

Are we a PAC? If so,
What do we Need to do?

Political Action Committees

- What is a PAC?
- Why is it important?
- Who can be a PAC's campaign treasurer?
- Treasurer Appointment Forms
- Where to file

What is a PAC?

"Political committee" means two or more persons acting in concert with a principal purpose of accepting political contributions or making political expenditures.

Tex. Elec. Code § 251.001(12).

What is a “principal purpose”?

- Principal purpose--A group has as a principal purpose of accepting political contributions or making political expenditures, including direct campaign expenditures, when that activity is an important or a main function of the group.
- A group can have more than one principal purpose
- A group has as a principal purpose of accepting political contributions or making political expenditures if the proportion of the political contributions or expenditures of the group to the total contributions or expenditures of the group is more than 25 percent within a calendar year.

1 T.A.C. § 20.1(17).

What is a “political contribution”?

A political contribution is either a campaign contribution or an officeholder contribution.

- A campaign contribution is a contribution to a candidate or political committee that is offered or given with the intent that it be used in connection with a campaign for elective office or on a measure.
- An officeholder contribution is a contribution to an officeholder or PAC that is offered or given with the intent that it be used to defray expenses that are incurred by the officeholder in performing his/her duties and are not reimbursable with public money.

Tex. Elec. Code § 251.001(2, 3, 4, and 5)

What is a “political expenditure”?

A political expenditure is either a campaign expenditure or an officeholder expenditure.

- A campaign expenditure is an expenditure made by any person in connection with a campaign for an elective office or on a measure.
- An officeholder expenditure is an expenditure made by any person to defray expenses that are incurred by the officeholder in performing his/her duties and are not reimbursable with public money.

Tex. Elec. Code § 251.001(6, 7, 9, 10)

We meet the definition of a PAC; now what?

- You need to determine if you are a:
 - GPAC (General-purpose political action committee), or an
 - SPAC (Specific-purpose political action committee)
- For more guidance, review Campaign Finance Guide for Political Committees here:
https://www.ethics.state.tx.us/data/resources/guides/pac_guide21.pdf
- A **campaign treasurer** must be appointed before a PAC accepts political contributions totaling more than \$910 or makes political expenditures totaling more than \$910.

Tex. Elec. Code § 253.031(b); 1 T.A.C. § 20.301(a) and 20.401(a).

Disclosure Statement

- Must include disclosure statement in all political advertising.
- Examples: “Pol. Adv. by John Doe” or “Pol. Adv. by ABC County Citizens Against Prop. A.”
- Exceptions and more information: See “Political Advertising: What you Need to Know” on our website:
https://www.ethics.state.tx.us/data/resources/advertising/Gpol_adv.pdf.

Tex. Elec. Code § 255.001

What is a Treasurer Appointment Form, and Why is it Important?

- A document that appoints someone to be the campaign treasurer for a political committee.
- A PAC may not knowingly accept political contributions totaling more than \$910 or make/authorize political expenditures totaling more than \$910 when a Treasurer Appointment is not in effect.

Tex. Elec. Code §§ 252.011; 253.031.

Who Can Be a Campaign Treasurer?

Anyone except someone who is already a treasurer of a PAC that has outstanding reports or civil penalties.

- But this exception does not apply if the PAC 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 section.

Tex. Elec. Code §§ 252.0011(a); 252.004.

Treasurer Appointment Forms

- The Commission is required by law to create the TA forms, which can be found on our website. These forms cover all information that is required by law.
- Two types of TA forms for PACs:
 - GTA (GPACs or general-purpose political action committees)
 - STA (SPACs or specific-purpose political action committees)

Tex. Elec. Code §§ 252.002; 252.003; 252.0031.

Changes to Treasurer Appointment Forms

- If information needs to be changed on a TA, an amendment form must be filed in order for changes to be in effect. This amendment form can also be found on the Commission's website.
- Changes in PAC information have deadlines to report:
 - Change in treasurer's address must be reported, in writing, to the Commission not later than the 10th day after the date on which the address change occurs.
 - Any other information for PAC TAs must be reported in an amendment not later than 30 days after the change.
 - If there is a change in the name of or the office sought by the candidate running for the following offices, an SPAC must report the change in an amendment within 24 hours of the change:
 - Statewide office, state legislature, state board of education, multi-county district office, or a judicial district office.

1 Tex. Admin. Code §§ 20.15, 20.311

GPAC v. MPAC filer: What's the Difference?

- Both are GPACs, but a GPAC and MPAC filer file on different schedules:
- GPAC filers must file:
 - Semiannual reports: January 15 and July 15; filed regardless of activity
 - Pre-election reports: 30 day, 8 day and runoff reports; filed if involved in an election
- MPAC filers must file a report every month, regardless of activity.

Tex. Elec. Code §§ 254.153, 254.154, 254.1541

Form GTA

Form GTA, Page 1

APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE		FORM GTA PG 1
See GTA Instruction Guide for detailed instructions.		1 Total pages filed.
2 COMMITTEE NAME		OFFICE USE ONLY
3 ACRONYM		Filer ID #
4 COMMITTEE ADDRESS	ADDRESS / PO BOX APT / SUITE # CITY STATE ZIP CODE	Date Received
5 REPORTING TYPE	<input type="checkbox"/> REGULAR <input type="checkbox"/> MONTHLY	Date Hand Delivered or Postmarked
6 CAMPAIGN TREASURER NAME	MS / MRS / MR FIRST MI NICKNAME LAST SUFFIX	Receipt # Amount \$
7 CAMPAIGN TREASURER STREET ADDRESS	STREET ADDRESS (NO PO BOX PLEASE) APT / SUITE # CITY STATE ZIP CODE	Date Processed
8 CAMPAIGN TREASURER MAILING ADDRESS	ADDRESS / PO BOX APT / SUITE # CITY STATE ZIP CODE	Date Imaged
9 CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION	
10 PERSON APPOINTING TREASURER	FIRST MI LAST SUFFIX	
11 SIGNATURE	<p>I understand that I have been appointed as the campaign treasurer for this general-purpose committee and that I am responsible for filing all required reports and that I may be subject to fines for failure to do so. I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p style="text-align: right;">_____ Signature of Campaign Treasurer</p>	
12 ASSISTANT CAMPAIGN TREASURER	FIRST MI LAST SUFFIX	
13 ASSISTANT CAMPAIGN TREASURER ADDRESS	ADDRESS / PO BOX APT / SUITE # CITY STATE ZIP CODE	
14 ASSISTANT CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER EXTENSION	

Form GTA, Page 2

GENERAL-PURPOSE COMMITTEE: CONTROLLING ENTITY INFORMATION		FORM GTA PG 2		
15 COMMITTEE NAME				
16 CONTROLLING ENTITY INFORMATION	FULL NAME OF CONTROLLING ENTITY			
	ACRONYM			
	FULL NAME OF CONTROLLING ENTITY			
	ACRONYM			
	FULL NAME OF CONTROLLING ENTITY			
	ACRONYM			
17 CONTRIBUTION DECISION MAKERS	First	MI	Last	Suffix
	First	MI	Last	Suffix
	First	MI	Last	Suffix
	First	MI	Last	Suffix
	First	MI	Last	Suffix
	First	MI	Last	Suffix
18 EXPENDITURE DECISION MAKERS	First	MI	Last	Suffix
	First	MI	Last	Suffix
	First	MI	Last	Suffix
	First	MI	Last	Suffix
	First	MI	Last	Suffix

CONTINUE ON PAGE 3
ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

Form GTA, Page 3

GENERAL-PURPOSE COMMITTEE: RECIPIENT COMMITTEES

FORM GTA
PG 3

19 COMMITTEE
NAME

20 RECIPIENT
GENERAL
PURPOSE
COMMITTEES

Committee name

Committee address: City: State: Zip Code

Committee name

Committee address: City: State: Zip Code

Committee name

Committee address: City: State: Zip Code

Committee name

Committee address: City: State: Zip Code

Committee name

Committee address: City: State: Zip Code

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

CONTINUE ON PAGE 4
ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED

Form GTA, Page 4

GENERAL-PURPOSE COMMITTEE:		FORM GTA
STATEMENT AUTHORIZING DIRECT CAMPAIGN EXPENDITURES FROM CORPORATION OR LABOR ORGANIZATION POLITICAL CONTRIBUTIONS UNDER SECTION 252.003, ELECTION CODE		PG 4
21 COMMITTEE NAME		
22 AFFIRMATION (if applicable)		
I swear, or affirm, under penalty of perjury that the following statement is in all things true and correct.		
<input type="checkbox"/> The political committee named above is not established or controlled by a candidate or an officeholder, and will not use any political contribution from a corporation or a labor organization to make a political contribution to: (1) a candidate for elective office or an officeholder, or (2) a political committee that has not included in its campaign treasurer appointment a Statement Authorizing Direct Campaign Expenditures from Corporation or Labor Organization Political Contributions declaring the same. <small>(Check if applicable)</small>		
PLEASE COMPLETE EITHER OPTION (1) OR (2) BELOW:		
(1) Affidavit Jurat:		
		_____ Signature of Committee Representative
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 Jurat:		
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____.		
_____ Signature of Committee Representative (Declarant)		
Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us or by mail to: Texas Ethics Commission, P.O. Box 12070, Austin, TX 78711-2070		

Form STA

Form STA, Page 1

APPOINTMENT OF A CAMPAIGN TREASURER BY A SPECIFIC-PURPOSE COMMITTEE		FORM STA PG 1	
<p>See STA Instruction Guide for detailed instructions. If you are involved in a School District Bond Election, you must file Form STA with the local filing authority BEFORE sending a file-stamped copy to the Texas Ethics Commission.</p>		<p>1 Total pages filed:</p>	
2 COMMITTEE NAME		OFFICE USE ONLY	
3 COMMITTEE ADDRESS		Filer ID #	
4 CAMPAIGN TREASURER NAME		Date Received	
5 CAMPAIGN TREASURER STREET ADDRESS (residence or business)		Date Hand-delivered or Postmarked	
6 MAILING ADDRESS		Receipt #	
7 CAMPAIGN TREASURER PHONE		Date Processed	
8 PERSON APPOINTING TREASURER		Date Traced	
9 SIGNATURE		<p>I understand that I have been appointed as the campaign treasurer for this specific-purpose committee and that I am responsible for filing all required reports and that I may be subject to fines for failure to do so. I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p style="text-align: right;">_____ Signature of Campaign Treasurer</p>	
10 ASSISTANT CAMPAIGN TREASURER (see instructions)			
11 ASSISTANT CAMPAIGN TREASURER ADDRESS			
12 ASSISTANT CAMPAIGN TREASURER PHONE			

Form STA, Page 2

SPECIFIC-PURPOSE COMMITTEE: PURPOSE AND MODIFIED REPORTING DECLARATION		FORM STA PG 2
13 COMMITTEE NAME		
14 COMMITTEE PURPOSE <input type="checkbox"/> SUPPORT CANDIDATE <input type="checkbox"/> OPPOSE CANDIDATE <input type="checkbox"/> ASSIST OFFICEHOLDER	CANDIDATE / OFFICEHOLDER NAME	
	OFFICE BOUGHT (a/n/a/n/a) / OFFICE HELD (S/Not/Other)	
	ELECTION DATE Month / Day / Year	
<input type="checkbox"/> SUPPORT MEASURE <input type="checkbox"/> OPPOSE MEASURE	BALLOT IDENTIFICATION OF MEASURE / #	DESCRIPTION
15 MODIFIED REPORTING DECLARATION	<p align="center">COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING.</p> <p align="center">--This declaration must be filed no later than the 30th day before the first election to which the declaration applies. --</p> <p align="center">--The modified reporting declaration is valid for one election cycle only. -- (An election cycle includes a primary election, a general election, and any related runoffs.)</p> <p>The committee does not intend to accept more than \$930 in political contributions or make more than \$930 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. The committee understands that if either one of those limits is exceeded, the committee's campaign treasurer will be required to file pre-election reports and, if necessary, a runoff report.</p> <p>_____ Year of election(s) or election cycle to which declaration applies.</p> <p>_____ Signature of Campaign Treasurer</p>	
<p align="center">ATTACH ADDITIONAL COPIES OF THIS FORM AS NEEDED</p> <p align="center">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</p> <p align="center">Non-TEC Filers must file this form with the local filing authority DO NOT SEND TO TEC</p> <p align="center">For more information about where to file go to: https://ethics.state.tx.us/filinginfo/QuickFileARreport.php</p> <p align="center">This appointment is effective on the date it is filed with the appropriate filing authority.</p>		

Modified Reporting for SPACs

- Excuses an SPAC from filing 30-day and 8-day pre-election reports and runoff reports.
- An SPAC is eligible only if the SPAC does not intend to exceed either \$930 in contributions or \$930 in expenditures in connection with an election.
- If an SPAC selects modified reporting but exceeds a threshold before the 30th day before the election, the SPAC must file 30 and 8 day pre-election reports and, if applicable, runoff reports. You do not need to amend the STA.
- If an SPAC selects modified reporting but exceeds the \$930 threshold for contributions or expenditures after the 30th day before the election, the SPAC must file a report within 48 hours of exceeding the threshold.
- Modified reporting lasts for an entire election cycle, so as long as the threshold isn't exceeded.

Tex. Elec. Code §§ 254.181-184; 1 Tex. Admin. Code § 20.1(5).

Form STA, Page 3

SPECIFIC-PURPOSE COMMITTEE: **FORM STA**
STATEMENT AUTHORIZING DIRECT CAMPAIGN EXPENDITURES **PG 3**
FROM CORPORATION OR LABOR ORGANIZATION POLITICAL
CONTRIBUTIONS UNDER SECTION 252.0031, ELECTION CODE

16 COMMITTEE
NAME

17 AFFIRMATION
(If applicable)

I swear, or affirm, under penalty of perjury that the following statement is in all things true and correct:



(Check if applicable)

The political committee named above is not established or controlled by a candidate or an officeholder, and will not use any political contribution from a corporation or a labor organization to make a political contribution to: (1) a candidate for elective office or an officeholder, or (2) a political committee that has not included in its campaign treasurer appointment a Statement Authorizing Direct Campaign Expenditures from Corporation or Labor Organization Political Contributions declaring the same.

PLEASE COMPLETE EITHER OPTION (1) OR (2) BELOW:

(1) **Affidavit Jurat:**

Signature of Committee Representative

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 Jurat:**

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____.

Signature of Committee Representative (Declarant)

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

Where to File GTA Forms

General-Purpose Committees (GPACs and MPACs) always file with the Texas Ethics Commission.

Tex. Elec. Code §§ 252.009, 254.157.

Where to File STA Forms

- If supporting/opposing a candidate or assisting an officeholder: same authority as candidate/officeholder
- If supporting/opposing a measure:
 - (1) the commission, if the measure is to be submitted to voters of the entire state;
 - (2) the county clerk, if the measure is to be submitted to voters of a single county in an election ordered by a county authority;
 - (3) the secretary of the governing body of the political subdivision or, if the political subdivision has no secretary, with the governing body's presiding officer, if the measure is to be submitted at an election ordered by an authority of a political subdivision other than a county;
 - (4) the county clerk if:
 - (A) the measure concerns a political subdivision other than a county;
 - (B) the governing body for the political subdivision has not been formed; and
 - (C) no boundary of the political subdivision crosses a boundary of a county;
 - (5) the commission if:
 - (A) the measure concerns a political subdivision other than a county;
 - (B) the governing body for the political subdivision has not been formed; and
 - (C) the political subdivision is situated in more than one county; or
 - (6) School Bonds: File original STA with ISD; file file-stamped copy with TEC. Then file all CFRs with TEC.

Tex. Elec. Code §§ 252.006 - 252.008, 254.130.

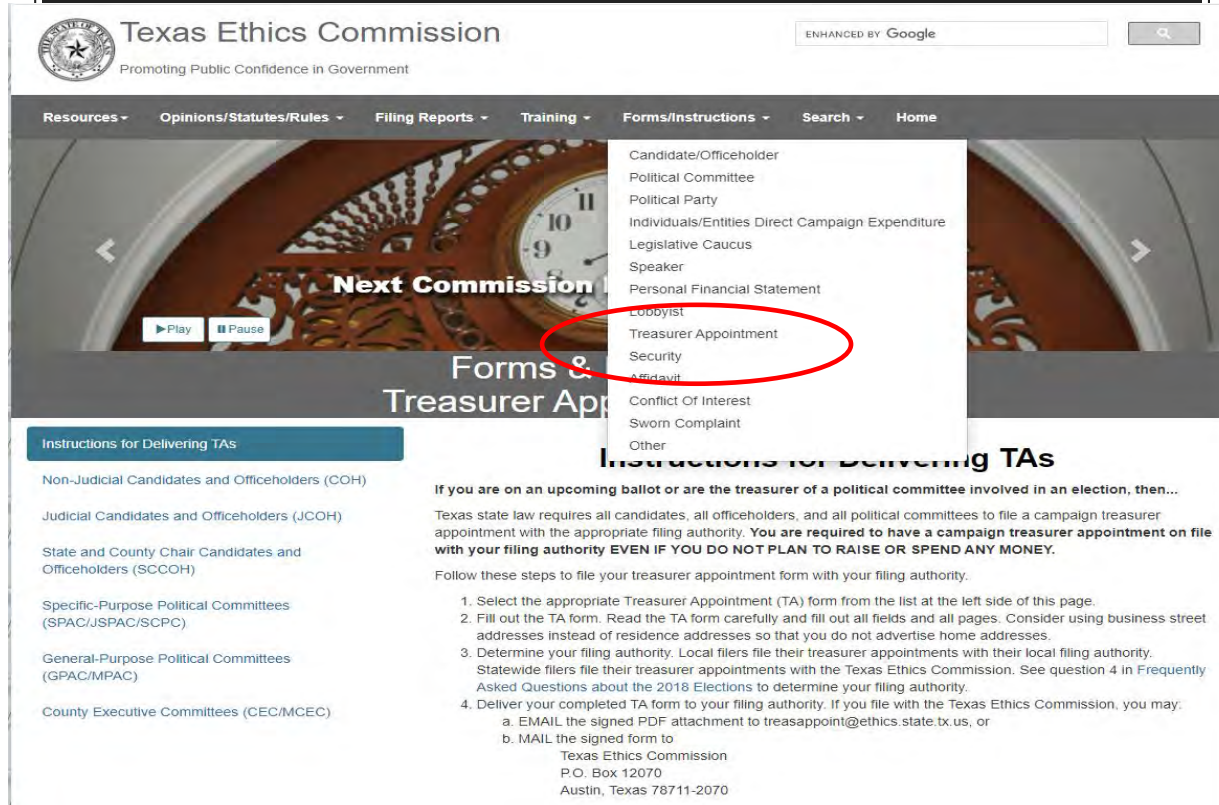
Form Security

- Only for TEC filers
- Gains filer access to TEC's electronic filing application
- File at same time as GTA or STA
- Local Filers who wish to use TEC's electronic filing application to draft their reports should go here:
<https://www.ethics.state.tx.us/filinginfo/LOCALindex.php>

Form Security-CF

FORM SECURITY FOR: CAMPAIGN FINANCE (Texas Ethics Commission Filers Only)		FORM SECURITY - CF	
<i>Please print or type everything other than your signature. See the next page for additional information.</i>		OFFICE USE ONLY	
1 FILER ID # (Ethics Commission Filers)		Date Received	
2 NAME OF FILER SUBMITTING PRIMARY EMAIL ADDRESS	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms		
3 COMMITTEE NAME (if committee)			
4 REASON FOR FILING THIS FORM (check at least one)	<input type="checkbox"/> I want to provide my primary email address for the Texas Ethics Commission to send email password links and other notices. <input type="checkbox"/> I want the Texas Ethics Commission to retrieve my password. <input type="checkbox"/> I want the Texas Ethics Commission to clear my Security Questions and Answers.	Date Hand-delivered or Date Postmarked	
4A PRIMARY EMAIL ADDRESS		Date Processed	
5 FILER CONTACT TELEPHONE (to be used if email address is invalid)	AREA CODE PHONE NUMBER EXTENSION () () ()	Date Imaged	
6 CAMPAIGN FINANCE FILER TYPE	<input type="checkbox"/> COH CANDIDATE/OFFICEHOLDER <input type="checkbox"/> COE COUNTY EXECUTIVE COMMITTEE <input type="checkbox"/> JOCH JUDICIAL CANDIDATE/OFFICEHOLDER <input type="checkbox"/> MOC MONTHLY COUNTY EXECUTIVE COMMITTEE <input type="checkbox"/> SCOH STATE/COUNTY CHAIR <input type="checkbox"/> DCE DIRECT CAMPAIGN EXPENDITURES <input type="checkbox"/> MPAC MONTHLY GENERAL PURPOSE COMMITTEE <input type="checkbox"/> ASIF SPAC AS IF SPECIFIC PURPOSE COMMITTEE <input type="checkbox"/> GPAC GENERAL PURPOSE COMMITTEE <input type="checkbox"/> LEG LEGISLATIVE CAUCUS <input type="checkbox"/> JSFAC JUDICIAL SPECIFIC PURPOSE COMMITTEE <input type="checkbox"/> PTYCORP POLITICAL PARTY <input type="checkbox"/> SC SPAC STATE/COUNTY SPECIFIC PURPOSE COMMITTEE <input type="checkbox"/> SPK SPEAKER <input type="checkbox"/> SPAC SPECIFIC PURPOSE COMMITTEE <input type="checkbox"/> SPAC FILING FOR SCHOOL BOND ELECTIONS ONLY. Attach a copy of your treasurer appointment stamped by your school district.		
7 FILER SIGNATURE	<p>I swear, or affirm, under penalty of perjury, that I am the person required by law under the Texas Ethics Commission jurisdiction to file Campaign Finance reports with the Texas Ethics Commission. This document is my official submission of a primary email address for the purpose of receiving a password link to be used to file electronic reports with the Texas Ethics Commission.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Signature</p>		

Finding Forms on TEC Website



Texas Ethics Commission
Promoting Public Confidence in Government

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Next Commission
Forms & Treasurer App

Instructions for Delivering TAs

- Candidate/Officeholder
- Political Committee
- Political Party
- Individuals/Entities Direct Campaign Expenditure
- Legislative Caucus
- Speaker
- Personal Financial Statement
- Lobbyist
- Treasurer Appointment**
- Security Affidavit
- Conflict Of Interest
- Sworn Complaint
- Other

Instructions for Delivering TAs

If you are on an upcoming ballot or are the treasurer of a political committee involved in an election, then...

Texas state law requires all candidates, all officeholders, and all political committees to file a campaign treasurer appointment with the appropriate filing authority. **You are required to have a campaign treasurer appointment on file with your filing authority EVEN IF YOU DO NOT PLAN TO RAISE OR SPEND ANY MONEY.**

Follow these steps to file your treasurer appointment form with your filing authority.

1. Select the appropriate Treasurer Appointment (TA) form from the list at the left side of this page.
2. Fill out the TA form. Read the TA form carefully and fill out all fields and all pages. Consider using business street addresses instead of residence addresses so that you do not advertise home addresses.
3. Determine your filing authority. Local filers file their treasurer appointments with their local filing authority. Statewide filers file their treasurer appointments with the Texas Ethics Commission. See question 4 in Frequently Asked Questions about the 2018 Elections to determine your filing authority.
4. Deliver your completed TA form to your filing authority. If you file with the Texas Ethics Commission, you may:
 - a. EMAIL the signed PDF attachment to treasappoint@ethics.state.tx.us, or
 - b. MAIL the signed form to
Texas Ethics Commission
P.O. Box 12070
Austin, Texas 78711-2070

Resources

- Commission provides detailed guides for:
 - Candidates
 - Officeholders
 - PACs
 - Political Parties
- Guides can be found online at <https://www.ethics.state.tx.us/resources/cf/>
- Updated filing schedules for filing campaign finance reports can be found at: https://www.ethics.state.tx.us/filinginfo/schedules/filing_schedules.php
- If you or your client ever have a question, give the Commission a call at (512) 463-5800.