

Candidate Packet



May 4, 2024

GENERAL ELECTION



Candidate Packet for City of Santa Fe

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January 11, 2024

Dear Candidate:

Thank you for considering offering your time and effort to the City of Santa Fe by becoming a candidate in the upcoming municipal election. Your candidacy carries with it the obligation to comply with certain applicable state statutes and local ordinances. This Candidate's Packet has been prepared in an endeavor to acquaint candidates with applicable City regulations, as well as legal requirements established under State law. Please read this letter and the enclosed forms and information carefully prior to completing and submitting the specific forms.

While this packet provides a great deal of information, it is not intended to be all-inclusive of candidate requirements. For candidates' benefit, my office will host a Candidate Orientation event from 6:00-8:00 p.m. on Tuesday, January 16, 2024, in the Council Chambers at City Hall. During the come-and-go event, City staff and I will present information regarding the City, the role of City Council, and will be available to answer questions regarding policy and procedure. Additional informational resources are available to candidates at the state level, such as through the Texas Ethics Commission and the Texas Secretary of State's office.

About the Election

The City of Santa Fe will hold a general election on Saturday, May 4, 2024, with early voting on weekdays from April 22-26, 2024. The positions to be considered on the May 4, 2024, ballot are City Council Position 2, City Council Position 3, and Mayor. The positions are all "at-large" positions, meaning that they represent the whole city, and the term of office for the positions will expire in May 2027.

Candidate Qualifications

A candidate for City Council must:

- Be a citizen of the United States of America.
- Be a minimum of twenty-one (21) years of age.
- A qualified voter of the State of Texas.
- Be a resident of the City of Santa Fe for a continuous period of at least twelve (12) months immediately preceding the election.
- Have not been determined to be mentally incapacitated by a final judgment of a court exercising probate jurisdiction.
- Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities.

How to Become a Candidate

In order to formally declare candidacy, prospective candidates for office must at a minimum file two specific forms with me (the City Secretary):

1. Appointment of a Campaign Treasurer by a Candidate (Texas Ethics Commission Form CTA); and
2. Application for a Place on the Ballot.

Please note that no campaign funds may be expended, including a candidate's personal funds, without submission of a completed Form CTA.

For your convenience, each of these forms has been included in this Candidate's Packet, along with instructions on how to properly complete each form. Additional copies of these forms, and all other election filing forms, are available from my office. There is no cost to you for the forms, and the City of Santa Fe does not charge an application filing fee.

The Application for a Place on the Ballot must be completed, signed, notarized, and filed during the filing period that is specified by state law. For this election, **the first day to file for a place on the ballot is Wednesday, January 17, 2024, and the last day to file is Friday, February 16, 2024 at 5:00 p.m.** Please note that each application must be carefully reviewed to determine whether the application complies with the Election Code requirements as to content. Any defective applications will be rejected, and a new application must be submitted in its place. Because state law prohibits the acceptance of late applications, I strongly encourage you to file your Application for a Place on the Ballot as soon as practicable to allow sufficient time for this review.

There are four (4) ways to file your forms: in person, by regular mail, by email, by fax. If you choose to file by regular mail, email, or fax, you must have the application notarized before you file. If you choose to file in person, the City of Santa Fe will provide notary services to you at no cost. **If filing by mail or fax, please call City Hall at 409-925-6214 to confirm successful receipt of your application.**

Physical address for filing in person:

Santa Fe City Hall,
12002 Highway 6,
Santa Fe, TX 77510

Mailing address for filing by mail:

City Secretary,
Santa Fe City Hall,
P.O. Box 950,
Santa Fe, TX 77510-0950

Email address for filing by email:

citysecretary@santafetx.gov

Fax number for filing by fax:

409-316-1941

Candidate information is public information. Please be aware that all information a candidate files with the City Secretary in relation to candidacy or election to public office becomes a public record and is provided in accordance with the Texas Public Information Act. Should you have a legal reason to have parts of your information on your application withheld from the public, you must notify the City Secretary in writing at the time of filing.

What Next?

Once you have filed your Appointment of a Campaign Treasurer by a Candidate (Form CTA) and your Application for a Place on the Ballot has been accepted by the City Secretary, you will officially be a candidate for office.

Submit Your Campaign Finance Reports

Periodic campaign finance reports, also included in the packet, must be submitted by each candidate. If you did not select "modified reporting" on page 2 of Form CTA, you will be required to file campaign finance reports as appropriate. Most candidates will have to file at least two reports although some candidates (such as those involved in a runoff election) may have to file additional reports. As with the filing forms, once filed, **campaign finance reports are public information** and can be viewed by anyone, including reporters and opponents.

Please note: The City Secretary and the City Attorney cannot advise candidates or groups who support or oppose candidates on matters of election or campaign finance law. The duties of the City Secretary are limited to accepting and filing the various applications, affidavits, and statements, and noting the date and time of filing. Should you have any questions regarding reporting procedures, contributions, or expenditures, please contact the Texas Ethics Commission at (512) 463-5800, or online at www.ethics.state.tx.us. Timely submission of campaign finance reports is the responsibility of the candidate; the City of Santa Fe will not send reminders of report deadlines to candidates.

Political Advertising

This Candidate's Packet includes information regarding political advertising. Political signage is subject to certain legal requirements and limitations, and I encourage you to familiarize yourself with those requirements and limitations. For example, Texas Election Code, Section 259.001, requires that the following notice must be written on each political advertising sign:

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

All political signs in Santa Fe must comply with the law.

Drawing for Ballot Position

The Election Code requires that the order in which candidates are listed on the ballot shall be determined by a drawing. **The drawing for position on the ballot will take place at 5:15 p.m. on Wednesday, February 21, 2024, in the lobby at Santa Fe City Hall, 12002 Highway 6, Santa Fe, TX 77510.** The drawing will be open to the public and you are encouraged, but not required, to attend. A formal notice of the drawing will be publicly posted and distributed to candidates closer to the date of the drawing.

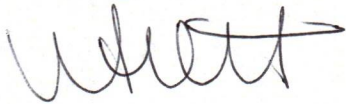
Questions or Comments

Running for election often comes with a lot of questions, and my entire department is here to assist you every step of the way by providing information and answering your questions. We recognize that well-informed and well-prepared candidates benefit the City and the public good, and although we cannot offer campaign advice, we can help answer questions about forms, procedures, and candidate and Council responsibilities. We can also provide copies of City-owned public information should you need it.

Finally, included in this Candidate's Packet is a copy of the Santa Fe Charter, which lists the duties of Council and the basic guidelines of the City, and two calendars, one of important election dates and one of early voting dates and times.

I appreciate your interest in our municipal government. Please let me know if I can be of service to you or assist you in any way. My direct telephone number is 409-925-6412 and my email address is narnett@santafetx.gov. Best wishes for your campaign!

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Arnett', with a long horizontal stroke extending to the right.

Natalie N. Arnett
City Secretary

First Steps for Candidates Running for a City Office

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

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

All candidates must file [Form CTA](#) even if you do not intend to raise or spend any money. [Form CTA](#) is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. File [Form CTA](#) with the city clerk or city secretary, as applicable.

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

- YES:

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

- NO:

- You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of [Form CTA](#). File [Form CTA](#) with the city clerk or city secretary.
- If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.

- Exceed \$1,010*: If you elect to file on the modified reporting schedule but later exceed \$1,010 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$1,010*.

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

report must be received by the city clerk or city secretary no later than the due date. Find [Form C/OH](#) and its instructions on our “[Local Filers Non-Judicial Candidate/Officeholder](#)” webpage.

3. Unopposed Candidates.

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

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

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

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

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

6. Need More Information?

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

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

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

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

APPLICATION FOR A PLACE ON THE _____ GENERAL ELECTION BALLOT					
TO: City Secretary/Secretary of Board (name of election)					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)				INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)		DATE OF BIRTH / /	VOTER REGISTRATION VOID NUMBER² (Optional)
TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____					
FELONY CONVICTION STATUS (You MUST check one)		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN			
<input type="checkbox"/> I have not been finally convicted of a felony.		IN THE STATE OF TEXAS _____ year(s) _____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED _____ year(s) _____ month(s)	
<input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³					
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
<div style="font-size: 2em; font-weight: bold; margin: 0;">X</div> <div style="border-top: 1px solid black; margin-top: 5px; text-align: center;">SIGNATURE OF CANDIDATE</div>					
Sworn to and subscribed before me this the _____ day of _____, _____, by _____ (day) (month) (year) (name of candidate).					
Signature of Officer Authorized to Administer Oath ⁴			Printed Name of Officer Authorized to Administer Oath		
Title of Officer Authorized to Administer Oath			Notarial or Official Seal		
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
_____/_____/_____ Date Received		_____/_____/_____ Date Accepted		(See Section 1.007) _____ Signature of Filing Officer or Designee	

INSTRUCTIONS

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

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

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

NEPOTISM LAW

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

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

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

FOOTNOTES

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

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

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

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

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

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

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

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

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

SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE _____					
Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo _____ (nombre de la elección)					
Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación.					
CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			INDIQUE TÉRMINO <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO		
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA*		
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		OCUPACIÓN (No deje este espacio en blanco)	FECHA DE NACIMIENTO ____/____/____	VOID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional)	
INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Hogar: _____ Trabajo: _____ Celular: _____					
ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)			DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA		
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³			EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es)		EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es)
<p>*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.</p>					
Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: "Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."					
<div>X _____ FIRMA DEL CANDIDATO</div>					
Jurado y suscrito ante mí este día _____ de _____ del _____ por _____. (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento ⁴			Nombre del oficial autorizado para administrar juramentos en letra de molde Notarial o sello oficial		
Título del oficial autorizado para administrar el juramento					
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
____/____/____ Date Received		____/____/____ Date Accepted		(See Section 1.007) _____ Signature of Filing Officer or Designee	

INSTRUCCIONES

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

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

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

LEY DE NEPOTISMO

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

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

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

NOTAS

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

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

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

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

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

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

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

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

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

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1 Total pages filed:	
2 CANDIDATE NAME	MS / MRS / MR FIRST MI	OFFICE USE ONLY	
	NICKNAME LAST SUFFIX	Filer ID #	
		Date Received	
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Date Hand-delivered or Postmarked	
4 CANDIDATE PHONE	AREA CODE PHONE NUMBER EXTENSION	Receipt #	Amount \$
	()	Date Processed	
5 OFFICE HELD (if any)		Date Imaged	
6 OFFICE SOUGHT (if known)			
7 CAMPAIGN TREASURER NAME	MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX		
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS; APT / SUITE #; CITY; STATE; ZIP CODE		
9 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION		
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p>_____ Signature of Candidate</p> <p>_____ Date Signed</p>		
GO TO PAGE 2			

CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

11 CANDIDATE
NAME

12 MODIFIED
REPORTING
DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

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

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

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

I do not intend to accept more than \$1,080 in political contributions or make more than \$1,080 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

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

Signature of Candidate

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

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us

or mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

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

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

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

The C/OH Instruction Guide explains how to complete this form.		1 Filer ID (Ethics Commission Filers)		2 Total pages filed:	
---	--	--	--	-----------------------------	--

3 CANDIDATE / OFFICEHOLDER NAME	MS / MRS / MR	FIRST	MI	OFFICE USE ONLY	
	NICKNAME	LAST	SUFFIX		
4 CANDIDATE / OFFICEHOLDER MAILING ADDRESS Change of Address	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE				
	Date Received				
5 CANDIDATE/ OFFICEHOLDER PHONE	AREA CODE	PHONE NUMBER	EXTENSION		
	()				
6 CAMPAIGN TREASURER NAME	MS / MRS / MR	FIRST	MI	Date Hand-delivered or Date Postmarked	
	NICKNAME	LAST	SUFFIX		
7 CAMPAIGN TREASURER ADDRESS (Residence or Business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE; ZIP CODE				
	Receipt # Amount \$				
	Date Processed				
8 CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER	EXTENSION		
	()				
9 REPORT TYPE	January 15 30th day before election Runoff 15th day after campaign treasurer appointment (Officeholder Only)				
	July 15 8th day before election Exceeded Modified Reporting Limit Final Report (Attach C/OH - FR)				
10 PERIOD COVERED	<div style="display: flex; justify-content: space-between;"> <div>Month Day Year</div> <div>THROUGH</div> <div>Month Day Year</div> </div>				
11 ELECTION	ELECTION DATE		ELECTION TYPE		
	Month Day Year	Primary Runoff Other Description	General Special		
12 OFFICE	OFFICE HELD (if any)		13 OFFICE SOUGHT (if known)		
14 NOTICE FROM POLITICAL COMMITTEE(S) Additional Pages	THIS BOX IS FOR NOTICE OF POLITICAL CONTRIBUTIONS ACCEPTED OR POLITICAL EXPENDITURES MADE BY POLITICAL COMMITTEES TO SUPPORT THE CANDIDATE / OFFICEHOLDER. THESE EXPENDITURES MAY HAVE BEEN MADE WITHOUT THE CANDIDATE'S OR OFFICEHOLDER'S KNOWLEDGE OR CONSENT. CANDIDATES AND OFFICEHOLDERS ARE REQUIRED TO REPORT THIS INFORMATION ONLY IF THEY RECEIVE NOTICE OF SUCH EXPENDITURES.				
	COMMITTEE TYPE	COMMITTEE NAME			
	GENERAL	COMMITTEE ADDRESS			
	SPECIFIC	COMMITTEE CAMPAIGN TREASURER NAME			
		COMMITTEE CAMPAIGN TREASURER ADDRESS			

GO TO PAGE 2

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

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

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

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

Signature of Candidate or Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

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

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

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

Signature of Candidate/Officeholder (Declarant)

SUBTOTALS - C/OH

FORM C/OH COVER SHEET PG 3

19 FILER NAME

20 Filer ID (Ethics Commission Filers)

21 SCHEDULE SUBTOTALS
NAME OF SCHEDULE

SUBTOTAL
AMOUNT

1. SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

\$

2. SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

\$

3. SCHEDULE B: PLEDGED CONTRIBUTIONS

\$

4. SCHEDULE E: LOANS

\$

5. SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

\$

6. SCHEDULE F2: UNPAID INCURRED OBLIGATIONS

\$

7. SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

\$

8. SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD

\$

9. SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

\$

10. SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

\$

11. SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

\$

12. SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED
TO FILER

\$

SCHEDULE A1

The Instruction Guide explains how to complete this form.

1 Total pages Schedule A1:

2 FILER NAME

3 Filer ID (Ethics Commission Filers)

4 Date

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

7 Amount of contribution (\$)

6 Contributor address: _____ City: _____ State: _____ Zip Code _____

8 Principal occupation / Job title (See Instructions)

9 Employer (See Instructions)

Date _____

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

Amount of contribution (\$)

Contributor address; City; State; Zip Code

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date _____

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

Amount of contribution (\$)

Contributor address; City; State; Zip Code

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

Date _____

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

Amount of contribution (\$)

Contributor address; City; State; Zip Code

Principal occupation / Job title (See Instructions)

Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

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

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

PLEDGED CONTRIBUTIONS

SCHEDULE B

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

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

LOANS

SCHEDULE E

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F1

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee
Credit Card Payment

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

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

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

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

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

9 TYPE OF EXPENDITURE	Political Non-Political
-----------------------	-------------------------

10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense

11 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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Date	Payee name
------	------------

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

TYPE OF EXPENDITURE	Political Non-Political
---------------------	-------------------------

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense

Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

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

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

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

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

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

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

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense
Accounting/Banking
Consulting Expense
Contributions/Donations Made By
Candidate/Officeholder/Political Committee
Credit Card Payment

Event Expense
Fees
Food/Beverage Expense
Gift/Awards/Memorials Expense
Legal Services

Loan Repayment/Reimbursement
Office Overhead/Rental Expense
Polling Expense
Printing Expense
Salaries/Wages/Contract Labor

Solicitation/Fundraising Expense
Transportation Equipment & Related Expense
Travel In District
Travel Out Of District
Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE H

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

EXPENDITURE CATEGORIES FOR BOX 8(a)

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

The Instruction Guide explains how to complete this form.

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

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

The Instruction Guide explains how to complete this form.

1 Total pages Schedule I:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Payee name	
6 Amount (\$)	7 Payee address;	City State Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories.)	(b) Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE K

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

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

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

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

SCHEDULE T

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

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

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.

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

1 C/OH NAME

2 Filer ID (Ethics Commission Filers)

3 SIGNATURE

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

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

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

A. CAMPAIGN FUNDS

Check only one:

I do not have unexpended contributions or unexpended interest or income earned from political contributions.

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

B. ASSETS

Check only one:

I do not retain assets purchased with political contributions or interest or other income from political contributions.

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

Signature of Candidate

5 OFFICEHOLDER

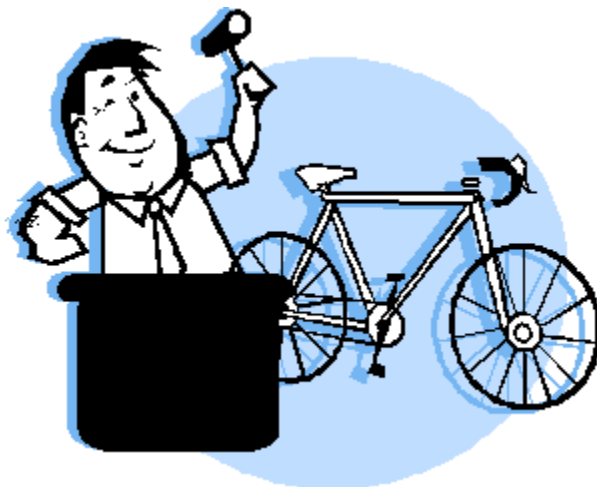
•• Complete this section *only* if you are an officeholder ••

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

Signature of Officeholder

POLITICAL FUNDRAISERS:

What You Need to Know



A GUIDE FOR CANDIDATES, OFFICEHOLDERS, AND POLITICAL COMMITTEES

January 1, 2022

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

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

Fundraising Events

Rule No. 1

File a Campaign Treasurer Appointment

All candidates must file a campaign treasurer appointment with the proper filing authority before accepting a campaign contribution or making or authorizing a campaign expenditure, including an expenditure from personal funds.

All political committees must file a campaign treasurer appointment before accepting or spending over ~~\$940~~~~\$930~~, and additional requirements may also apply.

Rule No. 2

No Raffles

Texas law allows only certain charitable and nonprofit organizations to conduct raffles to support their charitable causes. An unlawful raffle may constitute illegal gambling, which may carry criminal penalties.

For more information see: texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights on the Office of the Attorney General's website.

Rule No. 3

No Cash Contributions Over \$100

Texas law prohibits a candidate, officeholder, or specific-purpose committee from accepting political contributions in cash (excluding checks) that in the aggregate exceed \$100 from a single contributor in a reporting period.

Rule No. 4

Auction Activity is Reportable

Donations to a candidate or political committee at a fundraiser are campaign contributions.

An item donated to be auctioned at a fundraiser is an “in-kind” campaign contribution. The purchase of the item at the auction is also a contribution. Both the item and the purchase price must be reported as political contributions.

Rule No. 5

No Anonymous Contributions

Texas law requires filers to know the name of each contributor and the amount of each contribution, even for small contributions. Do not “pass the hat” or use a contribution jar. Depending on the filer and the amount of the contribution, additional information may be required.

Rule No. 6

No Contributions from Corporations or Labor Organizations

Texas law prohibits corporations and labor organizations from making political contributions to candidates, officeholders, and related specific-purpose committees. Contributions to GPACs are also restricted. Limited exceptions also exist.

The prohibition also applies to other organizations, such as partnerships and limited liability companies (LLC), if they are owned by a corporation or include an incorporated member or partner.

Rule No. 7

No Contributions from Foreign Nationals

The Federal Election Campaign Act (FECA) prohibits certain foreign nationals from contributing, donating, or spending funds in connection with any federal, state, or local election in the U.S., either directly or indirectly. It is also unlawful to help foreign nationals violate that ban or to solicit, receive, or accept contributions or donations from them.

Rule No. 8

No Misuse of Government Property to Campaign

Chapter 39 of the Penal Code prohibits a public servant from using government property, services, personnel, or any other thing of value belonging to the government to obtain a benefit or to harm or defraud another. The commission has held that the use of state computers to prepare campaign finance reports, or to use state resources to gather information for a campaign fundraiser, constitutes a misuse of government property.

Texas Ethics Commission

P.O. Box 12070

Austin, Texas 78711-2070

(512) 463-5800

Note: This brochure is not intended to encompass all the rules, but is intended to give a broad overview of the most common questions involving fundraisers. Be sure to check with the Texas Ethics Commission and your local municipality for any additional limits that might apply.

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POLITICAL ADVERTISING

What You Need to Know



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

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

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

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

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

(512) 463-5800

TDD (800) 735-2989

Visit us at www.ethics.state.tx.us.

REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

I. What Is Political Advertising?

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

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

Part A. What Does It Say?

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

Part B. Where Does It Appear?

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

II. When Is a Disclosure Statement Required?

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

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

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

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

III. What Should the Disclosure Statement Say?

A disclosure statement must include the following:

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

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

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

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

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

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

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

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

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

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

VI. The Fair Campaign Practices Act.

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

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

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

VII. Special Notice to Political Subdivisions and School Districts.

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

ROAD SIGNS

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

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

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

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

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

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

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

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

IV. What About Bumper Stickers?

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

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

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

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

MISREPRESENTATION

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

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

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

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

II. Misrepresentation of Office Title.

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

**Vote John Doe
for Attorney General**

**John Doe
For
Attorney General**

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

**Elect John Doe
Attorney General**

**John Doe
Attorney General**

III. Misrepresentation of Identity or Source.

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

IV. Use of State Seal.

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

V. Criminal Offenses.

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

HOME RULE CHARTER

City of

SANTA FE, TEXAS

Spanish translation of this document is available at City Hall and the Santa Fe Community Library.

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Santa Fe, Texas, Code of Ordinances
HOME RULE CHARTER City of SANTA FE, TEXAS

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We, the people of the City of Santa Fe, Texas in order to establish a home rule municipal government that will provide for the future progress of our City through local self government, do hereby adopt this Home Rule Charter in Accordance with the Statutes of the State of Texas; and do hereby declare the citizens of the City of Santa Fe, Galveston County, Texas, residing within legally established boundaries of said City, to be a political subdivision of the State of Texas incorporated forever under the name of the "City of Santa Fe" with such power, rights and duties as are herein provided.

ARTICLE 1
FORM OF GOVERNMENT AND BOUNDARIES

Section 1.01 FORM OF GOVERNMENT:

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

Section 1.02 THE BOUNDARIES

The boundaries of the City of Santa Fe are hereby established and located and situated in the County of Galveston, State of Texas, and described by the metes and bounds; such metes and bounds recorded in the office of the county clerk of Galveston County, Texas.

(Ordinance No. 14-2004 of May 27, 2004, Sec. 1, Exh. A.; Charter amendment, May 9, 2009)

Section 1.03 CITY LIMITS - EXTENSION OF BOUNDARIES

The City Council shall have power by ordinance to fix the boundary limits of the City of Santa Fe and to provide for the alteration and the extension of said boundary limits, and the annexation of additional territory lying adjacent to the City, with or without the consent of the inhabitants annexed subject to the procedures set forth in State law.

Section 1.04 CONTRACTION OF BOUNDARIES

Whenever there exists within the corporate limits of the City of Santa Fe any territory not suitable or necessary for City purposes, and lying adjacent to the corporate limits, the City Council may, upon a petition signed by a majority of the qualified voters residing in such territory if the same be inhabited, or without any such petition if the same be uninhabited, by ordinance duly passed, discontinue said territory as a part of said City; said petition and ordinance shall specify accurately the metes and bounds of the territory sought to be eliminated from the City and shall contain a plat designating such territory so that the same can be definitely ascertained; and when said ordinance has been duly passed the same shall be entered upon the minutes and records of said City, and from and after the entry of such ordinance said territory shall cease to be a part of said City, but said territory shall still be liable for its pro rata share of any debts incurred while said area was a part of said City, and the City shall continue to levy, assess and collect taxes on the property within said territory to pay the indebtedness incurred while said area was a part of the City as though the same had not been excluded from the boundaries of the City.

ARTICLE 2
POWERS OF CITY

Section 2.01 GENERAL

The City of Santa Fe may use a corporate seal; may sue and be sued; may contract and be contracted with; may implead and be impleaded in all courts in all matters whatsoever; may cooperate with the federal government, the government of the State of Texas or any agency thereof or any political subdivision of the State of Texas; and shall have all the powers granted to cities by the constitution and laws of the State of Texas, together with all the implied powers necessary to carry into execution all the power granted. The City may own or acquire property within or without its boundaries for any municipal purpose in fee simple or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation or may sell, lease, hold, manage, control and police any property now owned by it or which it may hereafter acquire, and shall have the right to lease or let its property whether inside or outside of the City Limits subject to the limitations hereinafter set out, and may construct, own, lease, operate and regulate public utilities, may assess, levy and collect taxes for general and special purposes on all lawful subjects of taxation; may borrow money on the faith and credit of the City by the issuance and sale of bonds, certificate of obligation, warrants or notes of the City; may appropriate the money of the City for all lawful purposes; may regulate and control the use, for whatever purpose, of the streets and other public places; may make and enforce all police, health, sanitary and other regulations; and may pass such ordinances as may be expedient for the protection and maintenance of good government, peace and welfare of the City, for the performance of the functions thereof, for the order and security of its residents, and may provide suitable penalties for the violations of any ordinance enacted by the City of Santa Fe; and except where prohibited by the constitution and laws of this State or restricted by this Charter, the City may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.

(Charter amendment, May 9, 2009)

Section 2.02 GENERAL POWERS ADOPTED

The enumeration of the particular powers in this Charter shall not be held or deemed to be exclusive. In addition to the powers enumerated herein or implied hereby or appropriate or the exercise of such powers, the City shall have and may exercise all power of local self-government and all other powers which, under the constitution and laws of the State of Texas, it would be competent for this Charter specifically to enumerate. The City of Santa Fe shall have and may exercise all the powers enumerated in Article 1175, Chapter 13, Title 28, of the Revised Civil Statutes of the State of Texas of 1925 as now or hereafter amended.

Section 2.03 EMINENT DOMAIN:

The City shall have the full power and right to exercise the power of eminent domain when necessary or desirable to carry out any of the powers conferred upon it by this Charter or by the constitution and laws of the State of Texas. The City may exercise the power of eminent domain in any manner authorized or permitted by the constitution and laws of this state. The power of eminent domain hereby conferred shall include the right of the governing authority, when so expressed, to take the fee in lands so condemned and such power and authority shall include the right to condemn public property for such purpose. The City shall have and possess the power of condemnation for any municipal or public purposes even though not specifically enumerated in this Charter.

Section 2.04 ZONING IN GENERAL:

The Council shall have full power and authority to zone the city and to pass all necessary ordinances, rules and regulations governing the same under and by virtue of the authority given cities and legislative bodies thereof by Articles 1011A through 1011J inclusive, of the 1925 Revised Civil Statutes of Texas as now or hereafter amended.

ARTICLE 3 ADMINISTRATIVE PROVISIONS

Section 3.01 CITY COUNCIL:

The powers of the municipal government and the administration of the business affairs of the City shall be conducted by a Mayor and five (5) Councilmen, who, together, shall be known and designated as the City Council. Each shall be elected by the qualified voters of the City at large by place and shall hold their respective offices for three (3) years, and until their successors are elected and qualified, unless sooner removed as provided by this Charter or the laws of the State of Texas. (The Mayor's position and positions two (2) and three (3) beginning with the 2009 election and positions one (1), four (4), and five (5) beginning with the 2010 election.) The Mayor shall be the presiding officer of the City Council and shall not vote, except in case of a tie vote. The Mayor shall have power to veto within 3 days, but the veto may be overridden by a simple majority at the next regular or special called meeting.

(Charter amendment, May 9, 2009)

Section 3.02 MAYOR:

The Mayor shall be recognized as the head of the City Government for all ceremonial purposes, by the courts for serving Civil processes, and by the governor for purposes of military law. In time of public danger or emergency, the Mayor shall take command of the police, maintain order and enforce the law. He shall see that all ordinances, bylaws, and resolutions of the Council are duly executed and put in force, sign all official documents such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts, and bonds. He shall appoint special committees as he deems advisable and as instructed by Council. He shall perform such other duties consistent with this Charter or as may be imposed upon him by Council.

Section 3.03 MAYOR PRO TEM:

The City Council shall, at its first meeting, following each regular election, or as soon thereafter as practicable elect one (1) of its members as Mayor Pro Tem, who shall perform the duties of the Mayor in case of his absence or inability to perform the duties of his office, and who shall for such a time, be vested with all the powers of the Mayor.

Section 3.04 ACTING MAYOR:

In case of the absence or inability of both the Mayor and the Mayor Pro Tem to perform the duties of their office, the remaining councilmen shall elect one of their members to act for that particular meeting in the place of the Mayor or the Mayor Pro Tem. An acting Mayor shall be selected to perform such duties for only one (1) meeting of the City Council, and for that particular meeting he shall be vested with all the powers of the Mayor.

Section 3.05 COUNCIL QUALIFICATIONS AND FILING FOR OFFICE:

In addition to any other qualifications prescribed by law, the Mayor, and each Councilman shall meet the following conditions while in office, and shall reside within the city limits while in office.

Section 3.06 ELIGIBILITY:

Eligibility to file. Each candidate for an elective City office shall meet the qualifications as prescribed by the Texas Election Code with the following exceptions:

- (a) Shall be a registered voter of the city.
- (b) Shall have resided continuously for at least twelve (12) months preceding the election within the corporate limits of the City, including territory annexed prior to the filing deadline.
- (c) Shall be at least 21 years of age.
- (d) No candidate may file more than one office or position number per election.
- (e) No employee of the City shall hold an elected City office. He shall be granted a leave of absence by the City Council, without pay, at the time of filing for office, until after the election.

(Charter amendment, May 9, 2009)

Section 3.07 JUDGE OF ELECTION QUALIFICATIONS:

The Council shall be the final judge of all elections and of qualifications of its members and any other elected officials of the City.

Section 3.08 COMPENSATION:

Members of the Council shall serve without compensation provided, however, that they shall be entitled to all necessary expenses incurred in the performance of their official Council duties upon approval by the Council.

Section 3.09 VACANCIES, FORFEITURE, FILLING OF VACANCIES:

- (a) Vacancies:

The office of a Councilman or office of the Mayor shall become vacant upon his death, resignation, removal from office in any manner authorized by law, or forfeiture of his office.

- (b) Forfeiture of Office:

A Councilman or the Mayor shall forfeit his office for certain offenses if so voted by a majority of the entire Council not affected by the forfeiture if he:

- (1) Lacks at any time during his term of office any qualification for the office prescribed by this Charter or by law.
- (2) Violates any expressed prohibition of this Charter, as determined by Council or the courts.
- (3) Is convicted of a crime involving moral turpitude, a felony, or a conflict of interest, or
- (4) Fails to attend three (3) consecutive regular Council meetings without being excused by the Council.

(c) Filling of Vacancies:

A single vacancy in the Council shall be filled within sixty (60) days of the occurrence of the vacancy by a majority vote of the remaining members of the Council by selection of a person qualified for the position as described in this Charter. This appointee shall serve until the position can be filled at the next regular City election. When more than one vacancy shall develop at any one time, a special election shall be called by the Council within sixty (60) days following the occurrence of the vacancies to fill the vacancies in the same manner as described herein for regular elections. However, if such vacancies occur within one hundred twenty (120) days of the regular election, then no special election shall be called and the remaining Council members shall appoint qualified persons to fill vacancies until the regular election. Notwithstanding the requirements in section 3.13 that a quorum of the Council consist of three members, if at any time the membership of the Council is reduced to less than four, the remaining members may by majority action appoint additional members to raise the membership to four. These appointees shall serve until the positions can be filled at the next regular or special City election. All vacancies filled by election shall be for the remainder of the unexpired term of the office so filled.

(Charter amendment, May 9, 2009)

Note(s)—Section 3.09 (c) is superseded by Section 11 of Article 11 of the Texas Constitution which requires a vacancy for a term exceeding 2 years but not exceeding 4 years to be filled by a special election with 120 days of the vacancy.

Section 3.10 GENERAL POWERS AND DUTIES:

All powers of the City shall be vested in the Council, except as otherwise provided by law or this Charter, and the Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.

Section 3.11 PROHIBITIONS:

(a) Holding other office:

Except where authorized by law, no Mayor or Councilman shall hold any other City office of City employment during his term as Mayor or Councilman, and no former Mayor or Councilman, shall hold any compensated appointive City office of city employment until one year after the expiration of his term as Mayor or Councilman.

(b) Appointments and Removals:

Neither the Council nor any of its members shall in any manner dictate the appointment or removal of any City Administrative officer or employees whom the Manager or any of his subordinates are empowered to appoint, but the Council may express its views and fully and freely discuss with the Manager anything pertaining to appointment and removal of such officers and employees.

(c) Interference with Administration:

Except for the purpose of inquiries and investigations under Section 3.19, the Council or its members shall deal with the City officers and employees who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately, except as otherwise provided in this Charter.

Section 3.12 MEETING OF COUNCIL:

The council shall hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City and its citizens. The Council shall fix, by ordinance, the days and time of regular meetings. Special meetings of the Council shall be held on the call of the Mayor or a majority of the Councilmen.

Section 3.13 QUORUM:

Three councilmen shall constitute a quorum for the purpose of transaction of business and no action of the Council shall be valid or binding unless adopted by the vote of three or more Councilmen. Councilmen shall not include the Mayor unless his vote is required to break a tie.

(Charter amendment, May 9, 2009)

Section 3.14 RULES OF PROCEDURE:

The Council, shall, by ordinance determine its own rules and order of business and the rules shall provide that citizens of the City shall have a reasonable opportunity to be heard at any meeting in regard to any matter under consideration.

Section 3.15 VOTING:

The Council shall provide for minutes being taken and recorded of all meetings, and such minutes shall be a public record. Voting, except on procedural motions shall be by roll call and the ayes and nays shall be recorded in the minutes.

All members of the Council present, excluding the Mayor except to break a tie, shall vote upon every resolution or ordinance, except where there is a conflict of interests, the reason for which shall be stated concisely in the records.

(Charter amendment, May 9, 2009)

Section 3.16 ORDINANCES IN GENERAL:

Ordinances and resolutions shall be introduced in the City Council only in written or printed form. Ordinances making appropriations shall be confined to the subject of appropriations. All ordinances except emergency ordinances, or those dealing with fines, penalties, budget, tax, franchises, public utilities or the setting of their rates, shall not be finally passed until they have been read on two separate days not less than 12 hours apart; provided however if an ordinance has been introduced at a regular meeting of the council the requirements for reading of two separate days may be dispensed with an affirmative vote of all the Council members present. The final reading of each ordinance shall be in full unless a written or printed copy thereof shall have been furnished to each member of the City Council prior to such meeting. The enacting clause of all ordinances shall be: "be it ordained by the City Council of the City of Santa Fe, Texas."

All ordinances which levy a fine or penalty and those which deal with franchises, public utilities or the setting of their rates, shall be read at two regular meetings followed by publication of a descriptive caption in one issue of the official newspaper of the City of Santa Fe before the same shall become effective.

Section 3.17 EMERGENCY ORDINANCES:

To meet a public emergency affecting life, property, or the public peace, the Council may adopt emergency ordinances. Such ordinances shall not levy taxes, grant, renew, or extend a franchise, or regulate the rate charged by any public utility for its services. Neither shall they authorize the borrowing of money, except as provided in Section 9.04. An emergency ordinance shall be introduced in the form and manner generally prescribed for ordinances, except that it shall be plainly designated in the title as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. Such emergency clause shall require the affirmative vote of three members of the City Council. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. After adoption, the ordinance shall be published as required for other adopted ordinances and shall become effective immediately. Every emergency ordinance so adopted, except one authorizing the borrowing of money as described herein, shall automatically stand repealed as of the sixty-first day following the day on which it became effective, but this shall not prevent reenactment of the ordinance.

Section 3.18 BONDS FOR CITY EMPLOYEES:

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

Section 3.19 INVESTIGATIVE BODY:

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

ARTICLE 4 ADMINISTRATIVE SERVICES

Section 4.01 CITY MANAGER:

(a) Appointment and Qualifications:

The Council by majority vote of entire council shall appoint a City Manager. The method of selection shall be left to the discretion of the City Council so long as the method insures orderly, nonpartisan action toward securing a competent and qualified person to fill the position. The City Manager shall be chosen solely upon the basis of his executive and administrative training, experience and ability. The City Manager shall be bonded at City expense in an amount of not less than ten thousand (\$10,000) dollars.

(b) Compensation:

The City Manager shall receive compensation as may be fixed by the Council according to his experience, educations, and training. The Compensation shall be agreed upon before appointment with the understanding that the Council may change it at their discretion.

(c) Residency: The City Manager shall reside within the city limits or the ETJ of the City of Santa Fe within six months of being hired by Council. Council may grant a variance.

(d) Term and Removal:

The City Manager shall not be appointed for a definitive term but may be removed at the discretion of the Council by a vote of the majority of the entire Council. The action of the Council in suspending or removing the City Manager shall be final. It is the intention of the Charter to vest all authority and fix all responsibilities of such suspension or removal in the Council.

(Charter amendment, May 9, 2009)

Section 4.02 POWERS AND DUTIES OF CITY MANAGER:

The City Manager shall be the chief executive and administrative officer of the City. He shall be responsible to the Council for the administration of all City affairs placed in his charge by or under this Charter. He shall have the following powers and duties:

- (a) Except as otherwise provided in this Charter, he shall, with approval of the Council, appoint the administrative officers or directors of the City's departments which are provided for in this Charter or created by ordinance, and shall make all appointments of lesser position in the City's service on recommendation of the administrative officer or director of the department affected. When he deems it necessary for the good of the City, he may suspend any City employee provided, however, that no administrative officer as head of a department may be removed without the consent of the Council.
- (b) He shall direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by statute or ordinances.
- (c) He shall attend all Council meetings and shall have the right to take part in discussion but may not vote.
- (d) He shall see that all laws, provisions of this Charter and acts of the Council, subject to enforcement by him or by officers subject to his direction and supervision, are faithfully executed.
- (e) He shall prepare and submit the annual budget and capital program to the Council.
- (f) He shall be responsible for the submission to the Council and make available to the public a complete report on the finances and administrative activities of the City at the end of each fiscal year.
- (g) He shall make such other reports as the Council may require concerning the operations of City departments, offices and agencies subject to his direction and supervision.
- (h) He shall keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as he deems desirable.
- (i) He shall perform such other duties as are specified in this Charter or may be required by the Council.
- (j) He shall be responsible for the proper handling, disbursement and reporting on all matters of finance, purchasing, property management and other acts required under article 9 of this Charter.

Section 4.03 ACTING CITY MANAGER:

The City Council shall appoint some person of suitable qualifications to serve as Acting City Manager during all vacancies in the office of City Manager. If an Administrative officer or departmental director is appointed Acting City Manager, such appointment shall be ex-officio and such officer shall not be deemed to be holding two civil offices of emolument. When an administrative officer or departmental director who may be serving ex-officio as Acting City Manager is not appointed as the regular City Manager, he shall revert to his former position, subject to removal only as provided in Section 4.02(a) of this Charter. Neither the Mayor nor any Councilman shall serve as Acting City Manager.

ARTICLE 5 ADMINISTRATIVE DEPARTMENTS

Section 5.01 GENERAL PROVISIONS:

(a) Creation of Departments.

The Council may by ordinance establish City Departments, offices or agencies in addition to those created by this Charter and may prescribe the function of all departments, offices and agencies, except that no function assigned by this Charter to a particular department, office or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.

(b) Direction by Manager.

All departments, offices and agencies under the direction and supervision of the City Manager shall be administered by an officer appointed by and subject to the direction and supervision of the City Manager. The appointments of the directors of all departments established by the Council or by this Charter shall be subject to the approval of the Council, but approval by the Council shall not be required for the heads of subdivisions of any department, office or agency, or of any other subordinate employee of the City. The City Manager may serve as head of one or more such departments, offices or agencies or may appoint a person as the head of two or more of them.

(c) Each department head shall report to the Council, until such time as a City Manager assumes responsibility.

Section 5.02 MUNICIPAL COURT:

There shall be a court known as The Municipal Court of the City of Santa Fe, with such jurisdiction, powers and duties as are given and prescribed by the laws of the State of Texas.

Section 5.03 JUDGE OF MUNICIPAL COURT:

The Municipal Court shall be presided over by a magistrate who shall be known as the Judge of the Municipal Court. The Presiding Judge shall be a licensed attorney in the State of Texas and shall be appointed by the Council to serve at the discretion of the Council. Associate, temporary, and relief judges are not required to be licensed attorneys. The City Council, by ordinance, may divide the Municipal Court into two (2) or more panels or divisions, each to be presided over by a magistrate one of whom shall be the Presiding Judge, and the other magistrates shall be Associate Judges, and by ordinance may provide for Temporary or Relief Judges to sit for the regular Judge or for the Presiding Judge or Associate Judges when such Judge or Judges, any or all, are temporarily unable to act for any reason, in accordance with the laws of the State of Texas relating to the Municipal Court in Home Rule Cities. Any or all such judges shall be appointed by the City Council and shall serve at the discretion of the City Council. Such Judge or Judges shall receive such compensation as may be set by the City Council.

(Charter amendment, May 9, 2009)

Section 5.04 CLERK OF MUNICIPAL COURT:

There shall be a Clerk of the Municipal Court who shall be appointed by the City Manager. The Clerk shall have the power to administer oaths and affidavits, make certificates, affix the seal of the Court thereto, and otherwise perform any and all acts necessary in issuing process of such Court and conducting the business thereof.

Section 5.05 CITY ATTORNEY:

The City Council shall appoint a competent and duly licensed attorney practicing law in the State of Texas, who shall be the City Attorney. He shall receive for his services such compensation as may be fixed by the City Council

and shall hold his office at the pleasure of the City Council. The City Attorney or such other attorneys selected by him with the approval of the City Council, will represent the City in all litigations. He shall be the legal advisor of, and attorney and counsel for, the City and all officers and departments thereof.

Notwithstanding the above provisions, the Council may engage special legal counsel to represent the City of Santa Fe in any specific matter or for the performance of any specifically delineated duties otherwise to be performed by the City Attorney.

Section 5.06 CITY SECRETARY-APPOINTMENT; REMOVAL; COMPENSATION:

The City Council shall appoint a City Secretary who shall serve at the discretion of the Council. He shall receive such compensation as shall be fixed by the Council.

Section 5.07 DUTIES OF CITY SECRETARY:

The City Secretary shall:

1. attend all meeting of the City Council and keep accurate records of all actions taken by the Council;
2. maintain the official records and files of the City;
3. keep and affix the seal of the corporation to documents as required by law or custom;
4. attest contracts, assessment certificates and other legal instruments when executed by the authorized officers of the City;
5. serve as the election official for all City elections; and
6. perform such other duties as may be required of him by this Charter, the City Council, or State law.

ARTICLE 6 NOMINATIONS AND ELECTIONS

Section 6.01 CITY ELECTIONS:

(a) Schedule.

The General City Election will be held annually on the uniform election date in May as prescribed by the Texas Election Code. The Council shall be responsible to specify places for holding such election.

(b) Special Election.

The Council may, by resolution, order a special election under conditions specified elsewhere in this Charter, or for ordinances, bond issues, charter amendments, recall or other purposes deemed appropriate by Council. The Council will fix time and places for holding such special elections in accordance with the Texas Election Code, and provide all means for holding same.

(c) Voter Eligibility List.

A certified list of voter registrants within the City, as prepared by the County-Tax Assessor-Collector, shall be maintained current by the County Tax Assessor-Collector.

(d) Conduct and Regulation of Elections.

All City elections shall be governed by the Constitution of the State of Texas, general laws of the State, this Charter, and ordinance of the City, in the order named. Municipal elections shall be conducted by the election officials appointed or approved by the Council.

(e) Publicizing City Elections.

It is the responsibility of the Council to inform the voters as to the time, place, date and purpose, for the upcoming general city election, in accordance with the Texas Election Code.

(Charter amendment, May 9, 2009)

Section 6.02 CANVASSING:

The returns of every municipal election shall be delivered from the election judge to the City Secretary at City Hall not later than twelve (12) hours after the closing of the polls. One extra copy shall be delivered for the Mayor at this time. The Council shall canvass the returns in accordance with the Texas Election Code. The returns of every municipal election shall be recorded in the minutes of the Council, by totals for each candidate, or, for or against each issue submitted.

(Charter amendment, May 9, 2009)

Section 6.03 ELECTION BY MAJORITY:

A majority vote for an election office is that number of votes which is greater than one-half of the total number of valid ballots cast for the office concerned. Any candidate for elective office who receives a majority vote shall be declared elected. If none of the candidates for an elective position receives a majority vote, none of such candidates shall be elected.

Section 6.04 RUN-OFF ELECTION:

In the event no candidate for an elective office receives a majority of the votes cast for that position in the general city or special election or there is a tie for first place, a run-off election shall be held between the two (2) candidates who received the greatest number of votes. Such run-off election shall be held as prescribed by the Texas Election Code.

(Charter amendment, May 9, 2009)

Section 6.05 FILING FOR OFFICE:

Eligibility to File:

Each candidate for an elective city office shall meet the following qualifications:

- (a) Qualification: Qualified as stated in Council Qualifications of this Charter in Section 3.05.
- (b) Nomination: A person desiring to become a candidate for Mayor, or for any place on the City Council, or any other elected office, may file an application for a place on the ballot with the City Secretary in accordance with the Texas Election Code.

(Charter amendment, May 9, 2009)

Section 6.06 OFFICIAL BALLOTS

(a) Names on Ballot.

The name of each candidate nominated for office, except those who have withdrawn, died or become ineligible, shall be printed on the official ballots without party designation or symbol, and in the form

designed by the candidate. If two or more candidates have the same surname or surnames so similar as to be likely to cause confusion, their residence addresses shall be printed with their names on the ballot.

(b) Order of Listing.

The order on the ballot of the names of the candidates shall be determined by lot in a drawing to be held under the supervision of the City Secretary.

(c) Early Voting Ballots.

Procedures for early voting shall be consistent with current edition of Texas Election Laws.

(d) Ballots for Ordinances, Bond Issues, and Charter Amendments.

An ordinance, bond issue or charter amendment, to be voted on by registered voters of the City shall be presented for voting by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement approved by majority of the whole Council, describing the substance of the measure without argument or prejudice. Below the ballot title shall appear the following question: "Shall the above described (Ordinance) (Bond issue) (Amendment) be adopted?" Immediately below or to the left of such question shall appear, in the following order, the words "Yes" and "No" each with a square in which the voter may cast his vote.

(Charter amendment, May 9, 2009)

Section 6.07 TAKING OFFICE:

The City Secretary shall promptly notify all persons elected to office. A candidate who is elected in a general, special or run-off City election shall, after taking the oath of office, take office, and enter into his duties at the next regular Council meeting after the returns are canvassed.

(Charter amendment, May 9, 2009)

ARTICLE 7 INITIATIVE, REFERENDUM AND RECALL

Section 7.01 POWER OF INITIATIVE:

The voters shall have power to propose any ordinance except an ordinance appropriating money or authorizing the levy of taxes, and to adopt or reject the same at the polls, such power being known as the initiative. Any initiative ordinance may be submitted to the Council by a petition signed by currently qualified voters of the City equal in number to at least twenty (20) percent of the total number of votes cast at the last general city election, or 250, whichever is the greater.

Section 7.02 POWER OF REFERENDUM:

The voters shall have power to approve or reject at the polls any ordinance passed by the Council or submitted by the Council to a vote of the voters, such power being known as the referendum, except in cases of bond ordinances and ordinances making the annual tax levy. Ordinances submitted to the Council by initiative petition and passed by the Council without change shall be subject to the referendum in the same manner as other ordinances. Within twenty (20) days after the enactment by the Council of any ordinance which is subject to a referendum, a petition signed by currently qualified voters of the City equal in number to at least twenty (20) percent of the total number of the votes cast at the last general city election or 250, whichever is greater, may file with the City Secretary requesting that any such ordinance be submitted to a vote of the voters.

Section 7.03 FREQUENCY OF ELECTION.

Special elections on initiated or referred ordinances shall not be held more frequently than once each six (6) months, and no ordinance on the same subject as an initiated ordinance which has been defeated or on the same subject as a referred ordinance which has been approved at any election may be initiated by the voters within one (1) year from the date of such election.

Section 7.04 SCOPE OF RECALL:

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

Section 7.05 PETITIONS FOR RECALL:

Before the question of recall of such officer shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of City Secretary: Which said petition shall be signed by qualified voters of the City equal in number to at least twenty percent (20%) of the number of votes cast in the last general City election, or 250, whichever is greater. Each signer of such recall petition shall personally sign his own name thereto in ink or indelible pencil, and shall write after his name, voters registration number or date of birth, place of residence, giving name of street and number, and shall also write thereon the day, the month and year his signature was affixed.

(Charter amendment, May 9, 2009)

Section 7.06 RECALL PROCEDURE:

Any registered voters of the City may make and file with the person performing the duties of City Secretary an affidavit containing the name or names of the officer(s) whose removal is sought and a statement of the grounds for removal. The City Secretary shall immediately notify in writing the officer(s) sought to be removed that the affidavit has been filed and shall inform the officer(s) of its statement of grounds. The City Secretary shall within a period of two (2) working days from the time the affidavit was filed thereupon deliver to the registered voters making such affidavit copies of petition blanks demanding such removal. The City Secretary shall keep a sufficient number of such printed petition blanks on hand for distribution. Such blanks when issued by the City Secretary shall bear the signature of the City Secretary and be of such as prescribed in Section 7.07 of this Article, and shall be numbered, dated, and indicate the name of the person to whom issued. The City Secretary shall enter in a record to be kept in his office the name of the registered voters to whom the petition blanks were issued and the number to said persons.

Section 7.07 FORM OF RECALL PETITION:

The recall petition mentioned above must be addressed to the City Council of the City of Santa Fe, must distinctly and specifically state the grounds(s) upon which such petition for removal is predicated, and, if there be more than one ground, such as for incompetency, noncompliance with this Charter, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of such matters and things with which he is charged. Recall petition papers provided by the person performing the duties of City Secretary shall be in form substantially as follows:

We the undersigned registered voters of the City of Santa Fe hereby demand the question of removing (Name of Person) from the office of (Name of Office) be submitted to a vote of the registered voters of the City. The charges and specifications upon which this demand for removal is predicated are as follows:

NAME ADDRESS DATE

The signatures shall be verified by oath in the following form:

"STATE OF TEXAS
COUNTY OF GALVESTON"

I, _____, being first duly sworn, on oath depose and say that I am one of the signers of the above petition; and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person whose name it purports to be.

_____ Sworn and subscribed to, before me this _____ day of _____ 20____.

Notary Public in and for the State of Texas

(Charter amendment, May 9, 2009)

Section 7.08 VARIOUS PAPERS CONSTITUTING RECALL PETITION:

(a) The petition may consist of one or more copies, or subscription list, circulated separately, and the signatures thereto may be upon the paper or papers containing the form of petition, or upon other papers attached thereto. Verifications provided for in Section 7.05 of this Article may be made by one or more petitioners, and the several parts or copies of the petition may be filed separately and by different persons. No signatures to such petition shall remain effective or be counted which were placed thereon more than forty-five (45) days prior to the filing of such original petition or petitions with the person performing the duties of City Secretary on the same day. The said Secretary shall immediately notify in writing, by registered mail, the officer so sought to be removed.

(b) Certification procedures as described in 7.16 shall be followed in certification of the recall petition.

Presentation of Recall Petition to City Council:

The person performing the duties of City Secretary shall present such certified petition to the City Council at the next regular Council meeting.

Section 7.09 PUBLIC HEARING TO BE HELD ON RECALL PETITION

The officer whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

Section 7.10 RECALL ELECTION TO BE CALLED

If the officer whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and fix a date for holding such recall election. The election must be held on the first authorized uniform election date that affords enough time to hold the election in the manner required by law.

(Charter amendment, May 9, 2009)

Section 7.11 BALLOTS IN RECALL ELECTIONS

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

- (a) With respect to each person whose removal is sought, the question shall be submitted: "Shall (Name of Person) be removed from the office (Name of Office) by recall?"
- (b) Immediately below each such question there shall be printed the two following words one above the other, in order indicated:
"YES"
"NO"

Section 7.12 RESULTS OF RECALL ELECTION

If a majority of the votes cast at a recall election shall be against the recall of the person named on the ballot, he shall continue in office for the remainder of his unexpired term subject to recall as before. If a majority of the votes cast at such an election be for the recall of the person named on the ballot, he shall, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy shall be filled as vacancies in the City Council are filled.

In no instance shall an officer(s) removed from office by recall election succeed himself or themselves, nor shall his or their names appear on a ballot for elective office of the City of Santa Fe within a period of two (2) years following the date of the election at which he or they were removed from office.

Section 7.13 RECALL, RESTRICTION THEREON:

No recall petition shall be filed against any officer of the City of Santa Fe within three (3) months after his election or appointment, nor within six (6) months after an election for such officer's recall. A recall election need not be ordered by the Council if the term of office of the elected officer against whom a petition is filed is to expire within ninety (90) days after the petition is filed with the City Secretary.

Section 7.14 FAILURE OF CITY COUNCIL TO CALL AN ELECTION:

In case all of the requirements of this Charter have been met and the City Council shall fail or refuse to receive the recall petition, or order such recall election, or discharge any other duties imposed upon said City Council by the provisions of this Charter with reference to such recall, then the County Judge of Galveston County, Texas, shall discharge any such duties herein provided to be discharged by the person performing the duties of City Secretary or by the City Council.

Section 7.15 FORM OF PETITION:

Initiative petition papers shall contain the full text of the proposed ordinance. The signatures to initiative or referendum petitions need not all be appended to one paper, but to each separate petition there shall be attached

a statement of the circulator thereof as provided by this section. Each signer of any petition paper shall sign his name in ink or indelible pencil, and shall indicate after his name his place of residence by street and number, or other description sufficient to identify the place. There shall appear on each petition the names and addresses of five (5) voters, who, as a committee of the petitioners, shall be regarded as responsible for the circulation and filing of the petition. Attached to each separate petition paper there shall be an affidavit of the circulator thereof that only be personally circulated the fore-going paper, that it bears a stated number of signatures appended thereto which were made in his presence, and that he believes them to be the genuine signatures of the persons whose names they support to be. The number of circulators is not limited.

Section 7.16 FILING EXAMINATION AND CERTIFICATIONS:

All petition papers comprising an initiative or referendum petition shall be assembled and filed with the City Secretary as one instrument. Within ten (10) days after the petition is filed, the City Secretary shall determine whether each paper of the petition has a proper statement of the circulator, and whether the petition is signed by a sufficient number of qualified voters. The City Secretary shall declare any petition paper entirely invalid which does not have attached thereto an affidavit signed by the circulator thereof. After completing his examination of the petition, if the City Secretary certifies that the petition is insufficient, he shall set forth in his certificate the particulars in which it is defective, and shall at once notify the petitioners of his findings. The City Secretary shall then notify the Council of the results of his examination at its next regular meeting.

An initiative or referendum petition may be amended at any time within ten (10) days after the notification of the insufficiency had been sent by the City Secretary, by the filing of a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The City Secretary shall, within five (5) days after such an amendment is filed, make examination of the amended petition, and, if the petition be still insufficient, he shall file his certificate to that effect in his office, and notify the committee of petitioners of his findings, and no further action shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

When a referendum petition, or amended petition as defined above, has been certified as sufficient by the City Secretary, the ordinance specified in the petition shall not go into effect, or [further] action thereunder shall be suspended if it shall have gone into effect, until and unless approved by the voters, as hereinafter provided.

Section 7.17 COUNCIL CONSIDERATION AND SUBMISSION TO VOTERS

Whenever the Council receives a certified initiative or referendum petition from the City Secretary, it shall proceed at once to consider such petition. A proposed initiative ordinance shall be read, and provision shall be made for a public hearing upon the proposed ordinance. The Council shall take final action on the ordinance not later than sixty (60) days after the date on which such ordinance was submitted to the Council by the City Secretary. A referred ordinance shall be reconsidered by the Council, and its final vote upon such reconsideration shall be upon the question, "Shall the ordinance specified in the referendum petition be repealed?"

If the Council shall fail to pass an ordinance proposed by the initiative petition, or shall pass it in a form different from that set forth in the petition therefore, or if the Council fails to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the voters not less than thirty (30) days nor more than ninety (90) days from the date the Council takes its final vote thereon. The Council shall, if no regular election is to be held within such period, provide for a regular election.

Ordinances submitted to a vote of the voters in accordance with the initiative and referendum provisions of this Charter shall be submitted by ballot title, which shall be prepared in all cases by the City Attorney, but it shall be finally approved by the City Council. The ballot title may be different from the legal title of any such initiated or referred ordinance and shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance and if a paper ballot is used, it shall have below the ballot title the following

propositions, one above the other in the order indicated: "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE." Any number of ordinances may be voted on at the same election, and may be submitted on the same ballot, but any paper ballot used for voting on a initiated or referred ordinance or ordinances shall be for that purpose only. If voting machines are used, the ballot title of any ordinance shall have below it the same two propositions, one above the other or one preceding the other in the order indicated, and the voter shall be given an opportunity to vote for either of the two propositions and thereby to vote for or against the ordinance.

Section 7.18 REFERENDUM PETITION: SUSPENSION OF EFFECT OF ORDINANCES

When a referendum petition is filed with the City Secretary, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

- (a) there is a final determination of insufficiency of the petition, or
- (b) the petitioners' committee withdraws the petition, or
- (c) the Council repeals the ordinance, or
- (d) thirty (30) days have elapsed after vote for repeal of the ordinance has failed.

Section 7.19 RESULTS OF REFERENDUM ELECTIONS

If a majority of the voters voting on a proposed initiative ordinance shall vote in favor thereof, it shall thereupon be an ordinance of the City. A referred ordinance which is not approved by a majority of the voters voting thereon shall thereupon be deemed repealed. If the conflicting ordinances are approved by the voters at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Initiative and referendum ordinances adopted or approved by the voters shall be published, and may be amended or repealed by the Council, after a period of two years has elapsed.

Section 7.20 COURT REVIEW: NEW PETITION

In the event the petition is found to be insufficient then a final determination as to the sufficiency of a petition shall be subject to review in a court of competent jurisdiction and higher. A final determination of insufficiency, even if sustained upon Court review, shall not prejudice the filing of a new petition for the same purpose.

ARTICLE 8 BOARDS AND COMMISSIONS

Section 8.01 GENERAL POWERS

The City Council shall have authority to establish by ordinance such boards and commissions as it may deem necessary for the conduct of City business and management of municipal affairs. The authority, functions and responsibilities of such boards and commissions shall be such as is spelled out in the ordinance establishing them. All existing boards and commissions heretofore established shall be continued in accordance with the ordinance or other acts under which they have been created, or until the City Council shall by ordinance abolish, modify or alter the ordinances or acts under which they exist. Notwithstanding any other provision of this Charter, the elected City Council shall have paramount authority over all matters affecting the budgets, appropriation of funds, expenditures, purchases and sale of properties and procedures for accounting therefore, consistent with the expressed provisions of this Charter and applicable provisions of the State constitution and laws of this State.

ARTICLE 9 FINANCIAL ADMINISTRATION

Section 9.01 FISCAL YEAR

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

Section 9.02 SUBMISSION OF BUDGET

On or before the first meeting of July of each year, the City Manager shall submit to the Council a proposed budget for the ensuing fiscal year and the budget message. The Council shall review the proposed budget and make any appropriate changes prior to publishing the final budget.

Section 9.03 BUDGET

A. Budget Message: A budget message explaining the budget both in fiscal terms and in terms of the work programs shall be submitted with the budget. It shall outline the proposed financial programs of the City for the ensuing fiscal year, the capital program, and capital projects for five fiscal years succeeding the budget year. It shall describe the important features of the budget year and indicate any major changes from the current year in financial policies, expenditures, and revenues including the reasons for such changes. It shall also summarize the City's debt position and contain such other material as the City Manager deems desirable.

B. Budget Scope: The budget shall provide a complete financial plan of all City funds and activities and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable or the Council may require. The budget shall be so arranged as to show comparative figures for actual and budgeted income and expenditure for the preceding fiscal year; budgeted and estimated income and expenditure for the current fiscal year; actual income and expenditure of the current fiscal year up to the time of preparation of the budget; and estimated income and expenditure for the next fiscal year. The total of the proposed expenditures for the budgeted year shall not exceed the estimated income and surplus.

C. Content: The budget shall contain in separate sections the following:

1. A clear general summary of contents.
2. A consolidated statement of receipts and expenditures of all funds.
3. An analysis and itemization of all estimated income of the City from surplus, miscellaneous income and taxes with miscellaneous income subclassified by source.
4. Tax rates and collections for the preceding five years or from incorporation of the City if the latter is less than five (5) year.
5. An itemized statement of expenditures for pending and proposed new capital projects. Included shall be the amounts appropriated from the budget, the amounts to be raised by issuance of bonds, and the amount required for down payment.
6. The amount required for sinking funds, for maturing serial bonds, and for interest on the City's debts.
7. The total amount of the City's outstanding debts, with a schedule of maturity on bond issues in an attachment.
8. A detailed estimate of the operating expenses of each department, office or agency.
9. Statement of estimated net surplus or deficit for the ensuing fiscal year of each utility owned and operated by the City. A subsidiary budget for each utility shall be included giving details of income and expenditures.

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10. Such other information as is required by Council or deemed desirable by the City Manager.
 11. A contingency fund may be included not to exceed five percent of the General Fund proposed expenditure; and
 12. Such dedicated reserves as may be required.

D. Public Notice and Hearing: The Council shall post in the City Office and publish in the official newspaper a general summary of the proposed budget and a notice stating:

1. The times and places where copies of the message and budget are available for inspection by the public; and
2. The time and place, not less than ten (10) days, nor more than thirty (30) days after such publication, for a public hearing on the budget.

E. Council Action:

1. The Council shall hold a public hearing on the budget as submitted at the time and place, so advertised or at another time and place with proper notification. All interested persons shall be given an opportunity to be heard, either for or against any item of the proposed budget.
2. After the public hearing, the Council may adopt the budget with or without amendment.
3. The Council shall adopt the budget by ordinance on one reading. Adoption of the budget will require an affirmative vote of a majority of the entire Council. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.

F. Failure to Adopt: If the Council fails to adopt the budget by the last regular meeting of September, the amounts appropriated for operation during the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the Council adopts a budget for the ensuing fiscal year. The levy of property tax normally approved as part of the budget adoption will be set such that the tax receipts for the budgeted year shall equal the tax receipts of the current fiscal year.

Section 9.04 AMENDMENTS AFTER ADOPTION

A. Supplemental appropriations: If during the fiscal year the manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council may carry the excess into the next fiscal year or by ordinance may make supplemental appropriations to retire indebtedness or to fund emergency appropriations.

B. At any time, in the fiscal year, the Council may not, pursuant to this section, make emergency appropriations, except that in case of grave public necessity, to meet unusual and unforeseen conditions which could not by reasonably diligent thought and attention have been included in the original budget. Such appropriation shall be by ordinance adopted by the favorable votes of four-fifths (4/5) of the Councilmen qualified and serving, and shall be made only upon recommendation of the Mayor or City Manager.

C. Borrowing to Meet Emergency Appropriations. In the absence of inappropriated available revenues or other funds to meet emergency appropriations under the provisions of the next preceding section, the Council may, by resolution, authorize the borrowing of money to meet such deficit by the issuance of notes, each of which shall be designated "Emergency Note" and may be renewed from time to time, but all such notes of any such fiscal year and any renewals thereof shall mature and be payable not later than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation was made, as provided in the last preceding section.

D. Reduction of Appropriations: If at any time during the fiscal year it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, he shall report to the Council without

delay, indicating the estimated amount of deficit, any remedial action taken by him and his recommendation as to any other steps to be taken. The Council shall then take such further action that it deems necessary to prevent or minimize any deficit.

E. Transfer of Appropriations: At any time during the fiscal year the City Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency. The Council may require their approval of these transfers within departments above a limit established by the Council. Upon written request by the City Manager, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

F. Limitations: No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance.

G. Effective Date: The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption of the ordinance.

Section 9.05 CAPITAL PROGRAM

The City Manager shall submit a five year capital program as an attachment to the annual budget. The capital program shall include the proposed program by the planning commission and comments by the City Manager. The program as submitted shall include:

1. A clear general summary of its contents;
2. A list of all capital improvements which are proposed to be undertaken during the five fiscal years succeeding the budget year, with appropriate supporting information as to the necessity for such improvements;
3. Cost estimates, method of financing and recommended time schedules for each such improvement; and
4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

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

Section 9.06 PUBLIC RECORDS

Copies of the budget and the capital programs as adopted shall be public records and shall be made available to the public upon request.

Section 9.07 LAPSE OF APPROPRIATIONS

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation.

ARTICLE 10 TAX ADMINISTRATION

Section 10.01 ASSESSMENT AND COLLECTION OF TAX:

The assessment and collection of ad valorem taxes shall be compliant with the Texas Property Tax Code and Property Tax law. Subject to the approval of the City Council, the collection of taxes may be performed under contractual agreement with a third party.

(Charter amendment, May 9, 2009)

Section 10.02 POWER TO TAX:

The City shall have the power to levy, assess and collect taxes of every character, and for any municipal purpose not prohibited by the Constitution and laws of the State of Texas as now or hereafter amended. The City shall have the power to levy taxes at a maximum increase of 7.50 percent (7 1/2%) above the effective tax rate and not to exceed the maximum rate of ninety cents (90¢) per one hundred dollars (\$100) valuation. A tax levy in excess of this maximum rate must be approved by a majority of the votes cast by the electors of the City of Santa Fe. The tax rate will apply to the general fund, however, no tax limit will be set against any tax levied for the retirement of bonded indebtedness which has been authorized by the vote of the people.

(Charter amendment, May 9, 2009)

Section 10.03 ASSESSMENT OF PROPERTY:

A. The basis for valuation for all taxable property shall be its market value as of the first day of January of each year.

B. The Assessor-Collector shall be responsible for providing an assessment roll of said property by the first day of August of each year. This assessment roll shall be available for public inspection. If a change is made in an individual assessment from the previous year or a change is made in the owner's rendition of said property, a written notice shall be sent to such owner at his last known address, notifying him of such change and advising him that he may appear before the Assessor-Collector and/or the Board of Equalization to protest such change.

(Charter amendment, May 9, 2009)

Section 10.04 TAXES: WHEN DUE AND PAYABLE:

All taxes due the City of Santa Fe on real and personal property shall be payable at the office of the Assessor-Collector and may be paid at any time after the tax rolls for the year have been completed and approved, which shall be no later than October 1. Taxes shall be paid before February 1, and all such taxes not paid prior to such date shall be deemed delinquent, and shall be subject to such penalty and interest as the City Council may provide by ordinance. The City Council may provide further by ordinance that all taxes, either current or delinquent, due the City of Santa Fe may be paid in installments. Failure to levy and assess taxes through omission in preparation of the approved tax roll shall not relieve the person, firm or corporation so omitted from obligation to pay such current or past due taxes as shown to be payable by recheck of the rolls and receipts for the years in question. No penalty or interest shall be added for unassessed years.

(Charter amendment, May 9, 2009)

Section 10.05 TAX LIENS:

The tax levied by the City is hereby declared to be a lien, charge or encumbrance upon real or personal property as of January 1 upon which the tax is due, which lien, charge or encumbrance the City is entitled to enforce and foreclose in any court having jurisdiction over the same. The lien, charge or encumbrance of the property is such as to give the state courts jurisdiction to enforce and foreclose said lien on the property on which

the tax is due, not only as against any resident of this state or person whose residence is unknown, but also as against non-resident. All taxes upon real estate and personal property shall especially be a lien and a charge upon the property on which the taxes are due, which lien may be foreclosed in any court having jurisdiction.

Section 10.06 ISSUANCE OF BONDS:

The City may issue bonds to pay for any property or public improvement which it may lawfully acquire or construct, to pay for any improvement the cost of which is to be assessed wholly or in part against abutting or benefiting property, or to fund or refund any indebtedness outstanding at the time this Charter takes effect for which inadequate provisions for payment has been made; but no bonds shall be issued to pay current expenses. The enumeration, in the preceding sentence, of particular powers of the City in connection with the issuance of bonds shall not be held or deemed to exclusive; and, in addition to the powers enumerated or implied in the preceding sentence, or appropriate to the exercise of such powers, it is intended that the city of Santa Fe shall have and may exercise the authority to issue revenue bonds for the purchase of utilities or any self-liquidating asset for which revenue bonds may lawfully be issued. It is intended that the City of Santa Fe shall have and may exercise the authority to issue bonds for the construction and extra-ordinary maintenance of necessary civic improvements or facilities within or without the City limits. No tax bonds of the City, excepting funding and refunding bonds, shall be issued until first approved by a majority of the duly qualified resident electors of the City of Santa Fe. All bonds shall be authorized by ordinance passed by an affirmative vote of at least a majority of the members of the Council. The City shall have full authority to issue bonds, warrants and other obligations under the provisions of Chapter 453, Acts of the Second Called Session of the 44th Legislature of Texas, 1935, Articles 1111 to 1118A, Chapters 1 and 7 Title 22 of the Revised Civil Statutes of Texas, 1925, Chapter 163, Acts of the 42nd Legislature of Texas, Regular Session, and other general laws relating to the issuance of bonds, warrants and obligations by a municipal corporation as each of said laws has heretofore been amended or hereafter may be amended.

ARTICLE 11 FRANCHISE OF PUBLIC UTILITIES

Section 11.01 POWERS OF THE CITY

In addition to the City's power to buy, construct, lease, maintain, operate and regulate public utilities and to manufacture, distribute and sell the output of such utility operations, the City shall have such further powers as may now or hereafter be granted under the Constitution and laws of the State of Texas.

Section 11.02 FRANCHISE, POWER OF COUNCIL

The Council shall have power to grant, amend, renew or extend by ordinance all franchises of all public utilities of every character including any person, business or corporation providing cable television or community antenna television service, operating within the City of Santa Fe, and for such purposes is granted full power. No public utility franchise shall be transferable except to persons, firms or corporations taking all or substantially all of the holder's business in the City and except with the approval of the Council expressed by ordinance. No franchise shall be granted for an indeterminate term. No exclusive franchise shall ever be granted.

Section 11.03 ACQUISITION BY EMINENT DOMAIN

The City shall have the power through eminent domain proceedings to acquire any public utility operating with or without a franchise and furnishing a public service to the citizens of Santa Fe. The procedure to be used in the acquisition of such property, shall be that as set forth in Article 3264 to Article 3271 inclusive, Title 52, Revised Civil Statutes of the State of Texas. In valuing the property, the measure of damages shall be the fair market value of the physical properties together with its franchise, if any, taken together as one system. This power shall be in

addition to and cumulative of any other powers of acquisition granted to or reserved by the City in a franchise ordinance.

Section 11.04 NO PUBLIC UTILITY PURCHASE WITHOUT VOTER APPROVAL

Prior to the purchase of any existing franchised public utility system, either according to the terms of the franchise or by eminent domain, the City Council must submit the question of the purchase to the qualified voters of the City of Santa Fe, and the same must be approved by a majority of those voting in the election.

Section 11.05 RIGHT OF REGULATIONS

All grants, renewals, extensions or amendments to public utility franchises, whether it be so provided in the ordinance or not, shall be subject to the right of the City.

- (a) To repeal the same by ordinance at any time for failure to begin construction or operation within the time prescribed or for failure otherwise to comply with the terms of the franchise, such power to be exercised only after due notice and hearing.
- (b) To require an adequate and reasonable extension of plant and service, and the maintenance of the plant and fixtures at the standard necessary to render the highest reasonable quality of utility service to the public.
- (c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates.
- (d) To prescribe the form of accounts kept by each such utility. If the franchise or ordinance does not prescribe the form of accounts kept by each utility, then it shall keep its accounts in accordance with the utility system of accounts for said utility prescribed by the appropriate State and/or Federal utility regulatory agencies.
- (e) To examine and audit the accounts and other records of any such utility at any time and to require annual and other reports, including reports on local operations by each such public utility.
- (f) To impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare and accommodation of the public.
- (g) Procedural rules and regulations dealing with public utilities shall conform to the requirements of the appropriate State regulatory agencies.

Section 11.06 CONSENT OF PROPERTY OWNERS

The consent of abutting and adjacent property owners shall not be required for the construction, extension, maintenance or operation of any public utility, but nothing in this Charter or in any franchise granted thereunder shall ever be construed to deprive any such property owners of any right of action for damage or injury to his property as now or hereafter provided by law.

Section 11.07 EXTENSIONS

All extensions of public utilities within the City limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extensions shall terminate with the original grant. In case of an extension of public utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.

Section 11.08 OTHER CONDITIONS

All franchises heretofore granted are recognized as contracts between the City and the grantee, and the contractual rights as contained in any such franchises shall not be impaired by the provisions of this Charter, except that the power of the City to exercise the right of eminent domain in the acquisition of any utility property is in all things reserved and except the general power of the City heretofore existing and herein provided for to regulate the rates and services of a utility, which shall include the right to require adequate and reasonable extension of plant and service and the maintenance of the plant fixtures at the standard necessary to render the highest reasonable quality of utility service to the public. Every public utility franchise hereafter granted shall be held subject to all the terms and conditions contained in the various sections of this Article whether or not such terms are specifically mentioned in the franchises. Nothing in this Charter shall operate to limit in any way, as specifically stated, the discretion of the Council or the voters of the City in imposing terms and conditions as may be reasonable in connection with any franchise grant, including the right to require such compensation or rental as may be permitted by the laws of the State of Texas.

Section 11.09 FRANCHISE RECORDS

Within six (6) months after this Charter takes effect, every public utility and every owner of public utility franchise shall file with the City certified copies of all franchises owned or claimed, or under which such utility is operated in the City. The City shall compile and maintain a public record of public utility franchises.

Section 11.10 REGULATION OF RATES

The City Council shall have the power by ordinance to fix and regulate, after public hearing and reasonable notice, the price of water, gas, electric lights, electric power, steam heat and cable television, and to regulate and fix the fares, and charges of local telephone service and charges of all public transportation of every kind, whether transporting passengers, freight, or baggage, and generally to fix and regulate the rates and charges of all public utilities of every kind operating within the corporate limits of the City of Santa Fe.

Section 11.11 MUNICIPALLY OWNED UTILITIES

Accounts shall be kept for each public utility owned or operated by the City, in such manner as to show the true and complete financial results of such City ownership and operation, including all assets and liabilities, appropriately subdivided by classes, reserves and surplus; also revenues, operating expenses including interest payments, rental and other disposition of annual income. The accounts shall show actual capital cost to the City of each utility owned, also cost of all extensions, additions, and improvements and the source of funds expended for such capital purposes. The account shall show as nearly as possible the cost of any service furnished to or rendered by any such utility to any City department. The Council shall cause an annual report to be made by a certified public accountant and shall publish such report showing financial results of such City ownership and operation, giving the information specified in this section and such other data as the Council shall require.

Section 11.12 SALES OF SERVICES

The City Council shall have the authority and power to sell and provide water and/or sewer services and other utility services to persons or firms outside the City limits of Santa Fe and permit them to connect with City systems under contract with the City, under terms as are fair and reasonable and for the best interests of the City. The Council shall have the authority to prescribe the kind of materials used where it furnishes such services, to inspect same and require them to be kept in good condition; and to prescribe penalties for non-compliance.

ARTICLE 12
GENERAL PROVISIONS

Section 12.01 PUBLICITY OF RECORDS

All public records of every office, department, or agency of the City shall be open to inspection by any citizen at all reasonable times, provided that records closed to the public by law, shall not be considered public records for the purpose of this section. During normal office hours, any citizen of the City or any duly authorized representative of the press or other news media shall have the right to examine any such public records belonging to the City and shall have the right to make copies thereof under such reasonable rules and regulations as may be prescribed by the Council or this Charter.

Section 12.02 NEPOTISM

No person related, within the second degree by affinity or within the third degree by consanguinity, to the Mayor or any member of the City Council or City Manager shall be employed or appointed to any office, position or clerkship of the City. This prohibition shall not apply, however, to any person who shall have been continuously employed by the City at least two (2) years prior to and at the time of the election or appointment of the officer related in the prohibited degree.

Section 12.03 PERSONAL FINANCIAL INTEREST

No member of the City Council or employee of the City shall have a financial interest, direct or indirect, in contract with the City, nor shall be financially interested, directly, in the sale to the City of any land, or rights or interest in any land, materials, supplies, or service. The above provision shall not apply where such stock ownership amounts to less than one percent (1%) of the corporation stock or as falls within the scope of Article 2529c of the revised Civil Statutes of Texas as now or hereafter amended. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the City found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the persons or corporation contracting with the City shall render the contract voidable by the City Manager or the City Council.

Section 12.04 ASSIGNMENT, EXECUTION AND GARNISHMENT

The property, real and personal, belonging to the City shall not be liable to be sold or appropriated under any writ or execution or cost bill. The funds belonging to the City, in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the City be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the City nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors.

Section 12.05 POWER TO SETTLE CLAIMS

The Council shall have the authority to compromise on all claims and lawsuits of every kind and character in favor of or against the City, except suits by the City to recover delinquent taxes.

Section 12.06 SECURITY OR BOND NOT REQUIRED

It shall not be necessary in any action, suit or proceedings in which the City shall be a party for any bond, undertaking or security to be executed in behalf of the City, but all actions, suits, and proceedings shall be conducted in the same manner as if such bond, undertaking, or security had been given. The City shall have all

remedies of appeal provided by law to all courts without bond or security of any kind. For the purposes of all such actions, suits, proceedings and appeals, the City shall be liable in the same manner and to the same extent as if the bond, undertaking or security had been executed and given.

Section 12.07 NOTICE OF CLAIM

The City shall not be held liable on account of any claim for the death of any person or injuries to any person or damage to any property unless the person making such complaint or claiming such damages shall, within sixty (60) days after the time at which it is claimed such damages were inflicted upon such person or property, file with the City a written statement under oath, stating the nature and character of such damages or injuries, the extent of the same, the place where same happened, the circumstances under which same happened and the conditions causing same, with a detailed statement of each item of damages and the amount thereof, and if it be for personal injuries, giving a list of any witnesses known by the claimant to have seen the accident.

Section 12.08 SEPARABILITY

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

Section 12.09 EFFECT OF CHARTER ON EXISTING LAW

All codes, ordinances, resolutions, rules and regulations in force on the effective date of this Charter, and not in conflict with this Charter, shall remain in force until altered, amended or repealed by the Council. All taxes, assessments, liens, encumbrances and demands, of or against the City, fixed or established before such date, or for the fixing or establishing of which proceedings have begun at such date, shall be valid when properly fixed or established either under the law in force at the time of the beginning of such proceedings or under law after the adoption of this Charter.

Section 12.10 INTERIM GOVERNMENT

From and after the date of adoption of this Charter and until the first general city election thereunder and the qualification of the Mayor and Councilmen therein elected, the Mayor and Councilmen then in office shall continue in office as Councilmen and shall exercise all of the powers conferred upon the City by this Charter.

Section 12.11 AMENDMENT TO CHARTER

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by Chapter 13 of Title 28 of the revised Civil Statutes of Texas, 1925, as now or hereafter enacted.

Section 12.12 OFFICIAL NEWSPAPER

The Council shall contract annually with, or by resolution designate, a public newspaper of general circulation in the City as official publication thereof, and to continue as such until another is designated, and shall cause to be published therein all ordinances, notices and other matter required by this Charter, by the ordinances of the City, or by the Constitution and/or laws of the State of Texas to be published.

Section 12.13 PROHIBITIONS

- A. Activities Prohibited.

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- (1) No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any City positions or appointive City administrative office because of race, sex, political or religious opinions or affiliations.
 - (2) No person who seeks appointment or promotion with respect to any City position or appointive City administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his test, appointment, proposed appointment, promotion or proposed promotion.
 - (3) No City officer or candidate for City office shall orally, by letter or otherwise solicit or assist in soliciting any assessment, subscription or contribution for any candidate or for any political party or political purpose whatever from any person holding any compensated City position.
 - (4) No appointed officer or employee of the City who receives compensation as such shall make, solicit or receive any contribution to the campaign funds of any candidate or of any political party to be used in a City election or for or against any candidate for City office or take any part in the management, affairs or political campaign of any candidate or of any political party in a City election, but he may exercise his rights as a citizen to express his opinions and to cast his vote. Nothing in this paragraph is intended to prohibit said person from participating in school district, special district, county, state, or national campaigns, elections, and political parties.

B. Penalties.

Any person who either by himself or with others willfully violates any provisions of the foregoing Charter shall be ineligible for appointment or election to a position in the City for a period of four (4) years, and if he is an officer or employee of the City at the time of such violation, he shall immediately forfeit the office or position he holds.

Section 12.14 GENDER

Wherever the context shall so require, the words "he", "him", "his", "Councilman" and all other words herein in the male gender shall be deemed to include the female gender, and all such words shall include both the singular and the plural number.

Section 12.15 PENDING MATTERS

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

Section 12.16 SUBMISSION OF CHARTER TO ELECTORS

The Charter Commission in preparing this Charter finds and declares that it is impracticable to segregate each subject so that the voter may vote "Yes" or "No" and the same, for the reason that the Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. For these reasons the Charter Commission directs that said Charter be voted upon as a whole, and that it shall be submitted to the qualified voters of the City of Santa Fe at an election to be held for that purpose on the 8th day of August, 1981. If said Charter is approved by a majority of the qualified voters voting at said election, it shall become the Charter of the City of Santa Fe upon the entering upon the records of said City by the governing body of such City an official order declaring the adoption of said Charter.

MAY 4, 2024 CITY OF SANTA FE GENERAL ELECTION CALENDAR FOR CANDIDATES

January 16, 2024	Tuesday	Candidate Orientation 6:00 p.m. - 8:00 p.m. at City Hall (Optional Event)
January 17, 2024	Wednesday	First day of filing period for a place on the ballot & first day to declare write-in candidacy
February 16, 2024	Friday	5 p.m. deadline for filing application for a place on the ballot & last day to declare write-in candidacy
February 21, 2024	Wednesday	Drawing for Place on Ballot at 5:15 p.m. at City Hall, <i>if needed</i>
February 23, 2024	Friday	Last day for a regular or write-in candidate to withdraw from the ballot (by 5:00 p.m.)
April 22, 2024	Monday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
April 23, 2024	Tuesday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
April 24, 2024	Wednesday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
April 25, 2024	Thursday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
April 26, 2024	Friday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
April 29, 2024	Monday	Early voting by personal appearance from 7:00 a.m. to 7:00 p.m.
April 30, 2024	Tuesday	Early voting by personal appearance from 7:00 a.m. to 7:00 p.m.
May 4, 2024	Saturday	ELECTION DAY. Polls are open from 7:00 a.m. to 7:00 p.m.
May 13, 2024	Monday	Canvass election results (if no runoff needed). In the Regular Council Meeting: Receive Statement of Officer, administer Oath of Office, issue Certificate of Election.

JUNE 15, 2024 RUNOFF ELECTION CALENDAR (IF NEEDED)

June 3, 2024	Monday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
June 4, 2024	Tuesday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
June 5, 2024	Wednesday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
June 6, 2024	Thursday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
June 7, 2024	Friday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
June 10, 2024	Monday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.

June 11, 2024	Tuesday	Early voting by personal appearance from 8:00 a.m. to 5:00 p.m.
June 15, 2024	Saturday	RUNOFF ELECTION DAY. Polls are open from 7:00 a.m. to 7:00 p.m.
June 24, 2024	Monday	Canvass runoff election results



THE A B C OF A SUCCESSFUL FIRST TERM ON CITY COUNCIL

By TML Legal Staff

Congratulations, you just got elected to your first term in municipal office! Below are the ABCs of a successful first term.

A. **ATTITUDE.** The right attitude goes a long way toward successful service in municipal office. Think of your first term as an opportunity to learn and serve. City government is complicated and difficult. If you think your election was a mandate from the people to “shake things up” at city hall, you might want to reconsider. It may be better to lay low,

learn the ropes, and improve through contribution.

B. **BUDGET.** Crafting, passing, and following a city budget are among the most important tasks you will perform as a councilmember. Cities cannot make expenditures except in strict accordance with a budget, and they can levy taxes only in accordance with the budget. The state comptroller’s office publishes the *Budget Manual for Texas Cities*. The latest version was published in 2010, and it continues to be an excellent resource.

C. **CONFLICTS OF INTEREST.** As a councilmember, you are prohibited from voting or deliberating on agenda items that affect your own business, property, or financial interests. You'll be required to file an affidavit with the city secretary disclosing the details of your financial interests and that affidavit becomes a public record. Further, you may have to disclose in writing the receipt of certain gifts or income of a certain amount from a vendor who does business with the city.

D. **DUAL OFFICEHOLDING.** Councilmembers cannot hold other paid public offices and, in many cases, cannot hold other unpaid public offices either. Furthermore, councilmembers can't take paid jobs with their own city, nor can they appoint themselves to other posts or positions. Finally, think twice about announcing to run for other public office while you're still a councilmember—you may automatically resign your council seat when you do. Check with your city attorney before considering any other position or job that might be a problem.

E. **EMPLOYMENT POLICIES.** Except in cities with the city manager form of government, the final authority over employment decisions typically rests with the council as a whole. As a member of the council, you should familiarize yourself with the city's employment policies and periodically consult with your city attorney to ensure they are kept updated.

F. **FREEDOM OF INFORMATION.** The Texas Public Information Act and the Open Meetings Act requires public access to city records and meetings. After a city receives a written request for information, it must promptly provide copies or access to information with limited exceptions. The Texas Attorney General determines whether information is excepted from public disclosure. City officials are required by law to attend training in both Acts within 90 days of taking office. You should provide the certificate received for completing the training to the city secretary to keep on file.

G. **GIFTS.** Cities are prohibited by the Texas Constitution from giving money or anything of value to a private individual, association, or corporation. An exception to this prohibition arises when the city council determines that a donation/gift will serve a public purpose of the city. The decision as to what constitutes a public purpose is left to the discretion of the city council but may be overturned by a court.

H. **HOLDOVER.** The Texas Constitution includes a provision that allows an elected official who resigns from office to continue to serve until his or her place is filled by a qualified individual. This provision allows a city to continue to conduct business, even when it loses one or more councilmembers.



I. **INTERNET.** A wealth of information about serving in your new municipal office can be found on the Internet, including the Texas Municipal League website at www.tml.org, under "Legal Research"; the Texas Attorney General website at www.texasattorneygeneral.gov; and the Texas Legislature Online website at www.capitol.state.tx.us.

J. **JUGGLE.** You will practice your balancing skills and become even better at juggling all facets of your public service, work, and home life.

K. **KNOWLEDGE.** New city councilmembers must use all available resources to develop their background knowledge about the diverse issues their constituents will expect them to resolve.

L. **LIABILITY.** Councilmembers will generally be held personally liable only for actions taken outside the scope of their duties and responsibilities as members of the governing body. However, the city itself will be potentially liable for actions taken by its councilmembers *within* the scope of their official duties. (See Tort Claims Act below.)

M. **MEETING.** Almost everyone intuitively knows what a meeting is. For example, a regular meeting of a city council, where agenda items are discussed and formal action is taken, is clearly a meeting. However, according to the Texas Open Meetings Act, many other gatherings of the members of a governmental body may constitute a meeting. Generally, any time a quorum is present and

city business is discussed, all the Open Meetings Act requirements, including posting an agenda and keeping minutes, must be followed.

N. **NEPOTISM.** Remember that you may not hire close relatives as employees of the city if you are on the city council. Personal recusal from the hiring decision is not enough; your close relatives are prohibited from working for the city. There are some exceptions. For example, if your relative worked for the city for at least six months before you took office and has maintained continuous employment with the city during that time, then that relative may continue to work in the position held. Also, a relative is always welcome to work as an uncompensated volunteer.

O. **OPEN.** The governing process must be open and transparent if it is to be effective. This means refraining from conducting business behind closed doors in executive session unless specifically authorized by state law (for example, consultation with an attorney or discussion of the employment of a specific employee).

P. **PROACTIVE.** Be proactive in dealing with city issues. Don't wait until a problem is right on top of you. By that point, it's often too late to take effective action. Always have an eye on the future and try to anticipate the needs of the city and your constituents.

Q. **QUORUM.** A city council must have a quorum to call a meeting to order and conduct business. The number of councilmembers required to establish a quorum varies by city. A quorum in a general law city is determined by state law, while a quorum in a home rule city is spelled out in the city's charter.



R. **RESPECT.** Mutual respect is the key to effective governing. City councilmembers should avoid personal attacks and focus on the issues at hand.

S. **SOLUTIONS.** It is always easy to criticize others' ideas. As a member of the city council, however, your goal should be to propose solutions and work toward a consensus rather than simply saying, "No, I don't like that idea."

T. **TORT CLAIMS ACT.** The Texas Tort Claims Act limits governmental liability and provides for damage caps for governmental entities. The Act provides that liability for engaging in 36 specifically enumerated "governmental functions" (such as provision of police and fire protection, maintaining city parks, and other activities one expects of a local government) is limited by statute. The Tort Claims Act does not generally provide for private causes of action against individual councilmembers for the actions of the city government.

U. **UNILATERAL.** Councils enact policies by acting as a whole. In most cases, individual councilmembers have no power to take unilateral action on behalf of the city.

V. **VOTES BY COUNCIL.** When a council votes on an ordinance or resolution, all that is typically needed to pass the item is a majority of those present and voting. While a quorum is the number needed to conduct a meeting, it is not necessary that a quorum actually vote on each agenda item. Local practices may vary from city to city.

W. **WORK TOGETHER.** Even if you disagree or don't get along with other members of the council, your first obligation is to solve problems and provide effective services to your local constituents. Try to put petty disagreements aside.

X. **EXCELLENCE.** (Hey, X is a tough letter!) Strive every day for excellence for your city. Voters elected you to your office, and they are depending on you giving your very best every day.

Y. **YEAR.** Cities often operate on a fiscal year that is different from the calendar year. For a majority of cities, the fiscal year begins in October.

Z. **ZONING.** This is the ability of a city council to divide a city into districts and allow in each district only certain land uses, such as commercial, residential, or industrial. Zoning protects property values, promotes public safety, and is one of the main reasons cities incorporate in the first place.

Okay, it's time to get started. Keep these ABCs handy, and remember that the League is just a phone call, email, or text message away. Best wishes in your new position! ★