

PERSONAL FINANCIAL STATEMENT

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IMPORTANT UPDATES

Increased Disclosure Thresholds

On January 1, 2020, the Texas Ethics Commission began adjusting certain reporting thresholds to account for inflation. As directed by section 571.064 of the Texas Government Code, the Commission is required to annually adjust these thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor. Accordingly, one or more thresholds will generally be adjusted each year, depending upon the figures in the index.

These changes will be made effective January 1st of each calendar year; the affected numbers and corresponding new thresholds are located in 1 T.A.C. §18.31, which can be found here: <https://www.ethics.state.tx.us/rules/>. The higher itemization thresholds will be reflected on the paper forms and in these instructions, as applicable.

Please verify that you are using the correct thresholds and forms that apply to your filing. For example, if you are filing a campaign finance report or lobby activities report that is due in January of 2021, you must use the forms and instructions that are applicable to the period ending December 31, 2020.

GENERAL INSTRUCTIONS

Every “state officer,” as defined by chapter 572 of the Government Code, and the state chair of each political party, must file an annual personal financial statement with the Texas Ethics Commission (“Commission”). The requirement extends to each person who served as a state officer for any part of the period beginning January 1 of the year the statement is due and ending April 30.

Please note that an appointed or elected officer continues to serve as a state officer *until his or her successor has qualified for office*. For example, a person who resigned or whose term ended in November of one year will need to file a personal financial statement covering that year if the person was not replaced until January of the following year or later. However, if you are an appointed officer, as defined by section 572.002 of the Government Code, you are not required to file a personal financial statement if the following criteria are met before January 1 of the year the statement is due: (1) your term expired, you resigned, your agency was abolished, or your agency functions were transferred to another agency; and (2) you ceased to participate in the state agency’s functions. If your term expired or if you resigned, you are required to provide written notice of your intent to not participate in the agency’s functions to the Office of the Governor and to the Commission.

Every candidate for one of the elective public offices listed in chapter 572 must also file a personal financial statement with the Commission prior to the primary election date. Please see FILING DEADLINES in this guide or the filing schedule on the Commission’s website for the filing deadline. In addition, certain local candidates and officeholders may be required to file a personal financial statement, using this form, with a local filing authority under chapter 159 of the Local Government Code.

If you have questions about whether you are required to file this form, please visit our website at www.ethics.state.tx.us. The website also provides access to chapter 572 of the Government Code, Commission rules, filing schedules, and personal financial statement brochures.

PART 11. OWNERSHIP, ASSETS, AND LIABILITIES OF BUSINESS ASSOCIATIONS

PART 11A. OWNERSHIP OF BUSINESS ASSOCIATIONS

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11A is separate from Part 11B and Part 11C of the PFS. If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet.

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

- 1. Business Association:** Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

- 2. Business Type:** State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.
- 3. Held, Acquired, or Sold by:** Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.

PART 11B. ASSETS OF BUSINESS ASSOCIATIONS

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11B pertains to assets of the corporation or partnership, and Part 11C pertains to liabilities of the corporation or partnership. If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet.

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

- 1. Business Association:** Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

- 2. Business Type:** State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.
- 3. Held, Acquired, or Sold by:** Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.
- 4. Assets.** Describe each asset of each business association and check the appropriate monetary category.

PART 11C. LIABILITIES OF BUSINESS ASSOCIATIONS

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11C pertains to liabilities of the corporation or partnership, and Part 11B pertains to assets of the corporation or partnership. If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet.

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

1. Business Association: Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

- 2. Business Type:** State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.
- 3. Held, Acquired, or Sold by:** Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.
- 4. Liabilities.** Describe each liability of the business association and check the appropriate monetary category.

PART 12. BOARDS AND EXECUTIVE POSITIONS

This section is for information about all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions held in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, or other business associations or proprietorships. If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet.

Non-Profits. This section applies to boards of directors and executive positions with non-profit as well as for-profit entities.

Compensated Service. If you, your spouse, or a dependent child received payment for position listed in this section, you may also be required to list the entity under Part 1A. SOURCES OF OCCUPATIONAL INCOME.

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

- 1. Organization:** Provide the name of the organization.
- 2. Position Held:** Provide the position held in the organization.
- 3. Position Held by:** Check the appropriate box to indicate whether the position is held by you, your spouse, or a dependent child.

PART 13. EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

Generally, section 36.07 of the Penal Code prohibits a public servant from accepting an honorarium in consideration for providing services he or she would not have been asked to provide but for his or her official position. The provision does not, however, prohibit the acceptance of necessary transportation, lodging, or meals in connection with a conference or similar event at which the public servant renders services, such as addressing an audience or participating in a seminar, that are more than merely perfunctory. If someone provided you with transportation, meals, or lodging under this provision, identify the donor and provide the amount of expenditures made. You may have to contact the donor to obtain the amount. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Political Contributions and Lobby Expenditures. You are not required to list items you or another candidate have already reported on a campaign finance report or items required to be reported by a lobbyist as lobby expenditures. *See* Tex. Ethics Comm'n Op. No. 401 (1998).

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

- 1. Provider:** Provide the name and address of the person making the expenditures.
- 2. Amount:** Provide the amount of the expenditures.

PART 14. INTEREST IN BUSINESS IN COMMON WITH A LOBBYIST

Complete this section by identifying any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly held corporation, in which both you, your spouse, or a dependent child, and a person registered as a lobbyist under chapter 305 of the Government Code, have an interest. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Interest. Please note that the statute applies if you, your spouse, or a dependent child, and a lobbyist both have “an interest” in the business. The interest does not have to be a “substantial interest” as in Part 1B in order to trigger the reporting requirement. Please note that for purposes of this section, a person who is an employee of a business entity is considered to have an interest in that business entity.

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

- 1. Business Entity:** Provide the name and address of the partnership, joint venture, or other business association in which you, your spouse, or a dependent child, and a person registered as a lobbyist have an interest.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

- 2. Interest Held by:** Check the appropriate box to indicate whether you, your spouse, or a dependent child have an interest with a person registered as a lobbyist.

PART 15. FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST’S EMPLOYER

If you received a fee for providing services to or on behalf of a person required to be registered as a lobbyist under chapter 305, Government Code, or for providing services to or on behalf of a person you *actually know* directly compensates or reimburses such a person, you must complete this section by providing the name of the person for whom you provided the services and the category of the amount of the fee you received. You are not required to disclose in this section fees received by your spouse for services rendered by your spouse although such fees may be required to be disclosed in Part 1. *See* Tex. Ethics Comm’n Op. No. 252 (1995). You are not required to disclose fees received from a business entity by which you are employed unless the business entity is merely an alter ego of the state officer. *See* Tex. Ethics Comm’n Op. No. 333 (1996). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Actual knowledge. You “actually” know that someone directly compensates or reimburses a person required to be registered as a lobbyist if you personally know that the person does so or you could readily determine that fact by contacting the person or the Commission. *See* Tex. Ethics Comm’n Op. No. 333 (1996).

Disclosing Confidential Information. State officers who are physicians are not required to include on their financial disclosure reports a patient’s identity because that information is made confidential by the Medical Practices act. *See* Tex. Ethics Comm’n Op. No. 21 (1992). The Commission has declined to extend this exception to accountants who would be reporting information regulated by the Public Accountancy Act. *See* Tex. Ethics Comm’n Op. No. 22 (1992) (Public Accountancy Act does not make a client’s identity confidential and therefore does not conflict with financial disclosure requirements). The Commission has also indicated that this exception would not be extended to attorneys in cases where disclosing a client’s identity would not reveal a confidential communication. *See id.*

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

- 1. Person or Entity for Whom Services Were Provided:** Provide the name of the person or entity.
- 2. Fee Category:** Check the appropriate fee category for the amount received.

PART 16. REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

This section applies only to members of the Texas Legislature. If you represented a person *for compensation* before a state agency in the executive branch, you must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. State Agency:** Provide the name of the state agency.
- 2. Person Represented:** Provide the name of the person you represented.
- 3. Fee Category:** Check the appropriate fee category for the amount received.

NOTE: Legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if:

1. the representation is pursuant to an attorney/client relationship in a criminal law matter;
2. the representation involved the filing of documents that involve only ministerial acts on the part of the agency; or
3. the representation is in regard to a matter for which the legislator was hired before September 1, 2003.

PART 17. BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

Section 36.10 of the Penal Code provides that the gift prohibitions set out in Section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under chapter 572, Government Code, or title 15 of the Election Code, if: 1) the benefit and the source of any benefit over \$50 in value are reported in the statement; and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office that are non-reimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Source of benefit:** Provide the name and address of the person or entity that is the source of the benefit.
- 2. Benefit:** Describe the benefit received.

PART 18. LEGISLATIVE CONTINUANCES

This section applies only to members of the Texas Legislature. Complete this schedule if you are a member or member-elect of the legislature licensed to practice law and represent a party to a civil or criminal case for compensation and on behalf of that party's behalf you have applied for or obtained a legislative continuance under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant a continuance on the grounds that an attorney for a part is a member or member-elect of the legislature. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Name of Party Represented:** Provide the name of the party on whose behalf you applied for or obtained a continuance.
- 2. Date Retained:** Provide the date on which you were retained to represent the party.
- 3. Style, Cause Number, Court, and Jurisdiction:** Provide the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought.
- 4. Date of Continuance Application:** Provide the date on which you applied for a continuance.
- 5. Was Continuance Granted:** Indicate whether the continuance was granted.

**PART 19. CONTRACTS TO SELL GOODS OR SERVICES TO A
GOVERNMENTAL ENTITY OR GOVERNMENTAL ENTITY
CONTRACTOR**

You must complete this part if, during the calendar year:

- (1) You, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, was a party to one or more written contracts, **AND**
- (2) All of the following apply to the contracts:
 - (A) the contracts were for the sale of goods or services in the amount of \$2,950 or more.
 - (B) the aggregate cost of the goods or services under the contracts exceeds \$11,810 in the calendar year.
 - (C) the contract were with either:
 - a governmental entity, or
 - a person who contracts with a governmental entity, if the individual or entity described in (1) performed work arising out of the contract, subcontract, or agreement for a fee.

If this part applies, you must provide the following information for each of the contracts.

NOTE: This part does not require the disclosure of an employment contract between a school district or open-enrollment charter school and an employee of the district or school. This part does not apply to an individual who complies with an applicable requirements of Sections 51.954 (relating to Disclosure of Sponsors of Contracted Research in Public Communications) and 51.955 (relating to Prohibited State Agency Actions Related to Disclosure of Publicly Funded Research), Education Code, and section 2252.908 of the Government Code (relating to Disclosure of Interested Parties), in an individual capacity or as a member or employee or an entity to which those sections apply.

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

- 1. Filer Parties:** Check the appropriate boxes to indicate whether you, your spouse, or a dependent child were a party to the contract. If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, that entity is identified in Box 3 (see below, at “3. Business Parties”).
- 2. Governmental Parties:** Provide the name and address for each “Governmental Entity” or “Contractor for Governmental Entity” that is a party to the contract.
 - **Governmental Entity.** A “Governmental Entity” means the State of Texas, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

If a party to the contract is a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Governmental Entity.

- **Contractor for Governmental Entity.** A “Contractor for a Governmental Entity” is a person who contracts with a Governmental Entity. This requirement applies if either you, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, performs work arising out of the contract, subcontract, or agreement between the Contractor for a Governmental Entity and the Governmental Entity for a fee.

If a party to the contract is a Contractor for a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Contractor for a Governmental Entity.

3. **Business Parties:** If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, provide the name and address of the business entity.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

PART 20. BOND COUNSEL SERVICES PROVIDED BY A LEGISLATOR

This section applies only to a member of the Texas Legislature who provided bond counsel services to an issuer as defined by Section 1201.002(1) of the Texas Government Code.

Please identify each issuance for which you served as bond counsel. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

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

- 1. Issuer Name:** Provide the name of the issuer.
- 2. Issuance Date:** Provide the date of the issuance.
- 3. Issuance Amount:** Provide the amount of the issuance.
- 4. Fees Paid to Filer:** Check the appropriate fee category for the amount of fees paid to the filer.
- 5. Fees Paid to Filer's Firm:** Check the appropriate fee category for the amount of fees paid to the filer's firm, if applicable.

PERSONAL FINANCIAL STATEMENT SIGNATURE PAGE

Complete this page only after you have completed all applicable sections and parts. You must complete this page after you finish the rest of the report, even if you have no parts to attach. You must always sign a report that you file, and the law requires that the personal financial statement be verified. The verification page must have the signature of the individual required to file the personal financial statement.

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 Filer” (an electronic signature is not acceptable) and your signature will be notarized, or (2) sign above both lines that say either “Signature of Filer” or “Signature of Filer (Declarant)” (an electronic signature is not acceptable), and fill out the unsworn declaration section.