TEXAS ETHICS COMMISSION

SPECIFIC-PURPOSE COMMITTEE SPECIAL SESSION REPORT

FORM SPAC-SS – INSTRUCTION GUIDE

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Promoting Public Confidence in Government.

FORM SPAC-SS – INSTRUCTION GUIDE

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FORM SPAC-SS: SPECIFIC-PURPOSE COMMITTEE SPECIAL SESSION REPORT

GENERAL INFORMATION

These instructions are for specific-purpose committee campaign treasurers using the SPECIFIC-PURPOSE COMMITTEE SPECIAL SESSION REPORT (Form SPAC-SS). A complete report includes the two-sided Form SPAC-SS Cover Sheet, and any of the following schedules on which there is information to report: A1, A2-SS, B-SS, and T. If you are a judicial specific-purpose committee, use form JSPAC-SS and the corresponding instructions.

This report is filed after a special legislative session is called by the governor. The following types of specific-purpose political committees are required to file special session reports if the committee accepts contributions during the time period covered by the special session report:

- a specific-purpose committee for supporting, opposing, or assisting a statewide officeholder or a member of the legislature; or
- a specific-purpose committee for supporting or opposing a candidate for the legislature or a statewide office.

The report must be filed no later than 30 days after the date of final adjournment and must cover the period beginning on the date the governor signs the proclamation calling the special session and ending on the date of final adjournment of the special session. (Specific-purpose committees that support, oppose, or assist statewide officeholders and members of the legislature may not accept political contributions during the period beginning on the 30th day before a *regular* legislative session and continuing through the 20th day after the date of final adjournment. This restriction does not apply during a *special* session, unless the contribution is made or received during that same period.)

If you do not accept any contributions during the time period covered by the special session report, you are not required to file the report. *This is an exception from the usual rule that you must file a report even if you have no activity to report.*

A special session report is a report of contributions only, not expenditures. Contributions reported on a special session report must be reported again on your next report. (Don't worry; the filing application will automatically copy contributions from any Special Session report you file into your next required report.) In addition, you must include on your next report any expenditures that occurred during the period covered by the special session report.

You are not required to file a separate special session report if another report is due no later than the 10th day after the date on which the special session report would be due.

For more information, see the CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES.

COMPLETING THE COVER SHEET

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

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1. **FILER ID:** The Texas Ethics Commission (Commission) assigned a filer identification number when the initial campaign treasurer appointment (Form STA) was filed. The campaign treasurer should have received a letter acknowledging receipt of the campaign treasurer appointment and showing the committee's filer identification number. Enter this number wherever you see "Filer ID."

2. **TOTAL PAGES FILED:** After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of Page 1 only. Each side of a two-sided form counts as one page.

3. **COMMITTEE NAME:** Enter the committee's full name. Your entry here should be the same as on the committee's campaign treasurer appointment.

4. **COMMITTEE ADDRESS:** Enter the committee's complete mailing address. If the mailing address has changed since the committee last gave notice of the address, check the "Change of Address" box.

5. **CAMPAIGN TREASURER NAME:** Enter the full name of the committee's campaign treasurer.

6. **CAMPAIGN TREASURER STREET ADDRESS:** Enter the complete business or residential street address of the committee's campaign treasurer. Do not enter a P.O. Box.

7. **CAMPAIGN TREASURER MAILING ADDRESS**: Enter the complete mailing address of the committee's campaign treasurer. If the mailing address has changed since the committee last gave notice of the address, check the "Change of Address" box.

8. **CAMPAIGN TREASURER PHONE:** Enter the phone number of the campaign treasurer, including the area code and, if applicable, the extension.

9. **PERIOD COVERED:** The start date is the day the governor signs the proclamation calling the special legislative session. The end date is the day of final adjournment of the special legislative session.

   Contributions reported on a special session report must be reported again on your next report. Expenditures that occur during the period covered by the special session report are not included on the special session report, but must be included on your next report.

   You are not required to file a separate special session report if another report is due no later than the 10th day after the date on which the special session report would be due.

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10. **COMMITTEE NAME:** Enter the full name of the committee.

11. FILER ID: See the instructions for Cover Sheet, page 1, section 1.

12. COMMITTEE PURPOSE: A specific-purpose political committee is required to identify each candidate or ballot measure supported or opposed and each officeholder assisted by the committee during the reporting period covered by the special session report.

Note: This information should also have been included on your committee's campaign treasurer appointment (Form STA). If there is a change in this information, you must file an amended campaign treasurer appointment (Form ASTA) to report the change within 24 hours of the change.

Attach additional copies of this page, if necessary.

Changing status: Sometimes a specific-purpose political committee (SPAC) is organized to support a particular candidate or measure but later broadens its goals to support a variety of candidates who share the group's views on a particular issue or to support a variety of measures related to an issue. In that case, the committee has become a general-purpose political committee (GPAC).

SPAC becoming a GPAC/MPAC: If an SPAC engages in activities that make the committee a GPAC/MPAC, the committee must file a new campaign treasurer appointment (on Form GTA) with the Commission before it may accept more than $1,050 in total political contributions or make more than $1,050 in total political expenditures as a GPAC/MPAC. On Form GTA, the committee may choose whether to file according to the regular filing schedule (filer type GPAC) or monthly filing schedule (filer type MPAC).

In addition to filing Form GTA with the Commission, the campaign treasurer of the new GPAC/MPAC must give notice of the change in status to the filing authority with which the committee filed reports as an SPAC. This notice is due no later than the due date for the next report the committee would have had to file as an SPAC. The notice must state that the committee will file future reports as a GPAC/MPAC and that those reports will be filed with the Commission.

13. SIGNATURE: Complete this section only after you have completed all applicable sections and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. *Only the committee's campaign treasurer or the assistant campaign treasurer may sign the report.*

If you are using the paper form, fill this section out by hand after you finish the rest of this report. You have the option to either: (1) take the completed form to a notary public where you will sign above the first line that says "Signature of Campaign Treasurer (Declarant)" (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say "Signature of Campaign Treasurer (Declarant)" (an electronic signature is not acceptable), and fill out the unsworn declaration section.

SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS

These instructions are for specific-purpose committee campaign treasurers using SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about incoming monetary political contributions accepted during the reporting period covered by the special session report. You are not required to include contributions of an individual's personal services or travel if the individual receives no compensation from any source for the services. If your committee accepted other types of non-monetary contributions (such as in-kind contributions or pledges) enter them on the applicable schedules associated with the categories. (Report in-kind contributions on Schedule A2-SS and pledges on Schedule B-SS.)

Note: If the committee makes political expenditures or accepts political contributions in support of a candidate or officeholder, the committee must provide written notice to the candidate or officeholder who benefits from the committee's activity. For additional information, see the *Campaign Finance Guide for Political Committees*.

Itemization: You must itemize all monetary political contributions that your committee accepted during a special legislative session, regardless of the amount, on this schedule.

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

1. **TOTAL PAGES SCHEDULE A1:** After you have completed Schedule A1, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter the committee's full name.

3. **FILER ID:** See the instructions for Cover Sheet, page 1, section 1.

4. **DATE:** Enter the date the committee accepted the contribution. A decision to accept a contribution made during the period covered by a special session report must be made by the third day after the contribution is received.

   Accepting a contribution is different from ***receiving*** a contribution. The committee accepts a contribution when the determination is made to accept it rather than reject it. This may or may not be the same day that the committee receives the contribution.

   Failure to make a determination about acceptance or refusal: If you fail to make a determination to accept or refuse a contribution by the end of the reporting period, the contribution is considered to have been accepted.

   Returning refused contributions: If you receive a political contribution but do not accept it, you must return the contribution not later than the 30th day after the end of the reporting period in which the contribution was received. If you fail to do so, the contribution is considered to have been accepted.

5. **FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor. If the contributor is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the contributor is an entity, enter the full name of the entity.

Note: For Legislative Special Session Reports, you are not required to disclose the following information for a contributor that is an out-of-state political committee; however, you will be required to do so when that same contribution is disclosed again on the next required report. For this reason, you may choose to disclose the information now. Otherwise, you will need to remember to add the information later before you file the next required report.

"Out-of-State PAC" box: If the contributor is an out-of-state political committee, check the box. Certain restrictions apply to contributions from out-of-state PACS. The fact that a political committee has a mailing address outside of Texas does not mean that the committee is an out-of-state PAC for purposes of these restrictions. A political committee that has a campaign treasurer appointment on file in Texas is not an out-of-state PAC. A political committee that makes most of its political expenditures outside of Texas may be an out-of-state PAC. A political committee must determine if it is an out-of-state PAC.

If the contributor is an out-of-state political committee from which you accepted more than $1,080 during the reporting period covered by the special session report (including pledges or loans from sources other than financial institutions that have been in business for more than a year), you must include one of the following with your report:

- a written statement, certified by an officer of the out-of-state political committee, listing the full name and address of each person who contributed more than $220 to the out-of-state political committee during the 12 months immediately preceding the contribution; *or*

- a copy of the out-of-state political committee's statement of organization filed as required by law with the Federal Election Commission (FEC) and certified by an officer of the out-of-state committee.

If the contributor is an out-of-state political committee from which you accepted $1,080 or less (including pledges) during the reporting period, you must include one of the following with your report:

- a copy of the out-of-state political committee's statement of organization filed as required by law with the FEC and certified by an officer of the out-of-state committee; *or*

- a document listing the committee's name, address and phone number; the name of the person appointing the committee's campaign treasurer; and the name, address and phone number of the committee's campaign treasurer.

"ID #" Line (Electronic Filing Only): If you are filing your report electronically, you may enter in this field the out-of-state committee's FEC identification number. If you do not have an FEC # for the out-of-state PAC or are not filing electronically with the Commission, you must provide other documentation as explained above.

Note: See the *Campaign Finance Guide For Political Committees* for detailed information on accepting and reporting contributions from out-of-state political committees.

6. **CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.

7. **AMOUNT OF CONTRIBUTION:** Enter the exact amount of the contribution.

8. **PRINCIPAL OCCUPATION / JOB TITLE:** You may enter the contributor's principal occupation or job title in this section.

9. **EMPLOYER:** You may enter the employer of the contributor in this section.

   Note: For Legislative Special Session Reports, you are not required to disclose the principal occupation or job title, or employer for a contributor; however, you may be required to do so when that same contribution is disclosed again on the next required report. For this reason, you may choose to disclose the information now. Otherwise, you will need to remember to add the information later before you file the next required report.

   A committee that supports or opposes a candidate for or assists a holder of a statewide office or legislative office must disclose the principal occupation or job title, and the employer of an individual from whom the committee accepted contributions (including pledges) of $1,080 or more during the reporting period.

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

These instructions are for specific-purpose committee campaign treasurers filing using SCHEDULE A2-SS: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS.

Use this schedule to disclose information about incoming non-monetary (in-kind) political contributions. You are not required to include contributions of an individual's personal services or travel if the individual receives no compensation from any source for the services. If your committee accepted other types of contributions (such as monetary contributions or pledges) enter them on the applicable schedules associated with the categories. (Report monetary contributions on Schedule A1 and pledges on Schedule B-SS.).

Notice to Candidates and Officeholders: See the instructions for Schedule A1.

Itemization: You must itemize all in-kind political contributions that your committee accepted during a special legislative session, regardless of the amount, on this schedule.

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

1. **TOTAL PAGES SCHEDULE A2-SS:** After you have completed Schedule A2-SS, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter the committee's full name.

3. **FILER ID:** See the instructions for Cover Sheet, page 1, section 1.

4. **DATE:** See the instructions for Schedule A1, section 4.

5. **FULL NAME OF CONTRIBUTOR:** See the instructions for Schedule A1, section 5.

6. **CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.

7. **AMOUNT OF CONTRIBUTION:** Enter the fair market value of the non-monetary (in-kind) contribution.

8. **IN-KIND CONTRIBUTION DESCRIPTION:** Enter a description of the non-monetary (in-kind) contribution. The description should be sufficiently detailed to allow a person reviewing the committee's report to understand what was contributed.

   "Check if Travel Outside of Texas" box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. Report this information on Schedule T.

9. **PRINCIPAL OCCUPATION / JOB TITLE (FOR NON-JUDICIAL):** See the instructions for Schedule A1, section 9.

10. **EMPLOYER (FOR NON-JUDICIAL):** See the instructions for Schedule A1, section 9.

Sections 11-15 pertain to judicial specific-purpose committees only. Do not complete these *sections. If you are a judicial specific-purpose committee, use form JSPAC-SS and the corresponding instructions.*

SCHEDULE B-SS: PLEDGED CONTRIBUTIONS

These instructions are for specific-purpose committee campaign treasurers using SCHEDULE B-SS: PLEDGED CONTRIBUTIONS.

Use this schedule to disclose information about pledges accepted during the reporting period for political purposes. You are not required to include pledges of an individual's personal services or travel if the individual receives no compensation from any source for the services. Do not enter on this schedule information on contributions actually received. (Report contributions actually received on Schedule A1 and non-monetary contributions actually received on Schedule A2-SS.)

If the committee accepts a pledge from a person for money, goods, services, or anything of value, that pledge is a reportable contribution and the committee must include the pledge on this schedule for the report covering the period in which the committee *accepts* the pledge.

Itemization: You must itemize all pledges that your committee accepted during the special legislative session, regardless of the amount, on this schedule.

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

1. **TOTAL PAGES SCHEDULE B-SS:** After you have completed Schedule B-SS, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter your full name.

3. **FILER ID:** See the instructions for Cover Sheet, page 1, section 1.

4. **DATE:** Enter the date your committee ***accepted*** the pledge. Accepting a pledge is different from receiving a contribution. You accept a pledge when you decide to accept it rather than reject it. (If the pledge is accepted and received in the same reporting period, it is no longer a pledge disclosed here; it becomes a contribution disclosed on the applicable contributions schedule.)

   <u>Pledge accepted and received in different reporting periods:</u> If your committee *accepts* a pledge in one reporting period and then *receives* the pledged money or other thing of value in a later reporting period, you will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. You will also disclose the receipt of the pledged money or other thing of value on the appropriate incoming funds schedule (such as monetary or non-monetary contributions, or loans) in the reporting period in which you received the pledge.

   <u>Pledge received in same reporting period as accepted:</u> If your committee receives a pledge in the same reporting period in which it was accepted, then you will not report the pledge on this schedule. You will only disclose the contribution on the appropriate incoming funds schedule (such as monetary or non-monetary contributions, or loans). The date of the contribution will be the date your committee accepted the pledged contribution, regardless of when the pledged contribution was actually received.

Pledge accepted but never received: You will disclose the pledge on this schedule in the reporting period in which you accepted the pledge. If your committee never actually receives the pledge, it is not necessary to correct your report to delete the pledge.

Example: On June 26, during a special legislative session, a supporter promises that he will give Juan Garcia $1,000 in the last week of November. Juan accepts his promise. The special session adjourns on July 25 and the special session report is due on August 24. Juan must disclose the pledge on his special session report and the July 15 report, because both reports cover the period in which he accepted the pledge. (Note: When he receives the $1,000, he will disclose it as a monetary contribution on Schedule A1 of the report covering the period in which he received the money. Also, if he never receives the $1,000, he does not correct/amend his report to delete the entry for the pledge.)

5. **FULL NAME OF PLEDGOR:** Enter the full name of the person who made the pledge.

   "Out-of-State PAC" box: See the instructions for Schedule A1, section 5.

6. **PLEDGOR ADDRESS:** Enter the complete address of the person who made the pledge.

7. **AMOUNT OF PLEDGE:** Enter the exact amount of the pledge or the fair market value of any pledged goods or services or other thing of value, as applicable.

8. **IN-KIND CONTRIBUTION DESCRIPTION:** If the pledge was for goods or services or any other thing of value, enter a description of the pledged goods or services or other thing of value. The description should be sufficiently detailed to allow a person reviewing your report to understand what was pledged.

   "Check if Travel Outside of Texas" box: Check this box if the expenditure was for travel outside of Texas. The description of a political expenditure for travel outside of Texas must include detailed information. Report this information on Schedule T.

9. **PRINCIPAL OCCUPATION / JOB TITLE:** See the instructions for Schedule A1, section 9.

10. **EMPLOYER:** See the instructions for Schedule A1, section 9.

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

These instructions are for candidates, officeholders, committees, or political parties using SCHEDULE T: IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS.

Use this schedule to disclose information about contributions accepted or expenditures made during the reporting period that were used for travel outside of Texas. In addition to completing this schedule, you must also report the actual contribution or expenditure on the appropriate schedule or form. The law requires detailed information regarding in-kind contributions or political expenditures for travel outside of Texas.

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

1. **TOTAL PAGES SCHEDULE T:** After you have completed Schedule T, count the total number of pages. Each side of a two-sided form counts as one page.

2. **FILER NAME:** Enter the full name of the candidate, committee, or party on whose report you are including this schedule.

3. **FILER ID:** See the instructions for Cover Sheet, page 1, section 1.

4. **NAME OF CONTRIBUTOR / CORPORATION OR LABOR ORGANIZATION / PLEDGOR / PAYEE:** Enter the full name of the contributor / corporation or labor organization / pledgor / payee as it appears on the schedule or form on which you reported the actual contribution or expenditure.

5. **CONTRIBUTION / EXPENDITURE REPORTED ON:** Check the appropriate box for the schedule or form on which you reported the actual contribution or expenditure. For Special Session reports: if you reported contributions on Schedules A2-SS, B-SS, or B(J)-SS, check the box of the corresponding schedules A2, B, or B(J), respectively.

6. **DATES OF TRAVEL:** Enter the dates on which the travel occurred.

7. **NAME OF PERSON(S) TRAVELING:** Enter the name of the person or persons traveling on whose behalf the travel was accepted or on whose behalf the expenditure was made.

8. **DEPARTURE CITY OR NAME OF DEPARTURE LOCATION:** Enter the name of the departure city or the name of each departure location.

9. **DESTINATION CITY OR NAME OF DESTINATION LOCATION:** Enter the name of the destination city or the name of each destination location.

10. **MEANS OF TRANSPORTATION:** Enter the method of travel (i.e. airplane, bus, boat, car, etc.)

11. **PURPOSE OF TRAVEL:** Enter the campaign or officeholder purpose of the travel, including the name of a conference, seminar, or other event.