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 does not have a principal purpose of making political expenditures if it can demonstrate that not more than 49% of its overall expenditures are political expenditures.

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.
- O 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:
 - O 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 \$1,080 or makes political expenditures totaling more than \$1,080.

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 \$1,080 or make/authorize political expenditures totaling more than \$1,080 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.

- 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 (AGTA or ASTA) 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:
 - O 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

	PPOINTME Y A GENE					JRER		FORM GT/
	See	GTA Instruction	Guide for details	ed instructio	ns.		1 Total pages	filed:
2	COMMITTEE						OFFIC	E USE ONLY
	NAME						Filer ID #	
_	ACRONYM						Date Received	
3	ACRONTM							
4	COMMITTEE ADDRESS	ADDRESS / PO BOX;	APT/SUITE #;	CITY;	STATE;	ZIP CODE		
							Date Hand-Delivere	d or Postmarked
							Receipt #	AmountS
5	REPORTING TYPE	REGULAR	R		MONTHLY		Date Processed	
							Date Imaged	
5	CAMPAIGN TREASURER NAME	MS/MRS/MR	FIRST	MI	NICKNAME		LAST	SUFFIX
7	CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS (NO	PO BOX PLEASE); A	PT/SUITE#;	CITY;	STATE	ZIPCODE	
8	CAMPAIGN TREASURER MAILING ADDRESS Same as above	ADDRESS / PO BOX;	APT/SUITE#;	CITY;	STATE;	ZIP CODE		
9	CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER		EXTENS	ION		
10	PERSON APPOINTING TREASURER	FIRST		MI		LAST		SUFFIX
11	SIGNATURE	committee and fines for failure	that I have been that I am respon to do so. I am aver as and labor orga	nsible for filin vare of the re-	ng all requi	red reports	and that I ma	y be subject to
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12	ASSISTANT CAMPAIGN TREASURER	FRSI		М		LASI		SUPPIX
13	ASSISTANT CAMPAIGN TREASURER ADDRESS	ADDRESS / PO BOX;	APT / SUITE #;	CITY;	STATE;	ZIP CODE		
14	ASSISTANT CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER		EXTENSI	ON		

	PURPOSE O		i:	FORM GTA PG 2
15 COMMITTEE NAME				
16 CONTROLLING ENTITY	FULL NAME OF CONTROLLING	SENTITY		
INFORMATION	ACRONYM			
	FULL NAME OF CONTROLLING	ENTITY		
	ACRONYM			
	FULL NAME OF CONTROLLING	BENTITY		
	ACRONYM			
	FULL NAME OF CONTROLLING	BENTITY		
	ACRONYM			
17 CONTRIBUTION DECISION MAKERS	First	М	Last	Suffix
	First	м	Last	Suffix
	First	М	Last	Suffix
	First	М	Last	Suffix
	First	М	Last	Suffix
18 EXPENDITURE DECISION MAKERS	First	М	Last	Suffix
	First	М	Last	Suffix
	First	м	Last	Suffix
	First	М	Last	Suffix
	First	м	Last	Suffix
	ATTACHAD	CONTINUE ON	PAGE 3	DED

GENERAL- RECIPIENT CO	PURPOSE COMMITTEE: MMITTEES	FORM GT/
19 COMMITTEE NAME		
20 RECIPIENT GENERAL	Committee name	
PURPOSE COMMITTEES	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	

STATEMENT AUTH	RPOSE COMMI IORIZING DIRECT CA ION OR LABOR ORG JNDER SECTION 252	MPAIGN EXPE	LITICAL	3	FORM GTA PG 4
21 COMMITTEE NAME					
	swear, or affirm, under pena nd correct:	alty of perjury that th	e following st	atement is in a	all things true
or an officeh a labor organ applicable) elective offic its campaign	committee named above older, and will not use nization to make a poe or an officeholder, or treasurer appointment a S ation or Labor Organization	any political con ditical contribution 2) a political commutatement Authorizing	tribution from to: (1) a mittee that higher than the h	m a corpora candidate for las not includ mpaign Exper	ition or led in
	PLEASE COMPLETE	E <u>EITHER</u> OPTION ((1) OR (2) BE	LOW:	
(1) Affidavit Jurat					
		Signati	ure of Commi	ttee Represent	tative
Notary Stam	p/Seal				
	before me by n, witness my hand and seal		, this the	day of	·
Signature of officer administe	ring oath Printed Nam	e of officer administering	g oath	Title of officer a	dministering oath
		OR			
(2) Unsworn Decla	ration Jurat:				
My name is		, and my date	e of birth is _		
My Address is	(street)	(city)		(zip code)	(country)
Executed in	County, State of	, on the	day of	, 20	
		Signature of Con	nmittee Repre	esentative (De	clarant)
Filers may send	this form to the TEC electron	ically at treasappoin	t@ethics.stat	e.tx.us or by m	ail to:

Form GTA, Page 4 (cont'd)

- Optional
- On't fill out Page 4 if:
 - your GPAC does not accept corporate or labor organization contributions; or
 - your GPACs accepts corporate or labor organization contributions but only uses them for what is allowed under Tex. Elec. Code 253.100
- Fill out Page 4 only if your GPAC plan on accepting corporate or labor organization contributions **and** your GPAC plans to use those contributions to make DCE expenditures

Tex. Elec. Code §§ 253.100; 1 Tex. Admin. Code § 20.1(5).

Form STA

APPOINTMENT OF A CAMPAIGN TREASURER BY A SPECIFIC-PURPOSE COMMITTEE					R	FORM STA PG 1		
If	you are involved in a Sch	nool District Bond Ele	uide for detailed ction, you must file Fe ed copy to the Texas I	orm STA with th	e local filing authori	1 Total pages fli	ad:	
2	COMMITTEE					OFFIC	E USE ONLY	
	NAME					Filer ID #		
3	COMMITTEE ADDRESS	ADDRESS / PO BOX;	APT/SUITE#;	CITY;	STATE, ZIPCO	Date Received		
4	CAMPAIGN TREASURER NAME	MS/MRS/MR	FIRST		MI			
		NCOMME	DAT		SUFFIX	Date Hand-delivere	for Postmarked	
5	CAMPAIGN	STREET ADDRESS (N	O PO BOX PLEASE); APT	/SUITE#; CITY	STATE; ZIP CO	Receipt#	Amount\$	
	TREASURER STREET ADDRESS					Date Processed		
	(residence or business)					Date Imaged		
6	MAILING ADDRESS	ADDRESS / PO BOX;	APT/SUITE#;		СПУ;	STATE	ZIP CODE	
	asme as above							
7	CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER		EXTENSION			
8	PERSON APPOINTING TREASURER	FIRST		М	LAST		SUFFIX	
9	SIGNATURE	committee and fines for failure	that I am respon	sible for filin are of the res	ig all required re	treasurer for this eports and that I m of the Election Cod	ay be subject to	
					Signa	ture of Campaign Tre	asurer	
10	ASSISTANT CAMPAIGN TREASURER (see instructions)	FIRST		М	LAST		SUFFIX	
11	ASSISTANT CAMPAIGN TREASURER ADDRESS	ADDRESS / PO BOX;	APT/SUITE#;		CITY;	STATE	ZIP CODE	
12	ASSISTANT CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER		EXTENSION			

SPECIFIC-P	PURPOSE COMMITTEE:	FORM STA						
PURPOSEAND	MODIFIED REPORTING DECLARATION	PG 2						
13 COMMITTEE NAM	E							
14 COMMITTEE PURPOSE	CANDIDATE / OFFICEHOLDER NAME							
SUPPORT CANDIDATE								
OPPOSE CANDIDATE	OFFICE SOUGHT (candidate) / OFFICE HELD (officeholder)							
ASSIST OFFICEHOLDER								
	BALLOT IDENTIFICATION OF MEASURE / #	ELECTION DATE						
SUPPORT MEASURE		Month / Day / Year						
OPPOSE MEASURE	DESCRIPTION							
15 MODIFIED REPORTING DECLARATION	COMPLETE THIS SECTION ONLY IF Y							
**This declaration must be filed no later than the 30th day before the first election to which the declaration applies. **								
	**The modified reporting declaration is valid to (An election cycle includes a primary election, a general el							
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.								
	Year of election(s) or election cycle to signature which declaration applies	e of Campaign Treasurer						
	ATTACH ADDITIONAL COPIES OF THIS FORM AS	NEEDED						
TEC	Filers may send this form to the TEC electronically at treasap	point@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://ethics.state.tx.us/filinginfo/QuickFileAReport.php							
This	appointment is effective on the date it is filed with the appro	opriate filing authority.						

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 \$1,110 in contributions or \$1,110 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).

STATEMENT AU	URPOSE COMMIT JTHORIZING DIRECT CA ATION OR LABOR ORG IS UNDER SECTION 252	MPAIGN EXPE	DLITICAL	s	FORM ST
16 COMMITTEE NAME					
17 AFFIRMATION (If applicable)	I swear, or affirm, under pena and correct:	alty of perjury that the	he following s	tatement is in a	all things true
officehol organiza (Check if applicable) appointn	itical committee named above der, and will not use any tion to make a political is sholder, or (2) a political cor- nent a Statement Authorizing D ation Political Contributions decli	political contribut contribution to: (nmittee that has irect Campaign E	tion from a 1) a candid: not included	corporation ate for electi in its campa	or a labor ve office or ign treasurer
	PLEASE COMPLETE	EITHER OPTION	(1) OR (2) BE	LOW:	
(1) Affidavit Ju	urat:				
		Signal	ture of Comm	ittee Represen	tative
Notary S	tamp/Seal				
	ibed before me by hich, witness my hand and seal		, this the _	day of	·
Signature of officer admi	inistering oath Printed Nam	e of officer administerir	ng oath	Title of officer a	dministering oath
		OR			
	claration Jurat:	, and my da	te of birth is _		
My Address is	(street)	·(city)		(zip code)	(country)
Forested in	County, State of				
Executed III	County, State of				
		Signature of Co	mmittee Repr	esentative (De	clarant)
	form to the TEC electronically at state.tx.us or by mail to: Texas		Non-TEC F	ilers must file th	nis form

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.

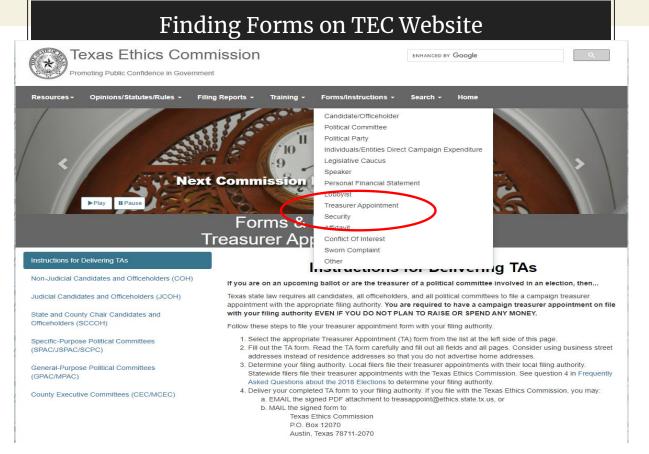
Form Security-CF

- 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)						
Г	Please print or type everything other than your signature. See the next page for additional information.					OFFICE USE ONLY	
1	FILER ID # (Ethics Commission Filers)				$\neg \neg$	Date Received	
2	NAME OF FILER SUBMITTING PRIMARY EMAILADDRESS	_ ·	r Mrs Ms				
3	COMMITTEE NAME (if committee)						
4	REASON FOR FILING THIS FORM	☐ I want Comm	to provide my primary email address for the ission to send email password links and other	Texas er notic	Ethics ces.	Date Hand-delivered or Date Postmarked	
	(check at least one)	☐ I want	the Texas Ethics Commission to set/reset in	ny pas	sword.	Date Processed	
		I want i	the Texas Ethics Commission to clear my Senswers.	ecurity	Questions	Date Imaged	
4A	PRIMARY EMAIL ADDRESS						
5	FILER CONTACT TELEPHONE (to be used if email address is invalid)	AREA CODE	PHONE NUMBER	EXTEN	SION		
6	CAMPAIGN FINANCE FILER TYPE	ООН	CANDIDATEOFFICEHOLDER		CEC	COUNTY EXECUTIVE COMMITTEE	
		П эсон	JUDICIAL CANDIDATE/OFFICEHOLDER		MOEC	MONTHLYCOUNTY EXECUTIVE COMMITTEE	
		_ всски	STATE/COUNTY CHAIR		DOE	DIRECTCAMPAIGNEXPENDITURES	
		☐ MPAC	MONTHLY GENERAL-PURPOSE COMMITTEE		ASIF SPAC	AS IF-SPECIFIC-PURPOSE COMMITTEE	
		☐ GPAC	GENERAL-PURPOSE COMMITTEE		LEG	LEGISLATIVE CAUCUS	
		JSPAC	JUDICIAL SPECIFIC-PURPOSE COMMITTEE		PTYCORP	POLITICAL PARTY	
		SC SPAC	STATE/COUNTY SPECIFIC-PURPOSE COMMITTEE		SPK	SPEAKER	
		SPAC	SPECIFIC-PURPOSE COMMITTEE				
L		SPAC	FILING FOR SCHOOL BOND ELECTIONS ONL your school district.	.Y. Atta	ch a copy of	your treasurer appointment stamped by	
7	FILER SIGNATURE	I swear, or affirm, under penalty of perjury, that I am the person required by law under the Texas Ethics Commission jurisdiction to file Gengalign 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.					
		Signature					



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

Thanks for watching!

QUESTIONS?

Call 512-463-5800