

TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A SPECIFIC-PURPOSE COMMITTEE

FORM ASTA—INSTRUCTION GUIDE



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Promoting Public Confidence in Government

FORM ASTA - AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A SPECIFIC-PURPOSE COMMITTEE

GENERAL INSTRUCTIONS

These instructions are for the AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A SPECIFIC-PURPOSE COMMITTEE form (ASTA). Use this form for changing information previously reported on Form STA and for renewing the committee's choice to report under the modified reporting schedule. The information entered on this form will replace the information from the previous APPOINTMENT OF A CAMPAIGN TREASURER BY A SPECIFIC-PURPOSE COMMITTEE form (STA).

If any information relating to the candidates, officeholders, or measures supported, opposed, or assisted by the committee changes, you must report the change within 24 hours after the change occurs. If other information required to be reported on the APPOINTMENT form (STA) changes, you must report the changes no later than the 10th day after the changes occur. Use the AMENDMENT (Form ASTA) to report these changes. Do not use the APPOINTMENT form (STA).

If your committee wishes to use corporation or labor organization political contributions to make a direct campaign expenditure in connection with a campaign for an elective office but did not file the required affidavit with your Form STA, you must use the AMENDMENT form. Please be aware that the law requires specific language in the affidavit for it to be effective. The Commission provides a form affidavit that contains the required language. The form affidavit can be found on Page 3 of Form ASTA.

This requirement also applies to direct campaign expenditure-only committees. Thus, if a direct campaign expenditure-only committee wishes to use a political contribution that it accepted from a corporation or labor organization to make a direct campaign expenditure in connection with a campaign for elective office, it must also file the “Statement Authorizing Direct Campaign Expenditures from Corporation or Labor Organization Political Contributions” before making the expenditure.

You must also use the AMENDMENT form to renew the committee’s option to file under the modified reporting schedule.

Except for the committee’s name at the top of the form (and its filer account number, if the committee files with the Ethics Commission), enter only the information that is *different* from what was previously reported. Do not repeat information that has not changed. The “NEW” boxes emphasize that the information entered on this form should only be information that changes what was previously reported. Any information entered in a space with a “NEW” box will replace the existing information.

SPECIFIC INSTRUCTIONS

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

PAGE 1

1. **TOTAL PAGES FILED:** After completing the form, enter the total number of pages you are filing of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a "page" is a single sheet.
2. **COMMITTEE NAME:** Enter the full name of the committee as it is on the committee’s current campaign treasurer appointment. Enter the committee name in the same way on Page 2, Section 15, of this form. If the committee is reporting a name change, enter the new name under Section 4.
3. **FILER ID #:** If the committee is filing with the Ethics Commission, it was assigned a filer account number when the initial campaign treasurer appointment was filed. The campaign treasurer should have received a letter acknowledging receipt of the form and informing him or her of the committee’s account number. Enter this number wherever you see "FILER #." If the committee does not file with the Ethics Commission, you are not required to enter an account number.
4. **COMMITTEE NAME (NEW):** Complete this Section only if the committee’s name has *changed*. If the committee’s name has changed, enter the committee’s complete new name. The committee’s name must include the candidate’s name if the committee was formed to support a candidate for one of the following offices:
 - Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner
 - State Senator or State Representative
 - Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge
 - State Board of Education
 - multi-county district judge or district attorney
 - single-county district judge
5. **COMMITTEE ADDRESS:** Complete this Section only if the committee’s mailing address has *changed*. If the committee’s mailing address has changed, enter the committee’s complete new address (street address or P.O. Box, apartment or suite number, city, state, and zip code).
6. **CAMPAIGN TREASURER NAME:** Complete this Section only if the committee’s campaign treasurer has *changed*. If the committee’s campaign treasurer has changed, enter the full name of the committee’s new campaign treasurer.

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

Duties of Campaign Treasurer. The campaign treasurer is responsible for filing all reports of the committee, except for the campaign treasurer appointment form (STA) that designates him or her as the committee’s campaign treasurer. Therefore, the person appointed should be capable of fulfilling those duties. Failing to file a report on time or filing an incomplete report may subject the campaign treasurer to criminal or civil penalties.

7. **CAMPAIGN TREASURER STREET ADDRESS:** Complete this Section only if the campaign treasurer’s street address has *changed*. If the campaign treasurer’s street address has changed, enter the complete new residence or business street address of the committee's campaign treasurer (street address, apartment or suite number, city, state, and zip code).
8. **MAILING ADDRESS:** Complete this Section only if the campaign treasurer’s mailing address has *changed* and is different from the street address entered in Section 7. If the campaign treasurer’s mailing address has changed, enter the new mailing address (street address or P.O. Box number, apartment or suite number, city, state, and zip code). If the mailing address is the same as the address entered in Section 7, check the “SAME AS ABOVE” box.
9. **CAMPAIGN TREASURER PHONE:** Complete this Section only if the campaign treasurer’s phone number has *changed*. If the campaign treasurer’s phone number has changed, enter the new phone number of the campaign treasurer, including the area code and extension, if applicable.
10. **PERSON APPOINTING TREASURER:** Complete this Section only if the committee is appointing a new campaign treasurer. Enter the full name of the person who is appointing the committee’s new campaign treasurer.
11. **SIGNATURE:** If a new appointment is being made, the person appointed campaign treasurer must enter his or signature in this Section.

Sections 12 - 14 pertain to the assistant campaign treasurer. If the committee is not appointing a new assistant campaign treasurer, skip these Sections. If the committee is authorized to appoint a new assistant campaign treasurer and chooses to do so, continue with Section 12. See the “Appointing an Assistant Campaign Treasurer” section in the General Instructions for Form STA to determine which types of specific-purpose committees may appoint an assistant campaign treasurer.

12. **ASSISTANT CAMPAIGN TREASURER:** Complete this Section only if the committee’s assistant campaign treasurer has *changed*. If the committee’s assistant campaign treasurer has changed, enter the full name of the committee’s new assistant campaign treasurer.

Appointing an Assistant Campaign Treasurer. A specific-purpose committee formed to support or oppose a candidate or candidates for the following offices may appoint an assistant campaign treasurer:

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

A specific-purpose committee formed to support or oppose a statewide or district measure may appoint an assistant campaign treasurer. Specific-purpose committees that support or oppose candidates or measures who file only with a local authority may *not* appoint an assistant campaign treasurer.

The assistant campaign treasurer may sign reports if the campaign treasurer is not available. However, if the campaign treasurer appointment is terminated, the assistant campaign treasurer does not have authority to sign the committee’s reports or otherwise act as the committee’s campaign treasurer. Also, the campaign treasurer, not the assistant campaign treasurer, is responsible for any penalties imposed for failure to file a report on time or for filing an incomplete report.

- 13. ASSISTANT CAMPAIGN TREASURER ADDRESS:** Complete this Section only if the assistant campaign treasurer’s mailing address has *changed*. If the assistant campaign treasurer’s mailing address has changed, enter the assistant campaign treasurer’s complete new address (street address or P.O. Box, apartment or suite number, city, state, and zip code).
- 14. ASSISTANT CAMPAIGN TREASURER PHONE:** Complete this Section only if the assistant campaign treasurer’s phone number has *changed*. If the assistant campaign treasurer’s phone number has changed, enter the new phone number of the assistant campaign treasurer, including the area code and extension, if applicable.

PAGE 2

- 15. COMMITTEE NAME:** Enter the name of the committee as you did on Page 1, Section 2.
- 16. FILER ID #:** Enter the committee’s filer account number as you did on Page 1, Section 3. If the committee does not file with the Ethics Commission, you are not required to enter an account number.

- 17. COMMITTEE PURPOSE:** Complete this section only if this information as changed or if you are adding a candidate, officeholder, or measure. Changes in this information must be reported within 24 hours of the change. A specific-purpose political committee must report certain information for each candidate or measure that the committee supports or opposes and each officeholder that the committee assists. Please attach additional copies of Form ASTA, Page 2, if the committee is required to make multiple entries.

CANDIDATE/OFFICEHOLDER INFORMATION

“New” Box: Check this box if the committee wants to REPLACE existing information.

“Add” Box: Check this box if the committee wants to ADD TO existing information.

“Support Candidate” Box: Check this box if the committee accepts political contributions or makes political expenditures to support a candidate.

“Oppose Candidate” Box: Check this box if the committee accepts political contributions or makes political expenditures to oppose a candidate.

“Assist Officeholder” Box: Check this box if the committee accepts political contributions or makes political expenditures to assist an officeholder.

Note: If the committee supports a candidate who is an officeholder, you may check two boxes.

Candidate/Officeholder Name: Enter the full name of the candidate or officeholder, if applicable.

Office Sought/Office Held: For a candidate, enter the office the candidate is seeking. For an officeholder, enter the office held. Include the district, precinct, or other designation for the office, if applicable.

MEASURE INFORMATION

“New” Box: Check this box if the committee wants to REPLACE existing information.

“Add” Box: Check this box if the committee wants to ADD TO existing information.

“Support Measure” Box: Check this box if the committee accepts contributions or makes expenditures to support a measure.

“Oppose Measure” Box: Check this box if the committee accepts contributions or makes expenditures to oppose a measure.

Ballot Identification/#: Enter the ballot or proposition number of the measure, if known.

Election Date: Enter the date of the election in which the measure will be put to a vote, if known.

Description: Enter a description of the measure.

- 18. MODIFIED REPORTING DECLARATION:** Sign this option if the specific-purpose committee wishes to report under the modified reporting schedule or if the committee wishes to renew the previous selection to report under the modified reporting schedule. To the left of the signature, enter the year of the election or election cycle to which the selection of modified reporting applies.

The committee's selection of modified reporting is valid for an entire election cycle. For example, if the committee chooses modified reporting before a primary election, the selection remains in effect for any runoff and for the general election and any related runoff. The committee must make this selection at least 30 days before the first election to which the selection applies.

A specific-purpose committee that supports or opposes an opposed candidate or a measure in an election is eligible to report under the modified reporting schedule if the committee does not intend to accept more than \$1,080 in political contributions or make more than \$1,080 in political expenditures in connection with an election. A specific-purpose committee that reports under the modified reporting schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (*Note:* a specific-purpose committee that supports or opposes an *unopposed* candidate is not required to file pre-election reports in the first place.) The committee campaign treasurer's obligation to file semiannual reports, special pre-election reports, or special session reports, if applicable, are not affected by selecting the modified reporting schedule.

The \$1,080 maximums apply to each election within the cycle. In other words, the committee is limited to \$1,080 in contributions and expenditures in connection with the primary, an additional \$1,080 in contributions and expenditures in connection with the general election, and an additional \$1,080 in contributions and expenditures in connection with a runoff.

Exceeding \$1,080 in contributions or expenditures. If the committee exceeds \$1,080 in contributions or expenditures in connection with an election, the campaign treasurer must file according to the regular filing schedule. In other words, the committee's campaign treasurer must file pre-election reports and a runoff report, if applicable.

If the committee exceeds either of the \$1,080 limits *after the 30th day before the election*, the campaign treasurer must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, the campaign treasurer must file any pre-election reports or runoff reports that are due under the regular filing schedule.

The selection is not valid for other elections or election cycles. Use another AMENDMENT form (ASTA) to renew the option to file under the modified reporting schedule for a different election year or election cycle.

PAGE 3:

NOTE: Complete this page ONLY if it applies to the political committee. This page is used for specific-purpose committees that intend to use corporation or labor organization political contributions to make a direct campaign expenditure in connection with a campaign for an elective office. This page is NOT REQUIRED for all political committees. If a political

committee does not accept political contributions from any corporations or labor organizations, this affidavit is not required.

19. COMMITTEE NAME: Enter the committee name as you did on Page 1, Section 2.

20. AFFIRMATION: If the political committee wishes to use a political contribution from a corporation or labor organization to make a direct campaign expenditure in connection with a campaign for an elective office, check the box beside the statement and complete one of the jurats in the bottom half of this page. If the political committee has previously filed this affirmation and the first statement no longer applies to the committee, use form ASTA instead to amend the campaign treasurer appointment.

The affirmation must include EITHER: 1) a completed Affidavit Jurat, or 2) a completed Unsworn Declaration Jurat. If you use the Affidavit Jurat, the affirmation must be signed and notarized or sworn before an officer administering an oath. If you use the Unsworn Declaration Jurat, the affirmation must be signed and must include your name, date of birth, and address, and the county, state, and date of your signature.

SIGNATURE OF COMMITTEE REPRESENTATIVE: A person representing the committee must enter his or her signature for the corresponding jurat used.

For more information, see the Texas Ethics Commission's Campaign Finance Guide For Political Committees.