

Nacogdoches

the oldest town in Texas



Date: December 15, 2016

RE: General Election Information Packet

Dear Candidate:

The attached information packet is intended to assist you by providing forms and election materials pertinent to filing an application for candidacy for the Nacogdoches City Council. Information enclosed in this packet includes:

- 2017 Election Calendar
- Candidate Requirements
- Application for Place on the Official Ballot and Instructions
- Appointment of Campaign Treasurer by a Candidate and Instruction Guide
- Code of Fair Campaign Practices

All forms required to be submitted to the City Secretary for a place on the ballot are marked "**RETURN**" at the top of the page. Once the appropriate forms are submitted, additional information regarding the Texas Election Code, City Charter and the Texas Ethics Commission will be provided.

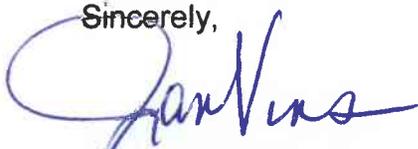
The first day for filing an application for a place on the ballot is Wednesday, January 18, 2017. Applications can be filed with the City Secretary beginning at 8 a.m. on January 18, 2017 through February 17, 2017 at 5 p.m.

The following positions will be elected:

Mayor
Council Member – Northeast Ward
Council Member – Northwest Ward

Should you have questions please feel free to contact me at 936-559-2506 or via email at vinsonj@ci.nacogdoches.tx.us

Sincerely,



Jan Vinson
City Secretary

Jim Jeffers, City Manager
202 East Pilar Street, Nacogdoches, Texas 75961
936-559-2506 ★ jeffers@ci.nacogdoches.tx.us
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2017 ELECTION CALENDAR
Regular Election – Northeast Ward and Northwest Ward and AT LARGE
May 6, 2017

January 18	First day to file for place on ballot
February 17	Last day to file for place on ballot – by 5:00 P.M.
February 24	Last day for candidate to withdraw – by 5:00 P.M.
February 27	Recommended date for drawing of ballot positions. (City Secretary's office – 202 E. Pilar Street, Room 320)
March 22	First day to apply for early voting by mail
April 6	First campaign contributions/expenditures report due
April 6	Last day to register to vote for this election
April 20	Last day to receive mail ballot application <u>in person – by 5:00 P.M.</u>
April 24	First day of early voting by personal appearance
April 25	Last day to receive mail ballot application <u>by mail</u>
April 28	Second campaign contribution/expenditures report due
May 2	Last day of early voting by personal appearance
May 3-5	Period of emergency early voting due to death in family on or after May 4
May 3-6	Period of emergency early voting due to illness or disability originating on or after April 25
May 6	Election Day 7:00 A.M. to 7:00 P.M.
May 9-17	Period for Official Canvass

- 4/6/2016 Report covers the period from date your campaign treasurer was appointed through 3/27/2017.
This report is not required by the following:
a) Unopposed candidates
b) Candidates following the modified reporting procedure who have not exceeded \$500.00 in contributions/expenditures
- 4/28/16 Report covers the period 3/29/2016 through designation of final report or 4/26/2016 whichever is later.
This report is not required by the following:
a) Unopposed candidates
b) Candidates following the modified reporting procedure who have not exceeded \$500.00 in contributions/expenditures

Modified Reporting - If an opposed candidate does not expect to expend/receive in excess of \$500.00 during the election campaign this procedure may be followed, eliminating the requirement of filing campaign contribution/expenditure reports 30 days and 8 days before an election and 8 days before a runoff. Should a candidate elect to follow the modified reporting procedure and exceeds \$500.00 in contributions/expenditures before the 30th day before the election, he would automatically go back to regular reporting and must file reports 30 days and 8 days before the election. If the \$500.00 limit is exceeded after the 30th day before the election, a report must be filed within 48 hours of exceeding the threshold and must continue filing according to the regular filing schedule.

Election Calendar

For a City's General Election on

May 6, 2017

This calendar indicates the dates for actions necessary in a general election of city officers to be held on May 6, 2017. It includes all major actions for which the Election Code prescribes a specific date or deadline for performance, but it does not include all actions (e.g., preparation of ballot boxes and other election equipment and of sets of precinct election forms) for which the beginning date for performance can vary from one city to another depending on local factors. Each city secretary should use the chart in M §9.02 of the *Texas Municipal Election Law Manual* in conjunction with this calendar to fill in those dates on the city secretary's personal election calendar created in accordance with local conditions [see M §9.03]. The city secretary's personal calendar should also reflect dates that the city secretary prefers in place of the discretionary dates recommended in this calendar.

Column 5 indicates the time interval between the date of the action and election day. For example, the notation 50th in the entry for March 17 means that the day for beginning mandatory office hours is the 50th day before election day; the notation "+5" in the entry for May 11 means that the last day for receiving a ballot from outside the United States is the 5th day after election day.

When there is a statutory provision prescribing the last day for the performance of an act, the number in Column 5 reflects that day. If the statutory day must be moved because of a Saturday, Sunday, or state or national holiday, the resulting date is designated in Columns 1 and 2, and Column 5 indicates, in parentheses and italics, the actual number of days measured from election day.

In preparing a personal calendar, the city secretary should remember the rule in EC §1.006 that if the last day for performance of an action falls on a Saturday, Sunday, or a state or national holiday, the deadline date is usually extended to the next regular business day whether the day is a city holiday or not [see M §2.16(a)]. When a deadline is extended for this reason, the extended date is used for determining other dates that are calculated in relation to the event of the extended date. Exceptions are noted in this calendar.

Major steps are in ALL CAPS. Steps for early voting are in *ITALICS*.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Dec 19	LAST DAY to begin posting on bulletin board the notice of the dates of the filing period for the general election. (30 days before first day to file application for a place on the ballot). SOS has ruled that notice must contain location where applications will be received.	City Secretary	11.05(f)	138 th
Mon Jan 2	Obtain a supply of the following forms: candidate's application for place on ballot; appointment of campaign treasurer (candidate and specific-purpose committee); report of contributions and expenditures (candidate-officeholder and specific-purpose committee); application for mail ballot, and a set of administrative forms if ordered from a supply house. (Set up schedule for ordering precinct sets and other forms if they are to be ordered later.)	City Secretary	7.11 et seq. 18.10	*124 th

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Jan 2- Fri Jan 27	Review recommendation for following steps listed in M §9.02 for possible needed or desired action: Steps 1 through 5 (revising election precincts; designating polling places; changing method of voting if equipment is available but not adopted for use or if acquisition of equipment by city is desired); Step 12 (establishing or changing terms of election judges).	City Secretary and City Council	9.02 14.03	*124 th thru *99 th
Tue Jan 17	Last day for timely filing of semi-annual report of contributions and expenditures. Jan 15 is a Sun, Jan 16 is Martin Luther King Jr. Day, a state holiday. This deadline is extended to Tue, Jan 17.	City Secretary	18.05	Jan 15 (Jan 17)
Wed Jan 18 Jan 18	GENERAL ELECTION FIRST DAY FOR FILING APPLICATION for place on ballot. This is the 30 th day before filing deadline. FIRST DAY FOR FILING DECLARATION OF WRITE-IN CANDIDACY.	City Secretary City Secretary	11.05 11.10	108 th 108 th
Mon Jan 23- Tue Feb 7	Recommended period for CALLING ELECTION AND POSTING NOTICE OF ELECTION on bulletin board.	Mayor ⁽¹⁾	10.02 10.03 10.12	*103 ^d thru *88 th
Mon Feb 6	LAST DAY for small city in small county to provide secretary of state notice of intent to use exception to accessibility requirements or show undue burden, if required. 90 th day is on Sun. This action is extended to Mon, Feb 6 (89 th day).	City Secretary	7.07(d),(e), (f)	90 th (89 th)
Tue Feb 7	Recommended LAST DAY FOR ORDER DESIGNATING ELECTION PRECINCTS AND POLLING PLACES.	City Council	3.07	*88 th
Tue Feb 14	Remove candidate's name from ballot if the candidate dies on or before Feb 14 (day before the 2 nd day before filing deadline).	City Secretary	11.25(a)	81 st
Fri Feb 17 Feb 17	GENERAL ELECTION STATUTORY LAST DAY FOR ORDERING ELECTION. ⁽²⁾ LAST DAY FOR FILING APPLICATION FOR PLACE ON BALLOT (must be received by 5 p.m.). City Secretary's office should stay open until 5 p.m.	Mayor ⁽¹⁾ City Secretary	10.04 11.05(a) 11.06	78 th 78 th
Mon Feb 20 Feb 20	Recommended beginning date for preliminary work on appointment of election judges. Recommended first day to POST NOTICE OF DRAWING for order of names on ballot. Must be posted at least 72 hours preceding the time of the drawing. Posting on this date would enable the drawing as early as Feb 23, if 72 hours have passed between posting and drawing.	City Secretary City Secretary	4.08 8.06	*75 th *75 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Tue Feb 21	LAST DAY FOR A WRITE-IN CANDIDATE to declare candidacy in the GENERAL and SPECIAL election. (If a special election has not been called by this date, and a write-in declaration is received for a special election, contact the secretary of state for advice.)	City Secretary	11.10(b)	74 th
Wed Feb 22	First day that an election may be cancelled if all filing deadlines have passed and each candidate in the election is unopposed. Note: For a city in which an office on the ballot has a four-year term, the filing deadline for that office is the 57 th day if no one has filed by the 78 th day.	City Secretary	10.22	73 rd
Thur Feb 23- Mon Feb 27	Recommended days to CONDUCT DRAWING FOR ORDER OF NAMES ON BALLOT. The deadlines for withdrawal and ineligibility will have passed by Feb 27 if the city secretary prefers to wait until after these deadlines. Prepare ballot format and send it to printer.	City Secretary	8.06	*72 nd thru *68 th
Fri Feb 24 Feb 24 Feb 24	LAST DAY for a ballot candidate to withdraw (withdrawal request must be received by 5 p.m.). LAST DAY that a declaration of ineligibility of candidate causes omission of candidate's name from ballot. City secretary's office should stay open until 5 p.m. LAST DAY for a write-in candidate to withdraw and have name removed from write-in list. The statute does not state a time, but the SOS considers 5:00 p.m. the deadline.	City Secretary City Secretary	8.05(b) 11.22 11.23 11.24 11.22(b)	71 st 71 st 71 st
Sat Feb 25	LAST DAY to order a SPECIAL ELECTION to fill a vacancy so that the filing deadline will be the 62 nd day before election day. This date remains on Sat because it is not the last day to order a special election.	City Council City Secretary	13.06	70 th
Mon Mar 6	If a SPECIAL ELECTION to fill a vacancy is held in conjunction with the general election, and the SPECIAL ELECTION was called on or before the 70 th day before the election, this is the LAST DAY FOR FILING AN APPLICATION for a place on the ballot in the SPECIAL ELECTION. 62 nd day is on Sunday. This action is extended to Mon, Mar 6, the 61 st day. Note: The deadline for a write-in candidate to file for this special election is Feb 21, the 74 th day.	City Secretary	13.06	62 nd (61 st)
Tue Mar 7 Mar 7	LAST DAY TO DELIVER NOTICE TO THE COUNTY CLERK AND VOTER REGISTRAR of each county in which the election will be held. First day of the period Texas Ethics Commission will defer investigation until after election (or runoff) if an allegation is filed.	City Council (City Secretary) City Secretary/ Texas Ethics Commission	10.16 18.01	60 th 60 th
Fri Mar 10	Extended deadline to file for a place on the ballot in a city office having a 4-year term if no one has filed by 5 p.m. on Feb 17 (must be received by 5 p.m.).	City Secretary	11.05	57 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mar 10	If a SPECIAL ELECTION to fill a vacancy is held in conjunction with the general election, and the SPECIAL ELECTION was called on or before the 70 th day before the election, this is the LAST DAY for a candidate in the special election to withdraw (withdrawal request must be received by 5 p.m.).	City Secretary	8.05(b) 11.22	57 th
Mar 10	LAST DAY that a declaration of ineligibility of a candidate for a special election called before the 70 th day, causes omission of candidate's name from ballot.	City Secretary	11.24	57 th
Mon Mar 13- Fri Mar 24	Recommended period for APPOINTING ELECTION JUDGES. ⁽²⁾ (Schedule for first council meeting after period if no meeting during period.) See M §10.15 on giving notice to election judges. Notice of appointment must be given within 20 days after appointment.	City Council ⁽¹⁾	4.03 4.04 4.05	*54 th thru *43 rd
Thur Mar 16	RECOMMENDED DATE TO PRINT BALLOTS which have been prepared earlier.	City Secretary	8.16	*51 st
Fri Mar 17	Beginning date of period for mandatory office hours. City Secretary must keep office open for at least 3 hours a day during regular office hours on regular business days.	City Secretary	2.15	50 th
Tue Mar 21	Last day to order a SPECIAL ELECTION to fill a vacancy unless a law outside the EC provides for an earlier date.	City Secretary	13.06	46 th
Mar 21	The SOS recommends conducting the first test of automatic tabulating equipment and the first logic and accuracy test on precinct scanners and DREs on this day. Notice of these tests must be published 48 hours before the testing.	City Secretary		*46 th
Wed Mar 22	<i>FIRST DAY TO MAIL EARLY BALLOTS, IF AVAILABLE. Note the roster of persons mailed ballots is not available to the public until the first business day after election day [See M §16.56(g)].</i>	City Secretary	16.57	45 th
Mon Mar 27	If a SPECIAL ELECTION to fill a vacancy is held in conjunction with the general election, and the SPECIAL ELECTION was called after the 70 th day before the election, this is the LAST DAY FOR FILING AN APPLICATION for a place on the ballot in the SPECIAL ELECTION . Note: The deadline for a write-in candidate for this special election is Feb 21, the 74 th day.	City Council	13.06(a)(2)	40 th
Wed Mar 29	<i>Last day to mail balloting materials for early voting by mail, to persons whose applications were accepted 8 days or more before the 45th day.</i>	City Secretary	16.57	38 th
Sat Apr 1	LAST DAY for a candidate in a SPECIAL ELECTION with a filing deadline of the 40 th day, to withdraw or be declared ineligible and have name removed from the ballot. (5 th day after 40 th day) The 35 th day is Sat, but this deadline is not extended.	City Secretary	11.24(b) & (c)	35 th
Thur Apr 6	Due date for filing first report of campaign contributions and expenditures by opposed candidates and specific-purpose committees supporting or opposing opposed candidates by 5 p.m. or midnight if filed electronically. City secretary's office should stay open until 5 p.m.	City Secretary	18.06	30 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Apr 6	Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory.	Registrar	6.23(g) 6.25(b)	30 th
Apr 6- Wed Apr 26	PERIOD FOR PUBLISHING NOTICE OF ELECTION. Must be published at least once in a newspaper during this period.	Mayor ⁽¹⁾	10.12 20.04	30 th thru 10 th
Apr 6	Minimum 10 th day to begin posting continuous notice if signature verification committee meets Apr 16.	City Secretary	16.72	30 th
Apr 6	Recommended last day to notify presiding judges of duty to hold election.	Mayor	10.15	*30 th
Apr 6	Recommended last day to request voter registrar to prepare lists of registered voters and furnish statement of residence forms to be used in conducting the election.	City Secretary	6.32(d) 6.35 7.42	*30 th
Fri Apr 14	Recommended last day to check the SOS website to determine if a waiver has been issued for the partial manual recount of electronically counted ballots. The requirement for partial manual recount does not apply to DRE equipment.	City Secretary	9.45	*22 nd
Apr 14- Thur Apr 27	<i>Possible period for posting notice amending notice of branch early voting polling places.</i>	City Secretary	16.22(k)	22 nd thru 9 th
Sat Apr 15 (Apr 14 Recom- mended)	LAST DAY for POSTING NOTICE OF ELECTION on bulletin board for posting notices of city council meetings. The 21 st day is on Sat. Technically, the notice can be delayed until Mon, Apr 17, but it is better practice to post no later than Fri, Apr 14, which is the 22 nd day before the election.	City Secretary ⁽¹⁾	10.12(c)	21 st
Sun Apr 16	<i>First day a signature verification committee may begin work.</i>	City Secretary	16.72	20 th
Mon Apr 17	<i>Last day for unregistered applicant to submit a federal postcard application and be eligible to vote a full ballot.. (The 20th day before the election is Sun, Apr 16. The deadline is extended so that if the application is placed in the mail by Mon, Apr 17, it is timely.)</i>	City Secretary	17.02(a) & (d)	20 th (19 th)
Tue Apr 18	<i>Last day for publication of notice of the test of automatic tabulating and DRE equipment to be used in early voting if the test is on Apr 21. See the entry for Apr 21 for complications with San Jacinto Day. (Notice for tabulating equipment must be 48 hours before date of test. Notice for DRE equipment must be 48 hours before test begins.) Because of the complications with Apr 21, it is strongly recommended that this notice be given earlier for an earlier test date.</i>	City Secretary	7.38(d) 7.40	18 th
Apr 18	<i>Last day early voting clerk, upon receipt of defective early voting application, must mail 2nd application with explanation of defects and instructions.</i>	City Secretary	16.53(c)	18 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Wed Apr 19	<i>Last day to begin posting continuous notice of schedule for branch early voting polling places. (5th day before beginning of early voting by personal appearance.)</i>	City Secretary	16.22(k)	17 th
Thur Apr 20	<i>Last day to receive application from voter delivered in person for a ballot to be voted by mail (by close of business). Fri, Apr 21 is San Jacinto Day, a state holiday; Therefore, Thurs, Apr 20 appears to be the last business day before the start of early voting by personal appearance. If your office will be open on Apr 21, consult the secretary of state about which will be the last day.</i>	City Secretary	16.51(e)(5)	16 th
Fri Apr 21	<i>Last day for conducting first test of automatic tabulating and DRE equipment to be used for early voting (at least 48 hours before it is used). Fri, Apr 21 is San Jacinto Day, a state holiday, but this deadline may not be extended and still meet the 48 hours requirement; therefore, if the city secretary's office is closed for San Jacinto Day, the test should be conducted before this day. For notice requirements, see the entry for Apr 18.</i>	City Secretary	7.38(d) 7.40(c) & (d)	15 th or (earlier if office is closed)
Sun Apr 23	<i>First day cities holding joint election with county having population of 100,000 or more may convene the early voting ballot board to process mail ballots. 24-hour notice must be posted for each delivery of voting materials made before election day. If notice requirements have been followed, the board may process the materials but not count the ballots until after the end of the period of early voting by personal appearance. (9th day before end of early voting by personal appearance is the 13th day before election.)</i>	City Secretary	16.74(a)	13 th
Mon Apr 24	STATUTORY DEADLINE FOR NOTIFYING JUDGES OF DUTY TO HOLD THE ELECTION. Fri, Apr 21 is San Jacinto Day, a state holiday. This deadline is extended to Mon, Apr 24, the 12 th day.	Mayor	10.15(a)	15 th (12 th)
Apr 24	Last day to challenge write-in candidate for compliance. Fri, Apr 21 is San Jacinto Day, a state holiday. This deadline is extended to Mon, Apr 24, the 12 th day.	City Secretary	11.10(h)	15 th (12 th)
Apr 24	<i>FIRST DAY FOR EARLY VOTING BY PERSONAL APPEARANCE. If voting will be conducted on Sat or Sun, Apr 29 or 30, notice of schedule must be posted at least 72 hours before first hour of the weekend voting. (The city council must also designate 2 weekdays that early voting will be conducted for 12 hours.)</i>	City Secretary	16.21 16.22(d) & (i)	12 th
Apr 24	<i>First day for new illness or disability allowing late application for late (emergency) early voting.</i>	Voter	17.16	12 th
Tue Apr 25	<i>Last day to receive application by mail for a ballot to be voted by mail, including an FPCA, by 12 noon or close of business, whichever is later.</i>	City Secretary	16.51(d) 17.02(b)	11 th
Wed Apr 26	LAST DAY FOR PUBLICATION OF NOTICE OF ELECTION.	Mayor ⁽¹⁾	10.12	10 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Apr 26	Last day to post notice if early voting will be conducted on Sat, Apr 29. Must be posted 72 hours before voting begins.	City Secretary	16.22(k)	10 th
Thur Apr 27	Last day to post notice if early voting will be conducted on Sun, Apr 30. Must be posted 72 hours before voting begins.	City Secretary	16.22(k)	9 th
Fri Apr 28	Due date for filing second report of campaign contributions and expenditures by 5 p.m. or midnight if filed electronically.	City Secretary	18.06(c) 18.08(a) & (c)	8 th
Sun Apr 30	Recommended last day for publication of notice of first test of automatic tabulating equipment to be used at a polling place if the first test is on May 3. Notice must be published at least 48 hours before date of test.	City Secretary	7.40(d)	*6 th
Apr 30	Recommended last day for publication of notice of first test of DRE equipment to be used at a polling place if the first test is on May 3. Notice must be published at least 48 hours before test begins for DRE's. To assure 48 hours before test begins, notice should be published by 3 rd day before date of test. NOTE: Even though Apr 30 is a Sun, these deadlines are not extended because these notices are contingent on testing being conducted on May 3. Tests and notices could be delayed, but this is not advisable.	City Secretary	7.38(d)	*6 th
Mon May 1	Last day for publication of notice of first test of automatic tabulating equipment to be used at a central counting station if the first test is on May 4. (48 hours before date of test.)	City Secretary	7.40(b) & (d)	5 th
May 1	<i>First day for death in family to qualify for late (emergency) early voting.</i>	City Secretary	17.31	5 th
Tue May 2	LAST DAY OF REGULAR EARLY VOTING BY PERSONAL APPEARANCE.	City Secretary	16.21(c)	4 th
May 2	Recommended day for first test of automatic tabulating equipment to be used at a polling place or central counting station and DRE equipment to be used at a polling place. If tests are conducted on this recommended day, make sure all notices have been published. See entries for Apr 30 and May 1 for deadlines for notice publication.	City Secretary	7.40(d)	*4 th
May 2- Sat May 6	<i>As soon as early voting is over, and until 7:00 p.m. May 6, early voting materials may be delivered to the early voting ballot board if notice requirements have been followed. (Continuous notice posted for 24 hours before delivery.) The board may process the materials but may not count the ballots until polls open on election day; unless, the election is held jointly with a county with population of 100,000 or more, in which case, ballots may be counted.</i>	City Secretary	16.74(a) & (c)	4 th thru close of polls
Wed May 3	<i>Last day to receive an application to cancel mail ballot without also returning the ballot..</i>	City Secretary	16.59(a)	3 rd

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
May 3	Last day for conducting first test of automatic tabulating equipment to be used at a polling place (at least 48 hours before used for counting on election day). To assure 48 hours before 7 a.m. of election day, test must be by 3 rd day before. Notice must be published at least 48 hours before date of test.	City Secretary	7.40(c) & (d)	3 rd
May 3	Last day for conducting first test of DRE equipment to be used at a polling place or central counting station (at least 48 hours before voting begins on election day). To assure 48 hours before 7 am of election day, test must be by 3 rd day before. Notice must be published at least 48 hours before test begins for DREs.	City Secretary	7.38(d)(1) & (2)	3 rd
May 3- Fri May 5	<i>Recommended time to prepare list of registered voters for early voting ballot board if more than one early voting polling place. A new law for 2016 requires the early voting clerk to mark the names on the list of registered voters of persons who voted early before this list is delivered to the precinct election judges.</i>	City Secretary	16.76 16.83(a)	*3 rd thru 1 st
May 3- Fri May 5	<i>Period to apply for late (emergency) early voting because of death in family May 1 or later. Requires absence from county on election day.</i>	City Secretary	17.33	3 rd thru 1 st
May 3- Sat May 6	<i>Period to apply for late (emergency) early voting because of illness or disability originating on or after Apr 24.</i>	City Secretary	17.17	3 rd thru Election Day, 5 p.m.
Thur May 4	Last day for first test of automatic tabulating equipment to be used at a central counting station . Test must be conducted at least 48 hours before the equipment is used for counting ballots. Notice must be published at least 48 hours before date of test.	Presiding Judge	7.40(b)	2 nd
Fri May 5	<i>Last day to deliver precinct list of registered voters with the early voting voters marked, to presiding judges and recommended date for delivery of supplies to presiding judges.</i>	City Secretary	7.47(b) 16.83(j)	1 st
May 5	Recommended date for delivery of equipment to polling places (statutory deadline is 6 a.m. on election day).	City Secretary	7.48	*1 st
May 5	RECOMMENDED DAY TO POST NOTICE OF COUNCIL MEETING to canvass the returns if canvass will be on 3 rd day after election. Notice must be posted at least 72 hours before time of meeting.	City Secretary	9.42(b)	*1 st
May 5	<i>Last day to submit an application (by close of business) for and vote a ballot by personal appearance due to death in immediate family that occurred May 1 or later.</i>	City Secretary	17.33(b)	1 st

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Sat May 6	ELECTION DAY. Polls are open 7 a.m. to 7 p.m. Voting by sick or disabled voters at main early voting place, 7 a.m. to 7 p.m., where electronic voting systems are used at precinct polling place.	City Secretary	17.41	E Day
May 6	<i>7 a.m. to 7 p.m. early voting clerk's office must remain open for early voting activities.</i>	City Secretary	9.23	E Day
May 6	<i>7 a.m. to 7 p.m. early voting clerk may receive marked mail ballots from the voter in-person, upon showing of one of the accepted forms of identification. The ballot must be inside the sealed carrier envelope with the voter's signature across the flap.</i>	City Secretary	16.58(c)	E Day
May 6	<i>5 p.m. deadline for late applications for ballots from voters who became ill or disabled Apr 24 or later.</i>	City Secretary	17.16 17.17	E Day
May 6	<i>Deliver early voting ballots, etc., to early voting ballot board. Second key to ballot box is delivered by chief of police or marshal.</i>	City Secretary	16.73(a)	E Day
May 6	<i>7 pm deadline for receiving ballots from voters who became ill or disabled Apr 24 or later.</i>	City Secretary	17.17	E Day
May 6	<i>7 pm deadline for receiving early voting mail ballots. After regular mail delivery, check mail box for early voting mail ballots.</i>	City Secretary	9.23(c) 16.58(a)	E Day
May 6	Receive precinct records, voted ballots, etc. (Chief of police or marshal receives keys to ballot boxes containing voted ballots.)	City Secretary Mayor	9.33(d) 9.34	E Day
May 6	UNOFFICIAL TABULATION OF RESULTS.	City Secretary	9.35	E Day
Mon May 8	<i>First day for public access to early voting by mail roster and applications and for mailed early voting ballot materials. EXCEPTION: Roster and materials for voters who submitted an annual ABBM are not available for public access until after the last election for which the annual application applies.</i>	City Secretary	9.49(d) 16.56(g) 16.522(f)	+2
May 8	<i>Last day to deliver provisional ballots to Voter Registrar of each county in which city is located.</i>	City Secretary	9.41(a)	+2
Tue May 9	Provide Official STATEMENT OF ELECTED OFFICER NOT APPOINTED BY THE GOVERNOR and OATH OF OFFICE to candidates who appear to have won, or may win. These are now Secretary of State Forms 2201 and 2204. These are provided at this time for information. They must be signed after the canvass.	City Secretary	12.32(d)	*+3
May 9	First day elected officials may take office in a city that cancelled its election; except in a Type A general law city. For Type A general law cities, see the entry for May 12.	City Council/ City Secretary	10.24(d)	+3

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
May 9- Mon May 15	<i>Period during which early voting ballot board may meet to count ballots received from outside the United States if the early voting clerk certifies that all ballots mailed from outside the United States have been received.</i>	Early Voting Ballot Board	16.74(f)(1)	+3 thru +9
May 9- Wed May 17	PERIOD FOR OFFICIAL CANVASS. Mayor sets exact day and hour. City secretary records results in election register as soon as practicable after canvass. [Canvass may occur before 11 th day only if all FPCA ballots have been received and the EVVB has completed the count of provisional ballots.]	City Council/ City Secretary	9.42(b) 9.44	+3 thru +11
May 9- Wed May 17	<i>Completion before canvass of report of early votes cast for each candidate or measure, by election precinct.</i>	City Secretary	16.87	+3 thru +11
May 9- Wed May 17	AFTER CANVASS, ISSUE CERTIFICATE OF ELECTION. A certificate of election may not be issued in a race if a recount is requested that involves the winning candidate in that race, until the recount is completed.	Mayor	12.23	+3 thru +11
May 9- Tue May 30	Partial manual count of electronically counted ballots if waiver not obtained from secretary of state, must begin not later than 72 hours after polls close and be completed by the +21 st day. +21 st day is Sat, May 27. The date is extended to Tue, May 30 (+24 th day), because Mon, May 29 is Memorial Day.	City Secretary	9.45	+3 thru +21 (+24)
Thur May 11	<i>Last day for receiving a ballot from outside the United States.</i>	City Secretary	16.58(b)	+5
Fri May 12	Last day for provisional voter to present ID to voter registrar or execute required affidavit.	Voter Registrar	16.261(g)	+6
May 12	<i>Early voting ballot board (EVBB) convenes to count early voting ballots received by Fri, May 12, from outside the United States, if the early voting clerk did not certify that all ballots mailed from outside the United States had been received earlier. (Provisional ballots may be processed at this time.)</i>	Early Voting Ballot Board	16.74(f)	+6
May 12	Last day for voter registrar to complete the review of provisional ballots.	Voter Registrar	9.41(d)	+6
May 12	Last day for general custodian of election records or presiding judge of the early voting ballot board to retrieve the provisional ballots from the voter registrar unless the voter registrar designates a time on the +7 day.	City Secretary	9.41(d) TAC §81.175 (d)(3)	+6
May 12	Type A elected officials may qualify and assume duties of office [LGC §22.006]. The statute states 5 th day after election, excluding Sundays. The resulting day is the 6 th day after. Officials may not take office until the canvass is complete unless the election was cancelled.	Candidate with City Secretary	12.34	+6
Sun May 14- Mon May 22	ORDERING OF RUNOFF ELECTION, if necessary, not later than 5 th day after canvass.	City Council or Mayor ⁽¹⁾	14.04	+8 thru +16

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon May 15	Last day for the EVBB to convene for counting the provisional ballots and any ballots received from outside the U.S. by Thur, May 11, if not already counted.	Early Voting Ballot Board	16.77(b)	+9
Tue May 16	Last day for presiding judge of EVBB to mail notices of rejected mail ballots to voters.	Presiding Judge of EVBB	16.78	+10
Wed May 17	LAST DAY for conducting the official canvass of the election.	City Council	9.42(b)	+11
Fri May 19- Tue May 30	Period during which notice of disposition of provisional ballots must be mailed to voters. If 10 th day is Sat or Sun (May 20-21), last day is Mon, May 22. If 10 th day is Sat, May 27, last day is Tue, May 30, because Mon, May 29 is Memorial Day.	Presiding Judge of EVBB	16.77(e)	By 10 th day after canvass
Mon May 29- Mon Jul 3	POSSIBLE PERIOD FOR RUNOFF ELECTION, depending on date of official canvass, unless a charter provides for a later date. If 45 th day after the last day to canvass is Sat, Jul 1, the deadline is extended to 47 th day, Mon, Jul 3.	City Secretary/ City Council	14.03	20 th -45 th day after canvass (20 th - 47 th)
Tue May 30	Last day for mailing results of manual count to secretary of state, if no waiver is obtained. +21 st day is Sat. The deadline is extended to Tue, May 30 (+24 th day) because Mon, May 29, is Memorial Day.	City Secretary	9.45	+21 (+24)
Mon Jun 5	Last day to transmit election results by city precinct in electronic form to secretary of state.	Mayor (Presiding Officer of the Canvassing Committee)	9.44	+30
Thur Jun 15	LAST DAY OF MANDATORY OFFICE HOURS.	City Secretary	2.15	+40
Thur July 6	First day for transfer of voted ballots from the locked ballot box to another secure container.	City Secretary	9.50(g)	+61
Mon July 17	Last day for timely filing of semiannual report of contributions and expenditures. July 15 is a Sat. The deadline is extended to Mon, July 17.	City Secretary	18.05	July 15 (July 17)
Mon Nov 6, 2017	Last day of preservation period for ballots and other precinct election records of city election.	City Secretary	9.50(g)	+6 months

Endnotes

- [1] Follow home-rule city's charter provision, if any.
- [2] The city's governing body may choose to conduct a mock student election under EC §276.007. The major steps taken for a general election should be taken for a student election. The student election may be held on the first day before the election, but results must not be published until after the polls close on election day.

NOTE ON CALENDAR FOR SPECIAL OR RUNOFF ELECTION

To prepare a calendar for a special election to fill a vacancy in office, see M §13.02; for a special election on a measure, see M §15.02; for a runoff election, see M §14.03.

NOTE ON CONTEXT

When reading a section of the Election Code, remember to read the chapter and subchapter titles to determine if the section you are reading applies to cities.

*An asterisk in Column 5 indicates the time stated is not required by statute.



NACOGDOCHES CITY COUNCIL CANDIDATE REQUIREMENTS AND INFORMATION

-- **Five Council Members**

Four from Wards S/E, S/W, N/E and N/W
One At Large

-- **Two-year terms**

Council Members occupying the At Large position is Chairman of Council and given the honorary title of Mayor.

-- **Resident of City**

All candidates shall have been a resident of the City for one year preceding date of election. Candidates for ward positions shall have been a resident of the ward in which they are seeking election six (6) months preceding the date of the election.

-- **Must be a United States Citizen**

-- **Shall not hold any other public office of compensation**

-- **Age requirements**

Must be 18 years of age or older on 1st day of term to be filled or date of appointment, whichever is applicable.

-- **Other requirements**

Must not have been determined mentally incompetent by a final judgment of a court

Must not have been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities.

Commissioners shall not be indebted to the city and shall not be interested in the profits or emoluments of any contracts, job, work or service for the municipality.

The following websites have additional information:

www.sos.state.tx.us

www.ethics.state.tx.us

<http://www.statutes.legis.state.tx.us>

www.ci.nacogdoches.tx.us

All information is required to be provided unless indicated as optional.

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

INSTRUCTIONS

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

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

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

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

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

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

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

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

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

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

FOOTNOTES

¹Inclusion 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>

²All 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, and the Secretary of State of Texas.

Debe proporcionarse la información requerida a menos que se indique que es opcional.

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

INSTRUCCIONES

La solicitud para que el nombre de un candidato figure en la boleta para cualquier elección general no deberá registrarse antes de los treinta (30) días previos a la fecha límite para registrar la solicitud, según lo prescribe este código. Cualquier solicitud registrada antes de esa fecha se declarará inválida.

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

LEY SOBRE EL NEPOTISMO

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

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

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

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

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

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

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

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

NOTAS

¹La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, para muchos candidatos, es un requisito estar registrados como votantes en el territorio por el cual serían electos a partir de la fecha límite de la solicitud. Puede encontrar información adicional sobre el requisito de registro de votante en nuestra página: <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

²Los juramentos, las declaraciones juradas o las afirmaciones que se efectúen dentro de este Estado podrán ser administradas por un juez, escribano o comisionado de alguna corte de registro, por un notario público, un juez de paz, un secretario de la ciudad o el Secretario de Estado de Texas, quienes cuentan con la capacidad de proporcionar un certificado del hecho.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1 Total pages filed:
2 CANDIDATE NAME	MS / MRS / MR FIRST MI NICKNAME LAST SUFFIX	OFFICE USE ONLY
		Acct. # Date Received
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	
4 CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION ()	Date Hand-delivered or Postmarked
		Date Processed
5 OFFICE HELD (if any)		Date Imaged
6 OFFICE SOUGHT (if known)		
7 CAMPAIGN TREASURER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX	
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE	
9 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION ()	
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; text-align: center;"> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Signature of Candidate </div> <div style="width: 45%; text-align: center;"> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Date Signed </div> </div>	

GO TO PAGE 2

**CANDIDATE MODIFIED
REPORTING DECLARATION****FORM CTA
PG 2****11 CANDIDATE
NAME****12 MODIFIED
REPORTING
DECLARATION****COMPLETE THIS SECTION ONLY IF YOU ARE
CHOOSING MODIFIED REPORTING**

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

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

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

I do not intend to accept more than \$500 in political contributions or
make more than \$500 in political expenditures (excluding filing fees)
in connection with any future election within the election cycle.
I understand that if either one of those limits is exceeded, I will be
required to file pre-election reports and, if necessary, a runoff
report.

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

Signature of Candidate

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

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA – INSTRUCTION GUIDE



Revised July 14, 2010

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

FORM CTA-INSTRUCTION GUIDE

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APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

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

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

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

DUTIES OF A CAMPAIGN TREASURER. State law does not impose any obligations on a candidate's campaign treasurer.

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

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

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

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

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

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT. The appropriate filing authority depends on the office sought or held.

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

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

- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
 - A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
 - A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.
- * Judicial candidates use FORM JCTA to appoint a campaign treasurer.

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

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

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

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

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

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

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

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

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

TERMINATING A CAMPAIGN TREASURER APPOINTMENT. You may terminate your campaign treasurer appointment at any time by:

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

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

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

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

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

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

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

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

SPECIFIC INSTRUCTIONS

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

PAGE 1

1. **TOTAL PAGES FILED:** After you have completed the form, enter the total number of pages of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.
2. **CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, of this form.
3. **CANDIDATE MAILING ADDRESS:** Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. If this information changes, please notify your filing authority immediately.
4. **CANDIDATE PHONE:** Enter your phone number, including the area code and extension, if applicable.
5. **OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
6. **OFFICE SOUGHT:** If you are a candidate, please enter the office you seek, if known. Include the district, precinct, or other designation for the office, if applicable.
7. **CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
8. **CAMPAIGN TREASURER STREET ADDRESS:** Enter the complete street address of your campaign treasurer, including the zip code. You may enter either the treasurer’s business or residential street address. If you are your own treasurer, you may enter either your business or residential street address. Please do not enter a P.O. Box.

9. CAMPAIGN TREASURER PHONE: Enter the phone number of your campaign treasurer, including the area code and extension, if applicable.

10. CANDIDATE SIGNATURE: Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.

- The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.
- A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.
- A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.
- Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The degree of consanguinity is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. Examples: (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

PAGE 2

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

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

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

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

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

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$500 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semiannual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

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

EXCEEDING \$500 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$500 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$500 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

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

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

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

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

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE

POLITICAL COMMITTEE

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

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

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

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

FIRST

MI

NICKNAME

LAST

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

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

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

FIRST

MI

NICKNAME

LAST

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

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

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

THEREFORE:

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

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

Signature

Date