

HARDIN-JEFERSON ISD SCHOOL BOARD ELECTION CANDIDATE PACKET – MAY 4, 2024

QUALIFICATIONS

For a Complete List See: Texas Election Code Title 9 Sec. 141.001, Texas Education Code Sec. 11.061, and BBA(LEGAL)

Trustees must retain all qualifications while in office.

To be eligible to be a candidate for, or elected or appointed to, the office of school board member, a person must:

- Be a United States citizen.
- 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.
- 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.
- Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities [but see Ineligibility below].
- 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 an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot.
 - b. For a write-in candidate, the date of the election at which the candidate's name is written in.
 - c. For an appointee to an office, the date the appointment is made.
- Be registered to vote in the territory from which the office is elected on the date described above.

You can also reference the following board policies on the District web site: BAA(LEGAL), BBA(LEGAL), BBB(LEGAL AND LOCAL), BBBA(LEGAL), BBBB(LEGAL), BBBB(LEGAL), DBE(LEGAL).

PACKET CONTENTS

REQUIRED FORMS

- [Application for Place on Ballot \(Form 2-49, 9/2023\)](#)
- [Appointment of Campaign Treasurer \(Form CTA, 1/1/2023\)](#)
- [Code of Fair Campaign Practices Form \(Form CFCP, 1/1/2021\)](#)
- [Candidate/Officeholder Campaign Finance Report \(Form C/OH, 11/15/2022\)](#) File C/OH at HARDIN-JEFFERSON ISD

INFORMATION ONLY

- Important Dates for May 4, 2024, Election
- First Steps for Candidates Running for School Board Trustee (1/1/2023)
- CTA Instruction Guide (1/1/2023)
- C/OH Instruction Guide (1/1/2023) and Filing Schedule for Reports Due (10/2023)
- Fair Campaign Practices (Revised 9/1/2023)
- Campaign Finance Guide for Candidates and Officeholders (1/1/2023)
- Political Advertising: What You Need to Know (7/16/2019)

[Required forms that are due by February 16, 2024 at 5:00 p.m., Hardin-Jefferson Administration Building](#)

[See C/OH Instruction Guide for deadlines on required Form C/OH and applicable schedules.](#)

Additional information may be obtained from:

Office of Texas Secretary of State – Application Questions
Physical Address: 1019 Brazos St, Austin TX 78701
Mailing Address: PO Box 12060, Austin, TX 78711
Phone: 800-252-8683 <https://w2www.sos.state.tx.us/index.shtml>

Texas Ethics Commission – Campaign Finance Questions
Physical Address: 201 E 14th St, Austin, TX 78701
Mailing Address: PO Box 12070, Austin, TX 78711
Phone: 512-463-5800 Fax 512-463-5777 <https://www.ethics.state.tx.us/>

It is the duty of the candidate to become familiar with the applicable laws regarding campaigns for office. The duty of Hardin-Jefferson ISD is limited in receiving reports (such as financial) and should not be expected to judge or comment upon sufficiency of reports.



HARDIN-JEFFERSON ISD

520 W. Herring
Sour Lake, TX 77659
409.981.6400 www.hjisd.net FAX 409.287.2283

Brad McEachern, Superintendent

HARDIN-JEFFERSON ISD SCHOOL IMPORTANT DATES FOR SCHOOL BOARD TRUSTEE ELECTION SATURDAY, MAY 4, 2024

General Election

| | |
|-----------------------------|--|
| Wednesday, January 17, 2024 | First day to apply for a place on the ballot |
| Friday, February 16, 2024 | Deadline to file an application for a place on the ballot is 5:00 p.m. |
| Thursday, April 4, 2024 | Last day a person may register to vote in the May 6, 2024, Election |
| Monday, April 22, 2024 | First day to vote early in person |
| Tuesday, April 30, 2024 | Last day to vote early in person |
| Saturday, May 4, 2024 | Election Day |

For campaign finance filing deadlines, see enclosed 2024 Filing Schedule and Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities.

This year, two, 3-year term places will be open on the ballot for the General Election. The two three-year terms expiring are:

Place 1 – Jonathan Haskett, Jr.

Place 2 – Mark Aldrich

For additional information visit the Hardin-Jefferson ISD website or contact Laurie Starr, Administrative Assistant to Superintendent & Election Coordinator, at lauriestarr@hjisd.net, or by calling 409-981-6400.

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

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

| | | | | | |
|--|--------------|--|---|--|--|
| APPLICATION FOR A PLACE ON THE _____ GENERAL ELECTION BALLOT | | | | | |
| TO: City Secretary/Secretary of Board _____ (name of election) | | | | | |
| I request that my name be placed on the above-named official ballot as a candidate for the office indicated below. | | | | | |
| OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) | | | | INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED | |
| FULL NAME (First, Middle, Last) | | | PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* | | |
| PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.) | | | PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.) | | |
| CITY | STATE | ZIP | CITY | STATE | ZIP |
| PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) | | OCCUPATION (Do not leave blank) | DATE OF BIRTH / / | VOTER REGISTRATION VOID NUMBER² (Optional) | |
| TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____ | | | | | |
| FELONY CONVICTION STATUS (You MUST check one) | | | LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN | | |
| <input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³ | | | IN THE STATE OF TEXAS _____ year(s) _____ month(s) | | IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED _____ year(s) _____ month(s) |
| *If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot. | | | | | |
| Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct." | | | | | |
| X _____ | | | | | |
| SIGNATURE OF CANDIDATE | | | | | |
| Sworn to and subscribed before me this the _____ day of _____, _____, by _____ (name of candidate) | | | | | |
| Signature of Officer Authorized to Administer Oath ⁴ | | | Printed Name of Officer Authorized to Administer Oath | | |
| _____ | | | Notarial or Official Seal | | |
| Title of Officer Authorized to Administer Oath | | | | | |
| TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: | | | | | |
| <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. | | | | | |
| This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified | | | | | |
| _____/_____/_____ (See Section 1.007) | | _____/_____/_____ (See Section 1.007) | | _____ | |
| Date Received | | Date Accepted | | Signature of Filing Officer or Designee | |

INSTRUCTIONS

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

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

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

NEPOTISM LAW

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

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

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

FOOTNOTES

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

²Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

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

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

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

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

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

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

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL¹ El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

| | | | | | |
|--|---------------|---|---|--|---|
| SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE _____ | | | | | |
| Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo | | | (nombre de la elección) | | |
| Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación. | | | | | |
| CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.) | | | INDIQUE TÉRMINO <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO | | |
| NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido) | | | ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA* | | |
| DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.) | | | DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.) | | |
| CIUDAD | ESTADO | CÓDIGO POSTAL | CIUDAD | ESTADO | CÓDIGO POSTAL |
| DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.) | | OCUPACIÓN (No deje este espacio en blanco) | FECHA DE NACIMIENTO ____ / ____ / ____ | VOID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional) | |
| INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Hogar: _____ Trabajo: _____ Celular: _____ | | | | | |
| ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una) | | | DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA | | |
| <input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³ | | | EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es) | | EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es) |
| *Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial. | | | | | |
| Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: “Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas.” | | | | | |
| X _____ FIRMA DEL CANDIDATO | | | | | |
| Jurado y suscrito ante mí este día ____ de ____ del ____ por ____. (día) (mes) (año) (nombre de candidato) | | | | | |
| Firma del oficial autorizado para administrar el juramento ⁴ _____ Título del oficial autorizado para administrar el juramento | | | Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial | | |
| TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified | | | | | |
| _____/_____/_____ Date Received | | _____/_____/_____ Date Accepted | | _____ Signature of Filing Officer or Designee | |

INSTRUCCIONES

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

Para una elección que se lleve a cabo en una fecha de elección uniforme, el día de la fecha límite de presentación es el 7^o día antes del día de la elección.

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

LEY DE NEPOTISMO

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

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

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

NOTAS

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

²La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la División de Elecciones de la Secretaría de Estado para obtener información adicional. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

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

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

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

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

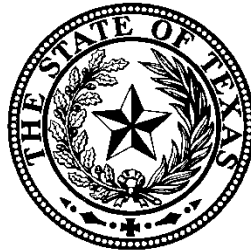
Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

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

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised January 1, 2023

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

FORM CTA—INSTRUCTION GUIDE

TABLE OF CONTENTS

| | |
|---|----------|
| GENERAL INSTRUCTIONS | 1 |
| DUTIES OF A CANDIDATE OR OFFICEHOLDER | 1 |
| QUALIFICATIONS OF CAMPAIGN TREASURER | 1 |
| DUTIES OF A CAMPAIGN TREASURER..... | 1 |
| REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN | 1 |
| WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT | 2 |
| FILING WITH A DIFFERENT AUTHORITY | 3 |
| FORMING A POLITICAL COMMITTEE..... | 4 |
| CHANGING A CAMPAIGN TREASURER..... | 4 |
| AMENDING A CAMPAIGN TREASURER APPOINTMENT | 4 |
| REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS | 4 |
| TERMINATING A CAMPAIGN TREASURER APPOINTMENT | 4 |
| FILING A FINAL REPORT | 4 |
| ELECTRONIC FILING..... | 5 |
| GUIDES | 5 |
| SPECIFIC INSTRUCTIONS | 5 |
| PAGE 1 | 5 |
| PAGE 2 | 7 |

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

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

DUTIES OF A CANDIDATE OR OFFICEHOLDER

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

QUALIFICATIONS OF CAMPAIGN TREASURER

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

DUTIES OF A CAMPAIGN TREASURER

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

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

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

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

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

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

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

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT

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

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

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

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

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

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

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

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

FILING WITH A DIFFERENT AUTHORITY

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

FORMING A POLITICAL COMMITTEE

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

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

CHANGING A CAMPAIGN TREASURER

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

AMENDING A CAMPAIGN TREASURER APPOINTMENT

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

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

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

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

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

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

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

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

FILING A FINAL REPORT

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

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

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

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

ELECTRONIC FILING

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

GUIDES

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

SPECIFIC INSTRUCTIONS

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

PAGE 1

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

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

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

| | | | |
|---|--|---|---|
| The C/OH Instruction Guide explains how to complete this form. | | 1 Filer ID (Ethics Commission Filers) | 2 Total pages filed: |
| 3 CANDIDATE / OFFICEHOLDER NAME | MS / MRS / MR | FIRST | MI |
| | NICKNAME | LAST | SUFFIX |
| 4 CANDIDATE / OFFICEHOLDER MAILING ADDRESS <input type="checkbox"/> Change of Address | ADDRESS / PO BOX; | APT / SUITE #; | CITY; STATE; ZIP CODE |
| | 5 CANDIDATE / OFFICEHOLDER PHONE | AREA CODE () | PHONE NUMBER EXTENSION |
| 6 CAMPAIGN TREASURER NAME | MS / MRS / MR | FIRST | MI |
| | NICKNAME | LAST | SUFFIX |
| 7 CAMPAIGN TREASURER ADDRESS (Residence or Business) | STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; | | CITY; STATE; ZIP CODE |
| | 8 CAMPAIGN TREASURER PHONE | AREA CODE () | PHONE NUMBER EXTENSION |
| 9 REPORT TYPE | <input type="checkbox"/> January 15 | <input type="checkbox"/> 30th day before election | <input type="checkbox"/> Runoff |
| | <input type="checkbox"/> July 15 | <input type="checkbox"/> 8th day before election | <input type="checkbox"/> Exceeded Modified Reporting Limit |
| 10 PERIOD COVERED | Month / Day / Year | THROUGH | Month / Day / Year |
| | 11 ELECTION | ELECTION DATE Month / Day / Year | ELECTION TYPE <input type="checkbox"/> Primary <input type="checkbox"/> Runoff <input type="checkbox"/> Other Description <input type="checkbox"/> General <input type="checkbox"/> Special |
| 12 OFFICE | OFFICE HELD (if any) | 13 OFFICE SOUGHT (if known) | |
| 14 NOTICE FROM POLITICAL COMMITTEE(S) <input type="checkbox"/> Additional Pages | <small>THIS BOX IS FOR NOTICE OF POLITICAL CONTRIBUTIONS ACCEPTED OR POLITICAL EXPENDITURES MADE BY POLITICAL COMMITTEES TO SUPPORT THE CANDIDATE / OFFICEHOLDER. THESE EXPENDITURES MAY HAVE BEEN MADE WITHOUT THE CANDIDATE'S OR OFFICEHOLDER'S KNOWLEDGE OR CONSENT. CANDIDATES AND OFFICEHOLDERS ARE REQUIRED TO REPORT THIS INFORMATION ONLY IF THEY RECEIVE NOTICE OF SUCH EXPENDITURES.</small> | | |
| | COMMITTEE TYPE | COMMITTEE NAME | |
| | <input type="checkbox"/> GENERAL | COMMITTEE ADDRESS | |
| | <input type="checkbox"/> SPECIFIC | COMMITTEE CAMPAIGN TREASURER NAME | |
| | | COMMITTEE CAMPAIGN TREASURER ADDRESS | |

| OFFICE USE ONLY | |
|--|-----------|
| Date Received | |
| Date Hand-delivered or Date Postmarked | |
| Receipt # | Amount \$ |
| Date Processed | |
| Date Imaged | |

GO TO PAGE 2

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

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

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

Signature of Candidate or Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

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

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

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

Signature of Candidate/Officeholder (Declarant)

SUBTOTALS - C/OH

FORM C/OH COVER SHEET PG 3

| | |
|----------------------|---|
| 19 FILER NAME | 20 Filer ID (Ethics Commission Filers) |
|----------------------|---|

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

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A1

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

| | | |
|--|---|--|
| The Instruction Guide explains how to complete this form. | | 1 Total pages Schedule A1: |
| 2 FILER NAME | | 3 Filer ID (Ethics Commission Filers) |
| 4 Date | 5 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) <hr/> 6 Contributor address; City; State; Zip Code | 7 Amount of contribution (\$) |
| 8 Principal occupation / Job title (See Instructions) | | 9 Employer (See Instructions) |
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) <hr/> Contributor address; City; State; Zip Code | Amount of contribution (\$) |
| Principal occupation / Job title (See Instructions) | | Employer (See Instructions) |
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) <hr/> Contributor address; City; State; Zip Code | Amount of contribution (\$) |
| Principal occupation / Job title (See Instructions) | | Employer (See Instructions) |
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) <hr/> Contributor address; City; State; Zip Code | Amount of contribution (\$) |
| Principal occupation / Job title (See Instructions) | | Employer (See Instructions) |

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED
 If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

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

| | | | |
|--|---|---|---|
| The Instruction Guide explains how to complete this form. | | 1 Total pages Schedule A2: | |
| 2 FILER NAME | | 3 Filer ID (Ethics Commission Filers) | |
| 4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS | | \$ | |
| 5 Date | 6 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) | 8 Amount of Contribution \$ | 9 In-kind contribution description |
| | 7 Contributor address; City; State; Zip Code | | |
| | | <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. | |
| 10 Principal occupation / Job title (FOR NON-JUDICIAL)(See Instructions) | | 11 Employer (FOR NON-JUDICIAL)(See Instructions) | |
| 12 Contributor's principal occupation (FOR JUDICIAL) | | 13 Contributor's job title (FOR JUDICIAL)(See Instructions) | |
| 14 Contributor's employer/law firm (FOR JUDICIAL) | | 15 Law firm of contributor's spouse (if any) (FOR JUDICIAL) | |
| 16 If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL) | | | |
| Date | Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____) | Amount of Contribution \$ | In-kind contribution description |
| | Contributor address; City; State; Zip Code | | |
| | | <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. | |
| Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions) | | Employer (FOR NON-JUDICIAL)(See Instructions) | |
| Contributor's principal occupation (FOR JUDICIAL) | | Contributor's job title (FOR JUDICIAL)(See Instructions) | |
| Contributor's employer/law firm (FOR JUDICIAL) | | Law firm of contributor's spouse (if any) (FOR JUDICIAL) | |
| If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL) | | | |

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

PLEGGED CONTRIBUTIONS

SCHEDULE B

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

LOANS

SCHEDULE E

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F1

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

| | | |
|---|--|--|
| 1 Total pages Schedule F1: | 2 FILER NAME | 3 Filer ID (Ethics Commission Filers) |
| 4 Date | 5 Payee name | |
| 6 Amount (\$) | 7 Payee address; | City; State; Zip Code |
| PURPOSE OF EXPENDITURE | (a) Category (See Categories listed at the top of this schedule) | (b) Description |
| | (c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense | |
| 9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH | Candidate / Officeholder name | Office sought Office held |
| Date | Payee name | |
| Amount (\$) | Payee address; | City; State; Zip Code |
| PURPOSE OF EXPENDITURE | Category (See Categories listed at the top of this schedule) | Description |
| | <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense | |
| Complete <u>ONLY</u> if direct expenditure to benefit C/OH | Candidate / Officeholder name | Office sought Office held |
| Date | Payee name | |
| Amount (\$) | Payee address; | City; State; Zip Code |
| PURPOSE OF EXPENDITURE | Category (See Categories listed at the top of this schedule) | Description |
| | <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense | |
| Complete <u>ONLY</u> if direct expenditure to benefit C/OH | Candidate / Officeholder name | Office sought Office held |

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

The Instruction Guide explains how to complete this form.

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

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

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

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

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

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

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

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

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

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

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

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

| |
|--|
| |
|--|

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

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

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE H

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE K

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE T

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.

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

1 C/OH NAME

2 Filer ID (Ethics Commission Filers)

3 SIGNATURE

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

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

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

A. CAMPAIGN FUNDS

Check only one:

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

B. ASSETS

Check only one:

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

Signature of Candidate

5 OFFICEHOLDER

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

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

Signature of Officeholder

PAGE 2

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

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

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

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

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

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

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

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

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

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

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



TEXAS ETHICS COMMISSION
2023 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH
ELECTIONS HELD ON UNIFORM ELECTION DATES

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2023 are May 6 and November 7.

Candidates and officeholders must file semiannual reports (due on January 17, 2023, and July 17, 2023). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file two pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2023 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2023 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

EXPLANATION OF THE FILING SCHEDULE CHART

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

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

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

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

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

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|---|--|---|---|
| Tuesday, January 17, 2023 <i>Deadline is extended because of weekend and holiday.</i> | January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$940 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs) | July 1, 2022, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | December 31, 2022 |
| Tuesday, January 17, 2023 <i>Deadline is extended because of weekend and holiday.</i> | Annual report of unexpended contributions [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions) | January 1, 2022, <i>or</i> the day after the date the final report was filed. | December 31, 2022 |

REPORTS DUE BEFORE THE MAY 6, 2023, UNIFORM ELECTION

| | | | |
|---|--|--|----------------|
| Thursday, April 6, 2023 NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 6, 2023. | 30th day before the May 6, 2023, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 6 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved with the May 6 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 6 election) | January 1, 2023, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | March 27, 2023 |
|---|--|--|----------------|

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

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|--|--|--|--|
| <p>Friday, April 28, 2023</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 28, 2023.</p> | <p>8th day before May 6, 2023, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the May 6 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the May 6 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the May 6 election)</p> | <p>March 28, 2023, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>April 26, 2023</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 26, 2023, may be required. Please consult the Campaign Finance Guide for further information.</p> |

| | | | |
|--|--|---|----------------------|
| <p>Monday, July 17, 2023</p> <p><i>Deadline is extended because of weekend.</i></p> | <p>July semiannual</p> <p>[FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,010 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p> | <p>January 1, 2023, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>June 30, 2023</p> |
|--|--|---|----------------------|

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

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

REPORTS DUE BEFORE THE NOVEMBER 7, 2023, UNIFORM ELECTION

| | | | |
|---|--|--|--|
| <p>Tuesday, October 10, 2023</p> <p><i>Deadline is extended because of weekend and holiday.</i></p> <p>NOTE: This report must be received by the appropriate filing authority no later than October 10, 2023.</p> | <p>30th day before the November 7, 2023, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 7 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that are involved with the November 7 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 7 election)</p> | <p>July 1, 2023, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>September 28, 2023</p> |
| <p>Monday, October 30, 2023</p> <p>NOTE: This report must be received by the appropriate filing authority no later than October 30, 2023.</p> | <p>8th day before the November 7, 2023, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 7 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved with the November 7 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the November 7 election)</p> | <p>September 29, 2023, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>October 28, 2023</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 28, 2023, may be required. Please consult the Campaign Finance Guide for further information.</p> |

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

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|--|---|--|---|
| <p>Tuesday, January 16, 2024</p> <p><i>Deadline is extended because of holiday.</i></p> | <p>January semiannual</p> <p>[FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,010 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p> | <p>July 1, 2023, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>December 31, 2023</p> |
| <p>Tuesday, January 16, 2024</p> <p><i>Deadline is extended because of holiday.</i></p> | <p>Annual report of unexpended contributions</p> <p>[FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)</p> | <p>January 1, 2023, <i>or</i></p> <p>the day after the date the final report was filed.</p> | <p>December 31, 2023</p> |

First Steps for Candidates Running for School Board Trustee

This quick-start guide for candidates is not intended to provide comprehensive information. For more details, including information on political advertising requirements, fundraising rules, and filing schedules, see the Texas Ethics Commission's (TEC) website at www.ethics.state.tx.us.

1. All candidates must file a Campaign Treasurer Appointment (**Form CTA**)

All candidates must file **Form CTA** even if you do not intend to raise or spend any money. **Form CTA** is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. You can find this form and its instructions on our "[Local Filers Non- Judicial Candidate/Officeholder](#)" webpage. File **Form CTA** with the school board clerk or school board secretary, as applicable.

2. Opposed Candidates: Will you accept or spend more than \$1,010* for the election?

• YES:

- You do not qualify to file on the modified reporting schedule. (See "Modified Reporting" in "[Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities](#)".)
- You are **required** to file pre-election campaign finance reports using **Form C/OH** if you have an opponent on the ballot. Find **Form C/OH** and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
- Pre-election reports are due 30 days and 8 days prior to each election. To be timely filed, pre-election reports must be *received* by the school board clerk or school board secretary no later than the due date.

• NO:

- You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of **Form CTA**. File **Form CTA** with the school board clerk or school board secretary. (See "Modified Reporting" in "[Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities](#)".)
 - If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.
- Exceed \$1,010*: If you elect to file on the modified reporting schedule but later exceed \$1,010* in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$1,010*.
- If you exceed \$1,010* prior to the 30th day before the election, you are **required** to file pre-election campaign finance reports due 30 days and 8 days prior to an election using **Form C/OH**. To be timely filed, pre-election reports must be *received* by the school board clerk or school board secretary no later than the due date. Find **Form C/OH** and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.

- If you exceed \$1,010* after the 30th day before the election, you are **required** to file an Exceeded Modified Reporting Limit report using [Form C/OH](#). To be timely filed, this report must be filed with the school board clerk or school board secretary within 48 hours of exceeding \$1,010*. Find [Form C/OH](#) and its instructions on our “[Local Filers Non-Judicial Candidate/Officeholder](#)” webpage.
- If you exceed \$1,010* prior to the 8th day before the election, you are **required** to file a pre-election campaign finance report due 8 days prior to an election using [Form C/OH](#). To be timely filed, the pre- election report must be *received* by the school board clerk or school board secretary no later than the due date. Find [Form C/OH](#) and its instructions on our “[Local Filers Non-Judicial Candidate/Officeholder](#)” webpage.

3. Unopposed Candidates

If you do not have an opponent whose name will appear on the ballot in the election, you are an unopposed candidate and are not required to file pre-election campaign finance reports prior to that election.

4. All candidates must file semiannual campaign finance reports (Form C/OH)

All candidates are **required** to file semiannual reports using [Form C/OH](#) even if you have no campaign activity or were unsuccessful in the election. Semiannual reports are due on January 15th and July 15th and must be filed with the school board clerk or school board secretary. To end your filing obligations, you must cease campaign activity and file a Final report using [Form C/OH](#) and attaching Form C/OH-FR (Designation of Final Report). Form C/OH-FR is found on the last page of [Form C/OH](#). Find [Form C/OH](#) and its instructions on our “[Local Filers Non- Judicial Candidate/Officeholder](#)” webpage. For more information, see “[Ending Your Campaign](#)” for local filers.

5. All candidates can use the TEC’s Filing Application to prepare campaign finance reports (Form C/OH)

You can use the TEC’s [Filing Application](#) to prepare a PDF version of your campaign finance report ([Form C/OH](#)). Select “Local Authority” and follow the steps to set up an account and login to the application. Once you have completed your report, print out a copy, fill in your treasurer information, get it notarized, and file it with the school board clerk or school board secretary by the appropriate deadline.

6. Need More Information?

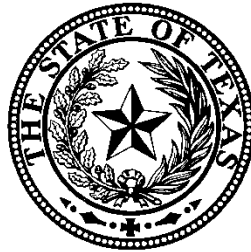
See the [Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities](#), forms, instructions, examples on how to disclose contributions and expenditures, political advertising and fundraising guides, and other information you may find useful on our website at www.ethics.state.tx.us under the “Resources” and “Forms/Instructions” main menu items.

***NOTE:** *The \$1,010 threshold is specific to transactions made in 2023.*

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised January 1, 2023

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

FORM CTA—INSTRUCTION GUIDE

TABLE OF CONTENTS

| | |
|---|----------|
| GENERAL INSTRUCTIONS | 1 |
| DUTIES OF A CANDIDATE OR OFFICEHOLDER | 1 |
| QUALIFICATIONS OF CAMPAIGN TREASURER | 1 |
| DUTIES OF A CAMPAIGN TREASURER..... | 1 |
| REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN | 1 |
| WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT | 2 |
| FILING WITH A DIFFERENT AUTHORITY | 3 |
| FORMING A POLITICAL COMMITTEE..... | 4 |
| CHANGING A CAMPAIGN TREASURER..... | 4 |
| AMENDING A CAMPAIGN TREASURER APPOINTMENT | 4 |
| REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS | 4 |
| TERMINATING A CAMPAIGN TREASURER APPOINTMENT | 4 |
| FILING A FINAL REPORT | 4 |
| ELECTRONIC FILING..... | 5 |
| GUIDES | 5 |
| SPECIFIC INSTRUCTIONS | 5 |
| PAGE 1 | 5 |
| PAGE 2 | 7 |

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

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

DUTIES OF A CANDIDATE OR OFFICEHOLDER

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

QUALIFICATIONS OF CAMPAIGN TREASURER

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

DUTIES OF A CAMPAIGN TREASURER

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

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

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

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

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

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

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

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT

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

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

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

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

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

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

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

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

FILING WITH A DIFFERENT AUTHORITY

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

FORMING A POLITICAL COMMITTEE

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

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

CHANGING A CAMPAIGN TREASURER

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

AMENDING A CAMPAIGN TREASURER APPOINTMENT

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

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

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

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

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

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

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

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

FILING A FINAL REPORT

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

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

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

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

ELECTRONIC FILING

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

GUIDES

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

SPECIFIC INSTRUCTIONS

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

PAGE 1

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

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

PAGE 2

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

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

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

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

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

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

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

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

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

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

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

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.

Revised July 16, 2019

REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

I. What Is Political Advertising?

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

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

Part A. What Does It Say?

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

Part B. Where Does It Appear?

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

II. When Is a Disclosure Statement Required?

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

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

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

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

III. What Should the Disclosure Statement Say?

A disclosure statement must include the following:

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

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

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

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

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

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

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

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

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

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

VI. The Fair Campaign Practices Act.

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

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

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

VII. Special Notice to Political Subdivisions and School Districts.

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

ROAD SIGNS

I. When Is the “Right-Of-Way” Notice Required?

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

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

II. What Should the “Right-Of-Way” Notice Say?

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

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

III. Do Yard Signs Have to Have the “Right-Of-Way” Notice?

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

IV. What About Bumper Stickers?

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

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

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

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

MISREPRESENTATION

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

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

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

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

II. Misrepresentation of Office Title.

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

**Vote John Doe
for Attorney General**

**John Doe
For
Attorney General**

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

**Elect John Doe
Attorney General**

**John Doe
Attorney General**

III. Misrepresentation of Identity or Source.

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

IV. Use of State Seal.

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

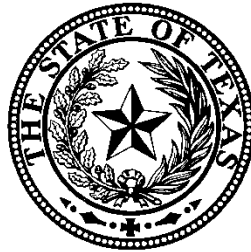
V. Criminal Offenses.

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

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised January 1, 2023

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

FORM CTA—INSTRUCTION GUIDE

TABLE OF CONTENTS

| | |
|---|----------|
| GENERAL INSTRUCTIONS | 1 |
| DUTIES OF A CANDIDATE OR OFFICEHOLDER | 1 |
| QUALIFICATIONS OF CAMPAIGN TREASURER | 1 |
| DUTIES OF A CAMPAIGN TREASURER..... | 1 |
| REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN | 1 |
| WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT | 2 |
| FILING WITH A DIFFERENT AUTHORITY | 3 |
| FORMING A POLITICAL COMMITTEE..... | 4 |
| CHANGING A CAMPAIGN TREASURER..... | 4 |
| AMENDING A CAMPAIGN TREASURER APPOINTMENT | 4 |
| REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS | 4 |
| TERMINATING A CAMPAIGN TREASURER APPOINTMENT | 4 |
| FILING A FINAL REPORT | 4 |
| ELECTRONIC FILING..... | 5 |
| GUIDES | 5 |
| SPECIFIC INSTRUCTIONS | 5 |
| PAGE 1 | 5 |
| PAGE 2 | 7 |

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

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

DUTIES OF A CANDIDATE OR OFFICEHOLDER

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

QUALIFICATIONS OF CAMPAIGN TREASURER

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

DUTIES OF A CAMPAIGN TREASURER

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

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

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

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

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

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

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

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT

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

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

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

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

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

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

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

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

FILING WITH A DIFFERENT AUTHORITY

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

FORMING A POLITICAL COMMITTEE

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

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

CHANGING A CAMPAIGN TREASURER

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

AMENDING A CAMPAIGN TREASURER APPOINTMENT

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

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

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

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

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

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

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

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

FILING A FINAL REPORT

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

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

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

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

ELECTRONIC FILING

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

GUIDES

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

SPECIFIC INSTRUCTIONS

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

PAGE 1

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

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

PAGE 2

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

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

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

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

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

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

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

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

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

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

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

What You Need to Know about Running for Your School Board



If you're considering running for your local school board, there are a lot of things to think about.

You don't need a background in local government, public education, or public policy to run for the school board. Your children don't have to attend a school in the district either. But you should be able to answer a few questions for yourself.

Why am I running for my local school board?

It's best to start at the basics and determine what's motivating you. Answering this question will help you to determine:

- What your focus might be when campaigning
- If running for the school board is even the right step for you at this time

Is there a specific issue you want to change in your school district, or do you want to improve the overall quality of your district?

Perhaps you're thinking about running for the board because you want to "get rid of a coach," or "make sure the principal is held accountable." Or maybe you think the state has overstepped their bounds on school accountability.

Reasons like these don't line up well with the work you would do as a school board member, and you might find it unfulfilling. Understand exactly what [the roles and responsibilities of the school board](#) are before taking the plunge.

Remember: The school board is responsible for making decisions that will affect all students in the district.

"If you have an agenda, you're subject to being disappointed when you're elected to the board," said Longview ISD Board Member Ted Beard. "You're there for the students, and if you're focused on one thing, you're missing the big picture."

Can I make the time commitment to run for the school board?

Campaigning takes time. How much time you commit varies depending on a lot of factors, from the size of the district to how many candidates are running for a seat.

At a minimum, launching a campaign for the school board requires learning the basic ins and outs of running a legal and ethical campaign for office.

[TASB's Guide for School Board Candidates](#) provides information about how the school board works, ethical campaigning, and a summary of election laws. It also includes resources and detailed information about

- Campaign finance
- Reporting requirements
- Election advertising guidelines

Tips on ethical campaigning for the school board

"How you campaign absolutely sets the tone for how you will serve," said former school board member and current TASB Senior Board Consultant Kay Douglas. "I once had a board member say, 'I campaigned on the idea that all of them were messing up. Now how do I work with them?' And that's exactly it. In your campaign, you want to make sure you're focusing on service."

Maintaining a high ethical standard while campaigning means more than just following the law. There are expectations to live up to. [Review the Code of Ethics for School Board Members](#), and [understand nepotism and conflicts of interest](#).

These are general practices to ensure you conduct your campaign ethically:

- Focus attention on issues and avoid attacking or finding fault in opponents and district employees.
- Get familiar with the specific issues in your district.

- Always share accurate information during your campaign.
- Keep your focus on what you would like to see happen in your district.
- Avoid making promises that you as an individual cannot keep without board support.

Running an ethical campaign demonstrates your leadership to the community. It helps you establish a positive foundation for working with the board and administrators if you do get elected.

Can I make the time commitment to serve on the school board?

Before you run, you'll want to know what it takes to be a successful board member. Election to the board comes with a whole new time commitment.

You'll definitely be a bit busier because of the time needed to prepare for and attend board meetings and other related obligations.

"Just be prepared to commit that time, if you want to be an effective board member," said Beard. "You're going to be called to do various things just because you're on the school board, and also prepare for school board meetings. You'll need to be doing research of your board packets, being informed and educated as to what's going on in your school district, and not just coming in blind."

Nobody is born knowing how to be a board member. You need training. In fact, the state requires it.

The preparation and getting up to speed are a big part of the first year on the board. During your first year of board service you'll learn about:

- District priorities
- The state accountability system
- District budgeting
- The difference between open and closed meetings
- And so much more

If you're elected, TASB offers a variety of training opportunities throughout the year held around the state, in your district, and even online.

What knowledge and skills do I bring to the school board?

It is useful to consider what you'll bring to the table that can benefit your local board. Take an honest assessment of the knowledge and skills you have that could be an asset to your board.

As a school board member, you'll need to:

- Attend meetings regularly
- Learn about new and sometimes complex issues
- Interact with a variety of community members
- Make decisions on issues that at times can be difficult

“Joining a board is like jumping on a train that’s moving. They have been working together. They have a vision. They have goals. You want to figure out how you can be part of that, what you can add to that, and how you can be of service,” said Douglas.

There’s no one type of person or background that makes for a good school board member, but all good school board members need to:

- Work as a team to create a vision for the district and set measurable goals to achieve that vision
- Understand finances and budgets and regularly monitor the fiscal health of the district
- Focus on the true bottom line: student achievement and implementing policies that ensure success for all students
- Inform the public regularly on the district’s progress and challenges
- Collaborate with others and be respectful of the full leadership team
- Advocate for the value of a strong public education system at every chance and at every level of government

While you are at it, think of some of your shortcomings that, if left unaddressed, could hinder your efforts to be an effective board member. Knowing your opportunities for growth is just as important as knowing your strengths.

Serving as a board member can be challenging. But making decisions that benefit your students and community can be very gratifying.

Preparing to Serve: A Webinar for School Board Candidates

TASB hosts a webinar twice a year for school board candidates. This webinar is an opportunity to:

- Learn about the difference between the board's and staff's responsibilities
- How to campaign constructively
- Find more information and insights about being a candidate
- Ask your questions

New Trustee Checklist

LEGAL REQUIREMENTS FOR THE FIRST YEAR

As soon as feasible after election

Receive certificate of election prepared by presiding officer in compliance with Texas Election Code section 67.016. See *TASB Policy BBBB(LEGAL)*.



Policies adopted by school boards are organized by topic into policy manuals maintained by the school district. Your local policy manual contains TASB's (LEGAL) reference policies and board-adopted (LOCAL) policies. Find out more about policies at tasb.org/services/policy-service/resources.aspx.

Read and sign Statement of Elected Officer and take oath of office. Tex. Const. art. XVI, section 1. See *TASB Policy BBBB(LEGAL)*.

First week

File conflict-of-interest disclosure forms as applicable. These requirements are ongoing and apply to all school officials as defined by state law and district policy:

- You need to file Form CIS (available on the Texas Ethics Commission website at ethics.state.tx.us/data/forms/conflict/CIS.pdf) with the district records administrator (often the superintendent's secretary) if any of the following apply: within the last year, you or your first-degree family member have received taxable income of more than \$2,500, or gift(s) with a value of more than \$100, from a school district vendor; or you have a family relationship within the third degree of relation to a school district vendor. See *TASB policies BBFA(LEGAL), (LOCAL)*.
- If you own, or are a representative of, an entity that does business with the district, you must also complete and file with the district records administrator the vendor's questionnaire form CIQ (available on the Texas Ethics Commission website at ethics.state.tx.us/data/forms/conflict/CIQ.pdf). See *TASB Policy CHE(LEGAL)*.

- Other disclosures may be required of trustees in your district by state law or local policy. See *TASB Model Policy BBFA(LOCAL)*. If you are not sure what laws apply to your district, contact an attorney.

First two weeks

If desired, complete the form to withhold personal information, such as your home address, phone number, emergency contact information, and family information, from the district's response to a request for public information. See *TASB Policy GBA(LEGAL)*.

Receive introduction to TASB resources and set up your TASB login.



Access TASB guidance specific to new board members at New Board Members web page tasb.org/new-board-member.

First 90 days

Attend one to two hours of Open Meetings Act training. Tex. Gov't Code § 551.005. See *TASB Policy BBD(LEGAL)*. Open Meetings Act training is available in the Online Learning Center at onlinelearning.tasb.org.

Attend one to two hours of Public Information Act (PIA) training if required by local policy. Board member training on the PIA is recommended but not required if the district has delegated responsibility for the training to the superintendent or other administrator in Policy BBD(LOCAL). Tex. Gov't Code § 552.012. See *TASB Policy BBD(LEGAL), (LOCAL)*.



TASB Legal Services has online resources about the Texas Open Meetings Act at schoollawesource.tasb.org. The Texas attorney general offers free online training at texasattorneygeneral.gov.



First 120 days

If you have not already attended a local orientation, receive orientation to local district policies and procedures, including, but not limited to, an introduction to the following:

- Current school board policy manual and any operating procedures
- Policies governing board meetings and trustee responsibilities in policy manual Section B on Governance
- District goals and priorities
- District budget calendar and process for board adoption of budget and tax rate
- Superintendent evaluation instrument and process

Attend three-hour orientation on the Texas Education Code delivered by regional education service center.

Attend a three-hour *Evaluating and Improving Student Outcomes (EISO)* session at a regional education service center with an authorized provider. TASB is an authorized EISO provider and can offer these sessions at our conferences or per requests from local boards.

Attend one-hour training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children. Trustees can also meet this training requirement in the Online Learning Center at onlinelearning.tasb.org. See *TASB Policy BBD(LEGAL)*.

Complete the Texas School Safety Center's two-hour school safety course provided free online at SBOE - School Safety Training - TEA Learn. register.tealearn.com/courses/sboe---school-safety-training

First year

Participate in team-building session and assessment of continuing education needs with district board of trustees and superintendent.

Attend at least 10 hours of additional continuing education based on assessed needs and state-adopted Framework for School Board Development.

Attend annual cybersecurity training in accordance with with the Texas Department of Information Resources guidelines. See *TASB Policy CQB(LEGAL)* and *DIR Certified Cybersecurity Training*. See *TASB Policy BBD(LEGAL)*.



You can find more information about school board trustee training requirements, including a list of approved training providers, on the Texas Education Agency website at tea.texas.gov/Texas_schools/school_boards/school_board_member_training.



For more information on board training and other legal requirements, visit TASB School Law eSource schoollawesource.tasb.org.

Additional Resources

Board development and events | TASB Board Development Services | tasb.org/board-dev, 800-580-8272

Continuing education credit | TASB Board Development Services | cec.tasb.org, 800-580-8272

TASB login | loginsupport@tasb.org or 800-436-8501

Policy | TASB Policy Service | policy.tasb.org, 800-580-7529

TASB Legal Services | Legal Line | legal.tasb.org, 800-580-5345

TASB Member Center | tasb.org/members

TASB publications | store.tasb.org

TASB School Law eSource | schoollawesource.tasb.org

TASB website | tasb.org



Texas Association of School Boards
P.O. Box 400
Austin, Texas 78767-0400

tasb.org

What Are a Texas School Board's Roles and Responsibilities?



The main function of the school board is to provide local, citizen governance and oversight of education. Though ultimate responsibility for education rests with the state, Texas has delegated much of the authority to local communities who elect their local school trustees to govern the school district.

The idea behind this structure of shared responsibility is that, while some education policy issues are best addressed at the state level, others are far better addressed by your local community.

Within the framework of state and federal law and State Board of Education and commissioner of education rules, your school district has significant latitude in shaping the educational programs of your schools.

The operation of the school district at the local level is also a shared activity. The role of the school board members and the role of the superintendent are different:

- Your school board governs the district, but it does so with the advice of the superintendent.
- The superintendent manages the district, but he or she must do so with the oversight and management of the board, and within the framework of policies and priorities your board adopts.

Local school board responsibilities

Local school board responsibilities can be grouped into five categories:

- Adopt goals and priorities and monitor success
- Adopt policies and review for effectiveness
- Hire and evaluate the superintendent
- Adopt a budget and set a tax rate
- Communicate with the community

Let's explore what each of these means for your school board.

Adopt goals and priorities and monitor success

District planning is one of the most important tasks your board can perform. Developing a vision, and [adopting goals and priorities](#) for the district, sets the course and keeps the district moving in a positive direction.

Truly effective boards often refer to their district's vision and goals when preparing for meetings or making decisions. Developing a strong vision and goals helps a board have a North Star to refer back to when it's time to make tough decisions. Vision and goals keep school governance focused on top priorities like student achievement.

Research on effective school governance points to two board functions with a strong connection to student achievement:

- The board holding high expectations for student learning and communicating those expectation through the district's vision and goals
- The board staying engaged with the student learning goals through regular goal progress monitoring

To that end, the board reviews regular reports from the administration on district operations and progress toward goals. Some goals in your district may be stated in terms of measures included in the state's [Texas Academic Performance Reports \(TAPR\)](#).

TAPR can help your district gauge student achievement and other districts measures. It helps your district compare its performance to other districts and campuses of similar size, wealth, and student populations.

Adopt policies and review for effectiveness

A key responsibility of the board is to adopt local policies that guide how the district operates. Your administration and district staff make important decisions based on district policies. Local school boards must adopt policies that are consistent with federal and state laws and regulations and should ensure they match district practice.

Your district's policy manual will have two types of policies (Legal and Local) in many areas.

- Legal policies contain any statements of state or federal law or other legal authority on a topic and are not adopted by the board
- Local policies include governance provisions that the local board has put in place

By distinguishing these two, the board and the public can clearly see what part of district operations are mandated by state and federal law, and which are adopted at the board's discretion.

Learn the [basic steps to developing and adopting school district policy](#) and find out the [difference between school board policies and regulations](#).

Hire and evaluate the superintendent

The board sets goals and priorities and adopts the policies by which the district is run. The board also hires a superintendent to execute on the board's decisions.

The role of the superintendent is to:

- Act as chief executive officer of the district
- Ensure that the board's policies are implemented fairly and appropriately
- Move the district forward on the board's goals and priorities
- Be accountable for the progress made toward successful school operations

While the board's focus is oversight of management, policymaking, planning, and evaluation, the superintendent's focus is on implementation and managing day-to-day operations.

The board must also develop superintendent performance goals and evaluate the superintendent's progress. [Read more about how to conduct a superintendent evaluation](#).

Adopt a budget and set a tax rate

The school board's role in adopting a budget is an ongoing activity. The superintendent and staff crunch the numbers for the school district budget and present it to the board for approval.

So, when it comes to the school district budget, what does the school board do?



Roles and Responsibilities of Individual School Board Members

Published online in [TASB School Law eSource](#)

Board members are elected to serve as trustees for their school districts. As such, they have the opportunity and responsibility to participate in matters of school business. An independent school district is governed by a board of trustees who, as a body corporate, shall oversee the management of the district. Tex. Educ. Code § 11.051(a).

Trustees, however, must operate as “a body corporate,” which means no single board member may act alone. Tex. Educ. Code § 11.051. So how do the roles and responsibilities of each individual trustee intersect with the role of the board as an entity?

The Limits of Free Speech

Although board members and other public officials do not lose their free speech rights when they enter public office, the U.S. Supreme Court has acknowledged that restrictions on speech based upon the necessities of governmental functions do not violate the First Amendment. See *Asgeirsson v. Abbott*, 773 F. Supp. 2d 684 (W.D. Tex. 2011) (concluding that the Texas Open Meetings Act (OMA) requirement that open meetings take place in public was necessary to provide the governmental function of transparency and therefore did not violate the First Amendment). In other words, school board members have free speech rights, but when they are acting in their official capacity, those rights may be limited to serve the legitimate needs of the public.

On the one hand, the government may not limit public officials’ capacity to discuss their views of local or national policy. The Supreme Court has observed that the interest of the public in hearing all sides of a matter of public concern would not be advanced by extending more free speech protection to citizen-critics than to public officials. Instead, the public benefits by knowing what governmental officials think so the public can judge whether the elected officials are truly the best people to represent them. *Bond v. Floyd*, 385 U.S. 116 (1966).

On the other hand, a board member’s personal right to free speech does not extend to using the advantage of public office to promote personal views. For example, when a judge who had been censured for holding a press conference in his courtroom to address allegations made by a litigant appealed the censure, the Fifth Circuit struck down the censure order “[t]o the extent that [it] censured [the Judge] for the content of his speech, shutting down all communication between the Judge and his constituents;” however, the Fifth Circuit held that the portion of the order that was directed at the judge’s “use of the trappings of judicial office to boost his

message, his decision to hold a press conference in his courtroom, and particularly stepping out from behind the bench, while wearing his judicial robe, to address the cameras” survived strict scrutiny. *Jenevein v. Willing*, 493 F.3d 551, 560 (5th Cir. 2007). In other words, the judge had a right to speak out about the allegations, but not to use the courtroom as a platform.

In the same way, board members’ right to speak out and advocate regarding school business is not unlimited. Sometimes the limits come from legal requirements like the OMA or prohibitions on the use of public funds for political advertising. Tex. Gov’t Code ch. 551; Tex. Elec. Code ch. 255. Other times these limits are self-imposed by a school board in the form of a local policy or board operating procedure adopted in the interest of best school district practices. See TASB Policy BE(LOCAL).

Board Meeting Attendance and Participation

A school board member holds the rights and obligations of the office until replaced by a duly-qualified successor. Tex. Const. art. XVI, § 17. The office changes hands only when another person has been elected (or, in the case of a board member’s resignation, appointed) to the office and has taken the oath of office. In Texas, school board members are not subject to recall by the voters, nor may they be removed by an action of the rest of the school board. Tex. Civ. Prac. & Rem. Code §§ 66.001-.002 (providing for quo warranto action in district court); Tex. Loc. Gov’t Code § 87.015 (providing for removal by petition and trial).

Consequently, a qualified board member is entitled to participate in deliberation and voting, unless there is a conflict of interest that prevents the board member’s participation.

Voting

All board members may vote on all matters, absent a conflict of interest. (See Legal Conflicts of Interest, below.) To vote, a trustee must attend the board meeting in person (unless the meeting is being held by videoconference in accordance with the OMA) and cast a vote in public. Proxy votes, secret ballots, and straw polls are not permissible; nor is voting of any kind in a closed meeting. Tex. Gov’t Code § 551.102; Tex. Att’y. Gen. Op. No. JH-1163 (1978). The board president has the same opportunity to vote and deliberate as any other board member. See TASB Policy BE(LEGAL). See TASB Legal Services’ [FAQ on Voting](#).

A trustee is not obligated to deliberate or cast a vote, even if state law would not prohibit participation. At times, a trustee may feel too involved with a certain situation or with a particular vendor to make an unbiased decision and may abstain. The trustee may also choose to abstain from participation to avoid the appearance of impropriety. Through local policy, most school districts have adopted a local board member code of ethics that can assist trustees in evaluating their circumstances and determining when to abstain. See TASB Policy BBF(LOCAL).

Public officials have argued that restricting their ability to vote based on conflicts of interest would be an unconstitutional restraint on the officials' exercise of free speech. However, these arguments have failed. In *Nevada Comm'n on Ethics v. Carrigan*, the U.S. Supreme Court considered this question when a city council member challenged his censure by the Nevada Commission on Ethics for failing to disclose a business relationship with a vendor and recuse himself from voting on a construction project. The Court agreed to hear the case and directly addressed the question of whether restrictions upon an official's vote are restrictions upon the official's protected speech. The Court opined that a public official casts a vote in trust for the official's constituents, not as an act of personal power. According to the Court, the act of voting is not, in and of itself, symbolic speech. Rather, even though a vote may reflect an official's deeply held personal belief, and even if the official would like the vote to convey that belief, the official's belief does not transform the action of voting into First Amendment speech. *Nevada Comm'n on Ethics v. Carrigan*, 564 U.S. 117 (2011).

Legal Conflicts of Interest

In certain circumstances, a board member may be legally prohibited from participating in deliberation and voting on a matter when there is a conflict of interest. Examples include the following:

- **Nepotism:** When an employee related to a board member is employed pursuant to the "continuous employment" exception, the board member may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the employee if that action applies only to the individual and is not taken regarding a bona fide class or category of employees. Tex. Gov't Code § 573.062(b). See TASB Policy DBE(LEGAL).
- **Substantial interest:** A trustee with a substantial interest in a business or real property must abstain from further participation in the official decision-making process if the board's action on the matter will have a special economic effect on the business entity or real property that is distinguishable from the effect on the public. Tex. Loc. Gov't Code § 171.004(a). However, abstention is *not* required if a majority of board members are required to file, and do file, affidavits of substantial interest in a particular business entity. Tex. Loc. Gov't Code § 171.004(c). See TASB Policy BBFA(LEGAL).
- **Budget items:** The school board must take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a board member has a substantial interest. The member may, however, vote on the budget as a whole if the member has filed the necessary affidavit, abstained from voting on the specific item, and the specific budget item has been otherwise resolved. Tex. Loc. Gov't Code § 171.005. See TASB Policy BBFA(LEGAL).

- **Duty to another entity:** In many cases, state law permits an individual to hold two positions, such as serving simultaneously as a school board member and as a director for a private corporation. Separate laws governing the actions of the individual while serving in the second capacity may affect the individual's ability to participate in school board decision making. Assume, for instance, that a school board member is also on the board of a nonprofit corporation. If the trustee ignores a potential conflict of interest between the school district and the nonprofit, the trustee could be sued for breach of the trustee's fiduciary duty to the nonprofit. Tex. Att'y Gen. Op. No. DM-0256 (1993) (citing *Blocker v. State*, 718 S.W.2d 409 (Tex. App.—Houston [1st Dist.] 1986, writ ref'd n.r.e.)). A trustee should consider the trustee's obligations to both the school district and the other entity before participating in school board matters.

Exclusion from a Meeting

The circumstances under which a board member can be excluded from a board meeting are exceptionally rare.

Open meetings: Like all members of the public, board members are permitted to attend open meetings. Even board members with a conflict of interest on a matter before the board may (but do not have to) attend the portion of an open meeting related to that item, even if they are not participating in the deliberation and vote. If there is a disruption during a meeting involving board members, the presiding officer typically calls a recess until all are able to resume.

Closed meetings: A board member who is prohibited from participation (meaning deliberating and voting) due to a legal conflict of interest may still be able to attend (sitting silently) a closed meeting regarding the matter; however, the attorney general has *strongly suggested* that a public official choose to refrain from attending the portion of a closed meeting that addresses such a matter in order to avoid the appearance of impropriety. Tex. Att'y Gen. Op. No. GA-0334 (2005). In addition, a school board may exclude a particular trustee from a closed meeting if the trustee has taken a legal position adverse to the district on the subject of the closed meeting and disclosure of the deliberation would compromise the district's position as to that matter. In one case, the attorney general ruled it was proper for a school board to exclude from closed session a trustee who had sued the school district. The board could prevent the trustee from hearing the board's consultation with its attorney regarding defense strategy or settlement of the claim. Tex. Att'y Gen. Op. No. JM-1004 (1984). A board should always consult with an attorney before excluding a trustee from any portion of a meeting.

Placing an Item on a Future Agenda

For districts using TASB Policy BE(LOCAL), local policy permits a single board member to request that an item go on the agenda for an upcoming meeting. In planning an agenda, the superintendent and board president must ensure that all trustee requests appear on the present agenda or are scheduled for a future agenda. No item may be removed from an agenda

without the permission of the requesting trustee. The attorney general has noted that a board cannot adopt a procedure that has the net effect of precluding individual board members from placing an item on the agenda. Tex. Att’y Gen. Op. No. DM-0228 (1993).

A board president or superintendent who chooses to delay or deny a board member’s request should consult with the board member about the request. If a board member believes that a requested item is being improperly kept off the board’s agenda, the board member may raise the issue during a board meeting. Because the item does not appear on that board meeting’s agenda, the board is not permitted to discuss the merits of the matter. The board is permitted to vote, however, on whether to place the item on a future agenda. Tex. Gov’t Code § 551.042.

Speaking at a Board Meeting about an Item Not on the Agenda

Because board members have the opportunity to request specific agenda items, speaking during public comment on an item that is not on the agenda may violate the OMA. For example, the Hays County Commissioners Court posted a meeting notice that included an item listed as “Presentation by Commissioner Molenaar” under the heading “Proclamations & Presentations.” When Molenaar spoke, his comments went into some detail about a proposed county transportation plan. A taxpayer organization sued the county for OMA violations. The court of appeals concluded that “presentation” was too vague a description to give the public notice of the subject matter. *Hays County Water Planning P’ship v. Hays County*, 41 S.W.3d 174 (Tex. App.—Austin 2001, pet. denied).

Similarly, after the chair of the Board of Directors of the Brazos Valley Groundwater Conservation District (BVGCD) refused a board member’s request to add an item to a board agenda out of concern that it related to pending litigation, the board member attempted to sign in and make a public comment at the board meeting. When he was not allowed to address the board, he joined the pending lawsuit against the BVGCD, alleging a violation of his First Amendment right to free speech. The district court ruled in favor of the board, and the Fifth Circuit affirmed. The court concluded that, given the board member’s status as a public official, he was governed by the OMA and did not have the same rights as a member of the public when attending a BVGCD meeting. *Stratta v. Roe*, 961 F.3d 340 (5th Cir. 2020).

If a board member or a member of the public asks about a subject that is not on the agenda during a meeting, the board may only:

- **Give factual information:** Make a statement of specific factual information, e.g., “The deadline for submitting bids on that proposal is December 29, 2021.”
- **Give a policy reference:** Recite existing policy in response to the inquiry, e.g., “Complaints by a parent against a district employee should be submitted under the district’s local policy FNG (LOCAL).”

- **Place on a future agenda:** Deliberate about or decide whether to place the subject on the agenda for a later meeting. Tex. Gov't Code § 551.042.

Making Personal Recordings

The OMA permits any person to record all or any part of an open meeting by audio recorder, video camera, or other means of aural or visual reproduction. The board may adopt reasonable rules to maintain order relating to any such recording, such as the location of the recording equipment and the manner in which the recording is conducted. Tex. Gov't Code § 551.023. The same is not true in closed meetings, however. Neither board members nor other individuals may audio record a closed meeting absent authorization by the board. *Zamora v. Edgewood Indep. Sch. Dist.*, 592 S.W.2d 649 (Tex. Civ. App.—Beaumont 1979, writ ref'd. n.r.e.).

Activities Outside of Board Meetings

Persuading Fellow Board Members

Board members are permitted to speak to each other and to the district administration (in person and through electronic communications) about public business outside of board meetings. They may “lobby” each other on relevant matters. Board members must take care, however, not to violate the OMA with these discussions. The Fifth Circuit has concluded that government officials do not have a First Amendment right to discuss public policy and public business among a quorum of their governing body in private, concluding that the OMA is not unconstitutional in its regulation of public business. *See Asgeirsson v. Abbott*, 773 F. Supp. 2d 684 (W.D. Tex. 2011), aff'd, 696 F.3d 454 (5th Cir. 2012) (finding the OMA was not vague or overbroad with respect to indictment of city council members for emails about public business).

A *meeting* under the OMA happens whenever a quorum deliberates school business. Tex. Gov't Code § 551.001(4). *Deliberation* means a verbal exchange during a meeting between a quorum of a board, or between a quorum of a board and another person, concerning an issue within the jurisdiction of the board or any other public business. Tex. Gov't Code § 551.001(2). According to the Texas Supreme Court, “When a majority of a public decisionmaking [sic] body is considering a pending issue, there can be no ‘informal’ discussion. There is either formal consideration of a matter in compliance with the Open Meetings Act or an illegal meeting.” *Acker v. Tex. Water Comm'n*, 790 S.W.2d 299, 300 (Tex. 1990). An illegal meeting can occur if a quorum deliberates school business outside of a posted meeting, even if the quorum does not meet at one time or place. *Hitt v. Mabry*, 687 S.W.2d 791 (Tex. App.—San Antonio 1985, no writ); Tex. Att’y Gen. LO-95-055 (1995).

A *walking quorum* occurs when members of a governmental body deliberately hold serial meetings of less than a quorum outside of a public meeting and then ratify the decisions made in private at a subsequent public meeting in an attempt to circumvent the OMA. *Esperanza Peace & Justice Ctr. v. City of San Antonio*, 316 F. Supp. 2d 433 (W.D. Tex. 2001). A board member

commits an offense if the member knowingly engages in communications in violation of the OMA, and if the member knew that the communication involved or would involve a quorum and would constitute a deliberation. Tex. Gov't Code § 551.143(a). This offense is a misdemeanor punishable by fine, confinement, or both. Tex. Gov't Code § 551.143(b). *See also* Tex. Att'y Gen. Op. No. GA-0098 (2003) (warning against holding serial, closed, quorumless meetings).

Preserving School District Records

Under the Texas Public Information Act (PIA), a school board member is a *temporary custodian* of school district records to the extent, in the transaction of official business, the board member creates or receives *public information* that the member has not provided to the district's public information officer (i.e., the superintendent). Tex. Gov't Code § 552.003(7). *Public information* is defined broadly to include any district information created or maintained in connection with the transaction of official business and located on any device. Tex. Gov't Code § 552.002(a)-(a-2). As a temporary custodian, a board member may either forward the public information to the district or preserve information as required by the PIA and other laws governing the preservation and retention of local government records, including Texas Government Code chapter 441 and Texas Local Government Code Title 6. Tex. Gov't Code § 552.004(b)-(c). For this reason, board members are well-advised to limit electronic exchanges related to school business to software applications (like district email) that are accessible to and retained by the school district. For more information, see TASB Legal Services' memo [Board Member Responsibilities as Temporary Custodians](#).

Reviewing School District Records

Trustees have a special right of access to existing district records to the extent necessary to do their job. Tex. Att'y Gen. Op. No. JM-0119 (1983).

Requesting records: A board member, acting in an official capacity, may request information and records from the district without the need for a public information request. Information not subject to disclosure as public information may be redacted or withheld, and the district is required to track and periodically report certain information about board member requests for records. Tex. Educ. Code § 11.1512(c)-(f). Of course, trustees should observe good governance practices, requesting only the documents needed to perform their appropriate functions and following established procedures for making document requests. On the other hand, most boards have a local policy that requires a majority vote before the board will commission the creation of a new report. See TASB Policy BBE(LOCAL). See also TASB Legal Services' memo on [Board Member Access to School District Records](#).

Access to closed meeting records: Either a certified agenda or an official audio recording must be kept of the proceedings of each closed meeting, except for a governmental body's private consultation with its attorney. Tex. Gov't Code § 551.103(a). A certified agenda or recording of

a closed meeting is available for public inspection and copying only under a court order. Tex. Gov't Code § 551.104(c). However, current trustees who attended a closed meeting may review the certified agenda or audio recording of that meeting. Tex. Att'y Gen. Op. No. DM-0227 (1993). Current board members may also review the recording or certified agenda of a closed meeting they did *not* attend. Tex. Att'y Gen. Op. No. JC-0120 (1999). Although a board may adopt reasonable procedures for review of closed meeting records, the board may not absolutely prohibit a board member from reviewing the recording or certified agenda. While a board member may review the record, this does not include the authority to obtain a copy of the record. Former board members may not review a recording or certified agenda after they have left office. Tex. Att'y Gen. Op. No. JC-0120 (1999).

Talking to the Public or the Press

Like all citizens, individual board members may voice their opinions to the public or the press. Nevertheless, important practical considerations should guide board members speaking publicly about school business. First, because the board acts only as “a body corporate,” many school boards have a board operating procedure that appoints the board president as a spokesperson; other board members are free to speak to the press or the public but should clarify that their statements reflect their own views, not necessarily the official position of the board. Moreover, board members should not use the press as a vehicle for communicating with each other; such communications undermine good working relationships and the purpose of open meetings.

Public statements may also telegraph bias on contested matters. Generally, a board member is presumed to be impartial absent specific evidence of actual bias. *Nardone v. El Paso Indep. Sch. Dist.*, Tex. Comm'r of Educ. Decision No. 151-R1-798 (Aug. 25, 1998). In some cases, however, board members act in the role of a judge or tribunal by hearing appeals of contested cases. Examples include grievances, employee contract appeals, and other contested matters, many of which require due process of law. The concept of due process calls for the board to serve as an impartial decision maker, which means board members should come to the hearing with an open mind.

Public statements by a board member expressing an opinion on pending matters may be considered evidence of bias or prejudice on the issue. This evidence of bias may be used to call into question the validity of board action. *See, e.g., Valley v. Rapides Par. Sch. Bd.*, 118 F.3d 1047 (5th Cir. 1997) (overturning a superintendent's termination when the record showed that four members of a nine-member school board had made public statements indicating bias against the superintendent).

Finally, disagreement among the board is to be expected from time to time, but most boards encourage individual members to express their views during the debate of a matter and to refrain from criticizing decisions after the fact. For example, many boards commit in their code of ethics to air their disagreements during board deliberations, but to avoid undermining final majority decisions afterwards. See TASB Policy BBF(LOCAL) (“I will respect the majority decision as the

decision of the Board.”). That said, board members have a constitutionally protected right to express dissent. *See City of Corpus Christi v. Bayfront Assoc., Ltd.*, 814 S.W.2d 98 (Tex. App.—Corpus Christi–Edinburg 1991, writ denied) (observing that a city council member who disagreed publicly with a decision of the council could not be “sanctioned” for voicing her disagreement).

For more information, see TASB Legal Services’ [Social Media Guidelines Use by Board Members](#).

Interacting with Staff

A district’s employment policy must provide each employee with the right to present grievances to the board, and the policy may not restrict the ability of an employee to communicate directly with a member of the board regarding a matter relating to the operation of a district, with the exception of communications about a pending appeal under Texas Education Code chapter 21 regarding employment contracts or another appeal or hearing in which *ex parte* communication (i.e., communication with only one party in a pending matter) would be inappropriate pending a final decision by the board. Tex. Educ. Code § 11.1513(i)-(j). See TASB Policy DGBA(LEGAL) and (LOCAL).

That said, local school boards routinely establish guidelines for school board members that emphasize that individual members are not authorized to respond to complaints from individual employees or other citizens. Instead, complaints or concerns should be redirected through the chain of command to an appropriate administrator. Boards set this expectation in board policies, board operating procedures, and often their superintendent contracts.

Board members should avoid asking school employees, other than the superintendent, to perform any tasks or favors for the board member. Not only do such requests disrupt the chain of command, but they also risk the board member being accused of micromanagement or abuse of official capacity.

Visiting Campuses

Each school board is required to establish a policy regarding board members’ visits to district campuses or facilities. Tex. Educ. Code § 11.1512(g). See TASB Policy BBE(LOCAL).

Liability Issues

Preserving Confidential Information

The audio recording or written record of a closed meeting, called a certified agenda, is confidential by law. A person who knowingly discloses a certified agenda or a recording of a closed meeting to a member of the public, without lawful authority, commits a Class B misdemeanor. Tex. Gov’t Code § 551.146. The penalty is a fine not to exceed \$2,000, jail confinement not to exceed 180 days, or both. Tex. Penal Code § 12.22.

Although the unauthorized release of an audio recording or certified agenda from a closed meeting is a criminal offense, there is no comparable statutory prohibition in the OMA specifically preventing other disclosure of the subject or content of closed meeting discussions. The attorney general has stated that the restrictions on the disclosure of the certified agenda or recording do not prohibit board members or other persons who attend a closed meeting from making public statements about the subject matter of a closed meeting. The attorney general's conclusion was based on the fact that (1) school board members and others present during a closed meeting possess constitutional rights to freedom of speech; and (2) in enacting the certified agenda or recording requirement, the legislature apparently intended only to ensure the preservation of the record of closed meeting discussions. Tex. Att'y Gen. Op. No. JM-1071 (1989).

Despite this ruling, there are several compelling reasons for a trustee not to reveal the content of closed meeting deliberations. First, as a *trustee* to the district, a board member owes a fiduciary obligation to the district to put its interests ahead of the board member's own. Disclosure of information discussed in a closed meeting, such as the negotiating position of the district, could harm the district's interests. Consequently, the trustee could be subject to a civil lawsuit for breach of fiduciary duty.

Second, disclosing information discussed in a closed meeting is inconsistent with the board's local policies. Most school districts have adopted a local policy stating that a trustee will not "disclose information that is confidential by law or that will needlessly harm the District if disclosed." Trustees also commit to "consistently uphold all applicable laws, rules, policies, and governance procedures." See TASB Policy BBF(LOCAL). While these ethical standards may not create a separate legal cause of action, they define the policy duties of the trustee.

Third, an individual board member may be sued for *defamation*. Defamation occurs when an individual, acting with actual malice if the target is a public figure or with mere negligence if the target is a private individual, publishes or prints a statement that "tends to impeach [a] person's honesty, integrity, or virtue." *Marshall v. Mahaffey*, 974 S.W.2d 942, 949 (Tex. App.—Beaumont 1998, pet. denied). A school board member can claim official immunity in such suits if the statement was made by the member while performing a discretionary duty in good faith and within the scope of the member's authority. The defense of official immunity will fail, however, if the board member's statements were not made in good faith and within the scope of the board member's authorized duties. A successful plaintiff could recover monetary damages caused by the statement plus exemplary damages. *Kinsey v. Ryan*, No. Civ. A. 398CV-1000-BC, 1998 WL 920329 (N.D. Tex. Dec. 31, 1998) (mem. op.).

Fourth, depending on how confidential information is used, a board member may be subject to criminal liability for *misuse of official information*. The Texas Penal Code specifically prohibits a public official from misusing information that has not been made public and to which the official has access by virtue of the public office. Official information is information to which the public generally does not have access and which is prohibited from disclosure under the PIA. Depending on the circumstances, information discussed in a closed meeting may fall in this

category. A trustee may run afoul of this provision by relying on official information to acquire (or help someone else to acquire) a financial interest in property, a transaction, or an enterprise affected by the information or discloses or uses official information for a non-governmental purpose with intent to benefit from or harm or defraud another. Violation of this provision is a third-felony. Tex. Penal Code § 39.06.

Finally, a board member's disclosure of closed meeting discussions undermines the purpose and integrity of the closed meeting. The closed meeting exceptions represent the legislature's determination of the subject areas that warrant discussion outside the public's view. Disclosing discussions or information about these subjects may inhibit open discussion of issues in future closed meetings. For all these reasons, it is highly inadvisable for board members to disclose information regarding deliberations in closed meetings.

Defamation against Board Members

While the First Amendment may sometimes be called upon to protect speech by public officials, it is more often called upon to protect speech about and against public officials. School board members must have thicker skin than ordinary citizens when it comes to personal attacks. *See, e.g., Greer v. Abraham*, 489 S.W.3d 440 (Tex. 2016) (concluding that a school board member is a public figure justifying a heightened standard requiring proof of "actual malice" to support a defamation claim). Accordingly, public officials must tolerate more significant actions taken in response to their exercise of free speech than an average citizen would before the actions are considered adverse. *Mattox v. City of Forest Park*, 183 F.3d 515 (6th Cir.1999). In Texas, even candidates for school board are considered public officials, subject to the heightened standard of actual malice to support a defamation claim. *Schofield v. Gerda*, No. 02-15-00326-CV, 2017 WL 2180708, at *1 (Tex. App.—Fort Worth May 18, 2017, no pet.).

Not only is it harder for a school board member to claim defamation, but any such claim could be struck down as a "SLAAP," which stands for a Strategic Lawsuit Against Public Participation. A SLAPP is considered a meritless lawsuit aimed at stopping citizens from talking about issues of public concern. In response to a growing number of defamation claims related to online speech, the Texas Legislature passed the Texas Citizens Participation Act (TCPA), more generally known as an anti-SLAPP law, in 2011 to "protect people's right of free speech, petition, or association." Bill Analysis, Tex. H.B. 2973, 82d Leg., R.S. (2011). In 2019, the Texas Legislature went back to the TCPA and substantially amended the law to clarify what parties were subject to the law. Importantly, a government entity, agency, or an official or employee acting in an official capacity *cannot* file a TCPA motion to dismiss. This includes school districts, school boards, and school board members acting in their official capacity. Tex. Civ. Prac. & Rem. Code § 27.003(a).

Censure

Nothing in the U.S. Supreme Court's precedent "suggests the Court intended for the First Amendment to guard against every form of political backlash that might arise out of the everyday squabbles of hardball politics," and "the First Amendment may well prohibit retaliation against

elected officials for speech pursuant to their official duties only when the retaliation interferes with their ability to adequately perform their elected duties.” *Willson v. Yerke*, 604 F. App’x 149, 151 (3rd Cir. 2015) (affirming summary judgment in favor of township and board of supervisors on allegations by former member that chairman and other members insulted and threatened him, directed obscene gestures at him, and changed locks on township garage).

Under most circumstances, conflicts and miscommunications among board members can be addressed by ensuring that board members receive regular continuing education and that local boards collaborate to develop and review sound board operating procedures.

In the event a board member’s actions deliberately violate local policy or board operating procedures, the rest of the board may consider addressing the concerns by taking the following steps:

- A private conversation between the offending member and the board president or other appropriate individual.
- A confidential conversation between the offending member and the board and the district’s school attorney.
- Discussion in closed session between the offending member and the full board.
- If private conversations have not been effective, the board could seek the assistance of the school district’s attorney to express in writing concerns about specific policy violations.
- If all possible private interventions have not been effective, board members may make public statements to distance themselves from the acts or statements of another board member.

While board members each have a protected First Amendment right to express their views on matters of public concern—including views about the acts or statements of a fellow board member—a board that is considering a formal reprimand, censure, or sanction against an individual member of the board should consult its school attorney to carefully consider the costs and benefits of such actions. Public censure of a fellow board member often leads to protracted and expensive litigation with claims and counterclaims of unconstitutional restrictions on protected speech. In *Houston Community College System v. Wilson*, the U.S. Supreme Court reviewed the claim by a community college trustee that the board’s vote to publicly censure the trustee for actions not consistent with the best interests of the college and board violated the First Amendment. The Fifth Circuit Court of Appeals had determined that the trustee’s allegation of censure in retaliation for speaking out on a matter of public concern was sufficient to establish an actionable harm for lower court review of the claimed damages. In reversing the Fifth Circuit’s ruling, the Supreme Court noted that “elected bodies in this country have long exercised the power to censure their members” and that members should expect “a degree of criticism about their public service from their constituents and their peers.” As to the

trustee's claim that the censure constituted an unconstitutional adverse action in response to speech, the Court reasoned that the First Amendment "cannot be used as a weapon to silence other representatives" from seeking to exercise their same rights to speak on matters public policy. The Court cautioned that its holding was limited to a verbal censure of a member of an elected body by other members, not to more extreme forms of punishment like expulsion or exclusion. *Houston Cmty. Coll. Sys. v. Wilson*, 142 S. Ct. 1253, 1259-61 (2022).

Personal Legal Liability

School board service is a voluntary role and should not typically subject board members to personal liability. That said, when board members stray from acting in good faith within the scope of their appropriate role on the board, risks may ensue. Board members can be subjected to two types of liability: civil and criminal. Board members almost always have immunity from liability for civil claims. Civil claims are lawsuits by individuals seeking either monetary damages or injunctive relief from the school district. Board members are immune from liability for discretionary acts done in good faith within the course and scope of their role on the board. *City of Lancaster v. Chambers*, 883 S.W.2d 650 (Tex. 1994); Tex. Educ. Code § 22.0511.

Plaintiffs in state lawsuits must choose to sue either the school district as an entity or an individual person (employee or board member) who allegedly caused the harm. Tex. Civ. Prac. & Rem. Code § 101.106. Generally speaking, unless a plaintiff is claiming that a board member acted separate and apart from the rest of the board—for example, the plaintiff claims the board member made a defamatory statement—suit will be brought against the district, not an individual board member.

If a civil suit, like a defamation claim, is brought against a board member in the member's individual capacity, the board member may be able to rely on the district's director and officer (D&O) insurance to mount a defense, as long as the board member was acting in good faith in the course and scope of the board member role. Tex. Att'y Gen. Op. No. JH-0070 (1973). If, however, the board member was not acting in good faith, the board member's actions may not be covered by the district's insurance. In these rare circumstances, a board member may have a conflict of interest with the school district that would require the individual to rely on personal resources, such as homeowner's insurance or personal assets, to defend the claim. Tex. Att'y Gen. Op. No. GA-0878 (2011). Whether public funds may be spent on a board member's defense must be decided on a case-by-case basis. Tex. Att'y Gen. Op. No. GA-0115 (2003). A school district may not expend public funds to represent the purely personal interests of an individual trustee. Tex. Att'y Gen. Op. Nos. DM-0488 (1998), JM-0968 (1988), JH-0070 (1973).

Board members are also immune from federal claims unless their conduct violates clearly established rights of which reasonable person would have known. *Harlow v. Fitzgerald*, 457 U.S. 800 (1982). As supervisory officials, board members may be considered liable for the acts or omissions of subordinates only if: (1) the board members learned of facts or a pattern of behavior by a subordinate pointing plainly toward the conclusion that the subordinate was

depriving someone of federal rights; (2) the board member demonstrated deliberate indifference toward the individual's rights by failing to take action that was obviously necessary to prevent or stop the deprivation; and (3) such failure caused injury to the individual. *Doe v. Taylor Indep. Sch. Dist.*, 15 F.3d 443 (5th Cir. 1994) (en banc). If board members do not have actual knowledge of a violation of rights, or if the board responds in a way calculated to end or prevent civil rights abuses, board members will not be liable under federal law.

Board members must be cautious to avoid the violation of a variety of state laws that carry criminal penalties. Examples include:

- Open Meetings Act
- Public Information Act
- Nepotism prohibition
- Conflict of interest disclosure laws
- Purchasing laws
- Prohibitions on gifts and bribes

If a board member is accused of a criminal act, the board member must pay the cost of criminal defense. If the board member is found not guilty, the rest of the board may vote to reimburse the board member for the cost of the defense. If, however, the board member is found guilty, the school district may not reimburse the defense costs. Tex. Att'y Gen. Op. No. JC-0294 (2000). A school district also has the authority to pay attorney's fees for a board member who sought legal representation for a criminal investigation that did not result in any criminal charges filed, provided that the board determines, subject to judicial review, that the payment will serve a public interest and not merely the member's private interest. Tex. Att'y Gen. Op. No. KP-0016 (2015).

This document is continually updated at tasb.org/services/legal-services/tasb-school-law-eshource/governance/documents/roles-responsibilities-of-individual-school-board-members.pdf. For information on school law topics, visit TASB School Law eSource at schoollawesource.tasb.org.

This document is provided for educational purposes and contains information to facilitate a general understanding of the law. References to judicial or other official proceedings are intended to be a fair and impartial account of public records, which may contain allegations that are not true. This publication is not an exhaustive treatment of the law, nor is it intended to substitute for the advice of an attorney. Consult your own attorney to apply these legal principles to specific fact situations.

Published October 2022

- Review and approve a calendar for the budget preparation cycle
- Examine budget assumptions, broad guidelines and targets that administration uses in preparing a budget
- Study the budget proposal to make sure it reflects the goals and priorities the board established
- Hold required public hearings
- Adopt a budget and approve an appropriate tax rate to fund it
- Monitor the district's fiscal activity throughout the year and amend the budget if necessary
- Hire an independent auditor and approve the report from the annual financial audit

School board members who want to exercise responsible stewardship of district finances should be armed with two tools:

- Basic information about the district's budget, so they can anticipate the district's revenue profile in coming years
- A habit of asking about the long-term fiscal impact of board decisions, so they can begin to understand the complexities of budget decision and avoid making decisions that put the district in a difficult position down the road

[Find out the right questions to ask about your school district's budget.](#)

Communicate with the community

Your board's final major responsibility is to serve as an advocate for public schools. One of the key things trustees can do is to listen to their community. It's one of the best ways for trustees to build trust between the district and community.

Keep your community involved by informing them about:

- District plans
- Actions
- Accomplishments

Board members are the link between the school system and the public. As advocates for public education, board members help [grow community support for public schools](#) and report district progress by communicating with the community, students, staff, parents, and the media.

Once your board makes a decision, the board's role is to engage the community in ways that:

- Promote continued constructive discussion

- Generate positive community interest in the efforts of the public schools

It's a difficult job, but serving as a school trustee carries a much greater burden than simply being a representative.



[Home \(/\)](#) / [Texas Schools \(/texas-schools\)](#) / [School Boards \(/texas-schools/school-boards\)](#)

School Board Trustee Training

The board of trustees of an independent school district is a corporate body that has the exclusive power and duty to oversee the district management and evaluate the performance of its superintendent. All powers and duties not specifically delegated by state law to the Texas Education Agency (TEA) or State Board of Education (SBOE) are reserved for the trustees.

Texas Education Code, Chapter 11, Subchapter D (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.11.htm>) defines the powers and duties of an independent school district board of trustees.

The Framework for School Board Development (</node/102913>) outlines the vision and goals, systems and processes, progress and accountability, advocacy and engagement, and synergy and teamwork needed to provide local educational programs and services that will promote excellence in student academic achievement. Initially adopted in January 1996, the framework was revised by the SBOE in November 2020.

Texas Education Code, §11.159, (<https://statutes.capitol.texas.gov/Docs/ED/htm/ED.11.htm#11.159>) requires the SBOE to provide a course of training for independent school district boards of trustees.

School Board Training Requirements

Continuing education requirements for independent school board trustees are established in Texas Education Code, §11.159, (<https://statutes.capitol.texas.gov/Docs/ED/htm/ED.11.htm#11.159>) Texas Administrative Code §61.1 (<https://tea.texas.gov/sites/default/files/ch061a.pdf>) and Texas Government Code, §§ 551.005 (<http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.551.htm#551.005>), 552.012 (<http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.552.htm#552.012>), and 2054.5191 (<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.2054.htm#2054.519>). This table provides a summary of these requirements. Use the links in the *Eligible Provider(s)* column to find a provider.

| Required Continuing Education | First Year in Office | Subsequent Years in Office | Eligible Provider(s) |
|--|--|----------------------------|---|
| Local District Orientation | Three hours within the first 120 days in office | N/A | Local District |
| Orientation to the Texas Education Code | Three hours within the first 120 days in office | N/A | Education Service Centers (https://tea.texas.gov/about-tea/other-services/education-service-centers) |
| Update to the Texas Education Code | Following each legislative session and of sufficient length to address major changes | | <ul style="list-style-type: none"> • Registered Providers (http://tea4avcastro.tea.state.tx.us/school_board/registered_providers.html) • Authorized Providers (http://tea4avcastro.tea.state.tx.us/school_board/providers.html) • LSG Coaches (http://tea4avcastro.tea.state.tx.us/school_board/coaches.html) |
| Team-building (Team-of-eight) | Three hours | Three hours every year | <ul style="list-style-type: none"> • Registered Providers (http://tea4avcastro.tea.state.tx.us/school_board/registered_providers.html) • Authorized Providers (http://tea4avcastro.tea.state.tx.us/school_board/providers.html) • LSG Coaches (http://tea4avcastro.tea.state.tx.us/school_board/coaches.html) |
| Additional Education based on Framework for School Board Development | Ten hours | Five hours every year | <ul style="list-style-type: none"> • Registered Providers (http://tea4avcastro.tea.state.tx.us/school_board/registered_providers.html) • Authorized Providers (http://tea4avcastro.tea.state.tx.us/school_board/providers.html) • LSG Coaches (http://tea4avcastro.tea.state.tx.us/school_board/coaches.html) |

| | | | |
|---|---|-----------------------------|---|
| Evaluating and Improving Student Outcomes | Three hours within the first 120 days in office | Three hours every two years | <ul style="list-style-type: none"> • Authorized Providers (http://tea4avcastro.tea.state.tx.us/school_board/providers.html) • LSG Coaches (http://tea4avcastro.tea.state.tx.us/school_board/coaches.html) |
| Sexual Abuse, Human Trafficking, and Other Maltreatment of Children | One hour within the first 120 days in office | One hour every two years | <ul style="list-style-type: none"> • Registered Providers (http://tea4avcastro.tea.state.tx.us/school_board/registered_providers.html) • Authorized Providers (http://tea4avcastro.tea.state.tx.us/school_board/providers.html) • LSG Coaches (http://tea4avcastro.tea.state.tx.us/school_board/coaches.html) |
| Open Meetings Act (OMA) | One hour within the first 90 days in office | N/A | Attorney General of Texas (https://www.texasattorneygeneral.gov/open-government/governmental-bodies/pia-and-oma-training-resources) |
| Public Information Act (PIA) | One hour within the first 90 days in office | N/A | Attorney General of Texas (https://www.texasattorneygeneral.gov/open-government/governmental-bodies/pia-and-oma-training-resources) |
| Cybersecurity | Varies by provider | Every year | Department of Information Resources (https://dir.texas.gov/View-About-DIR/Information-Security/Pages/Content.aspx?id=154) |
| School Safety | Two hours within the first 120 days in office | Every two years | <ul style="list-style-type: none"> • TEA Learn (https://register.tealearn.com/courses/sboe---school-safety-training) • Technical Support (https://app.smartsheet.com/b/form/5e77d5f134044515a7eda8ab70635e81) |

Team Commendation

Local board-superintendent teams that, together, receive at least eight hours of continuing education specified in Texas Administrative Code §61.1(k)

(<https://tea.texas.gov/sites/default/files/ch061a.pdf#page=6>) are eligible for commendation. The SBOE established this commendation in recognition of the importance of working together as a team for the benefit of Texas students. Complete and submit the commendation eligibility form (<https://form.jotform.com/90995324219161>) to apply.

Contact Information

School Governance

Phone: (512) 936-1533

SchoolGovernance@tea.texas.gov (<mailto:schoolgovernance@tea.texas.gov>)

TRAINING REQUIREMENTS FOR SCHOOL BOARD MEMBERS

| Length of Service | Local District Orientation | Intro to TEC | Open Government ³ | Cybersecurity | Post-Legislative Update to TEC | Child Abuse Prevention | Evaluating and Improving Student Outcomes (formerly SB 1566) | Team Building | Additional Continuing Education (based on assessed needs) |
|--|--|-----------------------------------|---|---|---|--------------------------------------|---|---|---|
| New Trustees (First Year) ~25 hrs | Local Orientation ² (within 120 days) 3 hrs | (within 120 days) 3 hrs | OMA ³ (within 90 days) 1-2 hrs PIA 1-2 hrs | ~1 hr each year | N/A because update is incorporated into Intro to TEC | 1 hr every two years | (within 120 days) 3 hrs² every two years | 3 hrs² each year with all trustees and superintendent | 10 hrs first year |
| Experienced Trustees (After First Year) 9-16 hrs¹ | Can attend, but not required | | | | Sufficient length ~1-2 hrs after each legislative session | | | | 5 hrs each year |
| Providers | School District | ESC | TASB or other registered provider | See Department of Information Resources website | TASB or other registered provider | TASB or other registered provider | TASB or other authorized provider | TASB or other registered provider | TASB or other registered provider |

Training Requirements Notes:

¹Required hours after the first year will vary depending on how the Post-Legislative Update, Child Abuse, and Student Achievement and Accountability hours fall for an individual trustee.

²Trustees may receive any training online **except** Local Orientation for new board members, Team Building, and Evaluating and Improving Student Outcomes.

³**OMA** and **PIA training** is required (outside of SBOE rule) of all elected officials within 90 days of election or appointment. PIA training may be delegated by district policy.

OMA: Open Meetings Act

TEC: Texas Education Code

PIA: Public Information Act

SBOE: State Board of Education





TEXAS ETHICS COMMISSION
2024 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH
ELECTIONS HELD ON UNIFORM ELECTION DATES

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2024 are May 4 and November 5.

Candidates and officeholders must file semiannual reports (due on January 16, 2024, and July 15, 2024). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file two pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2024 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2024 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

EXPLANATION OF THE FILING SCHEDULE CHART

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

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

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

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

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

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|---|--|---|---|
| Tuesday, January 16, 2024 <i>Deadline is extended because of holiday.</i> | January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,010 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs) | July 1, 2023, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | December 31, 2023 |
| Tuesday, January 16, 2024 <i>Deadline is extended because of holiday.</i> | Annual report of unexpended contributions [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions) | January 1, 2023, <i>or</i> the day after the date the final report was filed. | December 31, 2023 |

REPORTS DUE BEFORE THE MAY 4, 2024, UNIFORM ELECTION

| | | | |
|--|--|--|----------------|
| Thursday, April 4, 2024 NOTE: This report must be received by the appropriate filing authority no later than April 4, 2024. | 30th day before the May 4, 2024, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 4 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved in the May 4 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 4 election) | January 1, 2024, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended. | March 25, 2024 |
|--|--|--|----------------|

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

| <u>COLUMN I</u> DUE DATE | <u>COLUMN II</u> TYPE OF REPORT (WHO FILES) | <u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED | <u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED |
|---|--|---|--|
| <p>Friday, April 26, 2024</p> <p>NOTE: This report must be received by the appropriate filing authority no later than April 26, 2024.</p> | <p>8th day before May 4, 2024, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the May 4 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved in the May 4 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the May 4 election)</p> | <p>March 26, 2024, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>April 24, 2024</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 24, 2024, may be required. Please consult the Campaign Finance Guide for further information.</p> |
| <p>Monday, July 15, 2024</p> | <p>July semiannual</p> <p>[FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,080 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p> | <p>January 1, 2024, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>June 30, 2024</p> |
| <p>NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period. The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.</p> | | | |

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

REPORTS DUE BEFORE THE NOVEMBER 5, 2024, UNIFORM ELECTION

| | | | |
|---|--|--|--|
| <p>Monday, October 7, 2024</p> <p><i>Deadline is extended because of weekend.</i></p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 7, 2024.</p> | <p>30th day before the November 5, 2024, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 5 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that are involved in the November 5 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 5 election)</p> | <p>July 1, 2024, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>September 26, 2024</p> |
| <p>Monday, October 28, 2024</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 28, 2024.</p> | <p>8th day before the November 5, 2024, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 5 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved in the November 5 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the November 5 election)</p> | <p>September 27, 2024, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p> | <p>October 26, 2024</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 26, 2024, may be required. Please consult the Campaign Finance Guide for further information.</p> |

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

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

Note: If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

Eligibility

To be eligible to be a candidate for, or elected or appointed to, the office of school board member, 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 totally mentally incapacitated or 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 [but see Ineligibility below].
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 an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot.
 - b. For a write-in candidate, the date of the election at which the candidate's name is written in.
 - c. For an appointee to an office, the date the appointment is made.
6. Be registered to vote in the territory from which the office is elected on the date described at item 5, above.

Election Code 1.020, 141.001(a); Gov't Code 601.009; Tex. Const. Art. XVI, Sec. 14

Qualified Voter

A person may not be elected trustee of an independent school district unless the person is a qualified voter. *Education Code 11.061(b)*

“Qualified voter” means a person who:

1. Is 18 years of age or older;

Note: If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

Membership

The board consists of the number of members that the district had on September 1, 1995. *Education Code 11.051(b)*

Increase in
Membership

A board that has three or five members may by resolution increase the membership to seven. A board that votes to increase its membership must consider whether the district would benefit from also adopting a single-member election system under Education Code 11.052. [See Single-Member Districts, below.]

A resolution increasing the number of trustees takes effect with the second regular election of trustees that occurs after the adoption of the resolution. The resolution must provide for a transition in the number of trustees so that when the transition is complete, trustees are elected as provided by Education Code 11.059 (terms).

Education Code 11.051(c)

Terms

A trustee of a district serves a term of three or four years.

Elections for trustees with three-year terms shall be held annually. The terms of one-third of the trustees, or as near to one-third as possible, expire each year.

Elections for trustees with four-year terms shall be held biennially. The terms of one-half of the trustees, or as near to one-half as possible, expire every two years.

Board policy must state the schedule on which specific terms expire.

Education Code 11.059

Note: For website posting requirements regarding trustee information, see CQA.

**Uniform Election
Dates**

Each general or special election of board members shall be on one of the following dates:

1. The first Saturday in May.

Note: If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

Notice of Polling Place

Any written notice of a polling place location must state the building name, if any, and the street address, including the suite or room number, if any, of the polling place. *Election Code 1.021*

Election Order

The board shall order an election. An election to be held on a uniform election date shall be ordered not later than the 78th day before election day. *Election Code 3.004, .005*

Each election order must state:

1. The date of the election;
2. The offices or measures to be voted on;
3. The early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, email address, and internet website, if the early voting clerk has an internet website;
4. The location of the main early voting polling place;
5. The dates and hours for early voting; and
6. The dates and hours of any Saturday and Sunday early voting.

Election Code 3.006, 83.010, 85.004, .007

A board shall preserve the election order for the period for preserving the precinct election records. The date and nature of each election shall be entered in the official records of the board. For an election on a measure, the entry must include a description of the measure. *Election Code 3.008*

Failure to Order an Election

Failure to order a general election does not affect the validity of the election. *Election Code 3.007*

Election Notice

Contents

Notice of the election must state:

1. The nature and date of the election;
2. The location of each polling place;

Note: If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

Tie Votes

Second Election

In an election requiring a plurality, if two or more candidates for the same office tie for the number of votes required to be elected, a second election to fill the office shall be held in accordance with the deadlines and other requirements of Election Code 2.002.

Other Options

Casting Lots

The tying candidates may agree to cast lots to resolve the tie. The agreement must be filed with the board. The board president shall supervise the casting of lots.

Withdrawal

A tying candidate may resolve the tie by filing with the board a signed and acknowledged written statement of withdrawal. On receipt of the statement, the remaining candidate is the winner, and a second election or casting of lots is not held.

Automatic Recount

If the tie is not resolved by casting lots or withdrawal, an automatic recount shall be conducted under Election Code Chapter 216 before the second election is held. If the recount resolves the tie, the second election is not held.

If the recount does not resolve the tie, the tied candidates may cast lots not later than the day before the date the board must order the second election under Election Code 2.002(b) or withdraw from the election not later than 5:00 p.m. of the day after the date the automatic recount is held.

Election Code 2.002

Runoff Election

In a district in which trustees are elected by majority vote under Education Code 11.057(c) [see BBB], if no candidate for a particular office receives the vote necessary to be elected, a runoff election for that office is required. *Election Code 2.021 et seq.*

If the candidates in a runoff election tie, an automatic recount shall be conducted under Election Code Chapter 216. If the recount does not resolve the tie, the tied candidates shall cast lots to determine the winner. The board president shall supervise the casting of lots. A tying candidate may resolve the tie by filing with the board president a signed and sworn to written statement of withdrawal. If the statement of withdrawal is received before the automatic recount is conducted, the remaining candidate is the winner, and the automatic recount is not conducted. If the statement of withdrawal

Note: If the district is subject to a court order or other binding legal determination, the district shall conduct its elections in accordance with that court order or determination, applicable law, and this policy. To the extent of any conflict, the court order or other legal determination shall prevail. [See BBB(LOCAL)]

Tie Votes

Second Election

In an election requiring a plurality, if two or more candidates for the same office tie for the number of votes required to be elected, a second election to fill the office shall be held in accordance with the deadlines and other requirements of Election Code 2.002.

Other Options

Casting Lots

The tying candidates may agree to cast lots to resolve the tie. The agreement must be filed with the board. The board president shall supervise the casting of lots.

Withdrawal

A tying candidate may resolve the tie by filing with the board a signed and acknowledged written statement of withdrawal. On receipt of the statement, the remaining candidate is the winner, and a second election or casting of lots is not held.

Automatic Recount

If the tie is not resolved by casting lots or withdrawal, an automatic recount shall be conducted under Election Code Chapter 216 before the second election is held. If the recount resolves the tie, the second election is not held.

If the recount does not resolve the tie, the tied candidates may cast lots not later than the day before the date the board must order the second election under Election Code 2.002(b) or withdraw from the election not later than 5:00 p.m. of the day after the date the automatic recount is held.

Election Code 2.002

Runoff Election

In a district in which trustees are elected by majority vote under Education Code 11.057(c) [see BBB], if no candidate for a particular office receives the vote necessary to be elected, a runoff election for that office is required. *Election Code 2.021 et seq.*

If the candidates in a runoff election tie, an automatic recount shall be conducted under Election Code Chapter 216. If the recount does not resolve the tie, the tied candidates shall cast lots to determine the winner. The board president shall supervise the casting of lots. A tying candidate may resolve the tie by filing with the board president a signed and sworn to written statement of withdrawal. If the statement of withdrawal is received before the automatic recount is conducted, the remaining candidate is the winner, and the automatic recount is not conducted. If the statement of withdrawal

**Campaign Treasurer
Appointment**

Each candidate shall appoint a campaign treasurer as provided by Election Code, Chapter 252. An individual may appoint himself or herself as campaign treasurer. *Election Code 252.001, .004*

Contents

A campaign treasurer appointment by a candidate must be in writing and include:

1. The campaign treasurer's name, residence or business street address, and telephone number;
2. The name of the person making the appointment;
3. The candidate's telephone number; and
4. A statement, signed by the candidate, that the candidate is aware of the nepotism law. [See DBE]

Election Code 252.002, .0032

Filing Authority

A candidate for a school board must file the campaign treasurer appointment and all required financial statements with the clerk or secretary of the board or, if the district has no clerk or secretary, with the board's presiding officer. *Election Code 252.005(3)*

A specific-purpose committee for supporting or opposing a candidate for the board must file its campaign treasurer appointment with the same authority. *Election Code 251.001(13), 252.006*

A specific-purpose committee for supporting or opposing a measure must file its campaign treasurer appointment with the secretary of the board or, if the district has no secretary, with the board's presiding officer. *Election Code 252.007(3)*

Period of
Effectiveness

A campaign treasurer appointment takes effect at the time it is filed and continues in effect until terminated. *Election Code 252.011*

**Termination of
Appointment**

Removal

A campaign treasurer may be removed at any time by the appointing authority by filing the written appointment of a successor in the same manner as the original appointment. The appointment of a successor terminates the appointment of the campaign treasurer who is removed. *Election Code 252.012*

Board Action

A board by order may adopt a process by which the clerk or secretary, as applicable, of the district may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the clerk or secretary.

The order must:

1. Define "inactive candidate or political committee" for purposes of terminating the campaign treasurer appointment; and

Electioneering

The board may not use state or local funds or other resources of the district to electioneer for or against any candidate, measure, or political party. *Education Code 11.169*

Political Advertising

An officer or employee of a district may not knowingly spend or authorize the spending of public funds for the purpose of political advertising. This does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure.

An officer or employee of a district may not spend or authorize the spending of public funds for a communication describing a measure if the communication contains information that:

1. The officer or employee knows is false; and
2. Is sufficiently substantial and important as to be reasonably likely to influence a voter to vote for or against the measure.

It is an affirmative defense to prosecution for an offense under these provisions or the imposition of a civil penalty for conduct under these provisions that the officer or employee reasonably relied on a court order, or an interpretation of these provisions in a written opinion issued by a court of record, the attorney general, or the Ethics Commission.

On written request of the board that has ordered an election on a measure, the Ethics Commission shall prepare an advance written advisory opinion as to whether a particular communication relating to a measure does or does not comply with these provisions.

Election Code 255.003 [See CPAB regarding use of the internal mail system for political advertising.]

Definition

“Political advertising” means a communication that supports or opposes a political party, a public officer, a measure, or a candidate for nomination or election to a public office or office of a political party, and:

1. Is published in a newspaper, magazine, or other periodical in return for consideration;
2. Is broadcast by radio or television in return for consideration;
3. Appears in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or
4. Appears on an internet website.

“Political advertising” does not include an individual communication made by email or text message but does include mass emails and

text messages involving an expenditure of funds beyond the basic cost of hardware, messaging software, and bandwidth.

1 TAC 20.1(11); Election Code 251.001(16)

Newsletters

A newsletter of a public officer of a district is not political advertising if:

1. It includes no more than two pictures of a public officer per page and if the total amount of area covered by the pictures is no more than 20 percent of the page on which the pictures appear;
2. It includes no more than eight personally phrased references on a page that is 8 1/2" x 11" or larger, with a reasonable reduction in the number of such personally phrased references in pages smaller than 8 1/2" x 11"; and
3. When viewed as a whole and in the proper context:
 - a. Is informational rather than self-promotional;
 - b. Does not advocate passage or defeat of a measure; and
 - c. Does not support or oppose a candidate for nomination or election to a public office or office of political party, a political party, or a public officer.

1 TAC 26.2

Disclosure
Statement

A person may not knowingly cause to be published, distributed, or broadcast political advertising containing express advocacy that does not indicate in the advertising:

1. That it is political advertising; and
2. The full name of the:
 - a. Person who paid for the political advertising;
 - b. Political committee authorizing the political advertising; or
 - c. Candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

Political advertising that is authorized by a candidate, an agent of a candidate, or a political committee filing reports under Election Code Title 15 shall be deemed to contain express advocacy.

These requirements do not apply to tickets or invitations to political fundraising events; campaign buttons, pins, hats, or similar campaign materials; or circulars or flyers that cost in the aggregate less than \$500 to publish and distribute.

Election Code 255.001(a), (b), (d)

A required disclosure statement must contain the words “political advertising” or any recognizable abbreviation and comply with 1 Administrative Code 26.1. 1 TAC 26.1

Note: For specific information regarding political advertising and campaign communications by candidates, including offenses, see Election Code 255.001–.006. For information regarding political signs, see Election Code Chapter 259.

Nepotism

A candidate may not take affirmative action to influence a district employee or current trustee regarding the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of another individual related to the candidate within a prohibited degree of relationship under the nepotism law. [See DBE] This prohibition does not apply to a candidate’s actions taken regarding a bona fide class or category of employees or prospective employees. *Gov’t Code 573.042*

2. Require written notice to the affected candidate or committee of the proposed termination; the date, time, and place of the meeting at which the board will consider the proposed termination; and the effect of termination of the campaign treasurer appointment.

For purposes of this section, a candidate or political committee is inactive if the candidate or committee:

1. Has never filed or has ceased to file reports under Election Code Chapter 254 (Political Reporting);
2. In the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the board; and
3. Has not filed a final report under Election Code 254.065 or 254.125, or a dissolution report under Election Code 254.126 or 254.159.

Before the clerk or secretary of the district may terminate a campaign treasurer appointment, the board must consider the proposed termination in a regularly scheduled open meeting.

The termination of a campaign treasurer appointment under this section takes effect on the 30th day after the date of the meeting at which the board votes to terminate the appointment. Following that meeting, the clerk or secretary of the district shall promptly notify the affected candidate or political committee that the appointment has been terminated. The notice must state the effective date of the termination.

Election Code 252.0131

Contributions and Expenditures

A candidate may not knowingly accept a campaign contribution or make or authorize a campaign expenditure at a time when a campaign treasurer appointment for the candidate is not in effect. *Election Code 253.031(a)*

Recordkeeping

Each candidate and each officeholder shall maintain a record of all reportable activity. The record must contain the information necessary for filing the reports required by Election Code Chapter 254. *Election Code 254.001*

Reporting

Candidates and Officeholders

Reports by candidates and officeholders shall be filed with the authority with whom the campaign treasurer appointment is required to be filed. *Election Code 254.066, .097* [See Filing Authority, above]

*Specific-Purpose
Committee*

Except as provided below at Bonds, reports by a specific-purpose committee shall be filed with the authority with whom the political committee's campaign treasurer appointment is required to be filed.

Bonds

A specific-purpose committee created to support or oppose a measure on the issuance of bonds by a district shall file reports with the Ethics Commission.

Election Code 254.130

Note: The following provisions apply only to a district located wholly or partly in a municipality with a population of more than 500,000 and with a student enrollment of more than 15,000.

Internet Posting

A report filed under Election Code Chapter 254 by a board member, a candidate for membership on the board, or a specific-purpose committee for supporting, opposing, or assisting a candidate or board member must be posted on the Internet website of the district. This access is in addition to the public's access to the information through other electronic or print distribution of the information.

The report must be available to the public on the district's website not later than the fifth business day after the date the report is filed with the district.

Before making a report available on its website, the district may remove each portion, other than city, state, and zip code, of the address of a person listed as having made a political contribution to the person filing the report. If the address information is removed, the information must remain available on the report maintained in the district's office.

Election Code 254.04011

is received not later than 5:00 p.m. the day after the date the automatic recount is conducted, the remaining candidate is the winner, and a casting of lots is not held. *Election Code 2.028*

Ballot Order

The order of the candidates' names on the ballot of any resulting runoff election or election held to resolve a tie vote shall be the relative order of names on the original election ballot. *Election Code 2.002(d), 52.094(a)*

Recounts

The district shall conduct an authorized recount in accordance with Election Code Title 13. *Election Code 211.001*

A candidate in a board election may obtain an initial recount in an election if the difference in the number of votes received by the candidate and any candidate for the office who is shown by the election returns to be elected, tied, or entitled to a place on a runoff ballot, if applicable, is less than ten percent of that candidate's number of votes, or the total number of votes received by all candidates for the office is less than 1,000. *Election Code 212.022*

A ground for obtaining an initial recount is not required to obtain an initial recount of electronic voting system results. A candidate may obtain an initial recount of electronic voting system results in an election only if the candidate is shown by the election returns not to be elected. *Election Code 212.0241*

An initial recount may not be conducted unless an authorized candidate submits a petition for the recount to the presiding officer of the local canvassing authority in accordance with Election Code Chapter 212, Subchapter B, accompanied by a deposit to cover the costs of the recount in accordance with Subchapter E. *Election Code 212.025, .026, .111*

Effect of Petition

The submission of a recount petition before a board completes its canvass does not delay the canvass for the office involved in the recount. The board shall make a notation on the tabulation of any office involved in a recount. The submission of a recount petition delays the issuance of a certificate of election and qualification for the office involved in the recount pending completion of the recount. A candidate may not qualify for an office involved in a recount before completion of the recount. This provision does not affect a candidate who has received a certificate of election and qualified for office before the submission of a recount petition involving the office. *Election Code 212.033, .0331*

Canvass Returns

General Rule

Except as provided below, a board shall convene to conduct the local canvass at the time set by the presiding officer not later than the 11th day after election day and not earlier than the later of:

1. The third day after election day;

ELECTIONS
POST-ELECTION PROCEDURES

BBBB
(LEGAL)

2. The date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
3. The date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

Election Code 67.003(b)

November
Election—Even-
Numbered Years

For an election held on the date of the general election for state and county officers (the first Tuesday after the first Monday in November in even-numbered years under Election Code 41.002), the time for the canvass may be set not later than the 14th day after election day. *Election Code 65.051(a-1), 67.003(c)*

Quorum for
Canvass

Two members of a board constitute a quorum for purposes of canvassing an election.

At the time set for convening the board for the local canvass, the presiding officer shall deliver the sealed precinct returns to the board. The board shall open the returns for each precinct and canvass them as provided by Election Code 67.004.

Minutes

The presiding officer shall note the completion of the canvass in the minutes or in the recording required by the Open Meetings Act (Government Code 551.021). [See BE]

Election Code 67.004(a), (g)

**Internet Posting of
Election Results**

A district that holds an election and maintains an internet website shall post on its public internet website:

1. The results of each election;
2. The total number of votes cast;
3. The total number of votes cast for each candidate or for or against each measure;
4. The total number of votes cast by personal appearance on election day;
5. The total number of votes cast by personal appearance or mail during the early voting period; and
6. The total number of counted and uncounted provisional ballots cast.

The information described above must be:

1. Posted as soon as practicable after the election; and

2. Accessible without having to make more than two selections or view more than two network locations after accessing the internet website home page of the district.

Election Code 65.016(b), (c)

Qualifying for Office

Certificate of
Election

After the completion of a canvass, the presiding officer shall prepare a certificate of election for each candidate who is elected to an office for which the official result is determined by the board's canvass. A certificate of election must contain:

1. The candidate's name;
2. The office to which the candidate is elected;
3. A statement of election to an unexpired term, if applicable;
4. The date of the election;
5. The signature of the officer preparing the certificate; and
6. Any seal used by the officer preparing the certificate to authenticate documents that the officer executes or certifies.

The authority preparing a certificate of election shall promptly deliver it to the person for whom it is prepared, subject to the submission of a recount petition. [See Effect of Petition, above]

A certificate of election may not be issued to a person who has been declared ineligible to be elected to the office.

Election Code 67.016

*Certificate for
Unopposed
Candidate*

A certificate of election shall be issued to each unopposed candidate declared elected in the same manner and at the same time as provided for a candidate elected at the election. The candidate must qualify for the office in the same manner as provided for a candidate elected at the election. *Election Code 2.053(e)* [See BBBA regarding the election of an unopposed candidate.]

Officer's Statement

All elected and appointed board members, before taking the oath or affirmation of office and entering upon the duties of office, shall sign the required officer's statement. The statement shall be retained with the official records of the office. *Tex. Const. Art. XVI, Sec. 1(b), (c)*

Oath of Office

All elected and appointed trustees, before they enter upon the duties of the office, shall take the official oath or affirmation of office. Newly elected trustees shall file their official oaths with the board president. *Tex. Const. Art. XVI, Sec. 1(a); Education Code 11.061(a)*

ELECTIONS
POST-ELECTION PROCEDURES

BBBB
(LEGAL)

The oath may be administered and a certificate of the fact given by the individuals listed at Government Code 602.002, including:

1. A judge, retired judge, or clerk of a municipal court.
2. A judge, retired judge, senior judge, clerk, or commissioner of a court of record.
3. A justice of the peace or clerk of a justice court.
4. A notary public.

Gov't Code 602.002

Election Records

Except as otherwise provided by the Election Code, a district shall preserve the precinct election records distributed to it for at least 22 months after election day. *Election Code 66.058(a)* [See CPC]

Destruction of
Records

After expiration of the prescribed period for preserving election records under the Election Code, the records may be destroyed or otherwise disposed of unless, at the expiration of the preservation period, an election contest or a criminal investigation or proceeding connected with the election is pending. In that case, the records shall be preserved until the contest, investigation, or proceeding is completed and the judgment, if any, becomes final. *Election Code 1.013*

is received not later than 5:00 p.m. the day after the date the automatic recount is conducted, the remaining candidate is the winner, and a casting of lots is not held. *Election Code 2.028*

Ballot Order

The order of the candidates' names on the ballot of any resulting runoff election or election held to resolve a tie vote shall be the relative order of names on the original election ballot. *Election Code 2.002(d), 52.094(a)*

Recounts

The district shall conduct an authorized recount in accordance with Election Code Title 13. *Election Code 211.001*

A candidate in a board election may obtain an initial recount in an election if the difference in the number of votes received by the candidate and any candidate for the office who is shown by the election returns to be elected, tied, or entitled to a place on a runoff ballot, if applicable, is less than ten percent of that candidate's number of votes, or the total number of votes received by all candidates for the office is less than 1,000. *Election Code 212.022*

A ground for obtaining an initial recount is not required to obtain an initial recount of electronic voting system results. A candidate may obtain an initial recount of electronic voting system results in an election only if the candidate is shown by the election returns not to be elected. *Election Code 212.0241*

An initial recount may not be conducted unless an authorized candidate submits a petition for the recount to the presiding officer of the local canvassing authority in accordance with Election Code Chapter 212, Subchapter B, accompanied by a deposit to cover the costs of the recount in accordance with Subchapter E. *Election Code 212.025, .026, .111*

Effect of Petition

The submission of a recount petition before a board completes its canvass does not delay the canvass for the office involved in the recount. The board shall make a notation on the tabulation of any office involved in a recount. The submission of a recount petition delays the issuance of a certificate of election and qualification for the office involved in the recount pending completion of the recount. A candidate may not qualify for an office involved in a recount before completion of the recount. This provision does not affect a candidate who has received a certificate of election and qualified for office before the submission of a recount petition involving the office. *Election Code 212.033, .0331*

Canvass Returns

General Rule

Except as provided below, a board shall convene to conduct the local canvass at the time set by the presiding officer not later than the 11th day after election day and not earlier than the later of:

1. The third day after election day;

ELECTIONS
POST-ELECTION PROCEDURES

BBBB
(LEGAL)

2. The date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
3. The date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

Election Code 67.003(b)

November
Election—Even-
Numbered Years

For an election held on the date of the general election for state and county officers (the first Tuesday after the first Monday in November in even-numbered years under Election Code 41.002), the time for the canvass may be set not later than the 14th day after election day. *Election Code 65.051(a-1), 67.003(c)*

Quorum for
Canvass

Two members of a board constitute a quorum for purposes of canvassing an election.

At the time set for convening the board for the local canvass, the presiding officer shall deliver the sealed precinct returns to the board. The board shall open the returns for each precinct and canvass them as provided by Election Code 67.004.

Minutes

The presiding officer shall note the completion of the canvass in the minutes or in the recording required by the Open Meetings Act (Government Code 551.021). [See BE]

Election Code 67.004(a), (g)

**Internet Posting of
Election Results**

A district that holds an election and maintains an internet website shall post on its public internet website:

1. The results of each election;
2. The total number of votes cast;
3. The total number of votes cast for each candidate or for or against each measure;
4. The total number of votes cast by personal appearance on election day;
5. The total number of votes cast by personal appearance or mail during the early voting period; and
6. The total number of counted and uncounted provisional ballots cast.

The information described above must be:

1. Posted as soon as practicable after the election; and

2. Accessible without having to make more than two selections or view more than two network locations after accessing the internet website home page of the district.

Election Code 65.016(b), (c)

Qualifying for Office

Certificate of
Election

After the completion of a canvass, the presiding officer shall prepare a certificate of election for each candidate who is elected to an office for which the official result is determined by the board's canvass. A certificate of election must contain:

1. The candidate's name;
2. The office to which the candidate is elected;
3. A statement of election to an unexpired term, if applicable;
4. The date of the election;
5. The signature of the officer preparing the certificate; and
6. Any seal used by the officer preparing the certificate to authenticate documents that the officer executes or certifies.

The authority preparing a certificate of election shall promptly deliver it to the person for whom it is prepared, subject to the submission of a recount petition. [See Effect of Petition, above]

A certificate of election may not be issued to a person who has been declared ineligible to be elected to the office.

Election Code 67.016

*Certificate for
Unopposed
Candidate*

A certificate of election shall be issued to each unopposed candidate declared elected in the same manner and at the same time as provided for a candidate elected at the election. The candidate must qualify for the office in the same manner as provided for a candidate elected at the election. *Election Code 2.053(e)* [See BBBA regarding the election of an unopposed candidate.]

Officer's Statement

All elected and appointed board members, before taking the oath or affirmation of office and entering upon the duties of office, shall sign the required officer's statement. The statement shall be retained with the official records of the office. *Tex. Const. Art. XVI, Sec. 1(b), (c)*

Oath of Office

All elected and appointed trustees, before they enter upon the duties of the office, shall take the official oath or affirmation of office. Newly elected trustees shall file their official oaths with the board president. *Tex. Const. Art. XVI, Sec. 1(a); Education Code 11.061(a)*

ELECTIONS
POST-ELECTION PROCEDURES

BBBB
(LEGAL)

The oath may be administered and a certificate of the fact given by the individuals listed at Government Code 602.002, including:

1. A judge, retired judge, or clerk of a municipal court.
2. A judge, retired judge, senior judge, clerk, or commissioner of a court of record.
3. A justice of the peace or clerk of a justice court.
4. A notary public.

Gov't Code 602.002

Election Records

Except as otherwise provided by the Election Code, a district shall preserve the precinct election records distributed to it for at least 22 months after election day. *Election Code 66.058(a)* [See CPC]

Destruction of
Records

After expiration of the prescribed period for preserving election records under the Election Code, the records may be destroyed or otherwise disposed of unless, at the expiration of the preservation period, an election contest or a criminal investigation or proceeding connected with the election is pending. In that case, the records shall be preserved until the contest, investigation, or proceeding is completed and the judgment, if any, becomes final. *Election Code 1.013*

ELECTIONS
CONDUCTING ELECTIONS

BBBA
(LEGAL)

3. The hours the polls will be open;
4. The internet website of the authority conducting the election;
5. The early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, email address, and internet website, if the early voting clerk has an internet website;
6. The location of the main early voting polling place; and
7. The dates and hours for early voting, including the dates and hours of any Saturday and Sunday early voting.

Election Code 4.004(a), 83.010, 85.004, .007

Notice of Special
Election

The notice of a special election must also state each office to be filled or the proposition stating each measure to be voted on. *Election Code 4.004(b)*

Publication

Notice of the election shall be published at least once, not earlier than the 30th day or later than the tenth day before election day, in a newspaper published within the district's boundaries or in a newspaper of general circulation in the district if none is published within the district's boundaries. The board shall retain a copy of the published notice that contains the name of the newspaper and the date of publication. *Election Code 4.003(a)(1), (c), .005(a)*

Posting

In addition to the notice described above, not later than the 21st day before election day, a county shall post a copy of a notice of election provided to the county [see Notice to County Clerk and Voter Registrar, below], which must include the location of each polling place, on the county's internet website, if the county maintains a website. A district may post a copy of the notice on the bulletin board used for posting notices of the meetings of the board. If a county does not maintain a website, the district shall post a copy of the notice of the election on the bulletin board used for posting notice of meetings of the board. The notice must remain posted continuously through election day. The person posting the notice shall make a record at the time of posting stating the date and place of posting. The person shall sign the record and deliver it to the board after the last posting is made. *Election Code 4.003(b), .005(b)*

A district that maintains a website must post the notice described above on the internet website of the district. *Election Code 85.007(d)*

Note: For additional website posting requirements regarding the date and location of the next election, see CQA.

Notice to County
Clerk and Voter
Registrar

The board shall deliver notice of the election, including the location of each polling place, to the county clerk and voter registrar of each county in which the district is located not later than the 60th day before election day. The county clerk shall post notice of the election, including the location of each polling place, on the county's internet website, if the county maintains a website, as provided by Election Code 4.003(b). *Election Code 4.008(a)* [See Posting, above]

Notice to Election
Judge

Not later than the 15th day before election day or the seventh day after the date the election is ordered, whichever is later, the board shall deliver to the presiding judge of each election precinct in which the election is to be held in the district a written notice of:

1. The nature and date of the election;
2. The location of the polling place for the precinct served by the judge;
3. The hours that the polls will be open;
4. The judge's duty to hold the election in the precinct specified by the notice; and
5. The maximum number of clerks that the judge may appoint for the election.

Election Code 4.007

Failure to Give
Notice of Election

Failure to give notice of a general election does not affect the validity of the election. *Election Code 4.006*

Internet Posting

Not later than the 21st day before election day, a district that holds an election and maintains an internet website shall post on the public internet website for the district:

1. The date of the next election;
2. The location of each polling place;
3. Each candidate for an elected office on the ballot; and
4. Each measure on the ballot.

Election Code 4.009(b)

Filing Information

Notice to
Candidates

A district shall post notice of the dates of the filing period in a public place in a building in which the district has an office not later than the 30th day before the first day on which a candidate may file an application for a place on the ballot. A district shall designate an email address in the notice for the purpose of filing an application for a place on the ballot under Election Code 143.004, below.
Election Code 141.040

Note: For additional website posting requirements regarding the requirements and deadline for filing for candidacy of board member, see CQA.

Application

To be entitled to a place on the ballot, a candidate must make an application for a place on the ballot. An application, other than an application required to be accompanied by fee, may be filed through email transmission of the completed application in a scanned format to the email address designated by the filing authority in the notice required under Election Code 141.040, above.
Election Code 143.004

A candidate application for a place on the ballot must:

1. Be in writing;
2. Be signed and sworn to before a person authorized to administer an oath in this state by the candidate and indicate the date that the candidate swears to the application;
3. Be timely filed with the appropriate authority; and
4. Include all statutorily required information.

Election Code 141.031, .039

Deadline

An application for a place on the ballot may not be filed earlier than the 30th day before the date of the filing deadline.

An application must be filed not later than 5:00 p.m. of the 78th day before the date of the election for an election to be held on a uniform election date.

Education Code 11.055(a); Election Code 144.005(a), (d)

*Death of
Candidate*

If a candidate dies on or before the deadline for filing an application for a place on the ballot:

1. The authority responsible for preparing the ballots may choose to omit the candidate from the ballot; and
2. If the authority omits the candidate's name under item 1, the filing deadline for an application for a place on the ballot for

ELECTIONS
CONDUCTING ELECTIONS

BBBA
(LEGAL)

the office sought by the candidate is extended until the fifth day after the filing deadline.

Election Code 145.098(b)

Write-in Candidate A declaration of write-in candidacy must be filed not later than 5:00 p.m. of the 74th day before election day for an election to be held on a uniform election date. *Education Code 11.056(b); Election Code 146.054*

Special Election An application for a place on a special election ballot may not be filed before the election is ordered.

An application must be filed not later than:

1. 5:00 p.m. of the 62nd day before election day if election day is on or after the 70th day after the election is ordered; or
2. 5:00 p.m. of the 40th day before election day if election day is on or after the 46th day and before the 70th day after the date the election is ordered.

Exception

For a special election to be held on the date of the general election for state and county officers (the first Tuesday after the first Monday in November in even-numbered years under Election Code 41.002), the day of the filing deadline is 6:00 p.m. of the 75th day before election day.

*Write-in
Candidate*

A declaration of write-in candidacy for a special election must be filed not later than the filing deadline.

Election Code 201.054

**Delivery or
Submission of
Documents**

When the Election Code provides for the delivery, submission, or filing of an application, notice, report, or other document or paper with an authority having administrative responsibility under that code, a delivery, submission, or filing with an employee of the district at the district's usual place for conducting official business constitutes filing with the district. The district may accept the document or paper at a place other than the district's usual place for conducting official business.

A delivery, submission, or filing of a document or paper under the Election Code may be made by personal delivery, mail, telephonic facsimile machine, email, or any other method of transmission.

Election Code 1.007

**Election of
Unopposed
Candidate**

Certification of
Unopposed Status

The authority responsible for having the official ballot prepared shall certify in writing that a candidate is unopposed for election to an office if, were the election held, only the votes cast for that candidate in the election for that office may be counted. The certification shall be delivered to the board as soon as possible after the filing deadlines for placement on the ballot and list of write-in candidates.

A certification may be made following the filing of a withdrawal request by a candidate after the deadline prescribed by Election Code 145.092 if:

1. The withdrawal request is valid except for the untimely filing;
2. Ballots have not been prepared; and
3. The other conditions for certification are met.

A certification under these circumstances shall be delivered to the board as soon as possible.

Election Code 2.052

Special Election

For purposes of these provisions, a special election of a district is considered to be a separate election with a separate ballot from a general election for board members or another special election of the district held at the same time. *Election Code 2.051(a)*

*Single-Member
Districts*

In the case of an election in which any members of the board are elected from single-member districts, these provisions apply to the election in a particular single-member district if each candidate for an office that is to appear on the ballot in that single-member district is unopposed and no opposed at-large race is to appear on the ballot. These provisions apply to an unopposed at-large race in such an election regardless of whether an opposed race is to appear on the ballot in a particular territorial unit. *Election Code 2.051(b)*

Action on
Certification

On receipt of the certification, the board by order or ordinance shall declare each unopposed candidate elected to office. If a declaration is made, the election is not held.

If no election is to be held on election day by the district, a copy of the order or ordinance shall be posted on election day at each polling place used or that would have been used in the election.

The ballots used at a separate election held at the same time as an election that would have been held if the candidates were not declared elected shall include the offices and names of the candidates declared elected listed separately after the measures or contested races in the separate election under the heading

“Unopposed Candidates Declared Elected.” The candidates shall be grouped in the same relative order prescribed for the ballot generally. No votes are cast in connection with the unopposed candidates.

Election Code 2.053

[See BBBB regarding issuance of a certificate of election to an unopposed candidate declared elected and qualification for office.]

Ballot

The ballot shall be prepared in accordance with Election Code Chapter 52.

Drawing

The district shall conduct a drawing to determine the order of the candidates' names in an election at which the names of more than one candidate for the same office are to appear on the ballot. The district shall post in the district's office a notice of the date, hour, and place of the drawing. The notice must remain posted continuously for 72 hours immediately preceding the scheduled time of the drawing. The district shall provide notice of the date, hour, and place of the drawing to each candidate by:

1. Written notice:
 - a. Mailed to the address stated on the candidate's application for a place on the ballot, not later than the fourth day before the date of the drawing; or
 - b. Provided at the time the candidate files an application with the district;
2. Telephone, if a telephone number is provided on the candidate's application for a place on the ballot; or
3. Email, if an email address is provided on the candidate's application for a place on the ballot.

Each candidate affected by a drawing is entitled to be present or have a representative present at the drawing.

Election Code 52.093–.094 [See BBBB regarding ballot order in a runoff election or election to resolve a tie.]

Ballots for an election by position must clearly show the position for which each person is a candidate. A board shall arrange by lot the names of the candidates for each position. *Education Code 11.058(g)*

**Election Services
Contract**

The county election officer, as defined by Election Code 31.091(1), may contract with the board of a district situated wholly or partly in the county served by the officer to perform election services, as

provided by Election Code Chapter 31, Subchapter D, in any one or more elections ordered by the board.

If requested to do so by a district, the county elections administrator, as defined under Election Code Chapter 31, Subchapter B, shall enter into a contract to furnish the election services requested in accordance with a cost schedule agreed on by the contracting parties. A county elections administrator is not required to enter into a contract to furnish elections services for an election held on the first Saturday in May in an even-numbered year.

Election Code 31.092, .093, 41.001(d)

Election Judges and Clerks

By written order, a board shall appoint a presiding election judge and an alternate presiding judge for each election precinct in which an election is held. A board shall prescribe the maximum number of clerks that each presiding judge may appoint for each election. The judges and clerks shall be selected and serve in accordance with Election Code Chapter 32. *Election Code 32.001(a), .008, .033*

Confidentiality

An email address or personal phone number of an election judge or clerk collected or maintained by the authority conducting the election is confidential and does not constitute public information for purposes of Government Code Chapter 552 (Public Information Act).

Exception

An email address or phone number of an election judge or clerk shall be made available on request to:

1. Any entity eligible to submit lists of election judges or clerks for that election; or
2. The state executive committee of a political party with a county chair eligible to submit lists of election judges or clerks for that election.

Election Code 32.076

Polling Places

A board shall designate polling places for election day and early voting. Each polling place shall be accessible to and usable by the elderly and persons with physical disabilities. *Election Code 43.004, .034, Ch. 85 (early voting by personal appearance)*

In an election held on the November uniform election date, a district shall use the regular county election precincts. The district shall designate as the polling places for the election the regular county polling places in the county election precincts that contain territory from the district. *Election Code 42.002(a)(5), .0621, 43.004(b)*

ELECTIONS
CONDUCTING ELECTIONS

BBBA
(LEGAL)

Electioneering

A person commits an offense if, during the voting period and within 100 feet of an outside door through which a voter may enter the building in which a polling place is located, the person loiters or electioneers for or against any candidate, measure, or political party.

A district that owns or controls a public building being used as a polling place or early voting polling place may not, at any time during the voting period or early voting period, as applicable, prohibit electioneering on the building's premises outside of the area described above, but may enact reasonable regulations concerning the time, place, and manner of electioneering.

Definitions

"Electioneering" includes the posting, use, or distribution of political signs or literature. The term does not include the distribution of a notice of a party convention authorized under Election Code 172.1114.

"Voting period" means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later.

"Early voting period" means the period prescribed by Election Code 85.001.

Election Code 61.003, 85.036

Early Voting

In each election, early voting shall be conducted by personal appearance at an early voting polling place and by mail, in accordance with Election Code Title 7, Chapters 81–114. *Election Code 81.001*

**November Early
Voting Polling
Places**

In an election on the November uniform election date in which the district is not holding a joint election with a county and has not executed a contract with a county elections officer under which the district and the county share early voting polling places, the district:

1. Shall designate as an early voting polling place for the election an eligible county polling place located in the district; and
2. May not designate as an early voting polling place a location other than an eligible county polling place unless each eligible county polling place located in the district is designated as an early voting polling place by the district.

"Eligible county polling place" means an early voting polling place established by a county.

Election Code 85.010(a), (a-1), (b)

ELECTIONS
CONDUCTING ELECTIONS

BBBA
(LEGAL)

Temporary Branch
Days and Hours

*County With
100,000 or More*

Election Code 85.064 applies only to an election in which the territory served by the early voting clerk is situated in a county with a population of 100,000 or more. In an election in which the territory served by the clerk is situated in more than one county, that section applies if the sum of the populations of the counties is 100,000 or more.

Early voting by personal appearance at each temporary branch polling place shall be conducted on the days that voting is required to be conducted at the main early voting polling place under Election Code 85.005 and remain open for at least:

1. Eight hours each day; or
2. Three hours each day if the city or county clerk does not serve as the early voting clerk for the territory holding the election and the territory has fewer than 1,000 registered voters.

The authority authorized under Election Code 85.006 to order early voting on a Saturday or Sunday may also order, in the manner prescribed by that section, early voting to be conducted on a Saturday or Sunday at any one or more of the temporary branch polling places.

Election Code 85.064

*County With Less
Than 100,000*

Election Code 85.065 applies only to an election in which the territory served by the early voting clerk is situated in a county with a population under 100,000. In an election in which the territory served by the clerk is situated in more than one county, this section applies if the sum of the populations of the counties is under 100,000.

Except as provided below, voting at a temporary branch polling place may be conducted on any days and during any hours of the period for early voting by personal appearance, as determined by the authority establishing the branch. The authority authorized under Election Code 85.006 to order early voting on a Saturday or Sunday may also order, in the manner prescribed by that section, early voting to be conducted on a Saturday or Sunday at any one or more of the temporary branch polling places.

Voting at a temporary branch polling place must be conducted on at least two consecutive business days and for at least eight consecutive hours on each of those days.

The schedules for conducting voting are not required to be uniform among the temporary branch polling places.

Election Code 85.065

Records
*Branch Daily
Register*

The early voting clerk shall provide, in a downloadable database format, a current copy of the register for posting on the internet website of the district, if the district maintains a website, each day early voting is conducted. At a minimum, the voter registration number for each voter listed in the register must be posted. *Election Code 85.072*

*Early Voting
Rosters*

The early voting clerk shall maintain for each election a roster listing each person who votes an early voting ballot by personal appearance and a roster listing each person to whom an early voting ballot to be voted by mail is sent. Information on the roster for a person who votes an early voting ballot by personal appearance shall be made available for public inspection as provided below not later than 11 a.m. on the day after the date the information is entered on the roster. Information on the roster for a person who votes an early voting ballot by mail shall be made available for public inspection as provided below not later than 11 a.m. on the day following the day the early voting clerk receives any ballot voted by mail.

The information must be made available:

1. For an election in which the county clerk is the early voting clerk:
 - a. On the publicly accessible internet website of the county; or
 - b. If the county does not maintain a website, on the bulletin board used for posting notice of meetings of the commissioners court; or
2. For an election not described by item 1:
 - a. On the publicly accessible internet website of the district; or
 - b. If the district does not maintain a website, on the bulletin board used for posting notice of board meetings.

Election Code 87.121(a), (g)–(i)

**Conducting
Elections**

Elections shall be conducted in accordance with Election Code Title 6, Chapters 61–68.

ELECTIONS
CONDUCTING ELECTIONS

BBBA
(LEGAL)

Bilingual Materials

Spanish

Bilingual election materials shall be used in each election precinct situated wholly or partly in a county in which five percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census that may be officially recognized or acted upon by the state or political subdivisions.
Election Code 272.002

Other Languages

If the director of the census determines that a district must provide election materials in a language other than English or Spanish, the district shall provide election materials in that language in the same manner in which the district would be required to provide materials in Spanish, to the extent applicable. *Election Code 272.011; 52 U.S.C. 10503*

Voting Systems

Accessible Voting
Stations

A voting system shall be adopted and utilized in accordance with Election Code Title 8.

Except as provided below, each polling place must provide at least one voting station that complies with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) and its subsequent amendments, Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.) and its subsequent amendments, and the requirements for accessibility under 52 U.S.C. Section 21081(a)(3) [formerly 42 U.S.C. Section 15481(a)(3)] and its subsequent amendments, and that provides a practical and effective means for voters with physical disabilities to cast a secret ballot.
Election Code 61.012

*Electronic Voting
System
Exceptions*

For an election other than an election of a district that is held jointly with another election in which a federal office appears on the ballot, a district is not required to meet the requirements for accessibility under Election Code 61.012(a)(1)(C) if the district is located in a county that meets certain population and other requirements set forth in Election Code 61.013(a). A district that intends to use this provision to provide fewer voting stations that meet the requirements for accessibility than required must provide notice under Election Code 61.013(d). *Election Code 61.013*

2. The first Tuesday after the first Monday in November.

Election Code 41.001(a)

Joint Elections

Required

A district trustee election shall be held on the same date as:

1. The election for the members of the governing body of a municipality located in the district;
2. The general election for state and county officers, which is held on the first Tuesday after the first Monday in November in even-numbered years under Election Code 41.002;
3. The election for the members of the governing body of a hospital district, if the school district:
 - a. Is wholly or partly located in a county with a population of less than 40,000 that is adjacent to a county with a population of more than three million; and
 - b. Held its election for board members jointly with the election for the members of the governing body of the hospital district before May 2007; or
4. The election for the members of the governing board of a public junior college district in which the school district is wholly or partly located.

Elections held on the same date as provided above shall be held as a joint election under Election Code Chapter 271, and the voters shall be served by common polling places consistent with Election Code 271.003(b).

Education Code 11.0581(a)–(c)

A board may enter into an agreement with another political subdivision holding an election on the same day in all or part of the same county to hold the elections jointly. The terms of a joint election agreement must be stated in an order, resolution, or other official action adopted by the board. *Election Code 271.002*

**Methods of
Election—Options**

At Large

In a district in which the positions of trustees are not designated by number or in which the trustees are not elected from single-member trustee districts, the candidates receiving the highest number of votes shall fill the positions the terms of which are normally expiring. *Education Code 11.057(b)*

Position or Place

The positions on the board shall be designated by number in any district in which the board by resolution orders that all candidates for trustee be voted on and elected separately for positions on the board and that all candidates be designated on the official ballot

according to the number of the positions for which they seek election.

Not later than the 60th day before the date of an election, the board must make the resolution and number the positions on the board in the order in which the terms of office expire. Once a board has ordered the election of trustees by numbered positions, neither the board nor their successors may rescind the action.

Education Code 11.058(c)–(f)

Single-Member
Districts

*On Board's
Motion*

Except as provided below, the board, on its own motion, may order that trustees of the district are to be elected from single-member districts or that not fewer than 70 percent of the members of the board are to be elected from single-member districts with the remaining board members to be elected from the district at large.

If a majority of the area of a district is located in a county with a population of less than 10,000, a board, on its own motion, may order that trustees of the district are to be elected from single-member districts or that not fewer than 50 percent of the members of the board are to be elected from single-member districts with the remaining board members to be elected from the district at large.

Before adopting an order, a board must:

1. Hold a public hearing at which registered voters of a district are given an opportunity to comment on whether or not they favor the election of trustees in the manner proposed by the board; and
2. Publish notice of the hearing in a newspaper that has general circulation in the district, not later than the seventh day before the date of the hearing.

An order adopted by the board must be entered not later than the 120th day before the date of the first election at which all or some of the trustees are elected from single-member districts authorized by the order.

Education Code 11.052(a)–(d)

By Voter Petition

If at least 15 percent or 15,000 of the registered voters of the district, whichever is less, sign and present to the board a petition requesting submission to the voters of the proposition that trustees be elected in a specific manner, which must be generally described on the petition and which must be a manner of election the board could have ordered on its own motion, the board shall order that the appropriate proposition be placed on the ballot at the first regular election of trustees held after the 120th day after the date the

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

petition is submitted to the board. The proposition must specify the number of trustees to be elected from single-member districts. Beginning with the first regular election of trustees held after an election at which a majority of the registered voters voting approve the proposition, trustees shall be elected in the manner prescribed by the approved proposition. *Education Code 11.052(e)*

*Board Member
Districts*

If single-member districts are adopted or approved by either method described above, the board shall divide the district into the appropriate number of trustee districts, based on the number of members that are to be elected from single-member districts, and shall number each trustee district. The trustee districts must be compact and contiguous and must be as nearly as practicable of equal population. In a district with 150,000 or more students in average daily attendance, the boundary of a trustee district shall not cross a county election precinct boundary except at a point at which the district boundary crosses the county election precinct boundary. Trustee districts must be drawn not later than the 90th day before the date of the first election of trustees from those districts. *Education Code 11.052(f)*

*Residency for
First Election*

Residents of each trustee district are entitled to elect one trustee to the board. A trustee elected to represent a trustee district at the first election of members must be a resident of the district the trustee represents not later than the 90th day after the date election returns are canvassed, or the 60th day after the date of a final judgment in an election contest filed concerning that trustee district. A trustee vacates the office if the trustee fails to move into the district the trustee represents within the time provided. [For more information on residency, see BBA and BBC.] *Education Code 11.052(g)*

*Number and
Term*

At the first election at which some or all of the trustees are elected from single-member trustee districts and after each redistricting, all positions on a board shall be filled. The trustees then elected shall draw lots for staggered terms as provided by Education Code 11.059 (terms). *Education Code 11.052(h)*

Redistricting

Not later than the 90th day before the date of the first regular board election at which trustees may officially recognize and act on the last preceding federal census, a board shall redivide a district into the appropriate number of trustee districts if the census data indicates that the population of the most populous district exceeds the population of the least populous district by more than ten percent. Redivision of a district shall be in the manner provided above at Board Member Districts. *Education Code 11.052(i)*

Phase-in Option

The board of a district that adopts a redistricting plan may provide for the trustees in office when the plan is adopted or the district is

redistricted to serve for the remainder of their terms in accordance with this provision. The trustee district and any at-large positions provided by the district's plan shall be filled as the staggered terms of trustees then in office expire. Not later than the 90th day before the date of the first election from trustee districts and after each re-districting, a board shall determine the order in which the positions will be filled. *Education Code 11.053*

**Boundary Change
Notice**

A district that changes its boundaries or the boundaries of districts used to elect members to the board shall not later than the 30th day after the date the change is adopted:

1. Notify the voter registrar of the county in which the area subject to the boundary change is located of the adopted boundary change; and
2. Provide the voter registrar with a map of an adopted boundary change in a format that is compatible with the mapping format used by the registrar's office.

Election Code 42.0615

**Methods of Voting—
Options**

Plurality

Except as otherwise provided at Majority, below, to be elected to a public office, a candidate elected at large, at large by position, or by single-member districts must receive more votes than any other candidate for the office. *Education Code 11.057(a), (b); Election Code 2.001*

Cumulative

The board of a district that elects its trustees at large or at large by position may order that elections for trustees be held using the cumulative voting procedure.

If a board adopts an order requiring the use of cumulative voting, only the board member positions that were scheduled to be filled at the election are filled through the use of cumulative voting.

At an election at which more than one board member position is to be filled, all of the positions that are to be filled at the election shall be voted on as one race by all the voters of a district. Each voter is entitled to cast a number of votes equal to the number of positions to be filled at the election.

A voter may cast one or more of the specified number of votes for any one or more candidates in any combination. Only whole votes may be cast and counted. If a voter casts more than the number of votes to which the voter is entitled in the election, none of the voter's votes may be counted in that election. If a voter casts fewer votes than entitled, all of the voter's votes are counted in that election.

The candidates who are elected are those, in the number to be elected, receiving the highest number of votes.

A district that adopts an order requiring the use of cumulative voting may not elect its members by position as provided by Education Code 11.058.

Education Code 11.054

Majority

The board of a district in which the positions of trustees are designated by number or in which the trustees are elected from single-member districts may provide by resolution, not later than the 180th day before the date of an election, that a candidate must receive a majority of the votes cast for a position or in a trustee district, as applicable, to be elected.

The resolution is effective until rescinded by a subsequent resolution adopted not later than the 180th day before the date of the first election to which the rescission applies.

Education Code 11.057(c)

2. Is a United States citizen;
3. Has 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;
4. Has not been finally convicted of a felony or, if so convicted, has fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or been pardoned or otherwise released from the resulting disability to vote;
5. Is a resident of this state; and
6. Is a registered voter.

Election Code 1.020, 11.002 [See Atty. Gen. Op. KP-0251 (2019) (concluding that the restoration of a convicted felon's qualification to vote under Election Code 11.002(a)(4)(A) after fully discharging a sentence does not restore the person's eligibility to hold public office under Election Code 141.001(a)(4))]

Residence

"Residence"
Defined

In the Election Code, "residence" means domicile, that is, one's home and fixed place of habitation to which one intends to return after any temporary absence. A person may not establish residence for the purpose of influencing the outcome of a certain election. A person does not lose the person's residence by leaving to go to another place for temporary purposes only. A person does not acquire a residence in a place to which the person has come for temporary purposes only and without the intention of making that place the person's home. A person may not establish a residence at any place the person has not inhabited. A person may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain. *Election Code 1.015*

Note: The issue of whether a candidate has satisfied residency requirements should be judicially determined. *State v. Fischer, 769 S.W.2d 619 (Tex. App.—Corpus Christi 1989, writ dismissed w.o.j.)*

Intent to Return

For purposes of satisfying the continuous residency requirement, a person who claims an intent to return to a residence after a temporary absence may establish that intent only in accordance with Election Code 141.001(a-1), which does not apply to a person displaced from the person's residence due to a declared local, state, or national disaster. *Election Code 141.001(a-1)–(a-2)*

BOARD MEMBERS
ELIGIBILITY/QUALIFICATIONS

BBA
(LEGAL)

Single-Member
Districts

A candidate for board member representing a single-member district must be a resident of the district the candidate seeks to represent. *Education Code 11.052(g)*

Ineligibility

A person is ineligible to serve as a member of the board of a district if the person has been convicted of a felony or an offense under Penal Code 43.021 (solicitation of prostitution). *Education Code 11.066*