



**CITY OF NEW BRAUNFELS  
CANDIDATE PACKET  
FOR THE  
MAY 2, 2026  
GENERAL ELECTION**



**CITY COUNCIL DISTRICTS 5 & 6  
AND MAYOR**



January 1, 2026,

Dear Candidates and Officeholders:

Thank you for your interest in serving the citizens of New Braunfels. Should you decide to become a candidate, your candidacy requires compliance with certain state statutes and local ordinances. The City of New Braunfels, Texas, operates under state law and its own charter. Please realize the material in this packet is not exhaustive and that it is the duty of a candidate/officeholder to become familiar with and follow all laws, rules, and regulations applicable to municipal campaigns.

There are three (3) City of New Braunfels races for the May 2, 2026, general election Councilperson-District 5: Councilperson-District 6: and the Mayor. The term of each office is three years.

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

On the filing of an application for a place on the ballot, the City Secretary must review the application to determine whether it complies with the requirements as to form, content, and procedure only. That is, the City Secretary checks to be sure it was filed correctly and in a timely manner and that all required information is completed and attested to. The review must be completed not later than the fifth day after the date the application is received by the authority. If an application does not comply with applicable requirements, the City Secretary must reject the application and provide the candidate written notice of the rejection. [EC Sec. 141.032(e)]. Candidates are not permitted to simply make corrections to the form, once submitted candidates should review materials fully before turning them in. Please file your application as soon as practicable to allow sufficient time for this review. Please do not leave blank any required information on the application, as doing so may render your application invalid.

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

**All applications, affidavits, statements, and campaign reports filed with the City Secretary's office are considered public information and are open to inspection by the public.**



Persons with questions concerning the conduct of elections may contact the Elections division of the Texas Secretary of State's Office at 800-252-VOTE or SoS.state.TX.US, inquiries about candidacy, campaign finance, or the conduct of candidates and officeholders should contact the Texas Ethics Commission at 512-463-5800 or Ethics.State.TX.US. If you have specific needs of the City Secretary's office, please call us at 830-221-4010 or email us at [nbcitysecretary@newbraunfels.gov](mailto:nbcitysecretary@newbraunfels.gov) or visit our elections page on the City website at <https://newbraunfels.gov/3799/Voting-and-Elections>.

Please make sure you turn in the following documents:

- Application for place on the ballot
- CTA form
- CFCP Code of Fair Campaign Practices (Not Mandatory)

Your interest in municipal government and our community is appreciated. We trust this will be a positive and exciting experience for you, and that you find satisfaction in the call to public service.

Sincerely,

Gayle Wilkinson, TRMC  
City Secretary



## Table of Contents and Resources

1. **Eligibility requirements - Article III of the City Charter** is included herein, notes especially 3.02 – Qualifications. Candidates filing for a district race must reside in that district; an interactive district map is available at:  
<https://newbraunfels.maps.arcgis.com/apps/webappviewer/index.html?id=27281ec8ad7e4ade8e1bc80c10b60714>. (See Exhibit 1)
2. **Texas Election Code Sec. 141.001 including 2019 legislative changes that went into effect January 1, 2020.** (See Exhibit 2)
3. **Texas Secretary of State's At-A-Glance condensed calendar** from  
<https://www.sos.texas.gov/elections/voter/important-election-dates.shtml#2026>  
(See Exhibit 3)
4. **Application for a Place on the Ballot (Form 2-49) and instructions**, in English, and Spanish available online:  
<https://www.sos.texas.gov/elections/forms/pol-sub/2-49f.pdf>  
The City Secretary reviews applications to determine whether they are in compliance with the Texas Election Code and City Charter requirements as to content. Please file your application as soon as practicable to allow sufficient time for this review. Filing at the last minute may not give the City Secretary sufficient time for review. Please do not leave any blanks on the application, as doing so may render your application invalid. Find links at:  
<https://www.SoS.state.TX.US/elections/forms/pol-sub/index.shtml> for all SoS-promulgated forms. (See Exhibit 4)



5. City of New Braunfels, Texas City Council candidates use **Texas Ethics Commission** Non-Judicial Candidate/Officeholder forms, file with the City Secretary's office, and do not file electronically with the Texas Ethics Commission (TEC), although candidates may choose to use and print fillable forms when appropriate. TEC forms are available at <https://www.ethics.state.tx.us/forms/coh/cohfrm.php> Most form links are accompanied by a link to an instruction manual for the form.

Candidates may find *the TEC's Campaign Finance Guide for Candidates And Officeholders Who File with Local Filing Authorities*

[https://www.ethics.state.tx.us/data/resources/guides/coh\\_local\\_guide.pdf](https://www.ethics.state.tx.us/data/resources/guides/coh_local_guide.pdf)

to be informative. *The City Secretary is the local filing authority for New Braunfels City Council candidates.*

6. **Appointment of a Campaign Treasurer by a Candidate (Form CTA)** from <https://www.ethics.state.tx.us/data/forms/coh/cta.pdf> (The Form CTA

Instruction Guide is linked at

at [https://ethics.state.tx.us/data/forms/coh/CTA\\_ins.pdf](https://ethics.state.tx.us/data/forms/coh/CTA_ins.pdf) )

The CTA should be filed in the City Secretary's office at the same time as the *Application for a Place on the Ballot*. Please note the statement that must be signed regarding the nepotism law.

The second page of the form is to be completed if the candidate would like to use modified reporting. (See Exhibit 5)

Also included is the Amendment: **(ACTA) Appointment of a Campaign Treasurer by a candidate Amendment and the Instruction Guide.** (See Exhibit 6)

7. The **Code of Fair Campaign Practices (Form CFCP)** is signed voluntarily and is available at <https://www.ethics.state.tx.us/data/forms/coh/cfcp.pdf>  
(See Exhibit 7)



8. City candidates follow the TEC's **2026 Uniform (Local) Filing Schedule**, available at:  
<https://www.ethics.state.tx.us/data/filinginfo/schedules/s26gspac.pdf>  
Questions on reporting procedures, contributions, or expenditures should be addressed to the Texas Ethics Commission at (512) 463-5800. City candidates and officeholders use the forms contained in the *Candidate/Officeholder Campaign Finance Report* (Form C/OH) on the TEC website at <https://www.ethics.state.tx.us/data/forms/coh/coh.pdf> The C/OH form link contains many types of forms, all of which may not be needed by every candidate at each filing. This form is also linked to our Elections page on our website newbraunfels.gov.
9. The **TEC resolution concerning misleading campaign communications**

(See Exhibit 8)

10. **Political Advertising – What you need to know.**  
(See Exhibit 9)

It is the duty of a candidate to become familiar with the laws applicable to campaigning for office. Regarding the filing of candidate/officeholder reports, the City Secretary is limited to accepting the filing of the various reports and noting the date and time of filing thereon. Questions regarding campaign reporting procedures, contributions or expenditures should be directed to the Texas Ethics Commission at (512) 463-5800 or Ethics.state.TX.US.

***Please note that all applications, affidavits, statements, and campaign financial reports filed with the City Secretary's office are considered public information and open for public inspection and copying.***

# **Exhibit 1**



### **Sec. 3.01. Number, selection, and term.**

The legislative and governing body of the City shall consist of seven (7) Councilpersons and shall be known as the "Council of the City of New Braunfels," and who shall each serve a term of three (3) years.

The City of New Braunfels shall by ordinance be divided into six (6) 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 and 6. The qualified voters of each district shall elect one (1) Councilmember for each of the six (6) districts. The six (6) Councilmembers so elected from each district shall have been a resident of the district from which the Councilmember is elected for no less than six (6) months prior to filing for office and must continue to reside in said district for his or her entire term of office.

The Mayor of the City of New Braunfels shall be elected by the qualified voters of the City at large and elections for the Mayor shall be held pursuant to Article IV, Elections, of the City Charter of New Braunfels, Texas.

Each Councilperson shall hold office until his or her successor is elected and qualified. Candidates elected at the municipal election shall take office at the regular City Council meeting, the same being at the first regular meeting held after the meeting in which the election returns are canvassed, and the result of the election is officially declared.

No elected official shall serve more than three (3) consecutive three (3) year terms of office and no more than three (3) terms during lifetime. However, years or time of service that an elected official may serve in filling an unexpired term or a partial term of office shall not be counted toward the above limitations.

### **Sec. 3.02. Qualifications.**

Each member of the City Council shall be a resident citizen of the City of New Braunfels, shall be a qualified voter of the State of Texas, shall have been such resident citizen of the City of New Braunfels for a period of not less than twelve (12) months immediately prior to election day, and shall not be indebted to the City of New Braunfels; provided, however, that any person with the above qualifications, except as to residence, who shall have been a resident for a period of not less than twelve (12) months immediately preceding his or her election of any of the territory not formerly within the corporate limits of said city, but which is annexed under the provisions of section 1.04 of this charter, shall be eligible for said office. An elected officer must continue to reside in the City of New Braunfels for his or her entire term. If any elected officer fails to maintain the foregoing qualifications or shall be absent from three (3) consecutive regularly scheduled meetings without valid excuse, the City Council must at its next regular meeting declare a vacancy to exist and shall fill said vacancy as set forth in section 3.06 of this charter.



### **Sec. 3.03. Council to be judge of election, qualification.**

The City Council shall be the judge of the election and qualification of its own members.

### **Sec. 3.04. Compensation.**

Each Councilmember shall be paid fifty dollars (\$50.00) per meeting, and the Councilmember serving as mayor shall be paid seventy-five dollars (\$75.00) per meeting. In addition, each Councilmember shall be entitled to reimbursement for his/her actual and necessary expenses incurred in the performance of his/her specific official duties of office. Said expenses shall be subject to the approval of the council.

### **Sec. 3.05. Mayor and Mayor Pro Tem.**

- (a) *Election of Mayor.* The Mayor of the City of New Braunfels shall be elected in accordance with Article III, Section 3.01 and Article IV, Section 4.05 of the Charter of the City of New Braunfels, Texas. The Mayor shall preside at meetings of the City Council, shall be recognized as head of the City government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties.
- (b) *Election of Mayor Pro Tem.* At its first regular meeting following the meeting at which the official election returns are canvassed, and the results are declared of each year, the City Council shall elect from among its members a Mayor Pro Tem who shall serve at the pleasure of the City Council, and he/she shall perform all the duties of Mayor in the absence or disability of the Mayor. Mayor Pro Tem shall have the duty to implement, coordinate, and strive for completion of the annual evaluations of the City Manager, City Attorney, and Municipal Court Judge unless directed otherwise by resolution. The City Council may, by resolution, provide standards, procedures, and instruction on such annual evaluations.
- (c) *Emergency powers of Mayor.* Whenever the Mayor shall deem it necessary in order to enforce the laws of the City, or to avert danger, or to protect life or property, in case of riot, outbreak, calamity or public disturbance, or when he/she has reason to fear any serious violation of law or order, outbreak, or any other danger to the City of New Braunfels or the inhabitants thereof, he/she shall proclaim the emergency and shall utilize such powers and authorizations as permitted by local, state, and federal law needed to keep the peace and respond to such emergency. During such emergency, the police department of the City of New Braunfels, and such other keepers of the peace and emergency responders as shall be appointed, deputized, or enlisted by the Mayor shall be subject to the orders of the Mayor, and shall perform such duties as he/she may require, and shall have the same power while on duty as the regular police of the City of New Braunfels. The Mayor shall have authority during the continuance of such emergency to make and enforce such rules, regulations, and orders as are necessary to preserve the public health, safety, and welfare from the threatened danger. During such emergency, such rules, regulations, and orders shall have the force and effect of law.



The Mayor shall have authority in case of riot or other unlawful assemblage, to order and enforce the closing of any theater, picture show, or other place of public amusement or entertainment, ballroom, barroom, or other place of resort, or public room or building, and may order the arrest of any person violating in his presence any of the penal laws of the State, or any ordinances of the City; and he shall perform such other duties and possess and exercise such other power and authority as may be prescribed by law or by ordinance.

### **Sec. 3.06. Vacancies.**

All vacancies on City Council, regardless of cause, with unexpired terms more than twelve (12) months shall be filled by special election pursuant to state law. All vacancies with unexpired terms of twelve (12) months or less may be filled, at the discretion of City Council, by appointment of the City Council upon a majority vote, may be left vacant for the remainder of the unexpired term or filled by a special election pursuant to state law. An office holder who has forfeited the office under this Charter is ineligible to be appointed to fill an unexpired term created by such forfeiture.

## **Exhibit 2**

Sec. 141.001. ELIGIBILITY REQUIREMENTS FOR PUBLIC OFFICE.

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

- (1) be a United States citizen;
- (2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- (3) have not been determined by a final judgment of a court exercising probate jurisdiction to be:
  - (A) totally mentally incapacitated; or
  - (B) partially mentally incapacitated without the right to vote;
- (4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;
- (5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:
  - (A) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;
  - (B) for an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;
  - (C) for a write-in candidate, the date of the election at which the candidate's name is written in;
  - (D) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and
  - (E) for an appointee to an office, the date the appointment is made;
- (6) on the date described by Subdivision (5), be registered to vote in the territory from which the office is elected; and
- (7) satisfy any other eligibility requirements prescribed by law for the office.

*- Text of subsection effective on January 1, 2020*

(a-1) For purposes of satisfying the continuous residency requirement of Subsection (a)(5), a person who claims an intent to return to a residence after a temporary absence may establish that intent only if the person:

- (1) has made a reasonable and substantive attempt to effectuate that intent; and
- (2) has a legal right and the practical ability to return to the residence.

*- Text of subsection effective on January 1, 2020*

(a-2) Subsection (a-1) does not apply to a person displaced from the person's residence due to a declared local, state, or national disaster.

*- Text of subsection effective on January 1, 2020*

(a-3) The authority with whom an application for a place on a general primary election ballot is filed under Section 172.022 shall, to the extent permitted by law, use Subsections (a) and (a-1) in determining whether a candidate meets the residency requirements for a public elective office.

(b) A statute outside this code supersedes Subsection (a) to the extent of any conflict.

(c) Subsection (a) does not apply to an office for which the federal or state constitution or a statute outside this code prescribes exclusive eligibility requirements.

(d) Subsection (a)(6) does not apply to a member of the governing body of a district created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution.

*Acts 1985, 69th Leg., Ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by: Acts 2007, 80th Leg., R.S., Ch. 614 (H.B.*

*417), Sec. 28, eff. September 1, 2007. Acts 2015, 84th Leg., R.S., Ch. 504 (H.B. 484), Sec. 1, eff. September 1, 2015. Acts 2019, 86th Leg., R.S., Ch. 1047 (H.B. 831), Sec. 1, eff. January 1, 2020.*

- It may also be wise to review the conflict-of-interest provisions of the Texas Local Government Code at <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.171.htm> and Article 16, Section 40 of the Texas Constitution provisions on office holding at <https://statutes.capitol.texas.gov/Docs/CN/htm/CN.16.htm>.

## **Exhibit 3**

<b>Saturday, May 2, 2026 – Uniform Election Date (Limited)</b>	
Authority Conducting Elections	Local Non-County Political Subdivisions (County-ordered elections may not be held on this date. County Election Official may, but is not required to, contract to provide election services to political subdivisions holding elections on this date.)
Deadline to post candidate requirements <sup>5</sup> <u>Form 1-20</u>	Friday, May 2, 2025
Deadline to Post Notice of Candidate Filing Deadline (Local Non-County Political Subdivisions Only) <sup>1</sup>	Monday, December 15, 2025
First Day to Apply for Ballot by Mail	Thursday, January 1, 2026* <i>*First day to file does not move because of New Year's Day holiday. An "Annual ABBM" or FPCA for a January or February 2026 election may be filed earlier, but not earlier than the 60th day before the date of the January or February election.</i>
Last Day for Candidates Planning to File for a Place on the General Election Ballot (Local Non-County Political Subdivisions Only) to Register to Vote or Update Voter Registration	Tuesday, January 13, 2026
First Day to File for a Place on the General Election Ballot (Local Non-County Political Subdivisions Only) <sup>1</sup>	Wednesday, January 14, 2026
Last Day to Order General Election or Special Election on a Measure	Friday, February 13, 2026

Last Day to File for a Place on the General Election Ballot (Local Non-County Political Subdivisions Only) <sup>2</sup>	Friday, February 13, 2026 at 5:00 p.m. See note below relating to four-year terms <sup>3</sup>
Last Day to File a Declaration of Write-in Candidacy (Local Non-County Political Subdivisions Only)	Tuesday, February 17, 2026 at 5:00 p.m.
Last Day to Register to Vote	Thursday, April 2, 2026
First Day of Early Voting by Personal Appearance	Monday, April 20, 2026
Last Day to Apply for Ballot by Mail ( <b>Received, not</b> Postmarked)	Monday, April 20, 2026 (deadline falls on San Jacinto Day, moves to preceding business day)
Last Day of Early Voting by Personal Appearance	Tuesday, April 28, 2026
Last day to Receive Ballot by Mail	Saturday, May 2, 2026 (Election Day) at 7:00 p.m. if carrier envelope is <b>not</b> postmarked, <b>OR</b> Monday, May 4, 2026 (next business day after Election Day) at 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply) <sup>4</sup>

## **Exhibit 4**



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

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL<sup>1</sup> Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE _____			GENERAL ELECTION BALLOT		
TO: City Secretary/Secretary of Board (name of election) I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)			INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED		
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)	OCCUPATION (Do not leave blank)		DATE OF BIRTH	VOTER REGISTRATION VUID NUMBER <sup>2</sup> (Optional)	
/ /					
TELEPHONE CONTACT INFORMATION (Optional)					
Home:	Office:	Cell:			
FELONY CONVICTION STATUS (You MUST check one)			LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN		
<input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>			IN THE STATE OF TEXAS ____ year(s) ____ month(s)	IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED ____ year(s) ____ month(s)	
This Box Must ONLY be Completed by Candidates for School District Board of Trustees Check the Box Below:					
<input type="checkbox"/> I am aware that I am not eligible to serve as a trustee of an independent school district if I am required to register as a sex offender under Chapter 62, Code of Criminal Procedure.					
<small>*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.</small>					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says:					
"I, (name of candidate) _____, of _____ County, Texas, Being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct.					
<b>X</b> _____ SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the _____ day of _____, _____, by _____ (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath <sup>4</sup>			Printed Name of Officer Authorized to Administer Oath		
Notarial or Official Seal					
Title of Officer Authorized to Administer Oath					
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:					
<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$ _____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
____ / ____ / ____			(See Section 1.007)		
Date Received			Date Accepted		
Signature of Filing Officer or Designee					

## INSTRUCTIONS

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

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

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

## NEPOTISM LAW

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

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

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

## FOOTNOTES

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

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

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

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

Judicial Clemency under Texas Code of Criminal Procedure 42A.701

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

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

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

**NOTA: TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIÓNAL.<sup>1</sup> El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.**

<b>SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE _____</b>					
Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo Solicito que mi nombre <b>se incluya</b> en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación.					
<b>CARGO SOLICITADO</b> (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			<b>INDIQUE TÉRMINO</b> <input type="checkbox"/> <b>TÉRMINO COMPLETO</b> <input type="checkbox"/> <b>TÉRMINO INCOMPLETO</b>		
<b>NOMBRE COMPLETO</b> (Primer Nombre, Segundo Nombre, Apellido)			<b>ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA*</b>		
<b>DIRECCIÓN DE RESIDENCIA PERMANENTE</b> (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			<b>DIRECCIÓN DE CORREO PÚBLICO (Opcional)</b> (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
<b>CIUDAD</b>	<b>ESTADO</b>	<b>CÓDIGO POSTAL</b>	<b>CIUDAD</b>	<b>ESTADO</b>	<b>CÓDIGO POSTAL</b>
<b>DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional)</b> (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		<b>OCCUPACIÓN</b> (No deje este espacio en blanco)		<b>FECHA DE NACIMIENTO</b> / /	<b>VUID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE<sup>2</sup> (Opcional)</b>
<b>INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional)</b>					
Hogar:		Trabajo:		Celular:	
<b>ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)</b>			<b>DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA</b>		
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. <sup>3</sup>			<b>EN EL ESTADO DE TEXAS</b> _____ año(s) _____ mes(es)	<b>EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO</b> _____ año(s) _____ mes(es)	
<b>Esta casilla SÓLO debe ser rellenada por los candidatos para la Junta Directiva del Distrito Escolar</b> <b>Marque la casilla a continuación:</b> <input type="checkbox"/> Reconozco que no soy elegible para servir como fideicomisario de un distrito escolar independiente si estoy obligado a registrarme como delincuente sexual conforme al Capítulo 62 del Código de Procedimiento Penal.					
*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.					
Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: "Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."					
<b>X</b> <b>FIRMA DEL CANDIDATO</b>					
Jurado y suscrito ante mí este día _____ de _____ del _____ por _____. (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento <sup>4</sup>			Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial		
Título del oficial autorizado para administrar el juramento					
<b>TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:</b>					
<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$ _____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> <b>Voter Registration Status Verified</b>					
_____ / _____ / _____    _____ / _____ / _____			<b>(See Section 1.007)</b>		
Date Received _____		Date Accepted _____		Signature of Filing Officer or Designee _____	

## INSTRUCCIONES

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

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

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

## LEY DE NEPOTISMO

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

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

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

## NOTAS

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

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

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

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

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

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

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

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

## **Exhibit 5**



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

# CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA

PG 2

11 CANDIDATE  
NAME

12 MODIFIED  
REPORTING  
DECLARATION

## COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

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

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

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

I do not intend to accept more than \$1,110 in political contributions or make more than \$1,110 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

---

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

---

Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at [treasappoint@ethics.state.tx.us](mailto:treasappoint@ethics.state.tx.us)  
or mail to  
Texas Ethics Commission  
P.O. Box 12070  
Austin, TX 78711-2070

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

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

**TEXAS ETHICS COMMISSION**

**APPOINTMENT OF A CAMPAIGN TREASURER**

**BY A CANDIDATE**

**FORM CTA--INSTRUCTION GUIDE**



**Revised June 20, 2025**

## FORM CTA—INSTRUCTION GUIDE

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## APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

### GENERAL INSTRUCTIONS

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

### DUTIES OF A CANDIDATE OR OFFICEHOLDER

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

### QUALIFICATIONS OF CAMPAIGN TREASURER

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

### DUTIES OF A CAMPAIGN TREASURER

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

### REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

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

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

- (C) the filing of an application for nomination by convention;
- (D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;
- (E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of 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 (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.
- An elected position on the board of directors of an appraisal district.

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

## FILING WITH A DIFFERENT AUTHORITY

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

## FORMING A POLITICAL COMMITTEE

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

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

## CHANGING A CAMPAIGN TREASURER

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

## AMENDING A CAMPAIGN TREASURER APPOINTMENT

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

## REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

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

## TERMINATING A CAMPAIGN TREASURER APPOINTMENT

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

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

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

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

## FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. If you have surplus funds, or if you retain assets purchased with political funds, you will be required to file annual reports. (See *instructions for FORM C/OH - UC*.) If you are an officeholder at the time of filing a final report, you may be required to file semiannual reports of contributions, expenditures, and loans as an officeholder.

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

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

## ELECTRONIC FILING

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

## GUIDES

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

## SPECIFIC INSTRUCTIONS

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

### PAGE 1

- 1. TOTAL PAGES FILED:** After you have completed the form, enter the total number of pages of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.
- 2. CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, of this form.
- 3. CANDIDATE MAILING ADDRESS:** Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. **We recommend using a PO Box or other address where you receive mail, rather than your home**

**address. This will be public information.** If this information changes, please notify your filing authority immediately.

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

to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

**PAGE 2**

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

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

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

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

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

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$1,110 in political contributions or make more than \$1,110 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$1,110 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 \$1,110 maximums apply to each election within the cycle. In other words, you are limited to \$1,110 in contributions and expenditures in connection with the primary, an additional \$1,110 in contributions and expenditures in connection with the general election, and an additional \$1,110 in contributions and expenditures in connection with a runoff.

**EXCEEDING \$1,110 IN CONTRIBUTIONS OR EXPENDITURES.** If you exceed \$1,110 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$1,110 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

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

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



## **Exhibit 6**



**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**

Date Received

**5 CANDIDATE  
MAILING  
ADDRESS**

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

Date Hand-delivered or Postmarked

Receipt#   Amount \$  

Date Processed

**6 CANDIDATE  
PHONE**

NEW AREA CODE PHONE NUMBER EXTENSION

Date Logged

(      )

**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 bus in ess)**

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**

I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.

I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.

I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.

Signature of Candidate

Date Signed

**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 primary election, general election, and any related runoff.)

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

I do not intend to accept more than \$1,110 in political contributions or make more than \$1,110 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either of these limits is exceeded, I will be required to file pre-election reports and, if necessary, a run off report.

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

Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at [reasappo@ethics.state.tx.us](mailto:reasappo@ethics.state.tx.us)  
or mail to  
Texas Ethics Commission  
P.O. Box 12070  
Austin, TX 78711-2070

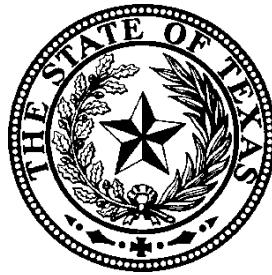
Non-TEC Filers must file this form with the local filing authority  
**DO NOT SEND TO TEC**

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

# TEXAS ETHICS COMMISSION

## AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

### FORM ACTA-INSTRUCTION GUIDE



Revised June 20, 2025

## 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 filer account number, if you file with the Texas Ethics Commission (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. FILER ID #:** If you are filing with the 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 “FILER ID #.” 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. We recommend using a PO Box or other address where you receive mail, rather than your home address. This will be public information.
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.

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 \$1,110 in political contributions or make more than \$1,110 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$1,110 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, or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$1,110 maximums apply to each election within the cycle. In other words, you are limited to \$1,110 in contributions and expenditures in connection with the primary, an additional \$1,110 in contributions and expenditures in connection with the general election, and an additional \$1,110 in contributions and expenditures in connection with a runoff.

**Exceeding \$1,110 in contributions or expenditures.** If you exceed \$1,110 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 \$1,110 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 Commission's campaign finance guide that applies to you.*

## **Exhibit 7**

# 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

<p><b>1</b> ACCOUNT NUMBER (Ethics Commission Filers)</p>		<p><b>2</b> TYPE OF FILER</p> <p>CANDIDATE <input type="checkbox"/></p> <p><i>If filing as a candidate, complete boxes 3 - 6, then read and sign page 2.</i></p> <p>POLITICAL COMMITTEE <input type="checkbox"/></p> <p><i>If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.</i></p>		
<p><b>3</b> NAME OF CANDIDATE (PLEASETYPE OR PRINT)</p>		<p>TITLE(Dr., Mr., Ms., etc.)</p>	<p>FIRST</p>	<p>MI</p>
		<p>NICKNAME</p>	<p>LAST</p>	<p>SUFFIX (SR., JR., III, etc.)</p>
<p><b>4</b> TELEPHONE NUMBER OF CANDIDATE (PLEASETYPE OR PRINT)</p>		<p>AREA CODE</p>	<p>PHONE NUMBER</p>	<p>EXTENSION</p>
		<p>(      )</p>		
<p><b>5</b> ADDRESS OF CANDIDATE (PLEASETYPE OR PRINT)</p>		<p>STREET/PO BOX;</p>	<p>APT / SUITE #;</p>	<p>CITY;</p>
				<p>STATE;</p>
				<p>ZIPCODE</p>
<p><b>6</b> OFFICE SOUGHT BY CANDIDATE (PLEASETYPE OR PRINT)</p>				
<p><b>7</b> NAME OF COMMITTEE (PLEASETYPE OR PRINT)</p>				
<p><b>8</b> NAME OF CAMPAIGN TREASURER (PLEASETYPE OR PRINT)</p>		<p>TITLE(Dr., Mr., Ms., etc.)</p>	<p>FIRST</p>	<p>MI</p>
		<p>NICKNAME</p>	<p>LAST</p>	<p>SUFFIX (SR., JR., III, etc.)</p>

**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 untrammeled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

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

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

---

Signature

---

Date

## **Exhibit 8**

# TEXAS ETHICS COMMISSION

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

JimClancy  
Chair

Commissioners

PaulW.Hobby  
Vice Chair

HughC.Akin  
Tom Harrison

DavidA. Reisman  
Executive Director

BobLong

PaulaM.Mendoza  
Tom Ramsay  
Chase Untermeyer



## RESOLUTION

The Texas Ethics Commission unanimously condemns the use of misleading campaign communications regarding the activities of the Commission.

The use of the statements "a sworn complaint has been filed against Candidate A" or "the Texas Ethics Commission is investigating a complaint against Candidate A" are improper attempts to mislead the public. It is therefore the unanimous opinion of the bipartisan Texas Ethics Commission that the use of such language in campaign communications is an unfair practice and should be judged accordingly by voters.

By law, the Texas Ethics Commission investigates every sworn complaint, whether it has merit or not. Likewise, any citizen of the State of Texas has the right to file a sworn complaint, whether it has merit or not. The fact that a complaint has been filed or the Commission is investigating provides no meaningful information to the voting public. Anyone can file a complaint and the Commission must investigate the complaints it receives.

If violations of the statutes under the Commission's jurisdiction have occurred, the proper way to inform the public of these violations is to describe the facts of the violation or the actual findings of the Commission after the conclusion of an investigation.

The Commission directs that this resolution be prominently referenced on the Commission's website and that the resolution be sent to members of the legislature and state and county party chairs.

## **Exhibit 9**

# **POLITICAL ADVERTISING**

## **What You Need to Know**



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

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

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

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

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

(512) 463-5800

TDD (800) 735-2989

Visit us at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

## REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

### I. What Is Political Advertising?

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

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

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

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

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

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

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

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

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

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

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

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

A disclosure statement must include the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# **ROAD SIGNS**

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

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

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

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

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

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

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

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

### **IV. What About Bumper Stickers?**

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

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

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

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

---

## MISREPRESENTATION

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

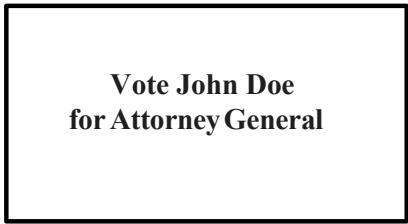
Political advertising and campaign communications may not misrepresent a person's identity or official title, nor may they misrepresent the true source of the advertising or communication. The election law does not address other types of misrepresentation in political advertising or campaign communications.

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

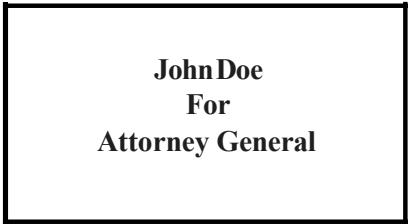
A "campaign communication" means "a written or oral communication relating to a campaign for nomination or election to public office or office of a political party or to a campaign on a measure."

### II. Misrepresentation of Office Title.

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

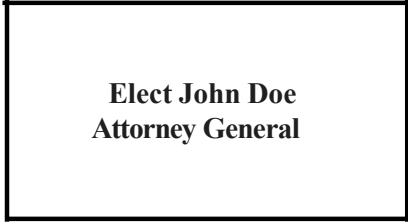


Vote John Doe  
for Attorney General

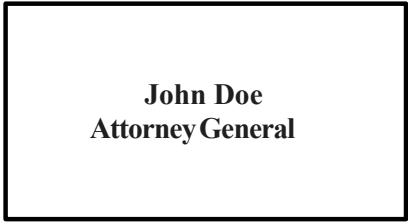


John Doe  
For  
Attorney General

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



Elect John Doe  
Attorney General



John Doe  
Attorney General

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

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

### **IV. Use of State Seal.**

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

### **V. Criminal Offenses.**

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