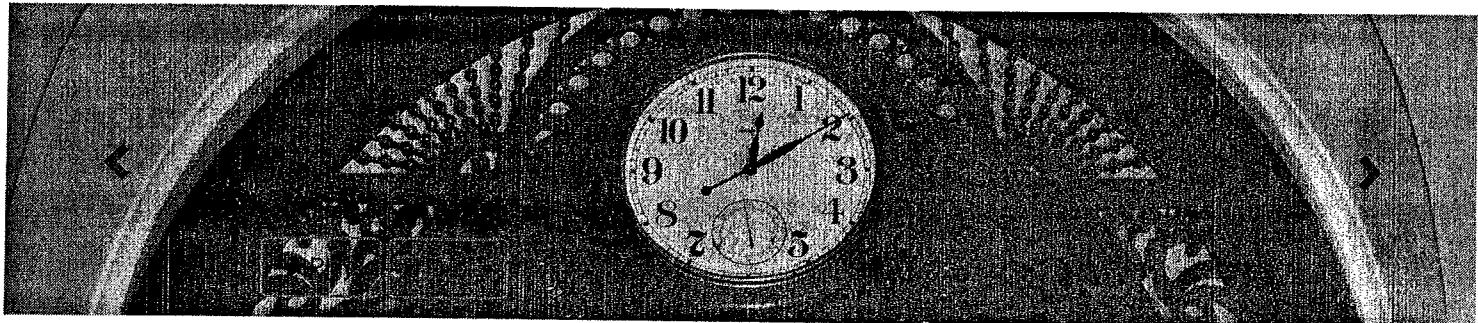




Texas Ethics Commission

Promoting Public Confidence in Government



Resources

Frequently Asked Questions

For Candidates

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1. I've decided to run for office. Now what?

After you make the decision to run for office, you must file a Campaign Treasurer Appointment (/data/forms/coh/cta.pdf). (Judicial candidates need to use Form JCTA (/data/forms/coh/jcta.pdf)). This is required before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy publicly or privately. Please be aware that becoming a candidate will trigger filing requirements. You can familiarize yourself with these requirements by consulting the appropriate campaign finance guide (/resources/cf) and filing schedule (/filingsinfo/schedules/filing_schedules.php).

If this is your first time filing reports with the Texas Ethics Commission, you will be assigned a Filer ID from the Commission after the Commission has received your Campaign Treasurer Appointment. This Filer ID and a link to set your password will be emailed to you. The Ethics Commission will also mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission's forms, schedules, and guides. Once you have a Filer ID and have set your password, you can electronically file your campaign finance reports.

2. I'm not going to raise any money. Do I still need to appoint a treasurer?

Yes. The law requires every candidate to file a campaign treasurer appointment, even if the candidate does not intend to raise or spend money. You are permitted to appoint yourself as your treasurer.

3. If I run for office again do I need to appoint a campaign treasurer again?

If you are running for the same office and have not terminated your campaign treasurer appointment by filing a final report, you are not required to file another appointment of a campaign treasurer (Form CTA).

4. Where do I file my forms?

Where you file depends on whether you are running for a "local" office or one that is required to file with the Texas Ethics Commission.

5. How do I determine whether I am a "local" filer or a Texas Ethics Commission filer?

Local offices may include:

- County offices (county commissioner, tax assessor/collector, precinct chair, constable, justice of the peace, sheriff, etc.)
- City offices (mayor, council member, secretary, etc.)
- Political Subdivision offices (school board, community college trustee, municipal utility district, water district, etc.)

Statewide offices and other offices that file with the Texas Ethics Commission include:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Railroad Commissioner, Land Commissioner, Agriculture Commissioner, State Chair of political party
- Texas Senate, Texas House of Representatives
- Multi-county District Attorney
- State Board of Education
- Supreme Court Justice, Court of Appeals Justice, Court of Criminal Appeals Judge, and district judges

6. I am a “local” filer. Where do I file my forms?

Local candidates do not file with the Texas Ethics Commission. If you are a local candidate, you will file with your local filing authority.

The filing authority for a local candidate or officeholder depends on the nature of the office sought or held:

- County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate 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.
- Other 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.

7. I have never filed with the Ethics Commission. How do I get started?

To file with the Texas Ethics Commission, you need a Filer ID. This Filer ID is assigned to you by the Commission. The fastest way to get started is to fill out a Campaign Treasurer Appointment – Form CTA (</data/forms/coh/cta.pdf>) (judicial candidates need to use Form JCTA (</data/forms/coh/jcta.pdf>)) and a Form Security (</data/forms/security/security-cf.pdf>). Email your treasurer appointment to the Ethics Commission at treasappoint@ethics.state.tx.us and email your security form to the Ethics Commission at formsecurity@ethics.state.tx.us. Your new Filer ID and a link to set your password will be emailed to you. The Ethics Commission will mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission's forms, schedules, and guides.

8. What reports will I need to file?

Candidates will typically need to file a treasurer appointment and periodic campaign finance reports disclosing the candidate's activity. The specific forms required will depend on what office you are seeking. Other forms may be required in less common situations, such as filing a correction or amending a treasurer appointment. All potentially required forms and their companion instruction guides can be found on our [Forms/Instructions ▾ Candidates and Officeholders](#) (</forms/COHindex.php>) tab located at the top of this page.

9. Do I have to file my reports electronically?

Filers who file with the Texas Ethics Commission are required to file campaign finance reports electronically. A filer must request an electronic filing password using a Form Security (/data/forms/security/security-cf.pdf) and email it to the Ethics Commission at formsecurity@ethics.state.tx.us to file the reports. An exception exists for filers who have limited activity and do not use computer equipment to keep track of their political activity. A filer claiming this exception must attach an affidavit of exemption (/data/forms/affd/elf_coh_aff.pdf) to each report filed on paper. The appointment of a campaign treasurer form and any amendments to that form must still be filed on paper.

Filers who file with local authorities are not required to file electronically under state law. However, these filers should check with their local filing authority to determine whether that authority requires electronic filing.

10. How do I get my name on the ballot?

Contact the Secretary of State's Elections Division or your local party for questions about the application for a place on the ballot.

11. Do I still have to file reports if I chose modified reporting on my treasurer appointment?

By selecting the modified reporting schedule you are indicating that you plan to stay under the \$930 threshold in both contributions or expenditures in connection with an election. The modified reporting schedule exempts you from filing 30-day and 8-day pre-election reports. If you have selected the modified reporting schedule, you must still report activity during the entire period you were a candidate, either on a semiannual report or on a final report. Please note that the payment of a filing fee is not considered when calculating whether a filer has exceeded \$930 in expenditures.

12. What happens if I select modified reporting and then exceed \$930?

If you select modified reporting and exceed \$930 (in either contributions or expenditures in connection with an election) before the 30-day pre-election report is due, you must file required 30-day and 8-day pre-election reports (keep in mind that unopposed candidates are not required to file these reports regardless of their level of activity). If you exceed a \$930 threshold after the 30-day pre-election report is due, you must file an "Exceeded Modified Reporting Limit report" within 48 hours of exceeding the threshold and, if the threshold is exceeded before the 8-day pre-election report is due, you must file the 8-day pre-election report.

13. When do I have to file my campaign finance reports?

Due dates for campaign finance reports can be found on the appropriate filing schedule (/filingsinfo/schedules/filing_schedules.php).

14. When do I have to file my report for it to be timely?

Most reports are considered timely filed if they are postmarked or electronically submitted by the due date. If filing electronically, a report must be filed by midnight Central time on the night of the due date to be considered timely filed. A 30-day, 8-day, or special pre-election report must be received by the filing authority no later than the due date to be considered timely filed.

15. I was a candidate in an election, and I lost. Do I need to file any further reports?

Losing an election does not end your filing responsibilities with the Texas Ethics Commission or with your local filing authority.

If your situation meets all of the following criteria, you may file a final report to terminate your treasurer and terminate future filing requirements:

- you do not currently hold an office, and
- you lost the election, and
- you have no remaining funds or assets in your campaign account

The final report will cover the period beginning where your last report ended and ending on the day the final report is filed.

Filing a final report terminates your campaign treasurer appointment and terminates your status as a "candidate" for filing purposes. Please remember that you may not accept campaign contributions or make campaign expenditures without having a campaign treasurer appointment on file.

If you do not file a final report after the election, you will be required to file semiannual reports until you file a final report. Officeholders who have filed a final report may still have additional filing requirements. See the relevant campaign finance guide ([/resources/cf](#)) for additional information.

16. How do I complete the campaign finance report?

Each form has a companion instruction guide ([/forms/coh/cohfrm.php](#)) that instructs you how to fill out the form line-by-line. Most questions about how to fill out the form can be answered by consulting these instructions. Other topics like reporting expenditures from personal funds, reporting staff reimbursements, and reporting credit card expenditures are explained more fully in the reporting resources found in the Helpful Information section ([/resources/cf](#)) on the Campaign Finance Resources page.

17. What kind of bank account should I open?

You must deposit your political contributions in a separate account from any other account you maintain. State law does not require this account to be a particular type of account (e.g., a business account), but bank policies may restrict the type of account you can use. Please consult your financial institution.

18. Do I need to get a tax identification number?

The laws under the jurisdiction of the Texas Ethics Commission do not require a candidate or political committee to obtain a Tax Identification Number. Please contact the Internal Revenue Service and the Texas Workforce Commission for further information.

19. How can I spend my campaign funds?

You may use your political funds to pay for most expenses you incur as a candidate or officeholder. The primary restriction in using campaign funds is that you cannot convert them to personal use. You can consult the commission's preexisting opinions ([/resources/cf/Personal_Use_Of_Contributions.php](#)) about permissible and impermissible uses of political funds.

Additional restrictions exist for payments to close family members, payments to a business of the candidate, and payments from judicial candidates and officeholders to candidates or political committees. These restrictions are discussed in more detail in the campaign finance guides ([/resources/guides/](#)).

20. I'm running for a city or county office. Do I need to file a personal financial statement?

A personal financial statement is a document disclosing a candidate or officer's personal financial activity over the period of a calendar year (in contrast to a campaign finance report, which discloses a campaign's financial activity).

Generally, the Texas Ethics Commission does not have jurisdiction to determine whether a candidate for local office is required to file a personal financial statement. However candidates for district attorney must file personal financial statements with the Commission. Other candidates should contact their local filing authority to determine whether they need to file a personal financial statement.

21. What has to be on my signs?

Most political advertising requires a political advertising disclosure statement and signs designed to be seen from a road must contain a highway right-of-way notice. Additionally, non-incumbent candidates must use the word "for" before the name of the office they are seeking. Please see the Political Advertising Guide ([/data/resources/advertising/Gpol_adv.pdf](#)) for more specific information.

22. Where and when can I post my campaign signs?

The Texas Ethics Commission generally does not regulate the placement or removal of political signs. The Texas Ethics Commission primarily regulates the disclosure statements that must appear on political advertising signs. You may find this guide from TXDOT to be helpful:

<http://ftp.dot.state.tx.us/pub/txdot-info/row/political-signs.pdf> (<http://ftp.dot.state.tx.us/pub/txdot-info/row/political-signs.pdf>).

Before distributing any political advertising, a candidate must have a treasurer appointment on file with the proper filing authority.

The answer to this question largely depends on where the signs are placed, and whether there are any local government restrictions set by the county, city, or HOA. Regarding signs placed on city-owned public property, you may wish to contact the city attorney to see if the city has any restrictions, such as a 90 day. Regarding signs placed on rural roads, those are regulated by Chapter 394 of the Texas Transportation Code and you may wish to contact TXDOT.

<https://www.txdot.gov/inside-txdot/division/right-of-way/outdoor-signs.html>

(<https://www.txdot.gov/inside-txdot/division/right-of-way/outdoor-signs.html>).

Also, note that Chapter 259 of the Election Code actually prohibits municipalities and HOAs from adopting and enforcing regulations, such as any 90 day restrictions, that prohibit the placement of certain political advertising signs within an HOA or on private property.

<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.259.htm>

(<https://statutes.capitol.texas.gov/Docs/EL/htm/EL.259.htm>).

23. What are my contribution limits?

The state does not have contribution limits for most offices. Judicial candidates are subject to contribution limits, which are discussed further in the Campaign Finance Guide for Judicial Candidates (/data/resources/judicial/jcoh_guide.pdf). Some political subdivisions do impose their own contribution limits, so a candidate should always check with the local authority to see if any relevant limits apply.

24. What are my restrictions on fundraising?

All candidates are prohibited from accepting contributions from a corporation or labor organization and from accepting a cash contribution exceeding \$100. Candidates are also prohibited from accepting anonymous contributions, so for this reason, fundraising strategies like contribution jars are discouraged. For more information about fundraising, see the Political Fundraising Guide (/data/resources/guides/Gpolfund.pdf).

25. How do I correct a report?

A filer may correct a report filed with the Texas Ethics Commission or a local filing authority at any time. If you are required to file reports electronically with the Ethics Commission, then reports can be corrected through the software by selecting the option to "Correct a Filed Report." If you qualify to file reports on paper with the Ethics Commission, then you will need to submit a correction affidavit, an *affidavit for electronic filing exemption* (/data/forms/affd/elf_coh_aff.pdf), and the pages of the report that are being corrected. If you are required to file reports with a local filing authority, you will

need to submit a correction affidavit and the pages of the report that are being corrected. Depending on the type of report that is being corrected, you should use the appropriate correction affidavit form found at the *Forms/Instructions* ▾ *Candidate/Officeholders* (/forms/COHindex.php) tab at the top of this page.

26. Will the Ethics Commission make paper copies of electronically filed reports available?

Yes for a surcharge. Members of the public may make an open records request (/contact/index.php#records) for specified copies of reports. There is a fee for copies.

27. May someone who files with a local filing authority file electronically?

Local filers may file electronically if your local authority has an electronic filing system for campaign finance reports. Check with your local authority to find out if electronic filing is an option. At this time, most local authorities *do not* offer electronic filing. There are, however, a few local filing authorities that offer, and in some instances even require, electronic filing. Local filers wanting to generate a pdf copy of their report, can also use the TEC filing application to generate the report. The report must still be filed with your local filing authority. See *Filing Reports* ▾ *Local Filers* ▾ *Campaign Finance Reports* (/filinginfo/LOCALindex.php#cfs) tab found at the top of this page to generate your report using *TEC filing application*

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