaderas y correctas". <div style="text-align: center;">X _____ FIRMA DEL CANDIDATO</div>					
Jurado y suscrito ante mí en _____, este día ____ de _____.				SELLO	
Firma del oficial que administra el juramento ⁴ _____			Título del oficial que administra el juramento _____		
TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD:					
(See Section 1.007)					
Voter Registration Status Verified <input type="checkbox"/>		Date Received _____		Signature of Secretary _____	

INSTRUCCIONES

La solicitud para que el nombre de un candidato figure en la boleta para cualquier elección general no deberá registrarse antes de los treinta (30) días previos a la fecha límite para registrar la solicitud, según lo prescribe este código. Cualquier solicitud registrada antes de esa fecha se declarará inválida. Todos los campos **deben ser completados** a menos que se indique específicamente marcados como opcional.

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

Si tiene alguna pregunta sobre la solicitud, por favor póngase en contacto con la división de elecciones del Secretario de Estado al 800-252-8683.

LEY SOBRE EL NEPOTISMO

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

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

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

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

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

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

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

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

NOTAS

¹Para reglas sobre la forma del nombre de un candidato o apodo en la boleta electoral, vea el subcapítulo B, Capítulo 52 del Código Electoral de Texas.

²La inclusión del número único de identificación de votante (VUID, por sus siglas en Ingles) es opcional. Sin embargo, para muchos candidatos, es un requisito estar registrados como votantes en el territorio por el cual serían electos a partir de la fecha límite de la solicitud. Puede encontrar información adicional sobre el requisito de registro de votante en nuestra página: <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

³Esto se refiere a la duración de la residencia dentro del distrito o territorio de que se elige la oficina. Por ejemplo, la duración de residencia en un distrito escolar, para una oficina del consejero escolar elegida en general. Este campo **DEBE SER COMPLETADO**.

⁴Los juramentos, las declaraciones juradas o las afirmaciones que se efectúen dentro de este Estado podrán ser administradas por un juez, escribano o comisionado de alguna corte de registro, por un notario público, un juez de paz, un secretario de la ciudad o el Secretario de Estado de Texas, quienes cuentan con la capacidad de proporcionar un certificado del hecho.



"City of Choice"

**APPOINTMENT OF A
CAMPAIGN TREASURER BY A
CANDIDATE (Form CTA) WITH
FORM CTA INSTRUCTION
GUIDE**

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	Acct. #
		Date Received
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	
4 CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION ()	Date Hand-delivered or Postmarked
		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 (NO PO BOX PLEASE); 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 \$500 in political contributions or
make more than \$500 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

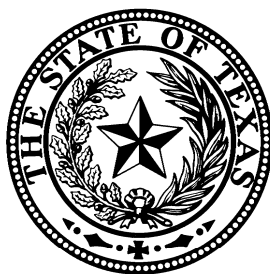
Signature of Candidate

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

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA – INSTRUCTION GUIDE



Revised July 14, 2010

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989**

Visit us at <http://www.ethics.state.tx.us> on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

FORM CTA–INSTRUCTION GUIDE

TABLE OF CONTENTS

GENERAL INSTRUCTIONS

Duties of a Candidate or Officeholder	1
Qualifications of Campaign Treasurer.....	1
Duties of a Campaign Treasurer	1
Requirement to File Before Beginning a Campaign.....	1
Where to File a Campaign Treasurer Appointment.....	2
Filing With a Different Authority	3
Forming A Political Committee.....	3
Changing a Campaign Treasurer	4
Amending a Campaign Treasurer Appointment	4
Reporting Requirement for Certain Officeholders	4
Terminating a Campaign Treasurer Appointment	4
Filing a Final Report	4
Electronic Filing	5
Guides	5

SPECIFIC INSTRUCTIONS

Page 1	5
Page 2.....	6

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 communication;
- (G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and
- (H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

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 expenditure from your personal funds. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment form with the proper filing authority.

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 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.

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 Texas Ethics Commission are required to file those reports electronically unless the person is entitled to claim an exemption. Please check the Ethics 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 Ethics Commission’s campaign finance guide. Guides are available on the Ethics 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. Please do not enter a P.O. Box.

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.

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 \$500 in political contributions or make more than \$500 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 \$500 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 (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$500 maximums apply to each election within the cycle. In other words, you are limited to \$500 in contributions and expenditures in connection with the primary, an additional \$500 in contributions and expenditures in connection with the general election, and an additional \$500 in contributions and expenditures in connection with a runoff.

EXCEEDING \$500 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$500 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 \$500 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 Ethics Commission's campaign finance guide that applies to you.



"City of Choice"

**CANDIDATE/OFFICEHOLDER
CAMPAIGN FINANCE REPORT
(Form C/OH) WITH FORM
C/OH INSTRUCTION GUIDE**

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

**FORM C/OH
COVER SHEET PG 1**

The C/OH Instruction Guide explains how to complete this form.

1 Filer ID (Ethics Commission Filers)

2 Total pages filed:

3 CANDIDATE /
OFFICEHOLDER
NAME

MS / MRS / MR FIRST MI

NICKNAME LAST SUFFIX

OFFICE USE ONLY

Date Received

4 CANDIDATE /
OFFICEHOLDER
MAILING
ADDRESS

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

☐ Change of Address

5 CANDIDATE/
OFFICEHOLDER
PHONE

AREA CODE PHONE NUMBER EXTENSION

()

Date Hand-delivered or Date Postmarked

6 CAMPAIGN
TREASURER
NAME

MS / MRS / MR FIRST MI

NICKNAME LAST SUFFIX

Receipt #

Amount \$

Date Processed

Date Imaged

7 CAMPAIGN
TREASURER
ADDRESS

(Residence or Business)

STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE

8 CAMPAIGN
TREASURER
PHONE

AREA CODE PHONE NUMBER EXTENSION

()

9 REPORT TYPE

☐ January 15

☐ 30th day before election

☐ Runoff

☐ 15th day after campaign
treasurer appointment
(Officeholder Only)

☐ July 15

☐ 8th day before election

☐ Exceeded \$500 limit

☐ Final Report (Attach C/OH - FR)

10 PERIOD
COVERED

Month Day Year

/

/

THROUGH

Month Day Year

/

/

11 ELECTION

ELECTION DATE

Month Day Year

/

/

ELECTION TYPE

☐ Primary

☐ Runoff

☐ Other
Description

☐ General

☐ Special

12 OFFICE

OFFICE HELD (if any)

13 OFFICE SOUGHT (if known)

GO TO PAGE 2

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

14 C/OH NAME

15 Filer ID (Ethics Commission Filers)

16 NOTICE FROM
POLITICAL
COMMITTEE(S)

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

COMMITTEE TYPE

COMMITTEE NAME

☐ GENERAL

☐ SPECIFIC

COMMITTEE ADDRESS

COMMITTEE CAMPAIGN TREASURER NAME

COMMITTEE CAMPAIGN TREASURER ADDRESS

☐ Additional Pages

17 CONTRIBUTION
TOTALS

1. TOTAL POLITICAL CONTRIBUTIONS OF \$50 OR LESS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS), UNLESS ITEMIZED

\$

2. **TOTAL POLITICAL CONTRIBUTIONS**
(OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)

\$

EXPENDITURE
TOTALS

3. TOTAL POLITICAL EXPENDITURES OF \$100 OR LESS,
UNLESS ITEMIZED

\$

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 AFFIDAVIT

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

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, 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

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	\$

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A1

The Instruction Guide explains how to complete this form.

1 Total pages Schedule A1:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 Date

5 Full name of contributor

☐ out-of-state PAC (ID#: _____)

7 Amount of contribution (\$)

6 Contributor address;

City; State; Zip Code

8 Principal occupation / Job title (See Instructions)

9 Employer (See Instructions)

Date

Full name of contributor

☐ out-of-state PAC (ID#: _____)

Amount of contribution (\$)

Contributor address;

City; State; Zip Code

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

Full name of contributor

☐ out-of-state PAC (ID#: _____)

Amount of contribution (\$)

Contributor address;

City; State; Zip Code

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

Full name of contributor

☐ out-of-state PAC (ID#: _____)

Amount of contribution (\$)

Contributor address;

City; State; Zip Code

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.

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

The Instruction Guide explains how to complete this form.

1 Total pages Schedule A2:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS

\$

5 Date

6 Full name of contributor ☐ out-of-state PAC (ID#: _____)

8 Amount of Contribution \$

9 In-kind contribution description

7 Contributor address; City; State; Zip Code

☐ Check if travel outside of Texas. Complete Schedule T.

10 Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)

11 Employer (FOR NON-JUDICIAL) (See Instructions)

12 Contributor's principal occupation (FOR JUDICIAL)

13 Contributor's job title (FOR JUDICIAL) (See Instructions)

14 Contributor's employer/law firm (FOR JUDICIAL)

15 Law firm of contributor's spouse (if any) (FOR JUDICIAL)

16 If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)

Date

Full name of contributor ☐ out-of-state PAC (ID#: _____)

Amount of Contribution \$

In-kind contribution description

Contributor address; City; State; Zip Code

☐ Check if travel outside of Texas. Complete Schedule T.

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule B:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 TOTAL OF UNITEMIZED PLEDGES

\$

5 Date

6 Full name of pledgor ☐ out-of-state PAC (ID#: _____)

8 Amount of Pledge \$

9 In-kind contribution description

7 Pledgor address; City; State; Zip Code

☐ 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 ☐ out-of-state PAC (ID#: _____)

Amount of Pledge \$

In-kind contribution description

Pledgor address; City; State; Zip Code

☐ Check if travel outside of Texas. Complete Schedule T.

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

Full name of pledgor ☐ out-of-state PAC (ID#: _____)

Amount of Pledge \$

In-kind contribution description

Pledgor address; City; State; Zip Code

☐ Check if travel outside of Texas. Complete Schedule T.

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date

Full name of pledgor ☐ out-of-state PAC (ID#: _____)

Amount of Pledge \$

In-kind contribution description

Pledgor address; City; State; Zip Code

☐ 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

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 ☐ 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

☐ none

15 Check if personal funds were deposited into political
account (See Instructions)

☐

16 GUARANTOR
INFORMATION

17 Name of guarantor

19 Amount Guaranteed (\$)

18 Guarantor address; City; State; Zip Code

☐ not applicable

20 Principal Occupation (See Instructions)

21 Employer (See Instructions)

Date of loan

Name of lender ☐ 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

☐ none

Check if personal funds were deposited into political
account (See Instructions)

☐

GUARANTOR
INFORMATION

Name of guarantor

Amount Guaranteed (\$)

Guarantor address; City; State; Zip Code

☐ not applicable

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

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 <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 <div style="display: flex; justify-content: space-between;"> Candidate / Officeholder name Office sought Office held </div>	
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
	Complete <u>ONLY</u> if direct expenditure to benefit C/OH <div style="display: flex; justify-content: space-between;"> Candidate / Officeholder name Office sought Office held </div>	
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
	Complete <u>ONLY</u> if direct expenditure to benefit C/OH <div style="display: flex; justify-content: space-between;"> Candidate / Officeholder name Office sought Office held </div>	
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
	Complete <u>ONLY</u> if direct expenditure to benefit C/OH <div style="display: flex; justify-content: space-between;"> Candidate / Officeholder name Office sought Office held </div>	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

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 <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

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

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

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 <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

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 (\$)	7 Payee address; City; State; Zip Code	
<input type="checkbox"/> Reimbursement from political contributions intended		
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description <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 (\$)	Payee address; City; State; Zip Code	
<input type="checkbox"/> Reimbursement from political contributions intended		
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	(b) 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 (\$)	Payee address; City; State; Zip Code	
<input type="checkbox"/> Reimbursement from political contributions intended		
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	(b) 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

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 <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 <div style="display: flex; justify-content: space-between;"> Candidate / Officeholder name Office sought Office held </div>	
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 <div style="display: flex; justify-content: space-between;"> Candidate / Officeholder name Office sought Office held </div>	
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 <div style="display: flex; justify-content: space-between;"> Candidate / Officeholder name Office sought Office held </div>	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

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

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

☐ 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

☐ 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

☐ 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

☐ 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

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:

☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1
☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ Schedule B-SS

6 Dates of travel

7 Name of person(s) traveling

8 Departure city or name of departure location

9 Destination city or name of destination location

10 Means of transportation

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:

☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1
☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ Schedule B-SS

Dates of travel

Name of person(s) traveling

Departure city or name of departure location

Destination city or name of destination location

Means of transportation

Purpose of travel (including name of conference, seminar, or other event)

Name of Contributor / Corporation or Labor Organization / Pledgor / Payee

Contribution / Expenditure reported on:

☐ Schedule A2 ☐ Schedule B ☐ Schedule B(J) ☐ Schedule C2 ☐ Schedule D ☐ Schedule F1
☐ Schedule F2 ☐ Schedule F4 ☐ Schedule G ☐ Schedule H ☐ Schedule COH-UC ☐ Schedule B-SS

Dates of travel

Name of person(s) traveling

Departure city or name of departure location

Destination city or name of destination location

Means of transportation

Purpose of travel (including name of conference, 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

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH – INSTRUCTION GUIDE



Revised January 1, 2017

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989**

Visit us at <https://www.ethics.state.tx.us> on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

FORM C/OH – INSTRUCTION GUIDE

TABLE OF CONTENTS

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.

GENERAL INSTRUCTIONS

Electronic Filing.....	1
Filling Out the Forms.....	1
Texas Ethics Commission Guides	1
Photocopies of Forms	1
Filing Date	2

FORM C/OH: CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT

General Information.....	3
Completing the Cover Sheet	5
SCHEDULE A1: Monetary Political Contributions.....	15
SCHEDULE A2: Non-Monetary (In-Kind) Political Contributions.....	17
SCHEDULE B: Pledged Contributions	19
SCHEDULE E: Loans	22
SCHEDULE F1: Political Expenditures from Political Contributions	25
SCHEDULE F2: Unpaid Incurred Obligations	28
SCHEDULE F3: Purchase of Investments from Political Contributions	30
SCHEDULE F4: Expenditures Made by Credit Card	31
SCHEDULE G: Political Expenditures Made From Personal Funds	33
SCHEDULE H: Payment from Political Contributions to a Business of C/OH	35
SCHEDULE I: Non-Political Expenditures Made From Political Contributions.....	36
SCHEDULE K: Interest, Credits, Gains, Refunds, and Contributions Returned to Filer.....	37
SCHEDULE T: In-Kind Contribution or Political Expenditure for Travel Outside of Texas.....	38

FORM C/OH-FR: DESIGNATION OF FINAL REPORT

General Information	39
Completing the Form	40

EXAMPLES

Examples: Reporting Expenditures Made by Credit Card.....	42
Examples: Purpose of Expenditures	45
Examples: Reporting Expenditures from Personal Funds	48
Examples: Reporting Staff Reimbursements	50

GENERAL INSTRUCTIONS

These general instructions apply to all forms required to be filed under title 15, Texas Election Code.

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, you may use your own computer-generated form if it provides for disclosure of all the information required on the Commission's form and if it is *substantially identical* in paper size, color, layout, and format. A substitute form that is substantially identical to the Commission's prescribed form may 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 \$500 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 \$500 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 \$500 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 \$500 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 \$500 Limit Report: Candidates who chose to file under the modified reporting schedule but then, after the 30th day before the election, exceeded \$500 in contributions or \$500 in expenditures in connection with the election must file this Exceeded \$500 Limit report within 48 hours after exceeding the \$500 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 \$500 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 \$500 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 \$500 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.

PAGE 2

- 14. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name.
- 15. FILER ID:** See instructions for section 1.
- 16. 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.

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

Line 1- Total Political Contributions of \$50 or Less, Unless Itemized: Enter the total of all unitemized contributions (other than pledges or loans or guarantees of loans) of \$50 or less. Do not include any contributions itemized on Schedules A1 or A2. Enter a “0” if you did not receive any unitemized contributions during the period covered.

On Schedules A1 and A2, you were required to itemize political contributions that totaled more than \$50 from one person. You also had the option of itemizing contributions of \$50 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 Political Expenditures of \$100 or Less, Unless Itemized: Enter the total of all unitemized political expenditures of \$100 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 \$100 to one payee. You also had the option of itemizing expenditures totaling \$100 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 \$100 to one payee. You also had the option of itemizing incurred political expenditures totaling \$100 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 \$100 to one payee. You also had the option of itemizing political expenditures totaling \$100 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. AFFIDAVIT:** 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 affidavit.*

PAGE 3

- 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 \$50 from one person during a reporting period on this schedule. If you accepted two or more contributions from the same person, the total of which exceeds \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 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 \$500 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 \$100 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 \$500 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 \$500 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 \$500 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 \$50 from one person 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 \$50, enter each contribution separately. Although you are not required to do so, you may also report contributions from one person that do not exceed \$50 in the period on this schedule. If you do not itemize contributions of \$50 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 \$50 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 \$50 or less on this schedule, do not include it in this total.
- 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 \$50 in the aggregate from one person during the reporting period. If you received pledges totaling more than \$50 from one person during the reporting period, you must itemize all of those pledges, even if individual pledges were for \$50 or less. Although you are not required to do so, you may also itemize pledges for \$50 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 \$50 in the aggregate per person. Although you are not required to do so, you may also itemize pledges of \$50 or less on this schedule. If you itemize some pledges of \$50 or less, do not include those pledges in the total entered here. If you choose to itemize all pledges of \$50 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 \$50 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 \$50, itemize each loan separately. Although you are not required to do so, you may also itemize loans that do not exceed \$50.

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 \$50 in the aggregate per person and were not from financial institutions.

Although you are not required to do so, you may itemize loans of \$50 or less from persons other than financial institutions on this schedule. If you itemize some loans of \$50 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$50 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, et.) 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 \$500 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 \$500 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: Effective July 5, 2015, 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 \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 in the period on this schedule. If you choose not to itemize expenditures of \$100 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: For expenditures made on or after July 1, 2014, 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 \$100 on this schedule. If you incurred more than one obligation to the same payee, the total of which exceeded \$100, 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 \$100 in the period on this schedule. If you choose not to itemize incurred political obligations of \$100 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 \$100 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 \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize unpaid incurred political obligations of \$100 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 \$100 on this schedule. Although you are not required to do so, you may also report investments purchased with political contributions that do not exceed \$100 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. Effective July 5, 2015, 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 42.

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 \$100 (in the aggregate) to a single payee. If you made two or more expenditures to the same payee, the total of which exceeded \$100, 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 \$100 in the reporting period on this schedule. If you choose not to itemize political expenditures made by credit card of \$100 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 \$100 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 \$100 in the aggregate per person, unless itemized on this schedule. You are not required to itemize political expenditures made by credit card of \$100 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: Effective July 5, 2015, 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 \$100 on this schedule. If you made more than one expenditure to the same payee, the total of which exceeded \$100, enter each expenditure separately. Although you are not required to do so, you may also report expenditures to one person that do not exceed \$100 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: Effective July 5, 2015, 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 \$100, 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 \$100 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 \$100 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 account number. If you do not file with the Commission, you are not required to enter an 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 \$500 in contributions or 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.

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 \$100 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.



"City of Choice"

**CANDIDATE/OFFICEHOLDER
REPORT OF UNEXPENDED
CONTRIBUTIONS (Form C/OH-
UC) AND THE FORM C/OH-UC
INSTRUCTION GUIDE**

CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

FORM C/OH-UC
COVER SHEET PG 1

The C/OH-UC Instruction Guide explains how to complete this form.		1 Filer ID (Ethics Commission Filers)	
2 CANDIDATE / OFFICEHOLDER NAME	MS/MRS/MR FIRST MI	OFFICE USE ONLY	
	NICKNAME LAST SUFFIX		
3 CANDIDATE / OFFICEHOLDER ADDRESS <input type="checkbox"/> change of address	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Date Received	
		Date Hand-delivered or Date Postmarked	
		Receipt #	Amount \$
4 REPORT TYPE	<input type="checkbox"/> Annual <input type="checkbox"/> Final Disposition	Date Processed	
5 PERIOD COVERED	Month / Day / Year THROUGH Month / Day / Year	Date Imaged	
6 TOTALS	1. TOTAL AMOUNT OF UNEXPENDED POLITICAL CONTRIBUTIONS AS OF DECEMBER 31 OF THE PREVIOUS YEAR.	\$	
	2. TOTAL AMOUNT OF INTEREST AND OTHER INCOME EARNED ON UNEXPENDED POLITICAL CONTRIBUTIONS DURING THE PREVIOUS YEAR.	\$	

7 AFFIDAVIT

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

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, 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

C/OH REPORT OF UNEXPENDED CONTRIBUTIONS EXPENDITURES

FORM C/OH-UC**PG 2**

8 C/OH NAME		9 Filer ID (Ethics Commission Filers)
10 Date	11 Payee name 12 Payee address; City; State; Zip Code	13 Amount (\$)
14 Purpose of expenditure (See instructions regarding type of information required.) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.		15 Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date	Payee name Payee address; City; State; Zip Code	Amount (\$)
Purpose of expenditure (See instructions regarding type of information required.) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date	Payee name Payee address; City; State; Zip Code	Amount (\$)
Purpose of expenditure (See instructions regarding type of information required.) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date	Payee name Payee address; City; State; Zip Code	Amount (\$)
Purpose of expenditure (See instructions regarding type of information required.) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date	Payee name Payee address; City; State; Zip Code	Amount (\$)
Purpose of expenditure (See instructions regarding type of information required.) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.		Is expenditure a contribution to a candidate, officeholder, or political committee? <input type="checkbox"/> Yes <input type="checkbox"/> No

ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

TEXAS ETHICS COMMISSION

CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

FORM C/OH-UC – INSTRUCTION GUIDE



Revised October 16, 2015

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989**

Visit us at *<https://www.ethics.state.tx.us>* on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

FORM C/OH-UC: CANDIDATE/OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS

These instructions are for candidates and officeholders using FORM C/OH-UC: CANDIDATE / OFFICEHOLDER REPORT OF UNEXPENDED CONTRIBUTIONS. Use Form C/OH-UC for filing either an annual report of unexpended contributions or a report of the final disposition of unexpended contributions.

GENERAL INSTRUCTIONS

ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS. You must file this report if one of the following descriptions applies to you:

- (1) You filed a final report as a candidate at a time when you were not an officeholder and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you filed the final report; or
- (2) You ceased to be an officeholder at a time when you did not have a campaign treasurer on file, and you had unexpended political contributions, interest, assets, or other money earned from political contributions at the time you ceased to be an officeholder.

You must file an Unexpended Contributions - Annual report not earlier than January 1 and not later than January 15 of the year after each year in which you maintained unexpended contributions or assets. You must complete Form C/OH-UC and designate the report as an annual report by checking the “Annual” box.

You must continue to file Unexpended Contributions - Annual reports until you have disposed of all your unexpended contributions or assets. Once you have disposed of all your contributions or assets, you must file an Unexpended Contributions - Final report.

You may not retain unexpended contributions or assets longer than six years after the date you filed your final report or ceased being an officeholder, as applicable. If you still maintain unexpended assets at the end of the six-year period, you must dispose of the assets in one of the following ways:

- (1) You may give them to the political party with which you were affiliated when your name was last on the ballot.
- (2) You may give them to a candidate or a political committee. If you do so, however, you must file a report on Form AS IF-SPAC as described below under “Extra Reporting for a Contribution to a Candidate or Political Committee.”
- (3) You may give them to the comptroller for deposit in the state treasury to be used to finance primary elections.
- (4) You may give them to one or more persons from whom you received political contributions, but the total returned to any person may not exceed the aggregate

amount accepted from that person during the last two years during which you were accepting political contributions.

- (5) You may give them to a recognized charitable organization formed for educational, religious, or scientific purposes that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986, and its subsequent amendments.
- (6) You may give them to a public or private post-secondary educational institution or an institution of higher education as defined by Section 61.003(8), Education Code, for the purpose of assisting or creating a scholarship program.

You may dispose of unexpended contributions or assets in this manner at any time during the six-year period.

EXTRA REPORTING FOR CONTRIBUTION TO CANDIDATE OR POLITICAL COMMITTEE. If you contribute unexpended contributions or assets to another candidate or political committee, you must report the contribution twice. You must include the contribution on your Annual Report and you must also report the contribution on a AS IF-SPECIFIC-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form AS IF-SPAC). You must file the AS IF-SPAC report with the filing authority with whom the candidate or political committee files reports by the date by which the candidate or political committee receiving the contribution must report the receipt of the contribution.

NOTE: If the candidate or political committee files with the Texas Ethics Commission (Commission), you will need a separate “AS IF-SPAC” filer ID to file the AS IF-SPAC report. Please contact the Commission for help in establishing an AS IF-SPAC filer ID.

FINAL DISPOSITION OF UNEXPENDED CONTRIBUTIONS REPORT. You must file a report of the final disposition of your unexpended contributions or assets. Complete Form C/OH-UC and designate the report as an “Unexpended Contributions – Final” report by checking the “Final Disposition” box. The report is due no later than the 30th day after the end of the six-year period.

SPECIFIC INSTRUCTIONS

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 (ID) 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 number. 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 number.
- 2. CANDIDATE/OFFICEHOLDER NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Your entry here should be the same as in your

APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). Enter your name in the same way wherever you see “C/OH NAME”.

- 3. CANDIDATE/OFFICEHOLDER ADDRESS:** Enter your complete mailing address. Your entry here should be the same as the address in your APPOINTMENT OF CAMPAIGN TREASURER BY A CANDIDATE (CTA). If your mailing address has changed since you last gave notice of your address, check the “Change of Address” box.

- 4. REPORT TYPE:** Check the appropriate box.

“Annual” Box: Check this box if you are filing an Unexpended Contributions - Annual report.

“Final Disposition” Box: Check this box if you are filing an Unexpended Contributions - Final report.

- 5. PERIOD COVERED:**

Annual Reports. For your first Unexpended Contributions - Annual report, the start date is the day after the day you filed your Final Report. The start date for all other Unexpended Contributions - Annual reports is January 1 of the previous year. The end date for all Unexpended Contributions - Annual reports is December 31 of the previous year.

Final Disposition Report. For an Unexpended Contributions – Final report, the start date is the day after the period covered by your most recent Unexpended Contributions - Annual report. The end date is the date you file the report.

- 6. TOTALS:** Complete this section only if you are filing an Annual Report. If you are not filing an Annual Report, go to section 7.

Line 1. Enter the total amount of unexpended political contributions and assets that you maintained as of December 31 of the previous year. (Note: Unlike other reports, you are not required to also disclose the total amount of expenditures entered in this Unexpended Contributions report. You are only required to disclose your unexpended balance as of December 31.)

Line 2. Enter the total amount of interest and other income earned on unexpended political contributions and assets during the previous year ending December 31.

- 7. AFFIDAVIT:** Complete this section only after you have completed all other appropriate 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 AFFIDAVIT.

PAGE 2

- 8. C/OH (CANDIDATE/OFFICEHOLDER) NAME:** Enter your full name as you did on Form C/OH-UC, Page 1.

9. FILER ID: If you are filing with the Commission, enter your filer ID number. If you do not file with the Commission, you are not required to enter a filer ID number.

10. DATE: Enter the date the expenditure was made.

Credit Card Expenditures: There is a special reporting rule for expenditures made by credit card. The date of a 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.*

11. PAYEE NAME: Enter the full name of the payee. If the payee is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the payee is an entity, enter the full name of the entity.

12. PAYEE ADDRESS: Enter the complete address of the payee.

13. AMOUNT: Enter the amount of the expenditure payment.

14. PURPOSE OF EXPENDITURE: Enter a brief statement or description of the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific to make the reason for the expenditure clear.

Reporting Travel Outside of Texas: The law requires detailed information regarding in-kind contributions and political expenditures for travel outside of Texas. This information should be reported on Schedule T and attached to this form. Schedule T can be found on the Commission's website at https://www.ethics.state.tx.us/forms/Schedule_T.pdf.

15. IS THE EXPENDITURE A CONTRIBUTION TO A CANDIDATE, OFFICEHOLDER, OR POLITICAL COMMITTEE? If the expenditure was a contribution to a candidate, officeholder, or political committee, check the “Yes” box. The purpose of this box is to allow you to see that you must file an additional report for this expenditure on Form AS IF-SPAC. See the “**Extra Reporting For Contribution To Candidate Or Political Committee**” section in the General Instructions for this form.

If the expenditure was not a contribution to a candidate, officeholder, or political committee, check the “No” box.



"City of Choice"

**TEXAS ETHIC'S COMMISSION
CODE OF FAIR CAMPAIGN
PRACTICES (Form CFCP and
Chapter 258, Election Code)**

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



"City of Choice"

TEXAS ETHICS COMMISSION 2017 FILING SCHEDULE



TEXAS ETHICS COMMISSION
2017 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH
ELECTIONS HELD ON UNIFORM ELECTION DATES

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2017 are May 6 and November 7.

Candidates and officeholders must file semiannual reports (due on January 17, 2017 and July 17, 2017). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file 30-day and 8-day pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2017 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2017 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

EXPLANATION OF THE FILING SCHEDULE CHART

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

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

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

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

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

<u>COLUMN I</u> DUE DATE	<u>COLUMN II</u> TYPE OF REPORT (WHO FILES)	<u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED	<u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED
Tuesday, January 17, 2017 <i>Deadline extended because of weekend and holiday.</i>	January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$500 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2016, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	December 31, 2016
Tuesday, January 17, 2017 <i>Deadline extended because of weekend and holiday.</i>	Annual report of unexpended contributions [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)	January 1, 2016, <u>or</u> the day after the date the final report was filed.	December 31, 2016

REPORTS DUE BEFORE THE MAY 6, 2017, UNIFORM ELECTION

Thursday, April 6, 2017 NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 6, 2017.	30th day before the May 6, 2017, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 6 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved with the May 6 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 6 election)	January 1, 2017, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	March 27, 2017
---	--	--	----------------

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

<u>COLUMN I</u> DUE DATE	<u>COLUMN II</u> TYPE OF REPORT (WHO FILES)	<u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED	<u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED
Friday, April 28, 2017 NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 28, 2017.	8th day before May 6, 2017, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 6 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the May 6 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the May 6 election)	March 28, 2017, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	April 26, 2017 NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 26, 2017, may be required. Please consult the Campaign Finance Guide for further information.
Monday, July 17, 2017 <i>Deadline extended because of weekend.</i>	July semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$500 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	January 1, 2017, <u>or</u> the date of campaign treasurer appointment, <u>or</u> the day after the date the last report ended.	June 30, 2017
NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period. The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.			

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

REPORTS DUE BEFORE THE NOVEMBER 7, 2017, UNIFORM ELECTION

<p>Tuesday, October 10, 2017</p> <p><i>Deadline extended because of weekend and holiday.</i></p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 10, 2017.</p>	<p>30th day before the November 7, 2017, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 7 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that are involved with the November 7 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 7 election)</p>	<p>July 1, 2017, <u>or</u></p> <p>the date of campaign treasurer appointment, <u>or</u></p> <p>the day after the date the last report ended.</p>	<p>September 28, 2017</p>
<p>Monday, October 30, 2017</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 30, 2017.</p>	<p>8th day before the November 7, 2017, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 7 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the November 7 election.</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the November 7 election)</p>	<p>September 29, 2017, <u>or</u></p> <p>the date of campaign treasurer appointment, <u>or</u></p> <p>the day after the date the last report ended.</p>	<p>October 28, 2017</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 28, 2017, may be required. Please consult the Campaign Finance Guide for further information.</p>
<p>NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period. The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.</p>			

<u>COLUMN I</u> DUE DATE	<u>COLUMN II</u> TYPE OF REPORT (WHO FILES)	<u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED	<u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED
Tuesday, January 16, 2018 <i>Deadline is extended because of holiday.</i>	January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$500 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2017, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended.	December 31, 2017
Tuesday, January 16, 2018 <i>Deadline is extended because of holiday.</i>	Annual report of unexpended contributions [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)	January 1, 2017, <i>or</i> the day after the date the final report was filed.	December 31, 2017
NOTE: A political committee must file pre-election reports if the committee is involved with the election during each pre-election reporting period. A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period. The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.			



"City of Choice"

**TEXAS ETHICS COMMISSION
NOTICE TO LOCAL FILING
AUTHORITIES**

TEXAS ETHICS COMMISSION

Mailing Address:

P.O. Box 12070, Capitol Station
Austin, Texas 78711-2070
512-463-5800



Street Address:

201 E. 14th St., 10th Floor
Austin, Texas 78701
www.ethics.state.tx.us

NOTICE TO LOCAL FILING AUTHORITIES

Below is a list of the forms, instructions, filing schedules, and other materials you should have in order to comply with your responsibilities as a filing authority for campaign finance reports under Title 15 of the Texas Election Code. All of these materials are available at www.ethics.state.tx.us/main/local.htm on the Texas Ethics Commission's website.

If you prepare filing packets for candidates and officeholders, we recommend that packet include the items that are marked with an asterisk (*). To determine if you have the most current items, refer to the forms and instructions page located at www.ethics.state.tx.us/filinginfo/localcohforms.htm on our website.

Please do not hesitate to call if you have any difficulty accessing our forms, instructions, filing schedules, or other filing materials, or if you have any questions about the campaign finance laws. We encourage you to refer your campaign finance filers to the applicable guides and instructions or to our office if they have any questions about their filing obligations.

URGENT REMINDER: It is imperative that you affix a date stamp on the first page of every campaign finance report/document that is filed with your office. A date affixed by the filer when signing the report or a notary public when witnessing the filer's signature is not considered a date stamp of the filing authority. Also, encourage individuals with reporting questions to review the form instructions guide and appropriate campaign finance guide and to call the Ethics Commission if they still have questions.

List of Forms, Instructions, and Guides

[Guide to a Local Filing Authority's Duties under the Campaign Finance Law](#)

- * [2017 Schedule for Elections Held on Uniform Election Dates](#)
- * [Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities](#)
- * [Political Advertising: What You Need to Know, Brochure](#)
- * [Fair Campaign Practices Act](#)
- * [Form CFCP - Code of Fair Campaign Practices](#)
- * [Form CTA - Appointment of a Campaign Treasurer by a Candidate](#)
- * [Form CTA – Instruction Guide](#)
- * [Form ACTA - Amended Appointment of a Campaign Treasurer by a Candidate](#)
- * [Form ACTA – Instruction Guide](#)
- * [Form C/OH - Candidate/Officeholder Campaign Finance Report](#)
- * [Form C/OH – Instruction Guide](#)

[Form STA - Appointment of a Campaign Treasurer by a Specific-Purpose Committee](#)

[Form STA – Instruction Guide](#)

[Form ASTA - Amended Appointment of a Campaign Treasurer by a Specific-Purpose Committee](#)

[Form ASTA – Instruction Guide](#)

[Form SPAC - Specific-Purpose Committee Campaign Finance Report](#)

[Form SPAC – Instruction Guide](#)

[Form C/OH-UC - Candidate/Officeholder Report of Unexpended Contributions](#)

[Form C/OH-UC – Instruction Guide](#)

[Form COR-C/OH – Correction Affidavit for Candidate/Officeholder](#)

[Form COR-PAC – Correction Affidavit for Political Committee](#)

** [Form CIS – Local Government Officer Conflicts Disclosure Statement](#)

** [Form CIQ – Conflict of Interest Questionnaire](#)

[Title 15 of the Election Code](#)

[Texas Ethics Commission Rules](#)

** As required by the Legislature, the Texas Ethics Commission adopted Forms CIS and CIQ. Please note that the Texas Ethics Commission does NOT have jurisdiction to interpret or enforce Chapter 176 of the Government Code; that responsibility rests with the local filing authority. Also, please note that these forms are filed with the local filing authority and NOT with the Texas Ethics Commission.



"City of Choice"

**TEXAS ETHICS COMMISSION
POLITICAL ADVERTISING,
"What you need to know"**

POLITICAL ADVERTISING

What You Need To Know



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

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

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

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

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

(512) 463-5800

FAX (512) 463-5777

TDD (800) 735-2989

Visit us at www.ethics.state.tx.us on the Internet.

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. Wisconsin Right to Life, Inc.*, 127 S.Ct. 2652 (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 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; and
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.)

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 Rule For Judicial Candidates, Officeholders, and Committees.

Candidates for the Supreme Court, Court of Criminal Appeals, courts of appeals, district courts, statutory county courts (county courts-at-law), and statutory probate courts are required to file a form declaring their intent to either comply with or exceed the voluntary expenditure limits of the Judicial Campaign Fairness Act. A candidate who has declared an intent to comply with the expenditure limits, as well as a specific-purpose committee supporting such a candidate, may

state the following in political advertising:

Political advertising paid for by (name of candidate or committee) in compliance with the voluntary limits of the Judicial Campaign Fairness Act.

If a candidate declares an intent to exceed the expenditure limits, however, both the candidate and any specific-purpose committee supporting the candidate must include in their political advertising the following statement:

Political advertising paid for by (name of candidate or committee), (who or which) has rejected the voluntary limits of the Judicial Campaign Fairness Act.

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 255.007 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 and with the Texas Department of Transportation at (512) 416-2901.

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**

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 officeholders may use the state seal in political advertising.



"City of Choice"

RULES FOR POSTING CAMPAIGN SIGNS



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

You Need to Know

- It is illegal to place any signs on or within the right of way. This includes posting signs on trees, telephone poles, traffic signs and other objects on the right of way.
- Campaign signs along Texas roads can be placed on private property with the owner's permission.
Signs must be made of lightweight material and be no larger than 50 square feet.
- Campaign signs may be posted as early as 90 days before an election (no earlier) and must be removed within 10 days after the election.
- Before placing a sign inside of incorporated city limits, check with the city for applicable ordinances.

Sign Removal

If you've placed your sign in the right of way or it's posing a traffic hazard, we will remove it without prior notice. All costs associated with sign removal will be paid by the sign owner.

For More Information

- [Political Advertising – Texas Ethics Commission](#)

Contact Us

For further information about the rules governing campaign signs, please call (512) 416-2901.

ORDINANCE NO. 730

**AN ORDINANCE AMENDING ORDINANCE NO. 583, ENTITLED
SIGN ORDINANCE TO PROHIBIT THE PLACEMENT OF
POLITICAL SIGNS ON CITY-OWNED PROPERTY; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, state law allows cities to prohibit the placement of political signs on public right-of-way and City-owned property; and

WHEREAS, there has been an increase in the use of political signs for various elections; and

WHEREAS, the City Council wishes to protect public rights-of-way and City-owned property from the proliferation of political signs so as not to give the impression that the City has taken a position on a particular candidate or issue.

NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO.

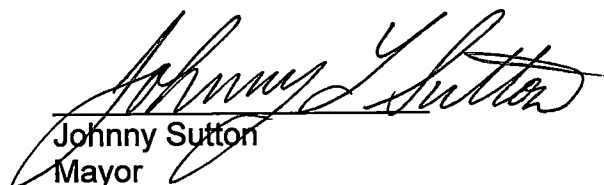
Section 1. Ordinance No. 583, *Sign Ordinance*, is hereby amended by adding the following underlined language to the last sentence of subsection (15) of Section 1. **ALLOWED SIGNS NOT NEEDING PERMITS:**

Political signs are prohibited from being placed in any public right-of-way
or on City-owned property.

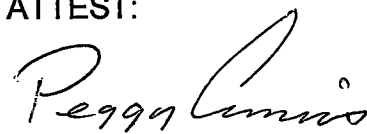
Section 2. This Ordinance shall take effect immediately on passage and the penalties and violation provision of Ordinance No. 583 shall be applicable.

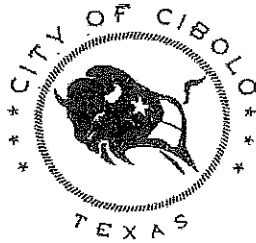
PASSED AND APPROVED, this, the 17th day of April, 2006.

APPROVED:


Johnny Sutton
Mayor
City of Cibolo

ATTEST:


Peggy Cimics
City Secretary
City of Cibolo



"City of Choice"

COPY

ORDINANCE 1188

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF CIBOLO AMENDING THE CODE OF ORDINANCES BY REPLACING CHAPTER 58 (ENTITLED "SIGNS"); PROVIDING FOR THE REGULATION, INSTALLATION, AND MAINTENANCE OF SIGNS WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION; PROVIDING A MEANS FOR VARIANCES THERETO; PROVIDING A REPEALING SECTION; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

WHEREAS, pursuant to Texas Local Government Code Chapters 216 and 211, and other provisions of state law, the Texas Constitution and the City's inherent authority as a home rule municipality, the City of Copperas Cove is authorized to regulate the time place and manner of the placement of signs within it corporate limits and extraterritorial jurisdiction; and

WHEREAS, pursuant to such authority the City Council adopted Chapter 58 of the City's Code of Ordinances to further the provision of the orderly development of land and use of property within its corporate limits and extraterritorial jurisdiction; and

WHEREAS, the City Council of the City of Cibolo desires to amend Chapter 58 to more effectively and efficiently provide for sign regulations; and

WHEREAS, the City Council finds that, with due deference to the freedom of speech protection provided by the United States Constitution, and in furtherance of the public safety, health, and general welfare it is advisable to adopt these revised regulations to, among other things, preserve the quality of life for the City of Cibolo's residents, visitors, and commercial property owners, maintain the public rights-of-way, prevent threats to public safety, prevent traffic hazards, restrict signs that unduly interfere with scenic views and constitute a public nuisance, and deter signs that are detrimental to property values; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS:

**SECTION I.
INCORPORATION**

THAT the above and foregoing premises are true and correct and are incorporated herein and made part hereof for all purposes.

COPY

**SECTION II.
AMENDMENTS**

THAT the City of Cibolo Code of Ordinances Chapter 58 (entitled "SIGNS") is hereby amended by replacing the existing language in its entirety with the language set out in Exhibit "A" attached hereto and incorporated herein for all purposes.

**SECTION III.
CUMULATIVE CLAUSE**

THAT this ordinance shall be cumulative of all provisions of the City of Cibolo, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

**SECTION V.
SEVERABILITY**

THAT it is hereby declared to be the intention of the City Council of the City of Cibolo that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION VI.
SAVINGS**

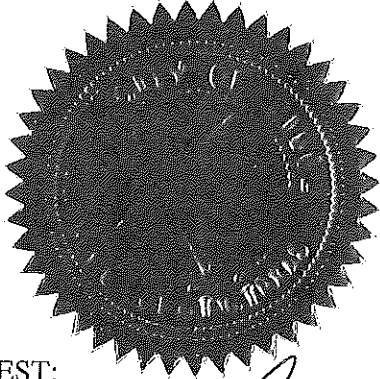
THAT all rights and privileges of the City of Cibolo are expressly saved as to any and all violations of the provisions of any Ordinances affecting land use or development, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION VII.
EFFECTIVE DATE**

THAT this Ordinance shall be effective immediately upon the passage, approval and publication as required by law.

PASSED, APPROVED, AND ADOPTED THIS 13 DAY OF December, 2018.

COPY



CITY OF CIBOLO, TEXAS

A handwritten signature in black ink, appearing to read "Allen Dunn", is written over a horizontal line.

Allen Dunn, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Peggy Cimics", is written over a horizontal line.

Peggy Cimics, City Secretary

APPROVED AS TO FORM:

DNRBH&Z P.C., City Attorney

COPY

EXHIBIT "A"
AMENDMENT TO CHAPTER 58

COPY



EXHIBIT A:

58-1. RELATION TO OTHER ORDINANCES.

This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance. This ordinance is specifically subordinate to any ordinance or regulation of the City of Cibolo pertaining to building and construction safety or to pedestrian and traffic safety.

58-2. PURPOSE.

The purpose of this Ordinance is to provide uniform sign standards and regulations in order to ensure public safety, efficient communication and promote a positive city image reflecting order, harmony, and pride, thereby strengthening the economic stability of the City of Cibolo's business, cultural, historical, and residential areas as follows:

A. Public Safety: To promote the safety of persons and property by ensuring that signs do not:

1. Create a hazard due to collapse, fire, decay, or abandonment;
2. Obstruct firefighting or police surveillance;
3. Create traffic hazards by confusing, distracting, or obstructing the view of pedestrians or vehicles; or
4. Become obstacles that hinder free passage to pedestrians, bicyclists or motorists.

B. Efficient Communications: To promote the efficient transfer of information in sign messages by ensuring:

1. Those signs which provide public safety messages and information are given priority;
2. Businesses and services may identify themselves;
3. Customers and other persons may locate businesses or services;
4. No person or group is arbitrarily denied the use of sight lines from public rights-of-way for communication purposes;
5. Persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore such messages according to the observer's purpose; and
6. These regulations are implemented and enforced in a content neutral manner.

COPY

C. Landscape Quality and Preservation: To protect the public welfare and enhance the appearance and economic value of the landscape by ensuring that signs:

1. Do not interfere with scenic views;
2. Do not create a nuisance to persons using public rights-of-way;
3. Do not create a nuisance to occupants of adjacent and contiguous property by their brightness, size, height, or movement;
4. Are not detrimental to land or property values;
5. Do not contribute to visual blight or clutter; and
6. Are architecturally compatible and harmonious with the structure to which they pertain and to neighboring structures.

58-3. GENERAL.

No person may construct, reconstruct, place, install, relocate, alter, or use a sign after the effective date of this ordinance unless such installation, construction, reconstruction, placement, relocation, alteration, or use meets all the provisions of this and all other applicable ordinances adopted by the City Council of the City of Cibolo.

58-4. JURISDICTION.

The provisions of this ordinance shall apply within the city limits and ETJ of the City of Cibolo, as defined by state law.

58-5. DEFINITIONS.

Words and phrases used in this ordinance shall have the meanings set forth in this section. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only and shall not be used in the interpretation of this ordinance. In the event of conflicting regulations or definitions thereupon, the stricter definition or regulation shall apply.

AREA -

(1) The entire sign surface within a single contiguous perimeter, excluding support structures. A sign structure with two faces back-to-back, oriented in opposite directions and separated by not more than three feet, with the same copy on both sides, shall be counted as a single sign.

(2) In cases where a sign is composed only of letters, figures, or other characters, the dimensions used to compute the area are the smallest simple imaginary figure (circle, triangle, rectangle, or other) which fully contains the sign content.

Administratively complete -- term that describes an approved Sign Permit Application submittal to the City of Cibolo. A Sign Permit Application will be deemed administratively complete, upon the submittal of the following: a truthful and fully complete application; the required fees, the site plan, elevation drawings and structural detail of work. The Application must be signed by a party authorized to make such application and the applicant's signature must be notarized.

BOARD -- Means the Sign Ordinance Board of Appeals.

BUILDING - Any structure, either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal or property of any kind, including but not limited to tents, awnings or vehicles situated on private property and used for purposes of a building.

BUILDING OFFICIAL - The person(s) employed by the City to perform the duties of the Building Permit/Inspection department.

CITY OF CIBOLO, CIBOLO, OR CITY - The City of Cibolo, Guadalupe and Bexar Counties, Texas, an incorporated municipality and its associated ETJ.

CODE ENFORCEMENT OFFICER (CEO) - The person(s) employed to enforce City codes and this ordinance.

COMMERCIAL COMPLEX - Any property such as a shopping center, office park, or industrial park, which consists of two or more establishments on a single platted

COPY

lot, or which is designed, developed, and managed as a unit, or are the members of a commercial association which contributes to the joint maintenance and promotional efforts of the center.

COMPREHENSIVE SIGN PROGRAM - A development process designed for integrated commercial, institutional and industrial developments that generally have multiple uses, multiple shared points of access, or that may be a part of large scale development.

EXTRATERRITORIAL JURISDICTION (ETJ) - As defined by Texas Local Government Code §42.021, land that is not within the corporate limits of the City of Cibolo, Texas, but land over which the City has jurisdiction by virtue of the Texas Local Government Code.

FLAG - A fabric sheet attached at one end to a pole, cable, or rope.

HARDSHIP - A condition that would result in the closing or elimination of any lawful business not created by personal difficulties of the owner.

HEIGHT/GROUND CLEARANCE - The distance from ground level to the bottom of the sign structure, exclusive of structural supports. The ground level is the lower of: (1) the existing grade prior to construction of the sign; or (2) the newly-established grade after construction, unless the curb elevation at the street in front of the sign is higher than the established ground level, in which case the height shall be measured from curb level.

HEIGHT/MAXIMUM - The distance from ground level to the top of the sign structure. The ground level is the lower of: (1) the existing grade prior to construction of the sign; or (2) the newly-established grade after construction, unless the curb elevation at the street in front of the sign is higher than the established ground level, in which case the height shall be measured from curb level.

MALL - Any concentration of retail stores and/or service establishments that share customer parking area and have common connections, common areas and connecting walkways, whereby a customer in one store or establishment may walk to another store or establishment without leaving the development.

MOVING ELEMENTS - Balloons, streamers, banners, mechanical arms, or the like.

NON-CONFORMING SIGNS - Signs which have been installed prior to the effective date of this ordinance and in use as of the effective date of this ordinance, and which do not conform to this ordinance.

NOTICE - Actual notice by personal delivery or written notice sent by registered or certified mail.

PREMISES - A lot or tract within Cibolo or its ETJ, and contiguous tracts in the same ownership, which are not divided by any public highway, street, alley, or right-of-way.

RESIDENTIAL AREA - Any property within the city limits which is zoned residential.

RESPONSIBLE PARTY - The owner of the property upon which a sign is located, the leaser of the property, and/or the owner of the sign.

SATELLITE (DISH) - A bowl-shaped antenna with which signals are transmitted to or received from a communications satellite.

SIGN (in general) - A name, identification, description, display or illustration that is affixed to or represented directly or indirectly upon a building, structure or piece of land that directs attention to an object, person, product, place, activity, institution or business.

SIGN SETBACK - The horizontal distance between a sign and the property line, as measured from the property line(s) to the closest edge(s) of the sign.

SINGLE COMMERCIAL BUILDING - A structure containing a single stationary, commercial establishment, office, business, school, church, non-profit organization, charity, or government agency.

VARIANCE - Written approval to depart from the strict application of the provisions of this ordinance.

VISIBILITY TRIANGLE - Triangle sight area would be from the corner of converging streets or roads to a distance along each street, curb, or road edge which ever extends farther from the centerline, with the triangle completed by drawing a line through the property from both ends of the street right-of-ways. For further information, see Figures 1 - 3 in Section 58-12 (On-Premise Signs).

SIGN TYPES:

ABANDONED/OBSOLETE - A sign that advertises a product, service, or business no longer available or in operation or not being maintained for a certain period of time as hereinafter described in this ordinance.

ADVERTISING - Any sign that's purpose it is to attract attention to a business, product, service, activity, or belief. To include a message(s) of a non-advertising nature.

COPY

ADVERTISING VEHICLE OR TRAILER - Any vehicle or trailer that has as its primary purpose the advertisement of products or direction of people to a business or activity, whether located on or off-premise of such business or activity. To include a message(s) of a non-advertising nature.

A-FRAME (sandwich) - An A-framed style sign for daily display or promotional purposes, which is typically, but not necessarily, foldable or collapsible and meant to be easily moved. Shall be placed out-of-doors during business hours for display and returned indoors during off hours. Must be located on the premises of the business advertised and placement cannot impede pedestrian or vehicular traffic or interfere with parking.

AUXILIARY - Provides information such as hours of operation, delivery instructions, credit cards accepted, restrictions of sale to minors, "no soliciting," or "beware of dog." References to a service, business, name, or pricing shall disqualify a sign as an auxiliary sign.

BANDIT - Sign made of any material and is tacked, nailed, posted or glued to trees, poles, stakes, fences or other objects without a permit or in the public Right-of-Way and the advertising matter appearing thereon is not applicable to the use of the premises upon which such sign is located.

BANNER - Any sign intended to be hung either with or without frames, possessing colors, characters, letters, illustrations, or ornamentation applied to paper, plastic, fabric, or netting of any kind, supported by wire, rope, webbing, or similar means or through the grommets of the sign.

BEACONS - Includes any light with a beam directed into the atmosphere or directed at a point which is not on the same property as the light source, or light with one or more beams that move.

BENCH - Any sign painted on or affixed to a bench normally used for seating, indoors or outdoors.

BILLBOARDS - Means all off-premises signs containing at least two hundred square feet face area and owned by a person, corporation or other entity that engages in the business of selling the advertising space on the sign.

CHANGEABLE ELECTRONIC VARIABLE MESSAGE (CEVMS) - a sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A

CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.

CONSTRUCTION PROJECT AND CONTRACTOR'S - A sign temporarily placed on a construction site identifying the project, and/or owner, developer contractor, architect, and may include other information regarding the project (such as remodeling signs).

CHANGEABLE COPY - A sign, or part of a sign, on which content can be changed or rearranged without altering the face or surface of the sign, including but not limited to, a theater marquee or a gasoline price sign.

DAMAGED - A sign, that is unsafe, unsecured, disfigured, or broken. Any sign that has become so deteriorated or dilapidated as to require more than minimal reconditioning to restore it to an average, normal state of repair.

DIRECTORY - A sign that indicates the name and/or address of the owner or occupant, the address of the premises, and/or identification of any legal business or occupation, that may exist at the premises.

ELECTRONIC - a sign, display or device that exhibits its message, words, letters, numbers, images, symbols, or copy by programmable, mechanical, or electronic process including, but not limited to LED electronic signs and static electronic displays.

EXPOSED OUTDOOR STRING LIGHTS - Exposed visible light bulbs on an electrical cord, typically hung on a patio area or across a ROW for decorative purposes, festivals or holidays.

FLASHING - Message boards that are electronically controlled by intermittent light impulses or alternating panels consisting of letters, words, or numerals that can either change sequentially or travel across the display area. Other than time and temperature signs, emergency signs, school zone signs, or other governmental signs.

FREESTANDING - A sign that is attached to or part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure whether portable or stationary.

GARAGE SALE - Temporary residential event signs announcing the weekend selling of items at a resident, community hall, or social gathering place.

COPY

GOVERNMENTAL - Any sign indicating public works projects, public service or other programs or activities conducted or required by any governmental subdivision. This is also considered a Community Service Sign.

HISTORIC - A sign that is an integral part of the historical character of a landmark building or historic district.

HOLIDAY - A temporary display or decoration customarily associated with any national, state, local, or religious holiday or celebration.

HOME OCCUPATION - Signs that advertise for a business that is operated in a home zoned as residential.

ILLUMINATED - Any sign illuminated in any manner by an artificial light source of any kind, either detached from the sign or a part thereof. Signs that are only incidentally and indirectly illuminated as a result of a lighting plan primarily designed as security lighting or landscape lighting are not illuminated signs.

IDEOLOGICAL - Any sign depicting personal, cultural or religious beliefs. Typical signs include school support, student honors, HOA and the like.

ILLEGAL - A sign that requires a permit and that is erected without a permit. A sign that is erected without property owner permission. A sign that is erected in a zone without meeting minimum requirements of that zone, or a sign otherwise prohibited by Section 58-7 of this Ordinance.

INDUSTRIAL PARK - Any sign used to mark the entrance to a specific Industrial Park. High or low profile permanent sign designed in such a way as to indicate the name of the specific Industrial Park and placed at or near the main entry to such Industrial Park.

INFLATABLE - A commercial or residential scale sign manufactured of plastic, cloth, canvas or other light weight material that is inflated with air, secured to the ground and does not float.

LED SIGN - A semiconductor diode that emits light when a voltage is applied to it and that is used especially in electronic devices, such as signs and related visual messaging devices.

MONUMENT SIGN - A sign which is mounted on a base at least as wide as the sign. The opening between the base and the sign must be no greater than two inches.

MOVING SIGN - Any sign or part of a sign which is animated or moves, including moving elements.

NON-CONFORMING SIGN - A nonconforming sign is a sign that is not allowed under this chapter, but which, when first constructed was allowed and continued in its legal status until the adoption of this chapter.

OFF-SITE RESIDENTIAL/NON-RESIDENTIAL EVENT SIGNS - Signs giving directions to an occasional event at another location.

ON-SITE RESIDENTIAL/NON-RESIDENTIAL EVENT SIGNS - A sign which is placed to advertise or mark the location of an occasional event on the same site.

OFF-SITE SIGN - A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

ON-SITE SIGN - Any sign the content of which relates to the premises that it is located on, referring to names, locations, products, persons, accommodations, services or activities on the premises, or the sale, lease or construction of premises.

POLE/PYLON SIGN - A self supporting freestanding sign that must adhere to the requirements of construction using durable building materials utilizing, but not limited to, masonry, stucco, painted pipe, aluminum clad piping, or other complimentary materials.

POLITICAL SIGN - Signs which by their content supports or opposes any candidate for public office or any proposition to be voted upon at an election or which makes a political or ideological statement in the nature of constitutionally protected, non-commercial free speech.

POSTER SIZE ENCLOSURE SIGN - A metal or plastic frame, with or without glass, or Plexiglas and which can be secured or locked (not to exceed three foot in width, four foot in height, and five inches in depth (3'X4'X5"), and is affixed to the outside of a building, which permits an individual to insert a paper advertisement into the enclosure for outside display and regularly change out the paper display. It is the intent of the City Council for such poster size enclosure signs to be similar to the enclosures typically and traditionally used to display movie posters outside of movie theaters.

PENNANT - A long, narrow, usually triangular flag composed primarily of cloth, paper, fabric or other similar non-rigid material that may be used to announce grand openings and/or special events. Pennants shall follow the same regulations as flags.

COPY

PROHIBITED - Any sign not allowed for specifically within this Ordinance.

REALTY - Any sign used to advertise a real estate development site, commercial or residential property, or to advertise that real estate is for sale, lease, or rent.

ROOF - A sign that is mounted on, and is wholly supported by the roof of a building and does not extend beyond the wall line.

SEARCHLIGHT (or SKYLIGHT) - Any apparatus capable of projecting a beam or beams of light. Searchlights (skylight) are prohibited in the City of Cibola and its extra-territorial jurisdiction.

SUBDIVISION - Any permanent sign used to advertise a specific subdivision.

TEMPORARY SUBDIVISION - Temporary Signs announcing the subdivision of land erected on the land being developed. Shall be removed when seventy-five(75) percent of the development lots are conveyed or a term not to exceed twenty-four (24) months, whichever comes first, unless the twenty-four (24) month term is extended by City Council.

STREAMER - A long, narrow strip of cloth, paper or ribbon used separately or with banner signs or pennant signs to announce grand openings and/or special events.

STREET BANNER - a banner suspended above a right of way.

TEMPORARY - Not permanent; signs meant to be exhibited on a limited basis as outlined in the ordinance.

TEMPORARY SUBDIVISION - Temporary Signs announcing the subdivision of land erected on the land being developed. Shall be removed when seventy-five(75) percent of the development lots are conveyed or a term not to exceed twenty-four (24) months, whichever comes first, unless the twenty-four (24) month term is extended by City Council.

TRAFFIC CONTROL - A sign for the purpose of identifying parking areas and directing the flow of traffic on private property.

TRAILER - A permanent or temporary sign affixed to a trailer. The primary purpose of said display is to attract the attention of the public to the subject matter advertised on the sign rather than to serve the customary identification purpose of said trailer.

VEHICULAR - A permanent or temporary sign affixed to a vehicle. The primary purpose of said display is to attract the attention of the public to the subject matter advertised on the sign rather than to serve the customary identification purpose of said vehicle.

VINTAGE - A sign that is representative of events or dates from a period older than forty years and is for decorative purposes only.

WALL (FAÇADE) - Any sign painted on, attached to or projecting from the wall surface of a building (whether permanent or portable), including signs on awnings and/or marquees. Sign must face a right-of-way be it public or private.

WALL PAINTED - A sign painted directly on the exterior wall of a building.

COPY

58-6. GENERAL REGULATIONS.

A. Inventory of Signs - The City of Cibola shall inventory all permanent signs within the city limits and ETJ within 90 days of the effective date of this Ordinance.

B. Identification of signs - If applicable, signs shall have the sign permit number affixed.

C. All non-conforming signs shall be allowed to remain in place after the effective date of this ordinance.

D. This section shall apply to all signs located within the city limits of the City of Cibola or its ETJ. No sign or part of a sign shall:

1. Be placed on or attached to any utility pole or pedestal, except by a utility company owning the pole or pedestal or operating facilities mounted on the pole or pedestal;

2. Be placed upon real property without the consent of the owner or agent of the property;

3. Be located in, on, or over any right-of-way, except for directional or informational signs erected by government agencies. Any such sign, other than informational signs erected by government agencies, shall constitute a nuisance;

4. Be located so that it blocks vehicle or pedestrian views and/or safe sight distances at any intersection, curve, or corner (See Section 58-12 - Site Visibility Triangle). This includes signs located on private property. Any such sign shall constitute a nuisance;

5. Imitate or resemble an official traffic-control device or railroad sign or signal; attempt to direct the movement of traffic; or hide from view or hinder the effectiveness of an official traffic-control device or railroad sign or signal. Any such sign shall constitute a nuisance;

6. Be located within a public right-of-way or be placed closer than ten (10) feet to the edge of a road surface. Exception: Monument signs that are placed in the center of a divided roadway as an island;

7. Have unreasonably bright flashing lights or other distracting features. This does not include signs with slowly changing messages such as time or temperature;

8. Be located so that it is on, or in any way obstructs, any sidewalk, walkway, or pathway used by the public for normal pedestrian access. Any such sign shall constitute a nuisance;

9. At the time of installation be located closer than specified in the National Electric Code and as may be amended from time to time; or

10. Be located within ten (10') feet of an easement with underground utilities. No signs shall be located within a ten-foot radius of any power line, pole, or crossbar or creating a hazard to vehicular or pedestrian safety.

E. In addition to the regulation within this Sign Ordinance, any homeowner should be aware of and follow any additional regulations placed on signage by his/her Home Owner Association (HOA).

58-7. PROHIBITED SIGN TYPES.

The following signs are prohibited within the City of Cibola or ETJ:

A. Abandoned/Obsolete Signs. A sign that advertises a product, service, or business no longer available or in operation or not being maintained for a period of one (1) year after the cessation of a product, service, or business at said location (or in the case of leased premises, two (2) years after the most recent tenant ceases to operate on the premises) shall be presumed abandoned. Related off-premise signs pertaining to same shall also be presumed abandoned.

If a sign is determined to be abandoned and/or obsolete under this ordinance by the Code Enforcement Officer, sign(s) shall be removed by the owner/lessee of the property. The City of Cibola may agree with the owner/lessee of the sign(s) or sign structure to remove only a portion of the sign(s) or sign structure.

B. Bandit Signs

C. Beacons, Searchlights or Skylights

D. Billboards.

E. Flashing signs.

F. Commercial Inflatable Signs.

G. Illuminated Signs (illuminated from the exterior or within). Signs that are illuminated in such a manner, to such intensity, or without shielding, so as to constitute a hazard to the operation of motor vehicles upon any public street or road or substantially interferes with the reasonable enjoyment of residential property or interferes with the effectiveness of traffic control, which shall include, but not be limited to, incandescent bulbs exceeding forty (40) watts (450 lumen) each.

Exception: Neon or similar tube type of illumination up to thirty (30) milliamps shall be permitted.

H. Moving signs.

There shall be no movement of the sign body or any segment thereof such as rotating, scrolling, moving up and down or any other type of action involving a change in position of the sign body or segment thereof, whether caused by mechanical or any other means. No flashing, blinking or rotating lights shall be permitted, nor shall the sign contain audible sound or odor.

Exception: For LED signs or other signs where the message on the sign is adjustable, each new message shown on the sign must be static, with no movement, for at least six (6) seconds before a new message is displayed on the sign face. Governments and school districts shall be permitted to install signs with a scrolling message to inform the public of upcoming public and school events (Reference Section 58-11 for additional regulations).

Exception: Residential Inflatable signs are allowed pursuant to Section 58-10, Table 1, Row L. (Holiday Signs) of this ordinance.

I. Off-Premise Signs (except as provided for within this ordinance).

J. Satellite. Any type of satellite dish that's primary use is for advertising, rather than to serve the customary purpose.

COPY

K. Trailer Sign. (See definition, Section 58-5)

L. Wall Painted Signs. (Except as provided for in Section 58-13 C)

M. Vehicular Sign. Prohibited when the vehicle is used with the intent to substitute a stationary sign instead of to be used as a vehicle or when a sign is erected in the bed of a truck or on the roof of a vehicle and intended to advertise a business, person, or event. Vehicle wrap is also prohibited.

For allowable vehicular signs reference Section 58-8.C.

N. Other Signs:

1. Painted on any roof surface or installed so that it faces contiguous residential property;
2. That are placed upon a building or structure in a manner which would disfigure, damage, or conceal any significant architectural feature or detail of the building;
3. That are brighter than necessary to permit the sign to be read from a reasonable distance. No sign shall be illuminated to such intensity or in such a manner as to cause glare or brightness to a degree that it constitutes a traffic hazard;
4. Attached, placed, painted, or otherwise erected upon any street lamppost, telephone pole, fire hydrant, bridge, public building, or any other public property (without permission) other than governmental signs.
5. That physically or visually block, any governmental entity signs, fire escapes, doors, or windows (except as provided for in Section 58-10, Table 2).
6. That are hung with less than eight (8) feet of vertical clearance above the sidewalk or less than eighteen (18) feet of vertical clearance above the street, drive, or parking area. (This applies to any part of a sign, including mounting fixtures and supporting structures, which is mounted above or projects over any sidewalk, street, drive, or parking area, whether on public or private land);

58-8. EXEMPTIONS FOR CERTAIN TYPES OF SIGNS.

The following are exempt from regulation under this ordinance:

- A.** Commemorative plaques and historical markers mounted on the face of a building or erected on a site as a free-standing monument sign when placed or approved by a governmental entity, historical society, religious organization, or other non-profit entity to commemorate a person, event, or other matter of historical interest.
- B.** Any sign installed or required to be installed by any governmental entity or public utility to give information, directions, or warnings to the general public, regardless of the sign's location, on public or private property.
- C.** Vehicular signs displayed on trucks, buses, trailers, or other vehicles which are being operated in the normal course of a business, indicating the name of the owner, business and location, (e.g. delivery trucks, service vehicles, rental trucks and trailers and the like); provided, that the primary purpose of the vehicle is not for display of signs, and provided that they are parked in areas appropriate to their use as vehicles, are normally used in the course of business and are in operable condition, carry a current and valid license plate and state inspection tag.

58-9. SIGN PERMITS.

A. Permit and fee required. Except for those signs described in Sec. 59-10, no person may construct, place, install, or relocate any sign without first obtaining a sign permit from the City of Cibolo. Each application for a sign permit must be accompanied by the appropriate fee as listed in Appendix A (Fee Schedule) of the City's Code of Ordinances.

1. Construction, reconstruction, placement, installation, or relocation of any sign shall require a permit and remittance of the appropriate fee which shall not be refundable.
2. Subdivision temporary signs, banner temporary signs, or new business temporary signs shall require remittance of the appropriate fee which shall not be refundable.
3. A permit is required for replacing a previously permitted sign (excluding billboards) with another sign that is of like content, size, location, and that is otherwise compliant with this ordinance.
4. A nonconforming billboard shall renew the previously approved billboard permit annually. The annual fee is due by January 1st of each calendar year. No fee will be assessed for routine changes of the sign face.
5. No permit will be issued for a proposed sign that will cause the aggregate of all signs on the property to exceed the square footage provided for in this ordinance.

B. Expiration of Permits. Per International Building Code Section 105.5 (as amended), every permit issued shall become invalid unless the work on the site is authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and express the justifiable cause for the requested extension.

C. Application for Sign Permit. A person proposing to erect or display a sign shall file an application for permit with the City Building Official. The application must be made on a form provided by the City of Cibolo and shall contain and have attached to it the following information:

1. Name, address, and telephone number of the applicant;
2. Name, address, telephone number, and firm of the person erecting sign;
3. If applicant is not the owner of real property where sign is proposed to be erected, must provide written consent and name, address, and telephone number of the property owner and a copy of the executed lease agreement (if applicable);
4. Location of building, structure, address, or legal lot and block to which or upon which the sign is to be attached or erected;
5. A site plan indicating position, height, and size of the proposed sign and other existing advertising structures on the property in relation to nearby buildings or structures, north arrow, and scale of drawing, property lines, curb lines, adjacent streets, alleys, curb cuts, and setback clearance zone;
6. Specifications for the construction and display of the sign;

COPY

7. Copy of stress diagrams or plans, when needed, containing information as to safety and structural integrity of sign. The City of Cibolo assumes no liability for safety and structural integrity of any sign;
8. Statement indicating whether the sign will require electricity. If so, the sign must comply with the National Electrical Code or any successor code as may be adopted and amended by the City of Cibolo;
9. Copy of permit approved by Texas Department of Transportation in Guadalupe or Bexar County, Texas or successor agencies, if state law requires a state permit;
10. Date on which the sign is to be erected or displayed;
11. Any variance that will be requested (See Section 58-17); and
12. Such other information as the City of Cibolo requests to show full compliance with this and all other standards of the City.

The City of Cibolo is not required to act upon a permit application until it is deemed by the City to be administratively complete.

D. Approval and Denial of Permit. The Building Official shall promptly review an administratively complete application upon receipt from the applicant. The Building Official shall grant or deny an administratively complete permit application within forty-five (45) days after the date that was received. The Building Official shall examine the application, plans, and specifications and may inspect the premises upon which the proposed sign shall be erected, as needed. The Building Official shall issue a permit if the proposed sign complies with the requirements of this ordinance and all other regulations of the City of Cibolo, such as building, electrical, or other similar codes adopted by the City. If the Building Official denies a permit, the Official shall state the reasons for the denial in writing and shall either mail the denial certified returned receipt request, or hand deliver the denial to the applicant.

City Council hereby designates the members of the Planning and Zoning Commission to serve as the Sign Ordinance Board of Appeals. The Board shall meet only as needed to consider an appeal of this ordinance, and may conduct such appeals concurrently with a regular or special called meeting of the Planning and Zoning Commission. Any applicant whose permit application is denied by the Building Official may appeal the denial to the Board. Such an appeal must be filed, in writing, with the Building Official within ten (10) days after receipt of the denial. At the first available public meeting, after receipt of the appeal, the Board shall review the Building Official's administrative decision to deny the permit. The appeal shall be limited to the information the appellant provided to the Building Official in the permit application. The Board shall sustain the Building Official's administrative decision unless the appellant establishes, by a preponderance of the evidence that the Building Official's administrative decision was in error.

E. Modifications. After a sign permit has been issued by the Building Codes Official, it shall be unlawful to change, modify, alter or otherwise deviate from the terms and conditions of the permit without prior written approval by the Building Code Official.

COPY

58-10. SIGNS ALLOWED WITHOUT PERMIT.

The following general purpose signs are exempt from the requirement to obtain a permit, provided that they comply with all other provisions of this and other ordinances of the City of Cibola. Signs below shall not be placed on public property including a public easement or rights-of-way. Signs shall not be backlit or illuminated unless otherwise stated below. Signs shall be allowed without a permit as follows:

Table 1: Summary of Regulations for Signs Exempt from Acquiring a Permit

<i>Type of Sign:</i>	<i>Temporary or Permanent:</i>	<i>Ground or Attached:</i>	<i>Maximum Area (in Square Feet)</i>	<i>Number of Signs (Per Property)</i>	<i>Time Limitation/Standard Exceptions</i>
A. Single/Multi-Family for sale signs	Temporary	Ground	Eight (8)	Max of two (2) for lots .25 acres or less.	For lots greater than .25 acres, two (2) additional signs will be allowable per .25 acre.
C. Non-Residential property for sale signs	Temporary	Ground	Thirty-two (32)	One (1)	Placed until sale of property
D. Residential signs; name and address	Permanent	Attached	Four (4)	One (1)	N/A
E. Contractor, engineer, and architect signs	Temporary	Ground	Residential: eight (8) Commercial: thirty-two (32)	One (1)	Sign to be removed within five (5) days after completion of project. A corner lot may have one (1) additional sign on each street front.
F. Auxiliary signs	Temporary or Permanent	Attached	Eight (8)	One (1)	N/A
G. Political/Ideological signs	Temporary	Ground	Thirty-six (36)	N/A	Signs may not be illuminated or have any moving elements. Sign shall not be more than eight (8) feet high.

COPY

Table 1: Summary of Regulations for Signs Exempt from Acquiring a Permit (Continued)

<i>Type of Sign:</i>	<i>Temporary or Permanent:</i>	<i>Ground or Attached:</i>	<i>Maximum Area (in Square Feet)</i>	<i>Number of Signs (Per Property)</i>	<i>Time Limitation/Standard Exceptions</i>
H. A-frame signs	Temporary or Permanent	Ground	Eight (8)	One (1)	Must not have more than one (1) such sign per business. Placed out-of-doors during business hours and returned indoors during off hours
I. Changeable copy sign	Permanent	Ground or attached	May not exceed sign type described in this Ordinance	One (1)	No permit is required to change the copy on a changeable copy sign, provided sign was constructed under a valid City of Cibola Permit. Sign may be backlit or illuminated.
J. Poster size enclosure signs	Temporary or Permanent	Attached	Eight (8)	Not to exceed aggregate of 48 square feet	No permit is required to change the copy on a changeable copy sign, provided sign was constructed under a valid City of Cibola Permit
K. Traffic directional signs	Permanent	Ground	Ten (10)	N/A	Timeframe on a case by case basis
L. Holiday Signs	Temporary	Ground	Per HOA standards, if applicable	Per HOA standards, if applicable	Removed after holiday or per HOA standards. May be illuminated or backlit.

Table 2: Standards for Window Signs

Window Signs that meet the following standards shall be exempt from permit requirements. Window signs that do not meet the following standards shall be prohibited unless part of an approved Sign Program.

<i>Type of Sign:</i>	<i>Temporary or Permanent:</i>	<i>Maximum Aggregate Area</i>	<i>Comments</i>
A. Temporary Promotional Signs	Temporary	Thirty percent (30%)	Sign type shall only be placed in and on windows and have a combined area not to exceed thirty (30%) percent of the area of all windows on the same wall
B. Illuminated Open Signs	Temporary or Permanent	Not to exceed 3 square feet	<ul style="list-style-type: none"> One (1) per street frontage Sign(s) shall only read "OPEN" Sign(s) shall only be located in the window of the business Sign(s) shall not blink, flash, oscillate or intermittently turn on or off

COPY**Table 3: Government and Informational Signs**

Type of Sign:	Comments
A. Historical Markers	Roadside markers indicating points of historical interest. Including the one-mile indicator signs.
B. Historical Plaques	Denoting a historical place or event approved by the Daughters of the Republic of Texas, Texas Historical Commission Conservation Society or National Society of the Preservation of Historical Sites
C. Instructional Signs	This sign type will provide no advertising of any kind. Signs shall provide direction or instruction to guide persons to facilities intended to serve public, including but not specifically limited to the signs identifying restrooms, public telephones, public walkways, public areas and other similar facilities; as approved by the Code Enforcement Department/ Building Inspector
D. Official Signs	<ul style="list-style-type: none">• Traffic control signs authorized by any government agency• Signs, notices, placards, certificates and official papers authorized or required by any statute, government agency or court• Public utility warning and underground line identification signs• Marker signs used by public utility holding franchise from the City of Cibola

Additional Sign Types

- Vintage signs which are not advertising a product or service provided by an establishment, or which only advertise a discontinued product or service that is no longer provided by an establishment, shall be allowed without a permit. Such vintage signs shall be for decoration only, be maintained in an attractive condition, and enhance the visual character of the building.

COPY

58-11. OFF-SITE SIGNS.

All off-site signs (See definition, Section 58-5) are prohibited except as provided for below:

Table #4: Summary of Regulations for Off-Site Signs:

<i>Type of Sign:</i>	<i>Temporary or Permanent:</i>	<i>Ground or Attached:</i>	<i>Maximum Area per Zoning/Use : (in Square Feet)</i>	<i>Number of Signs: (Per Property)</i>	<i>Time Limitation/Standard Exceptions:</i>
A. Political/ Ideological signs	Temporary	Ground	Thirty-six (36)	N/A	Signs shall not be illuminated or have any moving elements. Sign shall not be more than eight (8) feet high.
B. Residential/ Non-Residential Event Signs	Temporary	Ground or Attached	Residential: ten (10) Commercial: sixteen (16)	Max of two (2)	Sign to be removed within two (2) days after the event which they relate. Permit required.

Additional Standards for Residential and Non-Residential Event Signs

Event Signs may:

1. Be placed only on private property and only with the consent of the owner of the property.
2. An event sign, other than a Holiday sign/street banner sign, that promotes any particular event may not be erected more than seven (7) days prior to the event and all such signs must be removed by the responsible party not more than two (2) days after the event.
3. An event sign that promotes a weekly occurring event may be erected one (1) day prior to the event and all signs must be removed by the responsible party within one (1) day after the event.

Additional Standards for Existing Billboard Signs:

1. Existing, non-electric billboards shall not be upgraded, modified or converted to an electronic, changeable message format. See definition for Changeable electronic variable message (CEVMS) Section 58-5.
2. Relocation of any existing billboard is strictly prohibited except when required by the construction of a publicly or privately funded road improvement project. In this lone case, the applicant may request the terms and conditions of relocation/replacement per the Planning and Zoning Commission. The application shall be filed with the City Planner and conform to all requirements established in Section 58-17 (Variances) of this ordinance relating to sign permit applications. Upon submittal of a complete variance packet, the application will be reviewed at the next regularly-scheduled Planning and Zoning meeting.

COPY

58-12. ON-PREMISE SIGNS.

On-premise signs (See definition, Section 58-5) include outdoor advertising signs and devices. All signs under this Section shall comply with all guidelines that pertain to such signs set forth under other Sections of this Ordinance.

Tables #5 - 7: Sign Permitting Regulations (Single Non-Residential Building)

Wall Sign

<i>Street Typology</i>	<i>Number of Signs</i>	<i>Maximum Sign Face Area (Square Feet)</i>	<i>Maximum Number of Sign Panels</i>
Freeway	Per allowable sq. ft	100*	N/A
Major Arterial	Per allowable sq. ft	80*	N/A
All Other Streets	Per allowable sq. ft	60*	N/A

*May include additional square footage to signage of .005 times 1st floor square footage (excluding stairwells, bathrooms and food prep areas).

Pole/Pylon Sign

<i>Street Typology</i>	<i>Number of Signs</i>	<i>Maximum Total Height (feet)</i>	<i>Maximum Sign Face Area (Sq. Ft)</i>	<i>Maximum Number of Sign Panels</i>	<i>Minimum Required Setbacks</i>
Freeway	One (1)	35	140	Per allowable sq. ft	12 feet

Monument

<i>Street Typology</i>	<i>Number of Signs</i>	<i>Maximum Total Height (feet)</i>	<i>Maximum Sign Face Area (Sq. Ft)</i>	<i>Maximum Number of Sign Panels</i>	<i>Minimum Required Setbacks</i>
Freeway	One (1) per every 500 feet of highway frontage , with a maximum of two (2)	Twelve (12)	160 (total) and 80 sq. ft. per sign face	Per allowable square feet	15 feet
Major Arterial	One (1) per every 500 feet of major arterial frontage, with a maximum of two (2)	Seven (7)	120 (total) and 60 sq. ft. per sign face	Per allowable square feet	10 feet
All Other Streets	One (1) per street frontage, with a maximum of two (2) (separated by a minimum of 500 feet)	Six (6)	100 (total) and 50 sq. ft. per sign face	Per allowable square feet	10 feet

Tables #8 - 10: Sign Permitting Regulations (Non-Residential Complex)

Wall Sign

<i>Street Typology</i>	<i>Number of Signs</i>	<i>Maximum Sign Face Area (Square Feet)</i>	<i>Maximum Number of Sign Panels</i>
Freeway	Per allowable sq. ft	80*	N/A
Major Arterial	Per allowable sq. ft	60*	N/A
All Other Streets	Per allowable sq. ft	48*	N/A

* May include additional square footage to signage of .005 times 1st floor square footage (excluding stairwells, bathrooms and food prep areas).

Pole/Pylon Sign

<i>Street Typology</i>	<i>Number of Signs</i>	<i>Maximum Total Height (feet)</i>	<i>Maximum Sign Face Area (Sq. Ft)</i>	<i>Maximum Number of Sign Panels</i>	<i>Minimum Required Setbacks</i>
Freeway	One (1)	40	200	Per allowable sq. ft	12

Monument

<i>Street Typology</i>	<i>Number of Signs</i>	<i>Maximum Total Height (feet)</i>	<i>Maximum Sign Face Area (Sq. Ft)</i>	<i>Maximum Number of Sign Panels</i>	<i>Minimum Required Setbacks</i>
Freeway	One (1) per every 500 feet of highway frontage, with a maximum of two (2)	Thirteen (13)	180 (total)	Per allowable square feet	12 feet
Major Arterial	One (1) per every 500 feet of major arterial frontage, with a maximum of two (2)	Nine (9)	140. (total)	Per allowable square feet	10 feet
All Other Streets	One (1) per street frontage, with a maximum of two (2) (separated by a minimum of 500 feet)	Seven (7)	120. (total)	Per allowable square feet	10 feet

Additional Sign Standards and Types:

- Banners, Flags, Pennants:
 - A. Banners bearing advertising matter shall be considered an adjunct to wall or freestanding signs. For the purpose of mounting, they shall meet all City Ordinances and regulations pertaining thereto. Banners shall be considered temporary signs.
 - B. Banners must be kept in good repair throughout the time of their display.
 - C. No more than one banner may be displayed at any one time at an establishment;
 - D. Banners may not exceed twenty-four (24) square feet in area;

COPY

- E. Banners may not be displayed for more than thirty (30) days in succession and must be removed no more than two (2) days following any event to which they relate. Such banners may not be placed on any site more than six (6) times within a twelve (12) month period;
- F. On-premise banners may be exhibited no more than thirty (30) days commencing at the time that the temporary banner permit is issued. Such banners may not exceed twenty-four (24) feet in area.
- G. Any banners, pennants, or streamers found to be in need of repair will be promptly brought to the attention of the owner. The sign(s) will be removed or repaired within ten (10) days of the date of the written notice.
- H. Cloth banner signs without frame may project over and across a street right-of-way provided they are of a non-commercial nature, not for private profit events. Non-profit organizations are required to submit a copy of their tax exemption certificate. The banners shall be at least fourteen (14') feet above street grade. Banners shall be considered temporary and not displayed for more than thirty (30) days.
- I. Flags: Flags that show an emblem or logo of a firm or corporation are permitted. No more than three (3) flags shall be permitted to be flown on any one (1) flagpole to include flagpoles equipped with a yardarm. No flag shall exceed the recommended size for the flagpole using specifications listed below. The flagpole height, not counting the finial, the top of the pole in residential areas shall not exceed twenty five (25') feet in height from the ground, and in commercial areas (to include Government Agencies, Police Departments, Fire Stations, Schools, United States Post Offices, Cemetery's, and places of religious worship) shall not exceed forty-five (45') feet in height from the ground. No more than three (3) flagpoles shall be permitted per property. The second and/or third flagpole shall not be higher than the primary flagpole. Permit required for the construction of a flagpole.

Table #11 Flag Chart Recommendations:

<i>Exposed Height (in Feet)</i>	<i>Recommended Flag Size (in Feet)</i>	<i>Recommended Size for Two Flags (in Feet)</i>		<i>Recommended Size for Three Flags (in Feet)</i>		
		<i>Primary</i>	<i>Secondary</i>	<i>Primary</i>	<i>Second</i>	<i>Third</i>
15	3 X 5	3 X 5	2 X 3	3 X 5	2 X 3	2 X 3
20	5 X 8	5 X 8	4 X 6	4 X 6	3 X 5	3 X 5
25	5 X 8	5 X 8	4 X 6	4 X 6	3 X 5	3 X 5
30	6 X 10	6 X 10	5 X 8	5 X 8	4 X 6	4 X 6
35	6 X 10	6 X 10	5 X 8	5 X 8	4 X 6	4 X 6
40	8 X 12	8 X 12	6 X 10	6 X 10	5 X 8	5 X 8
45	8 X 12	8 X 12	6 X 10	6 X 10	5 X 8	5 X 8
50	10 X 15	10 X 15	8 X 12	8 X 12	6 X 10	6 X 10
60	12 X 18	12 X 18	10 X 15	10 X 15	8 X 12	8 X 12
70	15 X 25	15 X 25	12 X 18	12 X 18	10 X 15	10 X 15
80	20 X 30	20 X 30	15 X 25	15 X 25	12 X 18	12 X 18

- LED Signs:

The LED signs shall be permitted subject to the following requirements:

1. The sign shall contain no motion, twirling, rotation, spinning, continuous scrolling or any other like form of motion or action. Images and text shall dissolve from one message or image to the next image or text.

COPY

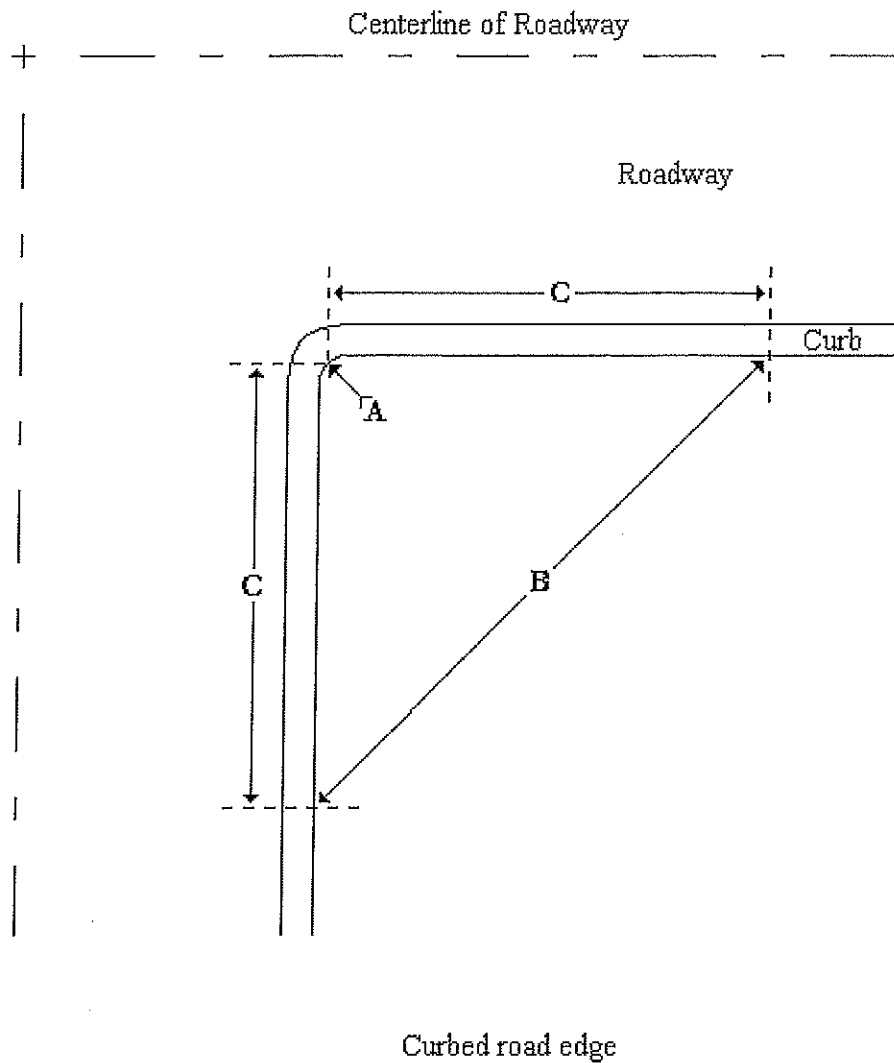
2. Digital signage is limited to non-animated images and each image must be displayed ("dwell") for a minimum of six (6) seconds.
 3. During the daytime, based on normal daylight illumination, a maximum limit of 450 lumen is permitted to keep luminous signage balanced with the surrounding landscape. During nighttime hours, a maximum luminosity is limited to 15 lumen.
 4. Outdoor signage should obey light trespass regulations. Into areas zoned for any type of residential zoning district, including parks and preserves so zoned, a trespass limit of 0.1 foot-candles should be enforced, at the property line.
- Menu Board (Freestanding): A sign oriented to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window. Pricing shall be permitted on these signs. Signs shall not exceed thirty-six (36) square feet.
 - Menu Board (Non-freestanding): Signs that advertise the menu items and/or lunch specials available at a restaurant. Pricing shall be permitted on these signs. Signs may be single or double faced. Signs shall not exceed six (6) square feet in area and no more than one (1) like, similar, or identical signs per street or road frontage will be allowed (shall comply with A-frame or sandwich type sign in this section).
 - Subdivision Signs: Any sign used to mark the main entrance to a specific subdivision indicating the name of the specific community. Each entrance (provided the entrances are one thousand (1000') feet or greater apart) may have a maximum of two (2) subdivision signs (one double sided or two single-sided). One (1) subdivision sign may be located between the entrances or one (1) subdivision sign may be located on each side of the entrance or one (1) subdivision sign located in an island (if an island at the entrance was part of the original platted subdivision). These signs shall not exceed thirty two (32) square feet of sign area. These signs shall not exceed seven (7') feet in height. Signs may be indirectly illuminated. Architectural features such as columns, towers, or other obvious entry or gateway feature shall be limited to the maximum allowable building height of the zoning district. The signage area shall be the cumulative surface area of the sign itself and not the surface upon which the signage is applied. such as a wall, column, or other architectural feature.
 - Temporary Event Signs may:
 1. Be placed only on private property and only with the consent of the owner of the property.
 2. An event sign, other than a Holiday sign/street banner sign, that promotes any particular event may not be erected more than seven (7) days prior to the event and all such signs must be removed by the responsible party not more than two (2) days after the event.
 3. An event sign that promotes a weekly occurring event may be erected one (1) day prior to the event and all signs must be removed by the responsible party within one (1) day after the event.
 - Grand Opening/Promotional Signage - Promotional signage may be displayed for grand openings, special events, sales and promotions, provided that the following regulations are met:
 - a. Each business, institution or occupied tenant space shall be allowed one (1) promotional signage display three (3) times per calendar year, for a maximum period of fourteen (14) days per display. A minimum of ninety (90) days shall be required between each promotional signage permit. The fourteen (14) day display period will commence on the first day promotional signage is displayed. In the case of a special promotion for a grand opening event, a display period may be extended to twenty-one (21) days provided that the

COPY

promotion begins within the first three (3) months of the date of issuance of a certificate of occupancy or business license and the grand opening is limited to the address noted on the certificate or license.

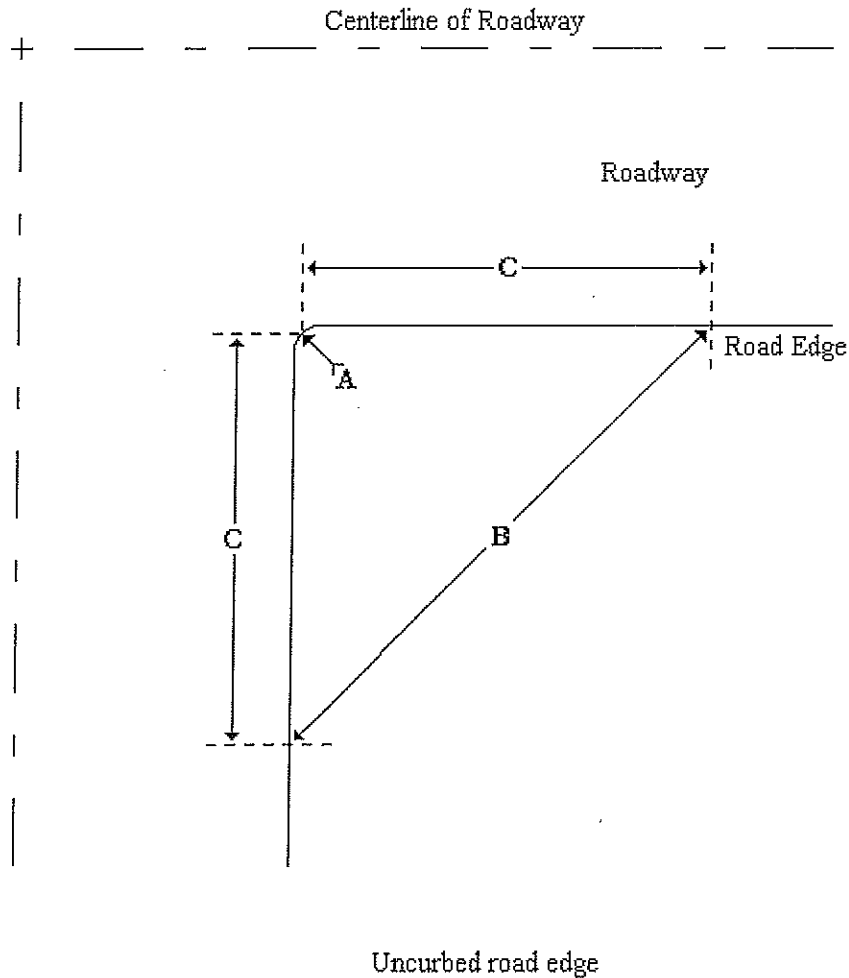
- b. All signage used for a promotional signage display must be removed at the end of the display period.
 - c. Promotional signage may include any temporary sign allowed by this Ordinance
 - d. Promotional signage shall be contained on the property of the applicant and shall not extend into the City right-of-way. Signage shall not be located in any sight visibility triangle or visibility easement, nor shall any combustible materials be placed in contact with lighted signs or any electrical fixtures.
 - e. Promotional signage shall not display information on any activity, event or person not located on the premises where the signage is permitted.
 - f. Torn or severely weathered promotional signage shall not be permitted.
 - g. A separate permit is required for each fourteen (14) day period that promotional signage will be used.
- Temporary New Business Signs: Temporary signs constructed of wood, metal, or other solid material type announcing the locating or relocating of a newly located or relocated business are permitted. The sign shall not exceed forty-eight (48) square feet in area nor be more than eight (8) feet high. The sign shall not be illuminated or have any moving elements. The sign shall be exhibited for six (6) months, with an option to extend for two (2) terms (total of up to 18 months) at the time the temporary sign permit is issued. The sign will be subject to inspection every six (6) months to ensure it is properly maintained and does not pose a public safety risk. The sign must be removed within two (2) business days upon the installation of the permanent sign.
 - Temporary Subdivision Signs: Signs announcing the subdivision of land may be erected on the land being developed and shall be removed when seventy-five (75) percent of the development lots are conveyed or a term not to exceed twenty-four (24) months, whichever comes first, unless the twenty-four (24) month term is extended by City Council. These signs shall not exceed thirty-two (32) square feet of sign area and shall not exceed ten (10) feet in height.
 - Site Visibility Triangle: the location and installation of all above monument, temporary and pole/pylon signs shall be in compliance with the regulations of the UDC regarding the site triangle (line of site) shown in Figures 1 -- 3 below:

Figure #1: Site Visibility Triangle Rendition (Curbed Road Edge)



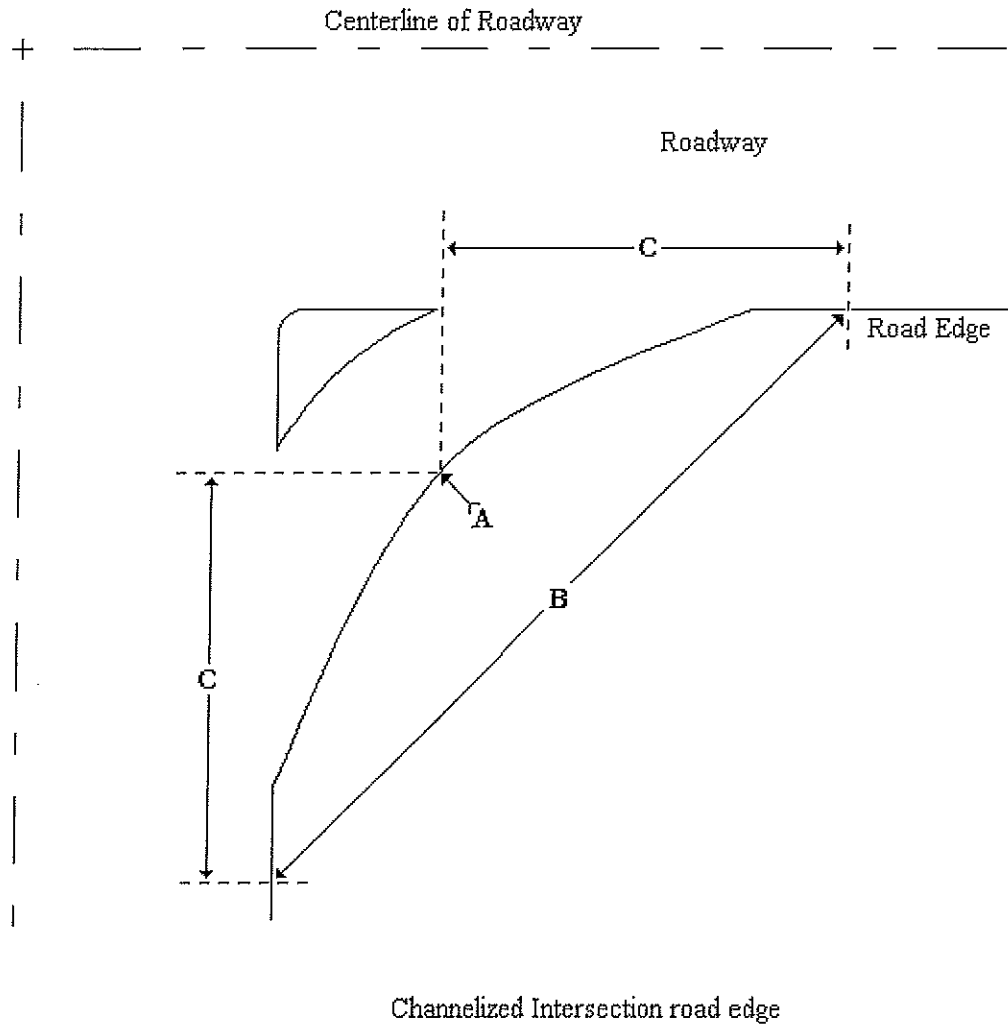
- A. Point of measurement farthest from the centerline.
- B. Sight line establishing the visibility triangle.
- C. Measured distance along street or road edge. A measurement of fifty (50') feet on all major thoroughfares and twenty five (25') feet on all others.

Figure #2: Site Visibility Triangle Rendition (Uncurbed Road Edge)



- A. Point of measurement farthest from the centerline.
- B. Sight line establishing the visibility triangle.
- C. Measured distance along street or road edge. A measurement of fifty (50') feet on all major thoroughfares and twenty five (25') feet on all others.

Figure #3: Site Visibility Triangle Rendition (Curved Road Edge)



- A. Point of measurement farthest from the centerline.
- B. Sight line establishing the visibility triangle.
- C. Measured distance along street or road edge. A measurement of fifty (50') feet on all major thoroughfares and twenty five (25') feet on all others.

COPY

58-13. OLD TOWN/TOWN CENTER MIXED USE OVERLAY DISTRICT.

Old Town/Town Center Mixed Use Overlay District: To promote, recognize, enhance, and preserve the City's past the Old Town/Town Center Mixed Use Overlay District is being established. All businesses and residents located on or between the streets listed shall be considered in the Historic Sign District. North and South Main Street between FM 78 and Santa Clara Street, Old Seguin Highway East/Loop 539, Rawe Avenue between North Main Street and Lieck Street, Pfeil Street between South Main Street and FM 78. All signs under this Section shall comply with all guidelines and regulations that pertain to such signs established under other Sections of this Ordinance, unless provided for below:

- a. Businesses located in the historic sign district are encouraged to design their signs to match the period of the structure or similar to the surrounding signage character.
- b. Monument signs allowed not exceed thirty (30) square feet.
- c. Wall Painted Signs in the Old Town District may be permitted, provided they are consistent with the documented historical context of the building on which it is painted and receive prior approval from the Board.
- d. Exposed outdoor string lights shall meet the following criteria: must be non-flashing, attached to an overhead or other structure as deemed safe by the Building Official and or Code Enforcement Officer, height shall be at least eight (8) feet above pedestrian walkways and a minimum of 18 feet above street grade, LED lights must be specifically designed for outdoor wet use, may not exceed 120 volts (3.5 watts), color must be warm white or similar type/seasonal colors as approved by the City Building Official and/or Code Enforcement Officer and electrical plans must be submitted and approved by City.
- e. Other restrictions and provisions of this Ordinance that are not affected by this special district shall continue to apply in this designated special district.

58-14. COMPREHENSIVE SIGN PROGRAM REGULATIONS.

The use of comprehensive sign program is designed for integrated commercial and industrial developments that generally have multiple uses, multiple shared points of access, or that may be a part of a large scale development, such as a shopping mall or industrial park that is identifiable by a single development name, or by a school or hospital that may have multiple buildings and/or special signage needs; to allow site or development project signage that is appropriate to the character of the development in order to adequately identify the development in a form so as to provide a good visual environment, promote traffic safety, and minimize sign clutter in a form that is appropriate to the development and consistent with the purpose and intent of these sign requirements.

1. Criteria.

Comprehensive sign programs shall be subject to Planning and Zoning Commission/Sign Board of Appeals review and approval. The Planning and Zoning Commission/Sign Board of Appeals shall approve/deny/or approve with conditions of any Sign Program application if it finds by a preponderance of the presented evidence that approval or denial conforms to the below criteria listed in Section 58-14, items 3 – 7.

2. Process.

Applications for Comprehensive Sign Programs shall follow all procedural requirements described in the City of Cibola Unified Development Code (UDC) for a Zoning Variance in terms of notice to adjoining property owners, published notice in the newspaper, a public hearing, and the application filing fee.

3. Compatibility Required.

The comprehensive sign program shall promote compatibility for all signs within the specific development. Architectural theme, materials, and color should be consistent with or complement the overall character of the development in which the signs are proposed to be located and the area surrounding the development in which the signs would be located.

4. Size and Height.

Signs proposed under the comprehensive sign program shall be no larger than a maximum of 50% of the standards of the sign regulations unless the applicant can demonstrate a site specific consideration, or considerations, why a deviation in excess of the 50% standard is justified.

5. Off-Site Signs.

Developments within a shared/common approved commercial or industrial subdivision plat, may apply for off-site signage within the area described in that commercial or industrial plat. An industrial park is an example of such a development. The signs may be placed on parcels where an existing site plan has been established. In those developments that do not have an existing site plan, the Comprehensive Sign Program process may be utilized to establish a sign program for the development, provided that the application form for the Comprehensive Sign Program is signed by all property owners on which signs are proposed to be located. This section shall not be construed to allow the installation of a billboard type sign.

6. Placement.

Signs proposed under the comprehensive sign program shall be placed appropriately in areas visible and readable. Review of location is considered by traffic movement of surrounding streets, traffic volumes and access points, AASHTO and engineering standards, visibility triangles, sign orientation and topographic features.

7. Integration.

All signs must be integrated with the design of the building and the site development, reflecting the architecture, building materials, and landscape elements of the project. The means of integrating freestanding signs with the architecture of the building may be achieved through replication of architectural embellishments, colors, building materials, texture, and other elements found in the building design. Integration shall also include the use of sign graphics that are consistent in terms of lettering style, colors, and method of attachment as used for wall-mounted signing found on the building.

8. Amendment.

Applications for Comprehensive Sign Program Amendment shall follow all procedural requirements described in the City of Cibola Unified Development Code (UDC) for a Zoning Variance in terms of notice to adjoining property owners, published notice in the newspaper, a public hearing, and the application filing fee.

The application shall be filed with the Building Official, accompanied by a non-refundable Sign Program Amendment fee as listed in the City of Cibola Fee Ordinance (as amended), and conform to all requirements established in Section 58-9 of this ordinance relating to sign permit applications. A simple majority vote of the Planning and Zoning Commission shall be required to approve a sign program amendment.

58-15. SIGN MAINTENANCE AND NUISANCES.

A. All signs must be maintained in a structurally safe condition and in good repair at all times. No permit shall be required for the normal maintenance of any existing sign or repainting of the sign message, provided that the area of the sign is not enlarged, the height of the sign is not increased, the location of the sign is not changed, and the content of the sign does not materially change. Alterations to the sign, or major repairs (replacement of more than twenty (20) percent of the sign to the original condition) shall not be considered normal maintenance and will require a permit. All signs shall be kept neatly painted or otherwise maintained, including all metal parts and supports

COPY

thereof that are not galvanized or of rust resistant material. The Code Enforcement Officer shall inspect and have authority to order the painting, repair, alteration, or removal of a sign that constitutes a nuisance, a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence.

Changing of the sign message is limited to changing messages without changing the sign or its components and is considered to be normal maintenance.

B. The area around the sign shall be kept clean at all times by cutting vegetation around the sign and the supporting structure.

C. A sign shall constitute a nuisance if it causes injury or threatens to injure the public health, peace, or comfort or is a nuisance per se under the law. The process for abatement of a sign nuisance is as follows:

- 1) The initial determination if a sign constitutes a nuisance shall be made by the Code Enforcement Officer. A sign is considered a nuisance per se if a sign is dangerously damaged or deteriorated or if it is damaged beyond fifty (50) percent of its replacement value.
- 2) Notice. Upon the determination that a sign constitutes a nuisance, the Code Enforcement Officer shall provide notice of the nuisance to the responsible party by United States certified mail, return receipt requested or hand delivery.
- 3) Abatement. The responsible party shall take action to abate the nuisance within ten (10) business days of the date of receipt of the notice.
- 4) Appeal. A responsible party may appeal the nuisance determination to the Planning and Zoning Commission within ten (10) business days of the date of receipt of the notice. Notice of the appeal must be in writing and delivered to the office of the City Secretary by United States certified mail, return receipt requested or hand delivery. The Planning and Zoning Commission shall hear the appeal at its first available public meeting after receipt of the notice of appeal. The City Secretary shall provide the responsible party with notice of the appeal date not less than 72 hours before the meeting at which the appeal is scheduled. The Planning and Zoning Commission shall not disturb the determination of the Code Enforcement Officer unless, after consideration of the testimony of the responsible party, the building official, and such witnesses that have relevant information regarding the matter, it finds the decision of the Building Official to be in error. Each witness shall be allowed to make a concise opening statement before being questioned by members of the Commission. The Commission may confer with the City Attorney before rendering a determination. The responsible party shall have ten (10) business days from the date of an adverse determination to appeal the Commission's decision to a court of competent jurisdiction, at which time, if not appealed, the Commission's decision shall become final.
- 5) City action. Upon the expiration or exhaustion of a responsible party's appeal rights, the City may abate the nuisance.
- 6) Exigent Circumstances. Notwithstanding any provision of this subsection to the contrary, if, after consultation with the City Attorney, the Building Official determines the nuisance to be of imminent danger to public life or safety, the Building Inspector may take immediate action to abate the nuisance. However, the Building Official shall only exercise such abatement actions under this subsection reasonably necessary to abate the imminent danger to public life or safety.
- 7) Recoupment of nuisance abatement costs. The responsible party shall be responsible to repay the City for the actual costs associated with an abatement action under law and such repayment shall become due upon receipt of the repayment invoice for the abatement costs. To the extent allowed by law, the City may place

COPY

a lien on the property on which it took the abatement action for any costs not reimbursed by the responsible party for more than 30 days after the date the City made demand on the responsible party for payment.

- 8) Impoundment fees. Any sign impounded by the City under this subsection shall be subject to an impoundment fee, assessed daily, as set out in the Fee Schedule. The impoundment fee shall be considered part of abatement costs for the purposes of repayment. An impounded sign shall be returned to the responsible party upon payment of all impoundment fees and abatement costs. Signs not reclaimed within 30 days after a responsible party receives notice of such impoundment, by United States certified mail, return receipt requested or hand delivery, may be destroyed by the City. If the responsible party cannot be located after reasonable inquiry, such sign may destroyed, if not reclaimed 30 days after notice is placed in the City's official newspaper.
- 9) The City shall not be held liable for damage to said sign(s) during the removal or storage of the sign(s) by the City.

58-16. NON-CONFORMING SIGNS.

A. Continuation. All nonconforming signs existing prior to the effective date of this ordinance shall be allowed to remain in place, provided that they otherwise comply with: Section 58-6 (General Regulations), Section 58-15 (Sign Maintenance and Nuisances) and this Section.

B. Transferability.

(1) Relocation. Nonconforming signs shall not be relocated or transferable transferred to another location within the City of Cibola municipal limits or ETJ without such nonconforming signs first being brought into full compliance with all requirements of this ordinance, including obtaining a properly authorized permit.

(2) Transfer of title. Title and ownership of nonconforming sign, excluding portable changeable copy signs, may be transferred to a new owner upon the transfer of the property upon which the nonconforming sign is located to such new owner; provided the location of the nonconforming sign is not altered.. In such cases, the new property owner must submit a permit application (no fee assessed) to indicate the change in ownership.

C. Registration. Within 90 days after the effective date of this Ordinance, the responsible party shall register the non-conforming sign with the Building Official. There shall be no costs associated with the registration of a non-conforming sign. It shall be the burden on the responsible party to prove, by a preponderance of the evidence that a sign, not timely registered, falls under the protection of this Section 58-16.

D. Removal. A nonconforming sign shall be removed as a result of any of the following circumstances.

(1) By the acts or omission of the sign owner.

(a) Nonconforming signs shall be terminated immediately upon the occurrence of any of the following events specified below:

- i. Destruction: a sign that, having been permitted to remain in place as a nonconforming use, is required to be removed because the sign, or a substantial part of it, is blown down or otherwise destroyed, deteriorated or dismantled for any purpose, other than maintenance operations or for changing the letters, symbols, or other matter on the sign;
- ii. Abandonment: a nonconforming sign that has been abandoned;
- iii. Discontinuation of use: a nonconforming sign that has been discontinued for a continuous period of ninety (90) days; or

COPY

- iv. Public health or safety hazard: a nonconforming sign that has become obsolete or substandard under any applicable ordinance of the city to the extent that the sign becomes a hazard or danger to public health or safety.
- (b) Sign owner's responsibility. For purpose of subsection (a), immediately above, a nonconforming sign or substantial part of it is considered to have been destroyed, deteriorated or dismantled (collectively "destroyed") if the cost of repairing the sign is more than fifty-one percent (51%) of the cost of erecting a new sign of the type at the same location. In the event that such destruction, deterioration or dismantling has occurred it shall be the responsibility of the responsible party to supply the City of Cibola with a quote from a reputable sign company that shows the replacement value and the cost to restore the sign to full compliance upon request by the Code Enforcement Officer within fifteen (15) days of said request so that the Code Enforcement Officer may determine if the non-conforming sign has been destroyed more than fifty-one percent (51%) of the cost of erecting a new sign of the type at the same location.. In the event the nonconforming sign is determined to be destroyed beyond the aforementioned fifty-one percent (51%) threshold, or abandoned or discontinued or a public hazard by the Code Enforcement Officer, it must be removed by the responsible party without compensation by the City within ten (10) days after the date written notice of such determination is provided to the responsibility party by certified mail return receipt requested or hand deliver. In such circumstances as determined to be warranted by the City Manager, after consultation with the City Attorney, a nonconforming sign determined to have become a public hazard may be summarily remove with costs to be borne by the responsible party. A replacement sign must fully comply with this ordinance and shall require a permit to be obtained from the City at the set fee.
- (2) By city action. The city may require the removal, relocation, or reconstruction of any nonconforming sign provided that the owner of the sign is compensated for such costs that are associated with the removal, relocation, or reconstruction as is required by TEX. LOC. GOV'T CODE Chapter 216. In cases where the city requires the removal, relocation, or reconstruction of a nonconforming sign the mayor is authorized to appoint a municipal board, with city council approval, in order to determine the amount of compensation as prescribed in TEX. LOC. GOV'T CODE §216.004.

D. All nonconforming signs existing prior to the effective date of this ordinance shall be allowed to remain in place, provided that they otherwise comply with: Section 58-6 (General Regulations) and Section 58-15 (Sign Maintenance and Nuisances).

E. Nonconforming signs existing prior to the effective date of this ordinance that are of a type that are limited to a specified time period for use in this ordinance must abide by those specified time periods beginning with the effective date of this ordinance.

58-17. VARIANCES.

A. Application and Fee Required. Any person, business, or other organization desiring to continue to construct, reconstruct, place, install, relocate, alter, or use any sign which does not conform to the provisions of this ordinance may make application to the Planning and Zoning Commission for a variance to the provisions of this ordinance. Upon submittal of a complete variance packet, the application will be reviewed at the next regularly-scheduled Planning and Zoning meeting.

COPY

The application shall be filed with the Building Official, accompanied by a non-refundable variance fee as listed in the City of Cibola Fee Ordinance (as amended), and conform to all requirements established in Section 58-9 of this ordinance relating to sign permit applications.

B. Requests for Variances after Permit Denial. Within ten (10) business days after denial of a sign permit by the Building Official, an applicant may file a written request for a variance of the Chapter 58 regulation(s) the Building Official identified to be in contravention with the permit application.

C. Action. Unless an extension or postponement is sought by the applicant, the Planning and Zoning Commission must consider and take action on the written request for a variance at its first available meeting.

D. Standards for Variances. The Commission may approve a variance only if it makes affirmative findings, reflected in its minutes of the proceedings, as to all of the following:

1. The variance will not authorize a type of sign which is specifically prohibited by this ordinance;
2. The variance is not contrary to the goals and objectives outlined by the City of Cibola;
3. The variance is not contrary to the public interest;
4. Due to special conditions applying to the land, buildings, topography, vegetation, sign structures, or other unique matters on adjacent lots or within the adjacent right-of-way, a literal enforcement of the ordinance would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly-classified properties will not satisfy this requirement. Financial or economic hardship alone will not ordinarily satisfy this requirement;
5. The spirit and purpose of the ordinance will be observed and substantial justice will be done; and
6. The applicant has not sought a sign variance for a specific parcel of land from the City within the past twelve (12) months.

E. Conditions of Variances. The Planning and Zoning Commission may impose such conditions or requirements in a variance as are necessary in the Planning and Zoning Commission's judgment to achieve the fundamental purposes of this ordinance. A violation of such conditions or requirements shall constitute a violation of this ordinance. The sign(s) must receive final inspection approval within three (3) months of the date the variance is approved or the variance shall lapse and become of no force or effect.

58-18. ENFORCEMENT.

A. Violations. Failure to comply with the provisions of this chapter shall constitute a violation of the City Code. Each day a violation exists shall constitute a separate violation and, consequently, a separate offense.

B. Penalties. Any person violating any provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00).

C. Civil remedies. The city manager may authorize the city attorney to file an action in a court with appropriate jurisdiction to seek civil remedies to require the demolition of any sign at the owner's expense which is dangerously damaged or deteriorated. The action may include a claim for civil penalties as provided by state law. Civil remedies contained herein shall be construed to be in addition to the power of the city to abate public nuisances.



"City of Choice"

ELECTION CALENDAR



CITY OF CIBOLO

NOVEMBER 7, 2017

ELECTION INFORMATION

Each of the following places is up for election on November 7, 2017 for a two year term that would expire in November of 2019:

- Mayor
- City Council Member, District 2
- City Council Member, District 3
- City Council Member, District 7

These dates are subject to changes from the 2017 legislative session.

***A more detailed calendar will be provided as soon as the Texas Secretary of State's Office has released it.**

Deadline to post notice of candidate filing deadline	Thursday, June 22, 2017
First Day to File for Place on General Election Ballot **The first day to file for a place on the ballot is July 22, 2017. City offices are closed on this date moving the first day to Monday, July 24, 2017.	Monday, July 24, 2017 **Saturday, July 22, 2017
Last Day to Order General Election	Monday, August 21, 2017
Last Day to File for Place on General Election Ballot	Monday, August 21, 2017 at 5:00 p.m.
Last Day to File a Declaration of Write-In Candidacy	Monday, August 21, 2017
Ballot Drawing	Thursday, August 24, 2017 at 4:30 p.m.
Last Day to Register to Vote (<i>First business day after Columbus Day</i>)	Tuesday, October 10, 2017*
First Day of Early Voting	Monday, October 23, 2017
Last Day to Apply for Ballot by Mail* (Received , not Postmarked)	Friday, October 27, 2017
Last Day of Early Voting	Friday, November 3, 2017
Last day to Receive Ballot by Mail (election day) at 7:00 p.m. (unless overseas deadline applies)	Tuesday, November 7, 2017 (election day) at 7:00 p.m. (unless overseas deadline applies)

*Applications for Ballot by Mail should be mailed to the Guadalupe County Elections Department at:

Lisa Adam, Elections Administrator

P.O. Box 346

Seguin, TX 78156-1346



"City of Choice"

AMENDMENT: APPOINTING OF A CAMPAIGN TREASURER BY A CANDIDATE

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA
PG 1

1 CANDIDATE NAME	2 FILER ID #	3 Total pages filed:
-------------------------	---------------------	-----------------------------

See ACTA Instruction Guide for detailed instructions.
Use this form for changes to existing information only. Do not provide information previously disclosed.

4 CANDIDATE NAME	NEW	MS / MRS / MR	FIRST	MI	OFFICE USE ONLY	
		NICKNAME	LAST	SUFFIX		
5 CANDIDATE MAILING ADDRESS	NEW	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE				Date Received
						Date Hand-delivered or Postmarked
						Receipt # Amount \$
						Date Processed
6 CANDIDATE PHONE	NEW	AREA CODE	PHONE NUMBER	EXTENSION	Date Imaged	
		()				

7 OFFICE HELD (if any)	NEW	
----------------------------------	-----	--

8 OFFICE SOUGHT (if known)	NEW	
--------------------------------------	-----	--

9 CAMPAIGN TREASURER NAME	NEW	MS / MRS / MR	FIRST	MI	NICKNAME	LAST	SUFFIX

10 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	NEW	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE					

11 CAMPAIGN TREASURER PHONE	NEW	AREA CODE	PHONE NUMBER	EXTENSION
		()		

12 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

AMENDMENT:
CANDIDATE MODIFIED REPORTING DECLARATION

FORM ACTA
PG 2

13 CANDIDATE
NAME

14 MODIFIED
REPORTING
DECLARATION

NEW

**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 \$500 in political contributions
or make more than \$500 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.

TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM ACTA-INSTRUCTION GUIDE



Revised July 14, 2010

**Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711
(512) 463-5800 FAX (512) 463-5777 TDD 1-800-735-2989**

Visit us at <http://www.ethics.state.tx.us> on the Internet.

AN EQUAL OPPORTUNITY EMPLOYER

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

FORM ACTA–AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form ACTA). Use this form for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. The information you enter on this form will replace the information from your previous APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form CTA).

If any of the information required to be reported on your CAMPAIGN TREASURER APPOINTMENT changes, you should file an amendment. Use the AMENDMENT form (Form ACTA) to report the changes. Do not use the APPOINTMENT form (Form CTA).

You must also use the AMENDMENT form to renew your option to file under the modified schedule.

Except for your name at the top of the form (and your account number, if you file with the Ethics Commission), enter only the information that is *different* from what is on your current campaign treasurer appointment. Do not repeat information that has not changed. The “NEW” boxes emphasize that the information entered on this form should only be information that is different from what was previously reported. Any information entered in a space with a “NEW” box will replace the existing information.

SPECIFIC INSTRUCTIONS

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

PAGE 1

- 1. CANDIDATE NAME:** Enter your name as it is on your current campaign treasurer appointment. Enter your name in the same way on Page 2, Section 13, of this form. If you are reporting a name change, enter your new name under Section 4.
- 2. ACCOUNT #:** If you are filing with the Ethics Commission, you were assigned a filer account 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 account number. Enter this number wherever you see “ACCOUNT #.” If you do not file with the Ethics Commission, you are not required to enter an account number.
- 3. 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.

4. **CANDIDATE NAME:** Complete this section only if your name has *changed*. If your name has changed, enter your complete new name, including nicknames and suffixes (e.g., Sr., Jr., III) if applicable.
5. **CANDIDATE MAILING ADDRESS:** Complete this section only if your mailing address has *changed*. If your mailing address has changed, enter your complete new address, including zip code. This information will allow your filing authority to correspond with you.
6. **CANDIDATE PHONE:** Complete this section only if your phone number has *changed*. If your phone number has changed, enter your new phone number, including the area code and extension, if applicable.
7. **OFFICE HELD:** If you are an officeholder, complete this section only if your office has *changed*. If your office has changed, please enter the new office held. Include the district, precinct, or other designation for the office, if applicable.
8. **OFFICE SOUGHT:** If you are a candidate, complete this section only if the office you seek has *changed*. If the office has changed, please enter the office you now seek, if known. Include the district, precinct, or other designation for the office, if applicable.

Note: Changing the office you are seeking may require you to file your reports with a different filing authority. See the Campaign Finance Guide for further information on filing with a different authority.

9. **CAMPAIGN TREASURER NAME:** Complete this section only if your campaign treasurer has *changed*. If your campaign treasurer has changed, enter the full name of your new campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.

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.

10. **CAMPAIGN TREASURER STREET ADDRESS:** Complete this section only if your campaign treasurer's street address has *changed*. If your campaign treasurer's street address has changed, enter the complete new address of your campaign treasurer, including the zip code. You may enter either the treasurer's new business or residential street address. If you are your own treasurer, you may enter either your business or residential street address. Please do not enter a P.O. Box.

11. CAMPAIGN TREASURER PHONE: Complete this section only if your campaign treasurer's phone number has *changed*. If your campaign treasurer's phone number has changed, enter the new phone number of your campaign treasurer, including the area code and extension, if applicable.

12. 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.

Note: The changes you have made on this form will replace the information on your previous APPOINTMENT form (Form CTA).

PAGE 2

13. CANDIDATE NAME: Enter your name as you did on Page 1, Section 1.

14. 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.

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 \$500 in political contributions or make more than \$500 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 \$500 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 semi-annual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$500 maximums apply to each election within the cycle. In other words, you are limited to \$500 in contributions and expenditures in connection with the primary, an additional \$500 in contributions and expenditures in connection with the general election, and an additional \$500 in contributions and expenditures in connection with a runoff.

Exceeding \$500 in contributions or expenditures. If you exceed \$500 in contributions or expenditures in connection with an election, you must file according to the regular 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 \$500 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 another amendment form (ACTA) to renew your option to file under the modified schedule.

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



"City of Choice"

CITY OF CIBOLO CITY CHARTER

City of Cibolo Charter Articles

Preamble

Article I – Form of Government and Boundaries

Article II – Powers of the City

Article III – City Council

Article IV – City Administration

Article V – Nominations and Elections

Article VI – Initiative, Referendum and Recall

Article VII – Financial Procedures

Article VIII – Boards and Commissions

Article IX – Planning and Zoning Commission

Article X – Utility and Public Service Franchises and Licenses

Article XI – General Provisions

Article XII – Legal Provisions

Article XIII – Transitional Provisions

Article XIV – Nepotism, Prohibitions and Penalties

City of Cibolo Charter Articles

Preamble

Article I – Form of Government and Boundaries

Article II – Powers of the City

Article III – City Council

Article IV – City Administration

Article V – Nominations and Elections

Article VI – Initiative, Referendum and Recall

Article VII – Financial Procedures

Article VIII – Boards and Commissions

Article IX – Planning and Zoning Commission

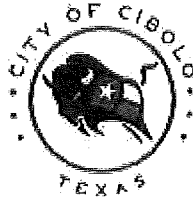
Article X – Utility and Public Service Franchises and Licenses

Article XI – General Provisions

Article XII – Legal Provisions

Article XIII – Transitional Provisions

Article XIV – Nepotism, Prohibitions and Penalties



City of Cibolo Charter Articles

Preamble

Article I – Form of Government and Boundaries

- Sec. 1.01 Form of Government.**
- Sec. 1.02 Boundaries.**
- Sec. 1.03 Extensions of boundaries.**
- Sec. 1.04 Disannexation.**

Article II – Powers of the City

- Sec. 2.01 Local self-government.**
- Sec. 2.02 Public improvements.**
- Sec. 2.03 Intergovernmental relations.**
- Sec. 2.04 General enumeration of powers.**

Article III – City Council

- Sec. 3.01 Composition.**
- Sec. 3.02 Qualifications of city council.**
- Sec. 3.03 Compensation.**
- Sec. 3.04 Mayor and mayor pro tem.**
- Sec. 3.05 Vacancies, forfeiture and filing of vacancies.**
- Sec. 3.06 Powers of the city council.**
- Sec. 3.07 Prohibitions.**
- Sec. 3.08 Meeting of the city council.**
- Sec. 3.09 Quorum.**
- Sec. 3.10 Conflict of interest.**
- Sec. 3.11 Abstentions.**
- Sec. 3.12 Rules of procedure.**
- Sec. 3.13 Passage of ordinances in general.**
- Sec. 3.14 Emergency ordinances.**
- Sec. 3.15 Authentication, recording, codification printing and distribution.**
- Sec. 3.16 Investigations by the city council.**
- Sec. 3.17 Bond.**

Article IV – City Administration

Sec. 4.01	City Manager.
Sec. 4.02	City Secretary.
Sec. 4.03	Municipal court.
Sec. 4.04	City attorney.
Sec. 4.05	Administrative departments, officers and agencies.
Sec. 4.06	Personnel system.
Sec. 4.07	Reserved.

Article V – Nominations and Elections

Sec. 5.01	City elections.
Sec. 5.02	Filing for office.
Sec. 5.03	Official ballots.
Sec. 5.04	Official results.
Sec. 5.05	Taking of office.

Article VI – Initiative, Referendum and Recall

Sec. 6.01	Scope of recall.
Sec. 6.02	Petitions for recall.
Sec. 6.03	Form of recall petition.
Sec. 6.04	Various papers constituting petition.
Sec. 6.05	Presentation of petition to the city council.
Sec. 6.06	Public hearing to be held.
Sec. 6.07	Calling of recall election.
Sec. 6.08	Ballots in recall election.
Sec. 6.09	Result of recall election.
Sec. 6.10	Recall, restrictions thereon.
Sec. 6.11	Failure of the city council to call an election-recall.
Sec. 6.12	General power of initiative and referendum.
Sec. 6.13	Initiative.
Sec. 6.14	Referendum.
Sec. 6.15	Voluntary submission of legislation by the city council.
Sec. 6.16	Form of ballots.
Sec. 6.17	Publication of proposed and referred ordinances.
Sec. 6.18	Adoption of ordinances.
Sec. 6.19	Inconsistent ordinances.
Sec. 6.20	Ordinances passed by popular vote, repeal or amendment.
Sec. 6.21	Further regulations by the city council.
Sec. 6.22	Franchise ordinances.
Sec. 6.23	Failure of the city council to call an election-initiative or referendum.

Article VII – Financial Procedures

- Sec. 7.01 Fiscal year.**
- Sec. 7.02 Submission of budget and budget measure.**
- Sec. 7.03 Budget message.**
- Sec. 7.04 Reserved.**
- Sec. 7.05 Public hearing on budget.**
- Sec. 7.06 Proceeding on adoption of budget.**
- Sec. 7.07 Budget, appropriation and amount to be raised by taxation.**
- Sec. 7.08 Amending the budget.**
- Sec. 7.09 Certification of budget.**
- Sec. 7.10 Capital program.**
- Sec. 7.11 Defect shall not invalidate the tax levy.**
- Sec. 7.12 Lapse of appropriations.**
- Sec. 7.13 Borrowing.**
- Sec. 7.14 Purchasing.**
- Sec. 7.15 Administration of budget.**
- Sec. 7.16 Reserved.**
- Sec. 7.17 Independent audits.**
- Sec. 7.18 Power to tax.**
- Sec. 7.19 Office of tax collector.**
- Sec. 7.20 Taxes; when due and payable.**
- Sec. 7.21 Tax liens, liabilities and suits.**

Article VIII – Boards and Commissions

- Sec. 8.01 Authority, composition and procedures.**

Article IX – Planning and Zoning Commission

- Sec. 9.01 Organization.**
- Sec. 9.02-9.04 Reserved.**

Article X – Utility and Public Service Franchises and Licenses

- Sec. 10.01 Authority.**
- Sec. 10.02 Ordinance granting franchise.**
- Sec. 10.03 Transfer of franchise.**
- Sec. 10.04 Franchise value not to be allowed.**
- Sec. 10.05 Right of regulation.**
- Sec. 10.06 Regulation of rates.**
- Sec. 10.07 Licenses.**

Article XI – General Provisions

- Sec. 11.01 Oaths.**
- Sec. 11.02 Severability.**
- Sec. 11.03 Wording interpretation.**
- Sec. 11.04 Amendment of charter.**
- Sec. 11.05 Charter review commission.**
- Sec. 11.06 Submission of charter to electors.**
- Sec. 11.07 Resubmissions.**
- Sec. 11.08 Regulation of alcohol.**

Article XII – Legal Provisions

- Sec. 12.01 Assignment, execution and garnishment.**
- Sec. 12.02 Security and bond.**
- Sec. 12.03 Notice of claim.**
- Sec. 12.04 Power to settle tax claims.**
- Sec. 12.05 Service of process against the city.**
- Sec. 12.06 Judicial notice.**
- Sec. 12.07 Pending matters.**
- Sec. 12.08 Property not exempt from special assessments.**
- Sec. 12.09 City council may require bonds.**
- Sec. 12.10 Disaster clause.**
- Sec. 12.11 Construction of charter.**

Article XIII – Reserved.

Article XIV – Nepotism, Prohibitions and Penalties

- Sec. 14.01 Nepotism.**
- Sec. 14.02 Equality of rights.**
- Sec. 14.03 Wrongful influence.**
- Sec. 14.04 Wrongful interference.**
- Sec. 14.05 Employee's political activities.**
- Sec. 14.06 Penalties.**
- Sec. 14.07 Conflict of interest.**
- Sec. 14.08 No officer or employee to accept gifts, etc.**
- Sec. 14.09 Code of ethics.**
- Sec. 14.10 Council investigation; hearings; process.**

ARTICLE I

FORM OF GOVERNMENT AND BOUNDARIES

SECTION 1.01 Form of Government

The municipal government provided for by this Charter shall be known as the "City Council-Manager" form of government. Pursuant to its provisions, and subject only to the limitations imposed by the Constitution, laws and statutes of the State of Texas and by this Charter, all powers of the City of Cibolo (hereinafter referred to as the City) shall be vested in an elected City Council (hereinafter referred to as the City Council) which shall enact local legislation, adopt budgets, determine policies and appoint a City Manager, who in turn, will be held responsible to the City Council for the execution of the laws and the administration of the government of the City. All powers of the City shall be exercised in the manner prescribed by this Charter, or if the manner not be prescribed, then in such manner as may be prescribed by ordinance or the Constitution, laws or statutes of the State of Texas.

Section 1.02 Boundaries

The inhabitants of the City residing within its corporate limits, as heretofore or hereafter established, are hereby constituted and shall continue to be a municipal body politic and corporate, in perpetuity, under the name of the "City of Cibolo" with such powers, privileges, rights, duties, authorities and immunities as are herein provided or as allowed by law. An official map shall be maintained and posted in City Hall so that it is accessible by the citizens. The map shall be updated at least annually.

Section 1.03 Extensions of Boundaries

The boundaries of the City may be enlarged and extended by the annexation of additional territory, irrespective of size and configuration, by the methods hereinafter set forth:

- (1) The City Council shall have the power by ordinance to fix the boundary limits of the City and to provide for the alteration and extension of said boundary limits and the annexation of additional territory, lying adjacent to the City, in any manner provided by law.
- (2) When any additional territory has been so annexed, the same shall be a part of the City and the property situated therein shall bear its pro rata part of the taxes levied by the City. The inhabitants thereof shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the acts, ordinances, resolutions and regulations of the City.
- (3) The extraterritorial jurisdiction boundaries may be extended by the Council as provided by state law.

Section 1.04 Disannexation

Whenever, in the opinion of the City Council, there exists within the corporate limits of the City a territory not suitable or necessary for City purposes, the City Council may, after a public hearing on the issue, disannex said territory as part of the City by ordinance.

ARTICLE II

POWERS OF THE CITY

SECTION 2.01 Local Self-Government

The City shall have perpetual succession as a body politic and corporate; may use a seal; may sue and, in cases where its sovereign immunity has been waived, may be sued; may enter into contracts for any public purpose; may acquire and hold, in fee simple or any lesser estate or in trust, by gift, deed, bequest, right of eminent domain, purchase, lease, exchange, or otherwise, and may alienate, any character of property, real or personal, within and without the city limits. The city may exercise all powers of local self-government not inconsistent with the Constitution or the laws of this state or by special limitations in this charter, and has all powers and authority possible for a city to have under the Constitution and laws of this state, as fully and completely as though all such powers and authority were specifically enumerated in this charter.

SECTION 2.02 Public Improvements

The City shall have the power to, among others, construct and maintain, or require the construction and maintenance, within or without its corporate limits, streets, flood control and sanitary facilities, water and storm drainage facilities in, over, under or upon all public property or easements granted for that purpose and to levy assessments for the costs of such improvements. The City shall have the power to collect attorney's fees for the collection of paving assessments in foreclosure cases as allowed under state law. It shall have the power to cause liens to be established for the purpose of securing the payment of such levies and shall have the power to compel the use of such improvements by the citizens of the City.

SECTION 2.03 Intergovernmental Relations

The City may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or any state civil division or agency, or the United States or any of its agencies.

SECTION 2.04 General Enumeration of Powers

- (1) The City shall have power to enact and to enforce all ordinances and take other action as necessary to protect life, health, property and the public welfare, and to accomplish any public purpose; to prevent and summarily abate and remove nuisances; to preserve and promote good government, order, security, amusement, recreation, trade and economic development, peace, prosperity and the general welfare of said city and its inhabitants; to exercise any and all municipal powers necessary to the complete and efficient management and control of municipal property and the affairs of said city; to exercise all powers that may be conducive

to the public welfare, happiness, prosperity and to accomplish any public purpose of the city and its inhabitants and to enact and enforce any and all ordinances upon any subject, provided that no such ordinance shall be enacted inconsistent with the provisions of this charter or the Constitution or laws of the State of Texas; and provide further that the specification of particular powers shall never be construed as a limitation upon the general powers herein granted, it being intended by this charter to grant and bestow upon the city and the inhabitants thereof full power of local government to accomplish any public purpose, and having and exercising all powers of municipal government, not inconsistent with this charter or the Constitution or general laws of the State of Texas, giving and granting to it and its inhabitants all powers that are or hereafter may be granted to municipalities of any class by the Constitution or laws of the State of Texas and all such powers, whether expressed or implied shall be exercised in a manner prescribed by this charter or when not prescribed herein, as shall be provided by ordinance.

- (2) In addition to the powers enumerated in this charter, implied thereby or appropriate to the exercise thereof, the city may have and may exercise in the manner herein provided all other powers necessary or useful to accomplish any public purpose, that are not inconsistent with the Constitution and laws of the State of Texas, and that it would have been competent for this charter to specifically enumerate.

ARTICLE III

CITY COUNCIL

SECTION 3.01 Composition

(1) The "City Council" shall be composed of a "Mayor" and seven (7) "Council Members" who shall serve for a term of two (2) years and until their successor has been elected and duly qualified.

(2) The City shall by ordinance, be divided into seven (7) districts. Each district shall to the extent reasonably possible, be equally populated and the City Council shall maintain such equality of population, as from time to time deemed necessary, by ordinance. The districts shall be designated Number 1, 2, 3, 4, 5, 6 and 7. The qualified voters of each district shall elect one (1) Council Member for each of the seven (7) districts.

(3) The Mayor of the City shall be elected at large by the qualified voters of the city and shall meet the qualifications provided for in this Chapter. The Mayor and City Council can serve three (3) consecutive terms. After the third consecutive term, the Mayor or City Council Member shall not be eligible to hold another office on City Council for a period of one (1) year from the date of the previous election.

SECTION 3.02 Qualifications of City Council

In addition to any other qualifications prescribed by law, the Mayor and each Council Member shall meet the qualifications set forth in Article V of this Charter while in office.

SECTION 3.03 Compensation

Compensation of the City Council and the Mayor, and any subsequent increases, shall be determined and approved by a vote of the citizens at a regular election. No increase in such compensation shall take effect until commencement of the terms of Mayor and/or Council Members elected at the next general election. The City Council and Mayor shall also be entitled to reimbursement for actual expenses incurred in the performance of official duties with the approval of the City Council at a public meeting.

SECTION 3.04 Mayor and Mayor Pro Tem

(1) The Mayor shall preside at meetings of the City Council and 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 regular administrative duties. The Mayor may participate in the discussion of all matters coming before the City Council. The

Mayor shall not be entitled to vote as a member thereof, on legislative or other matters, except in case of a tie, when the Mayor shall cast the deciding vote, but shall have no power to veto.

- (2) The Mayor Pro Tem shall be a Council Member elected by the City Council at the first regular meeting after each election of Council Members and/or Mayor. The Mayor Pro Tem shall act as Mayor during the disability or absence of the Mayor and in this capacity, shall have all the rights conferred upon the Mayor and shall still be entitled to vote as a Council Member.

SECTION 3.05 Vacancies, Forfeiture and Filling of Vacancies

- (1) Vacancies. The office of a Council Member or the Mayor shall become vacant upon his/her death, resignation, forfeiture of, or removal from office by any manner authorized by law.

- (2) Forfeiture. A Council Member or the Mayor shall forfeit his/her office if he/she:

- (A) Fails to attend three (3) consecutive regular meetings without obtaining an approved absence according to a policy established by the City Council within thirty (30) days of this charter amendment being adopted.

- (B) Ceases to possess the required qualifications for office or who is convicted of a felony or of a misdemeanor involving moral turpitude or is convicted of violating any state laws regulating conflicts of interest of municipal officers shall forfeit his/her office.

- (C) Violates any express prohibition within the charter.

- (3) Filing of Vacancies;

- (A) If there is a vacancy in the office of Mayor, a new Mayor shall be elected by special election to be held on the first available uniform election date in accordance with the Texas Constitution and the Texas Election Code.

- (B) If there is a vacancy in the City Council, other than that of the Mayor, shall be filled within thirty (30) days of the occurrence of the vacancy by a three quarters (3/4) majority vote of the remaining Council Members by selection of a person qualified for the position, as described in this Charter. This appointee shall serve until the next general or special election, as determined by the City Council at the time of the appointment. If the vacated position is that of Mayor Pro Tem, the City Council shall elect a new Mayor Pro Tem at the next regular meeting.

- (C) The City Council shall not have more than two (2) appointed Council Members at any one time. Therefore, in the event of additional vacancies, the City Council

shall order a special election to be held on the first available uniform election date, in compliance with the Texas Election Code, to elect the successor or successors to the additional office or offices vacated. Vacancies filled by special election shall be for the remainder of the term.

(D) Notwithstanding the requirement that a quorum of the City Council consists of a majority of the members, if, at any time, the membership to the City Council is reduced to less than a majority, the remaining members may, by majority action, appoint additional members to raise the membership to four (4). These appointees shall serve until the positions can be filled at the next general or special City election. All vacancies filled by election shall be for the remainder of the unexpired term(s) of the office so filled.

- (4) If the Mayor or a Council Member forfeits his/her office, and does not immediately resign, the City Council Members and the Mayor may conduct a hearing pursuant to Section 14.10 of the Charter, to determine if the office holder has forfeited and should vacate his/her office. The hearing shall be held within thirty (30) days of the City Council, as a body, learning of the alleged forfeiture.

SECTION 3.06 Powers of the City Council

All powers of the City and the determination of all matters of policy shall be vested in the City Council. Except where in conflict with and otherwise expressly provided by this Charter, the City Council shall have all powers authorized to be exercised by the Constitution and laws of the United States and the State of Texas and the acts amendatory thereof and supplementary thereto, now or hereafter enacted. Without limitation of the foregoing and among the other powers that may be exercised by the City Council, the following are hereby enumerated for greater certainty:

- (1) Appoint and remove the City Manager;
- (2) Appoint and remove the Municipal Judge(s) of the Municipal Court;
- (3) Appoint and remove the City Attorney;
- (4) Appoint and remove the City Secretary;
- (5) Establish administrative departments;
- (6) Adopt the budget of the City;
- (7) Collectively inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs;

- (8) Provide for and appoint a Planning and Zoning Commission, a Parks and Recreation Commission, and other boards and commissions as deemed necessary, and appoint the members of all such boards and commissions. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this Charter, by City ordinance or by law;
- (9) Adopt and modify the official map of the City and the official zoning map;
- (10) Adopt, modify and carry out plans in cooperation with the Planning and Zoning Commission for the replanning, improvement and redevelopment of specific areas of the City;
- (11) Adopt, modify and carry out plans in cooperation with the Planning and Zoning Commission for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed, in whole or part, by disaster;
- (12) Regulate, license and fix the charges or fares, or tariffs made by any person owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire on the public streets and alleys of the City;
- (13) Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein; provide for the erection of fireproof buildings within certain limits; and provide for the condemnation of dangerous structures or buildings or dilapidated structures or buildings or structures or buildings calculated to increase the fire hazard, and the manner of their removal or destruction;
- (14) Fix and regulate rates and charges of all utilities and public services and operate municipal utilities; and
- (15) Adopt development Master Plans.
- (16) Provide for the development and maintenance of a Comprehensive Plan and Capital Improvement Plan in accordance with Texas State Law.

SECTION 3.07 Prohibitions

- (1) Except where authorized by law or by this Charter, no Mayor or Council Member shall hold any other City office or City employment during his/her term as Mayor or Council Member. No former Mayor or Council Member shall hold any compensated appointive office or City employment until two (2) years after the expiration of the term for which they were elected or appointed to the City Council.
- (2) Members of the City Council shall not in any way dictate the appointment or removal of the City administrative officers or employees whom the City Manager or any of the

City Manager's subordinates are empowered to appoint. The City Council, at a meeting called for that purpose, may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

- (3) Except for the purpose of inquiries and investigations as provided by this Charter, the City Council shall deal with City officers and employees, who are subject to the direction and supervision of the City Manager, solely through the City Manager. The City Council shall not give orders to any such officer or employee, either publicly or privately, except as otherwise provided in this Charter.
- (4) Neither the City Council, individual Council Members, nor the Mayor shall dictate to the City Manager the appointment of any person to office or employment except those positions otherwise provided for by in the Charter. The City Council or its members will not interfere in any manner with the City Manager in the performance of the duties of that office or prevent him/her from exercising professional judgment in the appointment of officers and employees whose employment, appointment, and supervision are reserved by this Charter for the City Manager. Except for the purpose of inquiry, the City Council and its members shall deal with the City Staff solely through the City Manager, and neither the Council nor any member not having administrative or executive functions under this Charter shall give orders to any of the subordinates of the City Manager, either publicly or privately.

SECTION 3.08 Meeting of the City Council

- (1) The City Council shall hold at least two (2) regular meetings each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council shall fix, by ordinance, the date and time of the regular meetings.
- (2) Special meetings of the City Council shall be held at the call of the Mayor or a majority of the City Council Members upon provision of public notice in accordance with state law.
- (3) Except as provided by state law, all City Council meetings shall be open to the public and shall be held and notice given in accordance with the Texas Open Meetings Act.

Section 3.09 Quorum

A majority of Council Members shall constitute a quorum for the purpose of transacting business. No action of the City Council, except as specifically provided in this Charter, shall be valid or binding unless adopted by the affirmative vote of a majority of the City Council present.

SECTION 3.10 Conflict of Interest

Should any member of the City Council have a conflict of interest, pursuant to any state laws and/or City ordinances regulating conflicts of interest of municipal officers, with an agenda item then before the City Council, he/she shall openly declare same before discussion proceeds, and he/she is thereby prohibited from discussing the item or voting on the question and is not considered as present and voting for the purposes of the tally.

SECTION 3.11 Abstentions

Should any member of the City Council choose to abstain from voting on any question before the City Council, where no conflict of interest exists, the person's vote shall be recorded as an abstention vote in the official minutes of the meeting.

SECTION 3.12 Rules of Procedure

- (1) The City Council and all Commissions and Boards shall conduct business in accordance with adopted rules and regulations to conduct business. The City Council shall provide that the citizens of the City shall have a reasonable opportunity to clearly hear and be heard at all regular meetings and public hearings with regard to specific matters under consideration. The City Council shall provide for minutes to be taken and recorded for all public meetings as required by law. Such minutes shall be a public record and shall be kept and maintained by the City Secretary.
- (2) The Mayor or Council members individually or by motion may place items on the agenda prior to the agenda being posted.

SECTION 3.13 Passage of Ordinances in General

- (1) The City Council shall legislate by ordinance, resolution, or order, and the enacting clause of every ordinance shall be "Be it ordained by the City Council of the City of Cibolo, Texas. . ." Each proposed ordinance shall be introduced in the written or printed form required for adoption. No ordinance shall contain more than one (1) subject which shall be clearly expressed in its title. General appropriation ordinances may contain various subjects and accounts for which monies are to be appropriated. After adoption, an ordinance shall not be amended or repealed except by the adoption of another ordinance amending or repealing the original ordinance. Copies of each proposed ordinance, in the form required for adoption, shall be furnished to the City Council. Copies of the proposed ordinance, in the form required for adoption, shall be available at the City offices and shall be furnished to citizens upon request to the City Secretary from and after the date on which such proposed ordinance is posted as an agenda item for a City Council meeting and, if amended, shall be available and furnished in amended form for as long as the proposed ordinance is before the City Council.

- (2) A proposed ordinance which has been amended in substance after its placement on the agenda for a City Council meeting may not be voted on at such meeting. Such amended ordinance shall be placed on the agenda of a subsequent meeting of the City Council in accordance with the provisions of this Section. All persons interested in such ordinance shall have a reasonable opportunity to be heard.
- (3) Every ordinance shall become effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published twice in its entirety, summary form or the caption thereof after adoption, in a newspaper designated as the official newspaper of the City.
- (4) If a majority of the City Council present requests that the ordinance title and caption be read or that the ordinance in its entirety be read, it must be read.

SECTION 3.14 Emergency Ordinances

- (1) The Council may adopt emergency ordinances only to meet public emergencies affecting life, health, property or the public safety. In particular, such ordinances shall not levy taxes, grant or renew or extend a franchise, or regulate the rate charged by any public utility for its services. Neither shall they authorize the borrowing of money except as provided elsewhere in this Charter.
- (2) An emergency ordinance shall be introduced in the form and manner generally prescribed for ordinances, except that they shall be plainly designated in the title as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms.
- (3) An emergency ordinance may be introduced at any City Council meeting and can be adopted with or without amendment or rejected at the meeting at which it is introduced. The affirmative vote of a majority of Council Members shall be required for adoption.
- (4) Emergency ordinances shall become effective upon adoption and shall be published as soon thereafter as practicable. Every emergency ordinance so adopted, except one authorizing the borrowing of money as described herein, is automatically repealed as of the sixty-first (61st) day following the day on which it became effective. The ordinance may be re-enacted if the emergency still exists.

SECTION 3.15 Authentication, Recording, Codification Printing and Distribution

- (1) All ordinances and resolutions adopted by the City Council shall be authenticated by seal and signature of the person performing the duties of the City Secretary and numbered consecutively as adopted. They shall be properly indexed and placed in a

book kept open for public inspection. In addition, all City ordinances shall be posted on the City's official website.

- (2) The City Council shall plan and budget for the codification of ordinances of the City. This codification shall be known and cited as "The Cibolo Code" and shall be in full force and effect without the necessity of such code or any part thereof being published in any newspaper. The caption, descriptive clause and other formal parts of the ordinances of the City may be omitted without affecting the validity of such ordinances when codified. Every general ordinance, enacted subsequent to such codification, shall be enacted as an amendment to the code. For the purpose of this section, general ordinances shall be deemed to be those ordinances of a permanent or continuing nature which affect the residents of the City at large. Copies of the code shall be furnished to City Officers, placed in the City offices and made available for purchase by the public at a reasonable price to be fixed by the City Council. The initial codification shall be completed within two years of the adoption of this Charter.
- (3) The City Council shall cause all ordinances and amendments to this Charter to be printed promptly following their adoption. A copy of each ordinance and amendment shall be placed in appropriate City offices for public reference. Printed ordinances and Charter amendments shall be sold to the public at a reasonable price to be fixed by the City Council.

SECTION 3.16 Investigations by the City Council

The City Council shall have the power to inquire into the official conduct of any department, agency, office, officer or employee of the City. For that purpose, the City Council shall have the power to administer oaths, subpoena witnesses and compel the production of books, papers or other evidence material to the inquiry. The City Council shall provide, by ordinance, penalties for contempt for failing or refusing to obey any such subpoena or to produce any such books, papers or other evidence and shall have the power to punish any such contempt in the manner provided by the ordinance and/or the laws of the State of Texas.

SECTION 3.17 Bond

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

ARTICLE IV

CITY ADMINISTRATION

SECTION 4.01 City Manager

- (1) The City Council shall appoint, upon the affirmative vote of a majority of the full membership of the City Council, a City Manager who shall serve as Chief Administrative Officer of the City. The City Manager shall be responsible to the City Council for administration of all the affairs of the City, with only those exceptions that are named in this Charter. The City Manager shall be appointed solely upon the City Manager's executive, administrative and educational qualifications and shall have previous city manager or administrator or assistant city manager experience and/or a degree in a field related to city government. The City Manager need not be a resident of the City when appointed, but shall, within a reasonable time (no more than one year), after such appointment, reside within the City during the balance of the tenure of his/her appointment. No Mayor or member of the City Council shall, during the term to which he/she is elected and for two years thereafter, be appointed City Manager.
- (2) The City Council shall fix the compensation of the City Manager, and the City Manager's compensation may be amended, from time to time, in accordance with the City Manager's experience, qualifications and performance.
- (3) The City Manager shall be appointed, by, and may be removed at the discretion of the City Council by the affirmative vote of a majority of the full membership of the City Council. Upon decision to remove the City Manager, notice, in writing, of such decision shall be immediately furnished to him/her and the City Council may then suspend him/her from duty.
 - (A) If, within five (5) days after being notified of his/her termination and removal, the City Manager files a written request to the City Council requesting that his/her termination be reconsidered, the City Council shall, as soon as practical, meet with the City Manager in accordance with the Texas Open Meetings Act to review its decision to terminate.
 - (B) Following such review, after affording the City Manager an opportunity to respond to such initial decision to terminate, a new vote requiring three-fourths majority of the City Council shall be taken with regard to the termination of the City Manager.
 - (C) The City Manager shall, from the date of suspension, continue to receive his/her salary pending the final decision of the City Council.

- (D) This procedure for a review meeting with the City Manager shall not alter the fact that the City Manager serves at the pleasure of the City Council, and the City Manager shall not have, nor should this procedure be construed to grant to the City Manager, any right to continued employment.
- (4) In case of the absence, disability or suspension of the City Manager, the City Council may designate a qualified administrative officer of the City to perform the duties of the office or appoint an interim City Manager.
- (5) The City Manager shall:
- (A) Appoint, suspend and remove all City employees and appointive administrative officers provided for in this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant thereto;
 - (B) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by law or this Charter;
 - (C) See that all state laws and City ordinances are effectively enforced;
 - (D) Attend or designate a City employee to attend all City Council, Commission, and Board meetings, with the right to take part in discussion, but shall not vote;
 - (E) Prepare and accept, or designate an appropriate department head or City employee to prepare and accept, items for inclusion in the official agenda of all City Council meetings and meetings of all boards and commissions;
 - (F) Prepare and recommend to the City Council the annual budget and capital program and administer the budget as adopted by the City Council;
 - (G) Keep the City Council fully advised, at least quarterly, as to the financial conditions and future needs of the City and make such recommendations concerning the affairs of the City, as the City Manager or the City Council deems desirable or necessary;
 - (H) Make reports as the City Council may require concerning the operations of the City departments, offices, or agencies subject to the City Manager's direction or supervision; and;
 - (I) Shall keep a written inventory of all real property and all permanent equipment belonging to the City, said inventory to be subject to annual audit. A system shall be established to control the use and replacement of expendable items.

- (J) Perform such other duties as are specified in this Charter or may be required by the City Council, which are consistent with this Charter and state and federal law.

SECTION 4.02 City Secretary

- (1) The City Council shall appoint or remove without cause, the City Secretary upon the affirmative vote of a three quarters (3/4) majority of the City Council.
- (2) The City Council shall fix the compensation of the City Secretary, and the City Secretary's compensation may be amended, from time to time, in accordance with the City Secretary's experience, qualifications and performance. The City Secretary shall report administratively to the City Manager but may be removed from office only by the Council.
- (3) The City Secretary shall:
 - (A) Give notice of all official public meetings of the City Council, Commissions, and Boards in a manner consistent with this Charter and state laws;
 - (B) Attend all public meetings and hearings of the City Council, Boards and Commissions;
 - (C) Keep the minutes of the proceedings of all public official meetings and hearings of the City Council, Boards and Commissions in a manner prescribed by the City Council consistent with applicable law;
 - (D) Act as custodian of all official records of the City Council;
 - (E) Hold and maintain the seal of the City and affix this seal to all appropriate documents;
 - (F) Authenticate, by signature and seal, and record all ordinances, resolutions and proclamations of the City;
 - (G) Perform such other duties, as may be required by the City Council, which are consistent with this Charter and state and federal law; and
 - (H) Schedule and oversee all City elections in accordance with the Texas Election Code and any other applicable law.

SECTION 4.03 Municipal Court

- (1) The City Council shall establish and cause to be maintained a Municipal Court. The Court shall have all the powers and duties as are now, or as may be, prescribed by the laws of the State of Texas.

- (2) The City Council shall appoint, by the affirmative vote of a majority of the membership of the City Council, such Municipal Judges of the Municipal Court, as may be necessary, all of whom shall be competent, duly qualified attorneys licensed and practicing for at least two (2) years in the State of Texas. In the event a duly qualified attorney is not available, the City Council shall then select a qualified person to be the Municipal Judge. The Municipal Judge(s) of the Municipal Court(s) shall be appointed to a term of two (2) years which shall coincide with the terms of the Mayor and may be appointed to additional consecutive terms upon completion of his/her/their term(s) of office. The appointment of the Municipal Judge(s) may be terminated, at any time by the affirmative vote of a three fourths majority of the City Council after due notice and a public hearing. The Municipal Judge(s) shall receive compensation as may be determined by the City Council.
- (3) All special expenses and fines imposed by the Municipal Court(s) shall be paid into the City Treasury for the use and benefit of the City, as may be consistent with present and future laws.

SECTION 4.04 City Attorney

- (1) The City Council shall appoint, by the affirmative vote of a majority of the City Council, a competent, duly qualified, licensed and practicing attorney in the State of Texas who shall serve as the City Attorney. The City Attorney must be a member of the State Bar of Texas.
- (2) The City Attorney shall:
 - (A) Serve as the legal advisor to the City Council and City Manager;
 - (B) Represent the City in litigation and legal proceedings as directed by the City Council and the City Manager; and
 - (C) Review and provide opinions as requested by the City Council or City Manager on contracts, legal instruments, ordinances of the City and other City business.
- (3) The City Council shall have the right to retain special counsel at any time that it may deem necessary and appropriate.
- (4) The City Attorney and Special Counsel shall receive compensation as may be determined by the City Council.
- (5) The City Attorney, with approval of the City Council, may select additional attorneys to act for him/her and the City in its representation and/or litigation.

- (6) The City Attorney may be removed, without cause, by the affirmative vote of a majority of the City Council.

SECTION 4.05 Administrative Departments, Offices and Agencies

- (1) The City Council may, after hearing recommendations of the City Manager, establish, abolish, redesignate and/or combine departments, offices or agencies, in addition to those provided for by this Charter, and may prescribe the functions and duties of such departments, offices and agencies.
- (2) Except as provided elsewhere in this Charter, all departments, offices and agencies of the City shall be under the direction and supervision of the City Manager and shall be administered by officers appointed by and subject to the direction and supervision of the City Manager. The City Manager may, with the consent of the City Council, serve as the head of one (1) or more City departments, offices or agencies or appoint one (1) person as head of two (2) or more of them.
- (3) The City Manager may appoint a City Tax Collector, whose duties and functions shall be those usual to the office and consistent with the laws of the State of Texas, as they may apply to City or County Tax Collectors. The City Manager may recommend that the City Council enter into an outside contract for such services.

SECTION 4.06 Personnel System

Personnel rules shall be prepared by the City Manager and presented to the City Council, who may adopt them by ordinance or resolution, with or without amendment. The adopted rules shall establish the City as an Equal Opportunity Employer and shall govern the equitable administration of the personnel system of the City. The City shall comply with all applicable State and Federal labor laws.

SECTION 4.07 Reserved

ARTICLE V

NOMINATIONS AND ELECTIONS

SECTION 5.01 City Elections

- (1) All City elections shall be conducted in accordance with the Texas Election Code and other applicable law.
- (2) The general City election shall be held annually on such date as required by the Texas Election Code and established by ordinance. The City Council shall be responsible for specification of places for holding such elections.
- (3) The City Council may, by resolution, order a special election for purposes consistent with this Charter and laws of the State of Texas. The City Council will fix the time and places for such a special election and provide all means for holding same.
- (4) Municipal elections shall be conducted by election officials appointed by the City Council or contracted with the County Elections Office, as prescribed by law. Sample ballots, identical in format to those used in the specific election, shall be posted in the voting place(s) for the purpose of voter orientation.
- (5) All municipal elections shall be publicized in accordance with the Texas Election Code.
- (6) A sample ballot shall be published twice in the official newspaper of the City prior to the date of the election.

SECTION 5.02 Filing for Office

- (1) Candidates for elective City offices shall file for office in accordance with the Texas Election Code.
- (2) Candidates for elective City offices shall meet the following qualifications:
 - (A) Shall be at least twenty-one (21) years of age at the time of the election for which they are filing;
 - (B) Shall be a qualified voter;
 - (C) Shall have resided within the corporate limits of the City, or recently annexed territory, and their district for at least twelve (12) months prior to the filing date and shall have their primary residence within the City limits of the City of Cibolo.;

- (D) No candidate may file in a single election for more than one (1) elective office or position;
- (E) No employee of the City shall continue in such position after filing for an elective City office;
- (F) The office of an incumbent elected City official shall become vacant when the person holding such office files an application to have his/her name placed on an official ballot as a candidate for any elective public office other than the one such person holds, unless otherwise prohibited by law; and
- (G) Shall comply with all other City ordinances and/or resolutions that may be applicable.

SECTION 5.03 Official Ballots

- (1) The name of each candidate seeking elective office, except those who have withdrawn, died or become ineligible, shall be printed on the official ballot in the form designated by the candidate in accordance with the Texas Election Code. If two (2) or more candidates have the same surname, their residence addresses shall be printed with their names on the ballot.
- (2) The order of the names of the candidates on the ballot shall be determined by lot in a public drawing to be held under the supervision of the person performing the duties of the City Secretary in accordance with the Texas Election Code.
- (3) Procedures for voting by absentee ballot shall be consistent with the Texas Election Code.
- (4) An ordinance, bond issue, or Charter amendment to be voted on by the voters of the City shall be presented for voting by ballot title. The ballot title of a measure may be different from its legal title and shall be a clear, concise statement, approved by the City Council, describing the substance of the measure without argument or prejudice.
- (5) Procedures for write-in votes shall be consistent with the Texas Election Code.

SECTION 5.04 Official Results

- (1) The Council candidate for elective office receiving a plurality, meaning the greatest number of the votes cast shall, be declared the winner. The Mayoral candidate for elective office receiving a majority, meaning more than fifty (50) percent, of the votes cast shall be declared the winner. In the event that no Mayoral candidate receives a majority of all votes cast for any one place at such election, the City Council shall, upon completion of the official canvass of the ballots, issue a call for a runoff election to be

held within thirty (30) days following the issuance of such call, or in accordance with the Texas Election Code. At such runoff election, the two (2) candidates receiving the highest number of votes (or three (3) persons in case of a tie for second place) shall be the candidates in the final runoff election.

(2) The returns of every municipal election shall be handled in accordance with the Texas Election Code. These returns shall be delivered from the election judges to the person performing the duties of the City Secretary and the Mayor at City Hall as soon as possible after the closing of the polls. Election returns, general and special, shall be presented to the City Council at their next meeting following the election, at which time the City Council shall canvass and declare the results of the election, which shall be recorded in the minutes of the meeting.

SECTION 5.05 Taking of Office

(1) Each newly elected person to the City Council shall be inducted into office at the first regular City Council meeting following the canvass of the election.

(2) At such meeting, the oath shall be administered in accordance with the City Charter.

ARTICLE VI

RECALL, INITIATIVE, AND REFERENDUM

SECTION 6.01 Scope of Recall

Any elected City official, whether elected to office by qualified voters or appointed by the City Council to fill a vacancy, shall be subject to recall and removal from office by the qualified voters of the City on grounds of incompetency, misconduct or malfeasance in office.

SECTION 6.02 Petitions for Recall

Before the question of recall of such officer shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of City Secretary. As to the Mayor said petition must contain the number of valid signatures totaling at least thirty percent (30%) of the number of votes cast at the last general City election, or four hundred and fifty (450), whichever is greater. As to the councilpersons elected by District, said petition shall be signed by qualified voters in such District equal in number at least thirty percent (30%) of the number of votes cast within their respective District at the last general City election, or one hundred fifty (150), whichever is greater. Each signer of such recall petition shall personally sign his/her name thereto in ink or indelible pencil and shall write after his/her name his/her place of residence, giving the name of the street and the number, and shall also write thereon the day, the month and the year his/her signature was affixed.

SECTION 6.03 Form of Recall Petition

The recall petition mentioned above must be addressed to the City Council of the City, must be distinctly and specifically pointed to the grounds upon which such petition for removal is predicated, and, if there be more than one (1) ground, said petition shall specifically state each ground with such certainty as to give the officer sought to be removed notice of the matters and things with which the officer is charged. The signature shall be verified by oath in the following form:

State of Texas

County of _____

I, _____, being first duly sworn, on oath depose and say that I am one of the signers of the above petition, and 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 I solemnly swear that the same is the genuine signature of the person it purports to be.

Signature _____

Sworn and subscribed before me this _____ day of _____ 20__.

NOTARY PUBLIC, STATE OF TEXAS

My commission expires: _____

SECTION 6.04 Various Papers Constituting Petition

The petition may consist of one (1) or more copies or subscription lists, circulated separately, and the signatures thereto may be upon the paper or papers containing the form of the petition, or upon other paper attached thereto. Verifications provided for in the preceding section of this Article may be made by one (1) or more petitioners, and the several parts of copies of the petition may be filed separately and by different persons, but no signatures to such petition shall remain effective or be counted which were placed thereon more than forty-five (45) days prior to the filing of such petition or petitions with the person performing the duties of City Secretary. All papers comprising a recall petition shall be filed with the person performing the duties of City Secretary on the same day, and the said person performing the duties of City Secretary shall immediately notify, in writing, the officer so sought to be removed, by mailing such notice to the officer's address.

SECTION 6.05 Presentation of Petition to the City Council

Within twenty-one (21) days after the date of the filing of the papers constituting the recall petition, the person performing the duties of City Secretary shall present such petition to the City Council.

SECTION 6.06 Public Hearing to be Held

The officer whose removal is sought may, within seven (7) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him/her to present the 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.

SECTION 6.07 Calling of Recall Election

If the officer whose removal is sought does not resign, then the City Council shall order an election and set the date for holding such recall election. The date selected for the

recall election shall be in accordance with the Texas Election Code. If, after the recall election date is established, the officer vacates his/her position, the election shall be cancelled.

SECTION 6.08 Ballots in Recall Election

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

(1) With respect to each person whose removal is sought, the question shall be submitted: "Shall _____ be removed from the office of _____ by recall?"

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

"Yes"

"No"

SECTION 6.09 Result of Recall Election

If a majority of the votes cast at a recall election shall be "No", that is against the recall of the person named on the ballot, the officer shall continue in office for the remainder of his/her unexpired term, subject to recall as before. If a majority of the votes cast at such election be "Yes", that is for the recall of the person named on the ballot, the officer shall, regardless of any technical defects in the recall petition, be deemed removed from office, and the vacancy shall be filled by the City Council as provided in this Charter and/or Texas State Law.

SECTION 6.10 Recall, Restrictions Thereon

No recall petition shall be filed against any officer of the City within three (3) months after the officer's election, nor within three (3) months after an election for such officer's recall.

SECTION 6.11 Failure of the City Council to Call an Election-Recall

If all of the requirements of this Charter have been met and the City Council fails or refuses to receive the recall petition, or order such recall election, or discharge any other duties imposed on the City Council by the provisions of this Charter with reference to such recall, then the District Judge of Guadalupe County, Texas, shall be authorized to discharge any of such duties herein provided to be discharged by the person performing the duties of City Secretary or by the City Council upon petition by an individual with standing under the laws of the State of Texas.

SECTION 6.12 General Power of Initiative and Referendum

The qualified voters of the City, in addition to the method of legislation herein before provided, shall have the power of direct legislation by the initiative and referendum.

- (1) Initiative: Such power shall not extend to the budget or any capital program or ordinance not subject to initiative as provided by state law, relating to appropriation of money, issuing of bonds and levy of taxes or salaries of City officers or employees.
- (2) Referendum: Such power shall not extend to the budget or any capital program or emergency ordinance or ordinance not subject to referendum as provided by state law, relating to appropriation of money, issuing of bonds or levy of taxes.

SECTION 6.13 Initiative

- (1) Qualified voters of the City may initiate legislation by submitting a petition addressed to the City Council, which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. Said petition must contain the number of valid signatures totaling at least thirty percent (30%) of the number of votes cast at the last general City election or one hundred and fifty (150), whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions are signed, as provided in this Article, and shall be verified by oath in the manner and form provided for recall petitions in this Article. The petition may consist of one (1) or more copies as permitted for recall petitions. Such petition shall be filed with the person performing the duties of City Secretary.
- (2) Within twenty-one (21) days after the filing of such petition, the person performing the duties of City Secretary shall present said petition and proposed ordinance or resolution to the City Council. Upon presentation to the City Council, it shall become the duty of the City Council, within two (2) regularly scheduled City Council meetings after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, in the opinion of the persons filing the petition, or to call a special election, to be held on a date allowed under the Texas Election Code, at which the qualified voters of the City shall vote on the question of adopting or rejecting the proposed legislation. Any election order so issued shall comply with the Texas Election Code. Unless otherwise provided by law, any election for an initiative under this Charter shall be held on the first authorized uniform election date that occurs after the sixty-fifth (65th) day after the petition was presented to the City Council.

SECTION 6.14 Referendum

Qualified voters of the City may require that any ordinance or resolution, with the exception of ordinances or resolutions appropriating money, levying taxes, fixing rates and changes for utilities, and ordinances authorizing the issuance of bonds that have been

authorized by a vote of the people, passed by the City Council be submitted to the voters of the City for approval or disapproval, by submitting a petition for this purpose within thirty (30) days after final passage of said ordinance or resolution, or within thirty (30) days after its publication. Said petition shall be addressed, signed and verified as required for recall petitions in this Article and shall be submitted to the person performing the duties of City Secretary. Within twenty-one (21) days after the filing of such petition, the person performing the duties of City Secretary shall present said petition to the City Council. Upon presentation to the City Council, it shall become the duty of the City Council, within two (2) regularly scheduled City Council meetings after the receipt thereof, to reconsider such ordinance or resolution and, if the City Council does not entirely repeal the same, shall submit it to popular vote as provided in Section 6.13 of this Charter. Pending the holding of such election, each ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters voting thereon at such election shall vote in favor thereof. Unless otherwise provided by law, any election for a referendum under this Charter shall be held on the first authorized uniform election date that occurs after the sixty-fifth (65th) day after the petition was presented to the City Council.

SECTION 6.15 Voluntary Submission of Legislation by the City Council

The City Council, upon its own motion and by the affirmative vote of a majority of the full membership of the City Council, may submit to popular vote at any election for adoption or rejection any proposed ordinance or resolution or measure, or may submit for repeal any existing ordinance, or resolution, or measure, in the same manner and with the same force and effect as provided in this Article for submission of initiative and referendum petitions, and may, at its discretion, call a special election for this purpose.

SECTION 6.16 Form of Ballots

The ballots used when voting upon such proposed and referred ordinance, resolutions or measures, shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words:

"For the Ordinance" or
"Against the Ordinance" or
"For the Resolution" or
"Against the Resolution"

SECTION 6.17 Publication of Proposed and Referred Ordinances

The person performing the duties of City Secretary of the City shall publish at least twice in the official newspaper of the City the proposed or referred ordinance or resolution within fifteen (15) days before the date of the election and shall give such other notices and do such other things relative to such election as are required by law in municipal elections and by the ordinance or resolution calling said election.

SECTION 6.18 Adoption of Ordinances

If a majority of the qualified voters voting on any proposed ordinance or resolution or measure shall vote in favor thereof, it shall thereupon, or at any time fixed therein, become effective as a law or as a mandatory order of the City Council.

SECTION 6.19 Inconsistent Ordinances

If the provisions of two (2) or more proposed ordinances or resolutions approved at the same election are inconsistent, the ordinance or resolution receiving the highest number of votes shall prevail.

SECTION 6.20 Ordinances Passed by Popular Vote, Repeal or Amendment

No ordinance or resolution which may have been passed by the City Council upon a petition or adopted by popular vote under the provisions of this Article shall be repealed or amended except by the City Council in response to a referendum petition or by submission as provided by Section 6.15 of this Charter.

SECTION 6.21 Further Regulations by the City Council

The City Council may pass ordinances or resolutions providing other and further regulations for carrying out the provisions of this Article consistent herewith.

SECTION 6.22 Franchise Ordinances

Nothing contained in this Article shall be construed to be in conflict with any of the provisions of this Charter pertaining to ordinances granting franchises when valuable rights shall have accrued thereunder.

SECTION 6.23 Failure of the City Council to Call an Election-Initiative or Referendum

If all of the requirements of this Charter have been met and the City Council fails or refuses to receive the initiative or referendum petition, or order such initiative or referendum election, or discharge any other duties imposed on the City Council by the provisions of this Charter with reference to such initiative or referendum, then the District Judge of Guadalupe County, Texas, shall discharge any of such duties herein provided to be discharged by the person performing the duties of City Secretary or by the City Council upon petition by an individual with standing under the laws of the State of Texas.

ARTICLE VII

FINANCIAL PROCEDURES

SECTION 7.01 Fiscal Year

The fiscal year of the City shall begin on the first day of October and end on the last day of September on the next succeeding year. Such fiscal year shall also constitute the budget and accounting year.

SECTION 7.02 Submission of Budget and Budget Measure

On or before August 15th of the fiscal year, the City Manager shall submit to the City Council a budget for the ensuing fiscal year and an accompanying budget message.

SECTION 7.03 Budget Message

The City Manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures and revenues together with the reasons for such changes, summarize the City's debt position and include such other material as the City Manager deems desirable.

SECTION 7.04 Reserved

SECTION 7.05 Public Hearing on Budget

At the City Council meeting when the budget is submitted, the City Council shall name the date and place of a public hearing.

SECTION 7.06 Proceeding on Adoption of Budget

After public hearing, the City Council shall analyze the budget, making any additions or deletions which they feel appropriate, and shall, at least ten (10) days prior to the beginning of the next fiscal year, adopt the budget by the affirmative vote of a majority of the City Council. Should the City Council take no final action on or prior to such day, the current budget shall be in force on a month-to-month basis until a new budget is adopted and the new budget must be approved within thirty (30) days of the start of the new fiscal year.

SECTION 7.07 Budget, Appropriation and Amount to be Raised by Taxation

On final adoption, the budget shall be in effect for the budget year. Final adoption of the budget by the City Council shall constitute the official appropriations as proposed by expenditures for the current year and shall constitute the basis of official levy of the

property tax as the amount of tax to be assessed and collected for the corresponding tax year. Estimated expenditures will in no case exceed proposed revenue plus available fund balance. Unused appropriations may be transferred to any item required for the same general purpose.

SECTION 7.08 Amending the Budget

Under conditions which may arise and which could not reasonably have been foreseen in the normal process of planning the budget, the City Council may, by the affirmative vote of a majority of the City Council, amend or change the budget to provide for any additional expense in which the general welfare of the citizenry is involved. These amendments shall be by ordinance and shall become an attachment to the original budget.

SECTION 7.09 Certification; Copies Made Available

A copy of the budget, as finally adopted, shall be filed with the person performing the duties of City Secretary and such other places required by state law or as the City Council shall designate.

SECTION 7.10 Capital Program

The City Manager shall submit a five-year (5-year) capital program as an attachment to the annual budget. The program as submitted 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 succeeding the budget year, with appropriate supporting information as to the necessity for such improvements;
- (3) Cost estimates, method of financing and recommended time schedules for each improvement; and
- (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

SECTION 7.11 Defect Shall Not Invalidate the Tax Levy

Errors or defects in the form or preparation of the budget or the failure to perform any procedural requirements shall not nullify the tax levy or the tax rate.

SECTION 7.12 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 in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation, with the exception of a bond fund, shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation. Any funds not expended, disbursed or encumbered shall be deemed excess funds.

SECTION 7.13 Borrowing

(1) The City shall have the right and power, except as prohibited by state law or this Charter, to borrow money by whatever method it may deem to be in the public interest and in conformity with the laws of the State of Texas for the purpose for which they were issued.

(2) General Obligation Bonds:

(A) The City shall have the power to borrow money on the credit of the City and to issue general obligation bonds for permanent public improvements or any other public purpose not prohibited by law and this Charter and to issue refunding bonds to refund outstanding bonds previously issued. All such bonds shall be issued in conformity with the laws of the State of Texas and shall be used only for purposes for which they were issued.

(B) Any bonds issued under the provisions of this Section shall not be issued without an election. The City Council shall prescribe the procedure for calling and holding such elections, shall define the voting precincts and shall provide for the return and canvass of the ballots cast at such elections.

(C) If, at such elections, a majority of the vote shall be in favor of creating such a debt, it shall be lawful for the City Council to issue bonds as proposed in the ordinance submitting same. However, if a majority of the voted polled shall be against the creation of such debt, the City Council shall be without authority to issue the bonds. In all cases when the City Council shall order an election for the issuance of bonds of the City, it shall, at the same time, submit the question of whether or not a tax shall be levied upon the property within the City for the purpose of paying the interest on the bonds and to create a sinking fund for their redemption.

(3) Revenue Bonds:

The City shall have the power to borrow money for the purpose of constructing, purchasing, improving, extending or repairing of public utilities, or any other self-liquidating municipal function not prohibited by the Constitution and the laws of the

State of Texas. With an affirmative vote of a majority of the Council Members, it shall have the power to issue revenue bonds and to evidence the obligation created thereby. Such bonds shall be a charge upon and payable from the properties, or interest therein pledged, or the income therein gained from, or both. The holders of the revenue bonds shall never have the right to demand payment thereof out of monies raised or to be raised by taxation. All such bonds shall be issued in conformity with the laws of the State of Texas and shall be used only for the purpose for which they were issued.

(4) Emergency Funding:

In any budget year, the City Council may, by affirmative vote of a majority of the Council Members, authorize the borrowing of money. Notes may be issued which are repayable not later than the end of the current fiscal year.

SECTION 7.14 Purchasing

- (1) The City Council may, by ordinance, give the City Manager general authority to contract for expenditure without further approval of the City Council for all budgeted items not exceeding limits set by the City Council within the ordinance.
- (2) All contracts for expenditures involving more than the limits must be expressly approved in advance by the City Council. All contracts or purchases involving more than the limits set by the City Council shall be awarded by the City Council in accordance with state law.
- (3) Emergency contracts, as authorized by law and this Charter, may be negotiated by the City Council or City Manager, if given authority by the City Council, without competitive bidding and in accordance with state law. Such emergency shall be declared by (i) the City Manager and approved by the City Council, or (ii) the City Council.

SECTION 7.15 Administration of Budget

- (1) No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made, 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.
- (2) Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal. Such action shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such payment or obligation, and the officer shall also be liable to the City for any amount so paid.

- (3) This prohibition shall not be construed to prevent the making or authorizing of payments, or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness or certificates of obligation or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, providing that such action is made or approved by ordinance.
- (4) The City Manager shall submit to the City Council each month a report covering the revenues and expenditures of the City in such form as requested by the City Council.

SECTION 7.16 Reserved.

SECTION 7.17 Independent Audits

At the close of each fiscal year, and at such other times as may be deemed necessary, the City Council shall call for an independent audit to be made of all accounts of the City by a certified public accountant. No more than five (5) consecutive annual audits shall be completed by the same firm. The certified public accountant selected shall have no personal interest, directly or indirectly, in the financial affairs of the City or any of its officers. The report of audit, with the auditor's recommendations, will be made to the City Council.

SECTION 7.18 Power to Tax

- (1) The City shall have the power to levy, assess and collect taxes of every character and type for any municipal purpose not prohibited by the Constitution and laws of the State of Texas.
- (2) The City shall have the power to grant tax exemptions in accordance with the laws of the State of Texas.

SECTION 7.19 Office of Tax Collector

There may be an office of taxation to collect taxes, the head of which may be the City Tax Collector. The City Council may contract for such services.

SECTION 7.20 Taxes; When Due and Payable

- (1) All taxes due in the City shall be payable at the office of the City Tax Collector, or at such location or locations as may be designated by the City Council, and may be paid at any time after the tax rolls for the year have been completed and approved. Taxes for each year shall be paid before February 1 of the next succeeding year, and all such taxes not paid prior to that date shall be deemed delinquent and shall be subject to penalty and interest as the City Council shall provide by ordinance. The City Council may provide discounts for the payment of taxes prior to January 1 in an amount not to exceed those established by the laws of the State of Texas.

- (2) Failure to levy and assess taxes through omission in preparing the appraisal rolls shall not relieve the person, firm or corporation so omitted from obligation to pay such current or past due taxes as shown to be payable by recheck of the rolls and receipts for the years in question, omitting penalty and interest.

SECTION 7.21 Tax Liens, Liabilities and Suits

- (1) All taxable property located in the City on January 1 of each year shall stand charged from that date with a special lien in favor of the City for the taxes due. All persons purchasing any such property on or after January 1 in any year shall take the property subject to the liens provided above. In addition to the liens herein provided, on January 1 of any year, the owner of property subject to taxation by the City shall be personally liable for the taxes due for that year.
- (2) The City shall have the power to sue for and recover personal judgment for taxes without foreclosure, or to foreclose its lien or liens, or to recover both personal judgment and foreclosure. In any such suit where it appears that the description of any property in the City appraisal rolls is insufficient to identify such property, the City shall have the right to plead a good description of the property to be assessed, to prove the same, and to have its judgment foreclosing the tax lien or for personal judgment against the owners for such taxes.

ARTICLE VIII

BOARDS AND COMMISSIONS

SECTION 8.01 Authority, Composition and Procedures

- (1) The City Council shall create, establish or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by the City Council, such boards, commissions and committees as it deems necessary to carry out the functions and obligations of the City. The City Council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability and tenure of each board, commission and committee where such are not prescribed by law or this Charter.
- (2) Individuals who are qualified voters and residents of the City, with no more than one member from the City's Extraterritorial Jurisdiction (ETJ), may be appointed by the City Council to serve on one (1) or more boards, commissions or committees. Such appointees shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Except as otherwise provided in this Charter, members of any such board, commission or committee shall serve without compensation, but may be reimbursed for actual expenses as approved by the City Council.
- (3) All boards, commissions or committees of the City shall keep and maintain minutes of any proceedings held and shall submit them to the City Council following the meeting at which they are approved.
- (4) No officer or employee of the City nor any person who holds a compensated appointive position with the City shall be appointed to any board, commission or committee created or established by this Charter other than in an advisory capacity.
- (5) Unless specified otherwise by a previous ordinance, any member of a board, commission or committee who is absent from three (3) consecutive regular meetings, or twenty-five percent (25%) of regularly scheduled meetings during the twelve-month (12 month) period immediately preceding and including the absence in question, without explanation acceptable to a majority of the other members, shall forfeit his/her position on the board, commission or committee.

ARTICLE IX

PLANNING AND ZONING COMMISSION

SECTION 9.01 Organization

- (1) There is hereby established a Planning and Zoning Commission (the "Commission") which shall consist of at least seven (7) members who shall be appointed by the City Council to staggered terms of two (2) years.
- (2) A vote of at least three-quarters (3/4) of all the Council Members, is required to overrule a recommendation of the Commission that a proposed zoning amendment, supplement or change, or change to a regulation or boundary be denied.

SECTION 9.02 Reserved.

SECTION 9.03 Reserved.

SECTION 9.04 Reserved.

ARTICLE X

UTILITY AND PUBLIC SERVICE FRANCHISES AND LICENSES

SECTION 10.01 Authority

The ownership, right of control and use of streets, highway, alleys, parks, public places, rights-of-way and all other real property of the City is hereby declared to be inalienable to the City. No entity or individual shall have the right to occupy such public property without the express permission of and under an express written agreement with the City concerning such occupancy. Utilities and/or public utilities shall only be granted the right to occupancy under the terms of a franchise agreement with the City. All grants, removals, extensions or amendments of public utility franchises on, under or beneath such public places shall be the right of the Council. The City may, by ordinance, sell, lease, transfer or otherwise alter its control and use of such public properties, in accordance with the provisions of this Charter.

SECTION 10.02 Ordinance Granting Franchise

No franchise shall be granted for a term of more than ten (10) years from the date of the grant, renewal or extension of any franchise.

SECTION 10.03 Transfer of Franchise

No public service or utility franchise is transferable, except with the approval of the City Council. However, the franchisee may pledge franchise assets as security for a valid debt or mortgage.

SECTION 10.04 Franchise Value Not to be Allowed

Franchises granted by the City are of no value in fixing rates and charges for public services or utilities within the City and in determining just compensation to be paid by the City for property which the City may acquire by condemnation or otherwise.

SECTION 10.05 Right of Regulation

In granting, amending, renewing and extending public service and utility franchises, the City reserves unto itself all the usual and customary rights, including, but not limited to, the following rights:

- (1) To repeal the franchise by ordinance for failure to begin construction or operation within the time prescribed, or for failure to comply with terms of the franchise;
- (2) To require all extensions of service within the City limits to become part of the aggregate property of the service and operate subject to all obligations and reserved rights contained in this Charter. Any such extension is considered part of the original

grant and terminable at the same time and under the same conditions as the original grant;

- (3) To require expansion and extension of facilities and services and to require maintenance of existing facilities to provide adequate service at the highest level of efficiency;
- (4) To require reasonable standards of service and quality of product and prevent rate discrimination;
- (5) To impose reasonable regulations and restrictions to insure the safety and welfare of the public;
- (6) To examine and audit accounts and records and to request annual reports on local operations of the public service or utility;
- (7) To require the franchisee to restore, at franchisee's expense, all public or private property to a condition as good as or better than before disturbed by the franchisee for construction, repair or removal;
- (8) To require the franchisee to furnish to the City, from time to time within a reasonable time following request of the City, at franchisee's expense a general map outlining current location, character, size, length, depth, height and terminal of all facilities over and under property within the City and its extraterritorial jurisdiction; and
- (9) To require compensation, rent or franchise fees to be paid to the City as may be permitted by the laws of the State of Texas.
- (10) Any other authority to regulate utilities and franchises in accordance with the laws of the State of Texas.

SECTION 10.06 Regulation of Rates

- (1) The City Council has the power to fix and regulate the rates, tariffs, and charges of all utilities and public services, consistent with state statutes.
- (2) If not satisfied with the sufficiency of evidence, the City Council may hire rate consultants, auditors and attorneys to investigate and, if necessary, litigate requests for rate changes, the expense of which shall be reimbursed to the City by the franchisee.

SECTION 10.07 Licenses

The City shall have the power to license, levy and collect fees in order to license any lawful business, occupation or calling subject to control pursuant to the police powers of the State of Texas and/or for any other purpose not contrary to the Constitution and laws of the State of Texas.

ARTICLE XI

GENERAL PROVISIONS

SECTION 11.01 Oaths

All elected and appointed officers of the City shall take and sign an oath of office based on those prescribed for state elective and appointive offices, respectively, in the Constitution of the State of Texas.

SECTION 11.02 Severability

If any section or part of this Charter is held invalid by a court of competent jurisdiction, such holding shall not invalidate or impair the validity, force or effect of any other section or part of this Charter.

SECTION 11.03 Wording Interpretation

The gender of the wording throughout this Charter shall always be interpreted to mean either sex. All singular words shall include the plural and all plural words shall include the singular. All references to the state law or laws of the State of Texas, however expressed in this Charter, shall mean "as presently enacted or as may be amended or superceded". The use of the word "City" in this Charter shall mean the City of Cibolo, Texas, and the use of the word "Charter" shall mean this Home Rule Charter. The term "qualified voter" shall mean a resident of the City who is duly registered to vote in City elections.

SECTION 11.04 Amendment of Charter

Amendments to this Charter may be framed and submitted to the qualified voters of the City in the manner provided by the Constitution and the laws of the State of Texas; but, no more often than once every two (2) years, as provided by the laws of the State of Texas.

SECTION 11.05 Charter Review Commission

- (1) The City Council shall appoint a Charter Review Commission at least once every six (6) years. The Charter Review Commission shall consist of ten (10) citizens of the City who shall:
 - (A) Inquire into the operation of the City government under the Charter and determine whether any provisions require revision. To this end, public hearings may be held. The Commission may compel the attendance of any officer or employee of the City and require submission of any City records;

- (B) Propose any recommendations it deems desirable to insure compliance with the Charter of the City government; and
 - (C) Report its findings and present its recommendations to the City Council.
- (2) The City Council shall receive and have published in the official newspaper of the City a comprehensive summary of the report presented by the Charter Review Commission, shall consider any recommendations made, and may order any amendments suggested to be submitted to the voters of the City in the manner provided by state law.
- (3) The term of office of the Charter Review Commission shall be for not more than six (6) months, at the end of which time a report shall be presented to the City Council and all records of proceedings of the Charter Review Commission shall be filed with the City Clerk and become a public record.

SECTION 11.06 Submission of Charter to Electors

The Charter Commission in preparing this Charter finds and declares that it is impractical to segregate each subject so that the voter may vote "Yes" or "No" on each subject. The Charter is so constructed that in order to enable it to work and function, it is necessary that it should be adopted in its entirety. For these reasons, the Charter Commission directs that this Charter be voted upon as a whole.

SECTION 11.07 Resubmissions

Any Request for action which is denied or disapproved by the governing body of the municipality shall be eligible for resubmission no sooner than ninety (90) days after the date of official disapproval.

SECTION 11.08 Regulation of alcohol.

The City Council may enact any and all other regulations regarding the sale, consumption, distribution, etc., of alcoholic beverages, as permitted by law, including but not limited to the regulation of the sale of liquor in residential sections or areas of the City.

ARTICLE XII

LEGAL PROVISIONS

SECTION 12.01 Assignment, Execution and Garnishment

- (1) Property, real and personal, belonging to the City shall not be liable to be sold or appropriated under any writ of execution or cost bill. Funds belonging to the City in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment or sequestration; nor shall the City be liable to garnishment, attachment or sequestration; nor shall the City be liable to garnishment on account of any debt it may owe or funds or property it may have on hand owing to any person. Neither the City nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatsoever.
- (2) The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors, except as provided by the laws of this State or the United States of America.

SECTION 12.02 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 the City. All such actions shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law.

SECTION 12.03 Notice of Claim

The City shall not be held liable on account of any claim for the death of any person or injuries to any person or damage to any property unless the person making such complaint or claiming such damages shall, within ninety (90) days after the time at which it is claimed such damages were inflicted upon such person or property, file with the City a written statement, under oath, stating the nature and character of such damages or injuries, the extent of the same, the place where same happened, the circumstances under which same happened and the condition causing same, with a detailed statement of each item of damages and the amount thereof, giving a list of any witnesses known by affiant to have seen the accident.

SECTION 12.04 Power to Settle Tax Claims

The City Council shall have the power to settle suits by the City to recover delinquent taxes.

SECTION 12.05 Service of Process Against the City

All legal process against the City shall be served upon both the Mayor and the City Manager.

SECTION 12.06 Judicial Notice

This Charter shall be deemed a public act, may be read in evidence without pleading or proof, and judicial notice shall be taken thereof in all courts and places.

SECTION 12.07 Pending Matters

All rights, claims, actions, orders, contracts and legal or administrative proceedings shall continue, except as modified pursuant to the provisions of this Charter, and, in each case, shall be maintained, carried on or dealt with by the City department, office or agency appropriate under this Charter.

SECTION 12.08 Property Not Exempt From Special Assessments

No property of any kind, by whomsoever owned or held or by whatsoever institution, agency, political subdivision or organization, owned or held, whether in trust or by non-profit organization, or corporation, or by foundation, or otherwise, (except property of the City), shall be exempt in any way from any of the special taxes, charges, levies and assessments, authorized or permitted by this Charter, for local improvements, for the public welfare in accordance with Texas State Law.

SECTION 12.09 City Council May Require Bonds

In addition to any provisions contained herein, the City Council may require any City official, department director, or City employee, before entering upon his/her duties, to execute a good and sufficient bond with a surety company doing business in the State of Texas and approved by the City Council. The premium of such bond shall be paid by the City.

SECTION 12.10 Disaster Clause

In case of disaster when a legal quorum of the elected City Council cannot otherwise be assembled due to multiple deaths or injuries, the surviving persons of the City Council, or highest surviving City official, if no elected official remains, must, within twenty four (24) hours of such disaster, request the City Manager and the County Judge of Guadalupe County to appoint a commission to act during the emergency and call a City election within thirty (30) days of such disaster, or as provided in the Texas Election Code, for election of a required quorum, if for good reasons it is known a quorum of the present City Council will never again meet.

SECTION 12.11 Construction of Charter

This Charter is a general grant of powers and is not to be interpreted as limiting in any way.

ARTICLE XIII

RESERVED

ARTICLE XIV

NEPOTISM, PROHIBITIONS AND PENALTIES

SECTION 14.01 Nepotism

No person related within the second degree by affinity or within the third degree by consanguinity to the Mayor or any Council Member or the City Manager shall be employed by or contracted with for the City. This shall not apply to any person employed by the City prior to the person related in the above degree filing to run for elective office or being nominated for an appointment.

SECTION 14.02 Equality of Rights

Equality of rights under state and federal law shall not be denied or abridged with respect to appointment to or removal from any position because of race, gender, age, national origin, political or religious opinions or affiliations.

SECTION 14.03 Wrongful Influence

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

SECTION 14.04 Wrongful Interference

No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment or attempt to commit any fraud preventing the impartial execution of the personnel provisions, rules and regulations of this Charter.

SECTION 14.05 Employee's Political Activities

No person, who holds any compensated non-elective City position, shall make, solicit or receive any contribution for any candidate for public office in the City, or take part in the management, affairs or political campaign of such candidate. Such person may exercise his/her rights as a citizen to express his/her opinion and cast his/her vote.

SECTION 14.06 Penalties

Any person, who willfully engages in and is found in violation of any of the activities prohibited in sections 14.02, 14.03, 14.04 or 14.05 of this Article, shall be ineligible for appointment or election to a position in the City for a period of five (5) years from that time. If the person is an officer or employee of the City at the time of the violation, he/she shall immediately forfeit his/her office or position, if found in violation.

SECTION 14.07 Conflict of Interest

No officer, whether elected or appointed, or any employee, whether full or part-time, of the City shall have a substantial financial interest, direct or indirect, in any contract, other than employment contracts, with the City; or have a substantial financial interest, direct or indirect, in the sale to the City of any land, materials, supplies or services, except on behalf of the City as an officer or employee, except as allowed by state law. Any willful violation of this Section shall constitute malfeasance in office, and any officer found guilty thereof shall thereby forfeit his/her office or position. Any violation of this Section by an employee shall subject that employee to discipline pursuant to the City's personnel policies. Any violation of this Section with the knowledge, express or implied, of the person or the corporation contracting with the governing body of the City shall render the contract involved voidable by the City Manager, unless reinstated by the City Manager or the affirmative vote of a majority of the full membership of the City Council.

SECTION 14.08 No Officer or Employee to Accept Gifts, Etc.

All officers and employees of the City shall comply with State Law regarding the acceptance of gifts.

SECTION 14.09 Code of Ethics

The City Council shall adopt a Code of Ethics within 180 days of the effective date of this charter.

SECTION 14.10 Council investigations; hearings; process.

(1) General. In addition to any other specific authority of investigation and hearing provided for in this Charter, the City Council shall have the power to inquire into the official conduct of any department, agency, appointed boards, office, officers, employees or appointed board members of the City. For the purpose of investigations and hearings, the City Council shall have the power to administer oaths, subpoena witnesses, compel the production of books, papers, and other evidence material to the inquiry. The City Council shall provide, by ordinance, penalties for contempt in failing or refusing to obey any such subpoena or to produce any such books, papers or other evidence. The City Council shall have the power to punish any such contempt in the manner provided by such ordinance.

(2) Hearing Process for Forfeitures of Office and determination of a violation of this Charter by Officers, Council Members, and the Mayor.

(A) All hearings held under this section shall be conducted in open session, except that the City Council may conduct a closed session to get advice from its attorney pursuant to the Texas Open Meetings Act;

(B) The officer holder subject to any investigation and/or hearing under this section shall be entitled to written notice of the allegations of forfeiture and/or the alleged violation of this Charter as applicable;

(C) A special meeting shall be called to hold the hearing;

(D) A member of City Council who is the subject of the investigation or hearing shall be entitled to provide for a defense, be given an opportunity to respond to the allegations and present any relevant evidence pursuant to subsection (G) herein, but shall not sit at the dais during the hearing and shall not participate in deliberation or vote;

(E) City Council shall adopt rules of procedures to be followed by ordinance;

(F) The City Council shall state the nature of the hearing and the allegations to be considered, shall be provided the results of any investigation and a presentation of the evidence against the office holder including, but not limited to testimony from individuals;

(G) The individual who is subject to the hearing shall be provided an opportunity to respond to the allegations and present any relevant evidence including, but not limited to, testimony from individuals;

(H) City Council may ask questions of any individual;

(I) No public comments shall be allowed unless agreed to by a majority vote of City Council. Rules for public comment shall be set by City Council;

(J) Unless otherwise provided for in this Charter a vote of three-quarter's (3/4) of City Council shall be necessary for a finding of removal from Office;

(K) Disposition of the matter under this Charter is final.