

# FINANCIAL DISCLOSURE FOR COUNTY OFFICIALS IN TEXAS

## 2011 Update

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# FINANCIAL DISCLOSURE FOR COUNTY OFFICIALS IN TEXAS

## INTRODUCTION

Financial disclosure statutes are designed to support a public policy that discourages conflicts between a public servant's personal interests and the performance of the officer's official duties. To implement this policy, laws have been enacted that require disclosure of the public servant's sources of income, assets, and liabilities. This information is available to the public for inspection. Under Texas law, affected officers and candidates file annual reports disclosing financial information for the preceding calendar year.

The statutes governing financial disclosure by **county officials** are found in Chapter 159 of the Local Government Code.<sup>1</sup> (See Appendix A). Each of the 3 subchapters in Chapter 159 addresses different groups of officers and prescribes different penalties for noncompliance.

The applicability of Subchapters A and B is based on county population. Subchapter C applies to all counties. The definition of "county officers" who must file is different in each subchapter, and it is important to note these differences in determining who must file and the rules applicable to a given filer.

Substantial criminal and civil penalties are provided for failure to comply with Chapter 159. Therefore, affected persons need to be aware of the filing requirements set forth in the chapter. This publication will consider the filing requirements of each subchapter in the order that they appear in the statute.

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<sup>1</sup> Other disclosure statutes applicable to certain county officials include Local Government Code chapter 171 (conflicts of interest) and chapter 176 (disclosure of certain relationships with vendors).

## **ONE MAJOR CHANGE**

During the 2011 Legislative Special Session, Texas Local Government Code, Section 159.003(b)(2) was amended to expand the financial disclosure requirements for persons filing under Subchapter A. Prior to the amendment, county officers, candidates for county office and justices of the peace were required to file financial statements that comply with Sections 572.022 and 572.023 of the Texas Government Code. Effective September 1, 2011, in addition to the Government Code requirements, financial statements must comply with any order from a commissioners court requiring additional disclosures.

## Subchapter A

### COUNTY OFFICERS IN COUNTIES OF 100,000 OR MORE; AND JUSTICES OF THE PEACE IN COUNTIES OF 125,000 OR MORE<sup>2</sup>

#### Who must file:

The Subchapter A disclosure requirements apply to a county judge, county commissioner, or county attorney in a county with a population of 100,000 or more persons, and to a justice of the peace in a county of 125,000 or more.<sup>3</sup> A financial statement is required of both the persons who hold these offices and candidates for these offices.<sup>4</sup>

#### Filing Dates for Officers and Candidates

##### **County Officer and Justices of the Peace Deadlines:**

*General Rule:* An elected officer shall file a financial statement no later than April 30 each year.<sup>5</sup> A person appointed, rather than elected, to the office must file his or her first financial statement no later than the 30th day after the date of appointment or the date of qualification for office, whichever is earlier.<sup>6</sup>

*Extensions:* A county officer or justice of the peace may ask the county clerk to grant an extension of time of up to sixty days to file the statement. The county clerk must grant a request that is received before the filing deadline, and also if a timely filing or extension request is prevented by physical or mental incapacity. No more than one extension may be granted to a person in one calendar year, unless there is a showing of good cause.<sup>7</sup>

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<sup>2</sup> See Appendix B for a list of county populations.

<sup>3</sup> Tex. Loc. Gov't. Code § 159.001

<sup>4</sup> Tex. Loc. Gov't. Code § 159.003

<sup>5</sup> Tex. Loc. Gov't. Code § 159.004(a); Tex. Gov't. Code § 572.026

<sup>6</sup> Tex. Gov't Code § 572.030 (c)

<sup>7</sup> Tex. Loc. Gov't. Code § 159.004 (c)

## **Candidate Deadlines:**

*General Rule:* Whether partisan or independent, a candidate for a covered county office must file a financial statement no later than the 40<sup>th</sup> day after the regular filing deadline to apply for a place on the ballot in the general primary.<sup>8</sup> If the deadline under which a candidate files for a place on the ballot, other than the regular filing deadline for an independent candidate, or files as a write-in candidate, falls after the date of the regular filing deadline for candidates in the general primary election, the candidate must file the required statement no later than the 30<sup>th</sup> day after the later deadline. However, if that resultant deadline falls after the 35<sup>th</sup> day before the date of the election in which that candidate is running, then the statement must be filed no later than the 5<sup>th</sup> day before that election date.<sup>9</sup> An individual who is a candidate in a special election shall file not later than the 5<sup>th</sup> day before the date of the election.<sup>10</sup> An individual nominated to fill a vacancy as a nominated candidate for one of the enumerated county offices must file the financial statement no later than the 15<sup>th</sup> day after the certificate of nomination is filed.<sup>11</sup>

*No extensions:* The county clerk cannot grant an extension to a **candidate** for office as a county officer or justice of the peace.<sup>12</sup>

## Where Statements Are Filed:

A statement filed under Subchapter A must be filed with the county clerk in the county where the officer or candidate resides.<sup>13</sup>

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<sup>8</sup> Tex. Loc. Gov't. Code § 159.003; Tex. Gov't. Code § 572.027(a)

<sup>9</sup> Tex. Govt. Code § 572.027(b)

<sup>10</sup> Tex. Govt. Code § 572.027(c)

<sup>11</sup> Tex. Govt. Code § 572.027(d). The chair of the executive committee making the replacement nomination must file the certification. Tex. Elec. Code § 145.037

<sup>12</sup> Tex. Loc. Gov't. Code § 159.004(d)

### Timeliness of Filing:

The time deadline for filing is 5 p.m. of the deadline day.<sup>14</sup> If the last day for filing falls on a Saturday, Sunday, or holiday as listed in the Government Code<sup>15</sup> then the statement is timely if filed on the next day that is not a Saturday, Sunday or listed holiday.<sup>16</sup> A financial statement will be considered timely filed if, not later than the last day for filing, it is properly addressed and placed in the United States Post Office or in the hands of a common or contract carrier. The post office's cancellation mark, or the receipt of the common carrier, is taken as the date of mailing. However, the person filing may show by competent evidence that the actual date of posting differs from the mark or receipt.<sup>17</sup>

### Contents of Financial Statements in General

The financial statement must include a detailed account of the financial activity of the county officer or candidate, and an account of the financial activity of the person's spouse, and dependent children, if the person had actual control of that activity during the preceding calendar year. The statement must comply with Government Code §§ 572.022 and 572.023 and with any order from a commissioners court requiring additional disclosures.<sup>18</sup> (See Appendix D for a sample of the form prescribed by the Ethics Commission to satisfy these sections.)

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<sup>13</sup>Tex. Loc. Gov't. Code § 159.003

<sup>14</sup>Tex. Loc. Gov't. Code § 159.004(b); Tex. Gov't. Code § 572.029(a)

<sup>15</sup>Tex. Gov't. Code § 662.021; § 662.003. See Appendix C for list of holidays.

<sup>16</sup>Tex. Gov't. Code § 572.029(b)

<sup>17</sup>Tex. Gov't. Code § 572.029(c)

<sup>18</sup>Tex. Loc. Gov't. Code § 159.003; Tex. Gov't. Code § 572.023(a)

## Forms

The county clerk must either design a form to be used to report the required information or require that the form prescribed by the Texas Ethics Commission be used.<sup>19</sup> The clerk must make two copies of the forms available to each person required to file the statement. The copies must be mailed, or at the request of the person, sent by electronic mail: 1) before the 30<sup>th</sup> day before the financial statement filing deadline for current county officers; 2) no later than the 15<sup>th</sup> day after the deadline for filing an application for a place on the ballot for most candidates; 3) no later than the 7<sup>th</sup> day after the appointment date for persons appointed to office; and, 4) no later than the 5<sup>th</sup> day after a certificate of nomination is filed for those candidates nominated to fill a candidate's vacated nomination.<sup>20</sup>

## Reportable Items

The statutes require the account of the financial activity to include the following items:

- 1) A list of all occupational income, with the employer identified, or if one is self-employed, then the income sources are identified by the nature of the occupation, including identifying any person, business entity or other organization from which the county officer or candidate received a fee or retainer in exchange for future services, in cases where those services were not actually performed during the reporting period in an amount equal to or greater than the amount of the actual fee, and the category of the amount of

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<sup>19</sup> Tex. Loc. Gov't. Code § 159.005

- the fee. Such a retainer would be distinguished from an agreed-upon fee for a service specified at the time the contract is made or the fee received;
- 2) identification by name and category, the number of shares of stock of any business entity held or bought and, if sold, the category of the amount of net gain or loss realized from such sale;
  - 3) a list of all bonds, notes, and other commercial paper bought or held and, if sold, the category of the amount of net gain or loss realized in that sale;
  - 4) identification of each source and category of the amount of income of more than \$500 per source derived from interest, dividends, royalties and rents;
  - 5) identification of each person or financial institution to whom a personal note or notes totaling a financial liability of more than \$1000 existed at any time during that year, and the category of the amount of liability;
  - 6) identification by description of all beneficial interests in real property and business entities held or acquired and, if sold, the category of the amount of any net gain or loss realized from that sale;
  - 7) identification of any person, business entity, or other organization from which the person, their spouse or dependent children received a gift of money<sup>21</sup> or property over \$250 in value, or a series of gifts of money or property from the same source which totals more than \$250 in value, and a description of each gift, except gifts from relatives within the 2<sup>nd</sup> degree by consanguinity or affinity and campaign contributions otherwise legally reported. It should be noted that a county official may be required to report some gifts of food, lodging, transportation or entertainment, under this law and ethics requirements, in order to satisfy Penal Code, Sec. 36.02;

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<sup>20</sup> Tex. Gov't. Code § 572.030(c). The chair of the executive committee making the replacement nomination must file the certification, Tex. Elec. Code § 145.037.

<sup>21</sup> Tex. Gov't. Code § 572.022 requires the description of a gift of cash or cash equivalent to include the value of the gift.

- 8) identification of the source and category of the amount of all income received as beneficiary of a trust, other than a blind trust described in Government Code § 572.023(c), and identification of each trust asset from which the beneficiary received income of more than \$500, if known by the beneficiary;
- 9) identification by description and the category of the amount of all assets and liabilities of any corporation, firm, partnership, or association<sup>22</sup> in which 50% or more of the outstanding stock was held, acquired or sold;
- 10) a list of all boards of directors of which the person is a member, and any executive positions held in corporations, firms, partnerships, and proprietorships by the person, stating the position held, and the name of each corporation, firm, partnership or proprietorship;
- 11) identification of any person providing transportation, meals, or lodging expenses permitted under Section 36.07(b), Texas Penal Code, (the code “does not prohibit a public servant from accepting transportation and lodging expenses in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent that those services are more than merely perfunctory, or from accepting meals in connection with such an event”), and the amount of those expenses, other than expenditures required to be reported under Government Code Chapter 305 (Registration of Lobbyists);
- 12) any partnership, joint venture, or other business association, excluding a publicly-held corporation, in which both the county officer and a person registered under Chapter 305 have an interest;<sup>23</sup>

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<sup>22</sup> Tex. Gov’t Code § 572.023(b) (9), (10), and (12) list the following entities: corporation, firm, partnership, professional corporation, professional associations, joint venture, or other business association.

<sup>23</sup> Tex. Loc. Gov’t. Code § 159.003(b); Tex. Gov’t. Code § 572.023(b)

- 13) identification by name and the category of the number of shares of any mutual fund held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale; and
- 14) identification of each blind trust that complies with subsection (c), including the category of the fair market value of the trust, date of creation, name and address of trustee, and a statement signed by the trustee under penalty of perjury that the trustee has not revealed certain information to the filer.<sup>24</sup>

The Degree of Detail Required for Reportable Items:

*Categories of Value:* The statute directs that certain items are to be listed in “categories” of amounts rather than actual dollar amounts. The statute establishes the categories to be used.<sup>25</sup>

*Amounts of Stock:* Similarly, the law requires that amounts of stock must be reported by category of number of shares, instead of dollar value, and the report is to reflect whether the amount is: 1) less than 100 shares; 2) at least 100 but less than 500; 3) at least 500 but less than 1000 shares; 4) at least 1000 but less than 5000; 5) at least 5000 but less than 10,000 shares; 6) 10,000 shares or more.<sup>26</sup>

*Real Property:* The officer must report real property by reporting the street address, if available, or the number of lots or acres, as applicable, in each county, if the street address is not available, along with the name of the appropriate

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<sup>24</sup> Tex. Gov’t. Code § 572.023(c) describes a blind trust as one to which the trustee is a disinterested party, is not the filer, is not required to register as a lobbyist, is not a public officer or public employee, was not appointed to an office or employment by the filer or a person he filer supervises, and the trustee has complete discretion to manage the trust and to dispose of and acquire assets without consulting or notifying the filer.

<sup>25</sup> Tex. Gov’t. Code § 572.022(a). See Appendix D.

<sup>26</sup> Tex. Gov’t. Code § 572.022(b). See Appendix D.

county, and the names of all persons retaining an interest in the property, other than severed mineral interests.<sup>27</sup>

#### Duplicate Statements Not Required

If a person has filed a financial statement for the preceding calendar year, under one provision of Subchapter A, the person does not have to file another financial statement under the subchapter covering that same year if, before the filing deadline of the later required statement, the person notifies the county clerk in writing that he or she has previously filed a financial statement covering that year.<sup>28</sup> For example, if a county officer or justice of the peace files the required statement as an officer and then becomes a **candidate** for office, the officer may notify the county clerk that he or she has already filed a financial statement under this subchapter and is not required to file a second statement.

#### Records Maintenance and Access

Financial statements filed under this law are public information, and the county clerk must maintain the records in a manner accessible to the public during regular business hours. Each time a person requests to see a financial statement, excluding the county clerk or his or her employee acting on official business, the clerk shall note and maintain in the file a listing of the requesting person's name and address, who that person represents, and the date of the request, up to the first anniversary of the filing date of the statement. The county clerk may destroy each financial statement after the second anniversary of the date a person

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<sup>27</sup> Tex. Gov't. Code § 572.022(c).

<sup>28</sup> Tex. Loc. Gov't. Code § 159.006

ceases to hold the office or be a candidate, and must do so if the former county officer or candidate so requests.<sup>29</sup>

### Notification

Not later than the 10<sup>th</sup> day after a filing deadline, the county clerk must notify the local prosecuting attorney whether a person required to file a financial statement did so timely and whether the person requested and received an extension to file on a later date.<sup>30</sup>

### Penalties

#### *Criminal Penalty*

A county officer or a candidate for the office, commits a Class B misdemeanor if he or she knowingly fails to file the required financial statement. It is a defense to prosecution that the county officer or candidate did not receive a copy of the form required to be provided by the county clerk.<sup>31</sup> The offense may be prosecuted in the county or counties prescribed by the Code of Criminal Procedure.<sup>32</sup>

#### *Civil Penalty*

Any person who determines that an individual required to file a financial statement under the law has failed to do so may notify the county attorney or criminal district attorney (or the district attorney if the person failing to properly file is the county attorney). Upon receipt of such notice, the appropriate prosecuting attorney will determine from available evidence whether the

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<sup>29</sup> Tex. Loc. Gov't. Code § 159.007

<sup>30</sup> Loc. Gov't. Code § 159.0071

<sup>31</sup> Tex. Loc. Gov't. Code § 159.008

<sup>32</sup> Tex. Loc. Gov't. Code § 159.009

accused person has failed to properly file. Upon making that determination, the prosecuting attorney will promptly mail a notice of that determination, by certified mail, to the person responsible for filing the statement. If the notified person still fails to file the financial statement before the 30<sup>th</sup> day after receiving notice of the omission, then that person is civilly liable to the county in an amount not to exceed \$1000.<sup>33</sup> Venue for the recovery of civil penalties is in the county of the defendant's residence.

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<sup>33</sup> Tex. Loc. Gov't. Code § 159.010

## Subchapter B

### FINANCIAL DISCLOSURE BY OTHER COUNTY OFFICERS AND EMPLOYEES - COUNTIES WITH A POPULATION OF 125,000 OR MORE<sup>34</sup>

#### Financial Disclosure Reporting System

The commissioners court of a county of 125,000 or more may adopt a reporting system for certain officers, candidates for those offices, and employees.<sup>35</sup> If the commissioners court adopts a financial disclosure reporting system, it shall also detail the items that are required to be reported, and the due date for filing the report.<sup>36</sup>

The reporting requirement does not have to be applied across the board to all county employees. For example, the commissioners court may limit reporting to a specific group of county employees with similar jobs, as long as all employees in that group are required to report; i.e. the commissioners court could require all purchasing agents to report, while at the same time not requiring sanitation workers to report.<sup>37</sup>

If the commissioners court requires a person to file, that person meets the requirement by filing a report that complies with Chapter 572, Texas Government Code, with the authority designated by the commissioners court.<sup>38</sup> (see Appendix D).

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<sup>34</sup> See Appendix B.

<sup>35</sup> Tex. Loc. Gov't. Code § 159.033(a)

<sup>36</sup> Tex. Loc. Gov't. Code § 159.033(b)

<sup>37</sup> Tex. Loc. Gov't. Code § 159.033(c). The statute is silent on whether the county may exclude certain listed officers from the requirement to file. To date, no official opinion has been rendered on this matter.

<sup>38</sup> Tex. Loc. Gov't. Code § 159.034(c)

### Who Must File:

Under Subchapter B of the Local Government Code “county officers,” “precinct officers,”<sup>39</sup> “county judicial officers,” and “county employees” **may** be required to file a financial disclosure statement.<sup>40</sup> Note that the definition of “county officer” here differs

from the definition of “county officer” provided in Subchapter A for counties of 100,000 or more. Also, the term “county judicial officer” has a different meaning here than that used in Subchapter C governing financial disclosure by county judicial officers. If the commissioners court adopts a reporting system, the following officers and candidates for those offices must file financial statements:

The sheriff, county tax assessor-collector, county clerk, district clerk, county treasurer, county auditor, county purchasing agent, constable, or a master, magistrate, or referee appointed by a justice of the peace.<sup>41</sup> County personnel who are not county commissioners, county attorneys, or county judges may also be required to file.<sup>42</sup>

### Requirements for Filing and Maintenance of Records

The commissioners court may require the report to be filed with the clerk of the commissioners court, the county auditor, or any other county officer. Note that the commissioners court may require that the report be filed with the county clerk or other elected county officer, only with the consent of the county clerk or elected officer. With regard to maintaining the records, the commissioners court

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<sup>39</sup> Tex. Loc. Gov’t. Code § 159.033

<sup>40</sup> As discussed in Subchapter A of the Handbook, justices of the peace in counties with a population of 125,000 or more must file disclosure statement in accordance with Subchapter A

<sup>41</sup> Tex. Loc. Gov’t. Code § 159.032

<sup>42</sup> Tex. Loc. Gov’t. Code § 159.032(4)

cannot require the reports to be maintained for more than one year and may require that the records be destroyed after a year.<sup>43</sup>

## Penalties

### *Criminal Penalty*

A person who is required to file a report, and who knowingly fails to file, commits a Class B misdemeanor. It is a defense to prosecution that the person has filed the report and paid a civil penalty as described below.<sup>44</sup>

### *Civil Penalty*

A civil penalty of \$100 may be incurred if the report is late. Suit may not be initiated to collect the penalty until the 10<sup>th</sup> day after the date a notice concerning the late report is mailed to the person. If the report is filed within this 10 day period and the penalty is paid, no civil suit may be initiated.<sup>45</sup>

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<sup>43</sup> Tex. Loc. Gov't. Code § 159.034(b)

<sup>44</sup> Tex. Loc. Gov't. Code § 159.036

<sup>45</sup> Tex. Loc. Gov't. Code § 159.035

## Subchapter C

### FINANCIAL DISCLOSURE BY COUNTY JUDICIAL OFFICERS

Subchapter C reporting requirements are applicable to all counties.

#### Definition of County Judicial Officer:

The disclosure requirements in Subchapter C apply to a judge of a **statutory** county court or **statutory** probate court and candidates for these offices.<sup>46</sup>

#### **Filing Deadlines for County Judicial Officers**

*General Rule:* An elected county judicial officer must file the statement no later than April 30<sup>th</sup> each year.<sup>47</sup> An individual who is appointed, rather than elected, to county judicial office must file a financial statement no later than the 30<sup>th</sup> day after the appointment date or date of qualification for that office, whichever date is earlier.

*Extensions:* An officer required to file a financial statement under this subchapter, who opts to file with the Texas Ethics Commission, may request an extension of no more than 60 days from the commission to file his or her financial statement. The Ethics Commission must grant the request if it is received before the initial filing deadline, or if a timely filing or extension request is prevented because of physical or mental incapacity. The Ethics Commission cannot grant more than one extension to a person in one year, except upon a showing of good

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<sup>46</sup> Tex. Loc. Gov't. Code §§ 159.051; 159.052

<sup>47</sup> Tex. Loc. Gov't. Code § 159.053(a); Tex. Gov't. Code § 572.026

cause.<sup>48</sup> An officer who files with the county clerk may not request an extension of the filing deadline.

### **Filing Deadlines for Candidates For County Judicial Offices**

*General Rule:* Whether partisan or independent, a candidate for a county judicial office covered by Subchapter C must file a financial statement no later than the 40<sup>th</sup> day after the regular filing deadline for applying for a place on the ballot in the general primary.<sup>49</sup> If the deadline under which a candidate files for a place on the ballot other than the regular filing deadline for an independent candidate, or files as a write-in candidate, falls after the date of the regular filing deadline for candidates in the general primary election, the candidate must file the required statement no later than on the 30<sup>th</sup> day after the later deadline.

However, if that resultant deadline falls after the 35<sup>th</sup> day before the date of the election in which that candidate is running, then the statement is filed no later than the 5<sup>th</sup> day before that election date.<sup>50</sup> An individual nominated to fill a vacancy as a nominated candidate for elective county judicial officer must file the financial statement no later than the 15<sup>th</sup> day after their certificate of nomination is filed.<sup>51</sup>

*No Extensions:* Subchapter C does not authorize an extension of the filing deadline for a candidate regardless of the authority with whom the candidate chooses to file.

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<sup>48</sup> Tex. Loc. Gov't. Code § 159.053(a); Tex. Gov't. Code § 572.026(d)

<sup>49</sup> Tex. Loc. Gov't. Code § 159.053(a); Tex. Gov't. Code § 572.027(a)

<sup>50</sup> Tex. Gov't. Code § 572.027(b)

<sup>51</sup> Tex. Gov't. Code § 572.027(d). The chair of the executive committee making the replacement nomination must file the certification. Tex. Elec. Code § 145.037

### Where the Disclosure Statement Must Be Filed:

A statutory county court or probate court judge, and candidates for those offices, may file a financial statement with either the county clerk or the Texas Ethics Commission.<sup>52</sup> If a county judicial officer or a candidate for that office chooses to file the financial statement with the Texas Ethics Commission, he or she must also file a document with the county clerk stating that fact. The document must be filed by the original financial statement deadline.<sup>53</sup>

### Contents of Financial Statements In General

The financial statement must include a detailed account of the financial activity of the county officer or candidate, and an account of the financial activity of the person's spouse, and dependent children, if the person had actual control of that activity during the preceding calendar year. The statement must comply with Government Code §§ 572.022 and 572.023.<sup>54</sup> (See Appendix D for a sample of the form prescribed by the Ethics Commission to satisfy these sections.)

### Forms

The county clerk must design a form to be used for the financial statement or require that a form designed by the Texas Ethics Commission be used.<sup>55</sup> The clerk must make copies of the forms available to all persons required to file statements by these deadlines: 1) before the 30<sup>th</sup> day before the financial statement filing deadline for current county judicial officers; 2) no later than the 15<sup>th</sup> day after the deadline for filing an application for a place on the ballot; 3) no later than the 7<sup>th</sup> day after the appointment date for persons appointed to office;

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<sup>52</sup> Tex. Loc. Gov't. Code § 159.052(a)

<sup>53</sup> Tex. Loc. Gov't. Code § 159.052(b)

<sup>54</sup> Tex. Loc. Gov't. Code § 159.052; Tex. Gov't. Code § 572.023(a)

<sup>55</sup> Tex. Loc. Gov't. Code § 159.054(a)

and 4) no later than the 5<sup>th</sup> day after a certification of nomination is filed for any candidate nominated to fill a former candidate's vacated nomination.<sup>56</sup> While Subchapter C does not expressly require the county clerk to mail the forms to the filers, mailing is an advisable method of distribution.

### Reportable Items

The statutes require the account of the financial activity to include the following items:

- 1) a list of all occupational income, with the employer identified, or if one is self-employed, then the income sources are identified by the nature of the occupation, including identifying any person, business entity or other organization from which the county officer or candidate received a fee or retainer in exchange for future services, in cases where those services were not actually performed during the reporting period in an amount equal to or greater than the amount of the actual fee, and the category of the amount of the fee. Such a retainer would be distinguished from an agreed-upon fee for a service specified at the time the contract is made or the fee received;
- 2) identification by name and category, the number of shares of stock of any business entity held or bought and, if sold, the category of the amount of net gain or loss realized from such sale;
- 3) a list of all bonds, notes, and other commercial paper bought or held and, if sold, the category of the amount of net gain or loss realized in that sale;
- 4) identification of each source and category of the amount of income of more than \$500 per source derived from interest, dividends, royalties and rents;

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<sup>56</sup> Tex. Loc. Gov't. Code § 159.054(b); Tex. Gov't. Code § 572.030(c)

- 5) identification of each person or financial institution to whom a personal note or notes totaling a financial liability of more than \$1000 existed at any time during that year, and the category of the amount of liability;
- 6) identification by description of all beneficial interests in real property and business entities held or acquired and, if sold, the category of the amount of any net gain or loss realized from that sale;
- 7) identification of any person, business entity, or other organization from which the person, their spouse or dependent children received a gift of money<sup>57</sup> or property over \$250 in value, or a series of gifts of money or property from the same source which totals more than \$250 in value, and a description of each gift, except gifts from relatives within the 2<sup>nd</sup> degree consanguinity or affinity and campaign contributions otherwise legally reported. It should be noted that a county official may be required to report some gifts of food, lodging, transportation or entertainment, under this law and ethics requirements, in order to satisfy Penal Code, Sec. 36.02;
- 8) identification of the source and category of the amount of all income received as beneficiary of a trust, other than a blind trust described in Government Code 572.023(c) and identification of each trust asset from which the beneficiary received income of more than \$500, if known by the beneficiary;
- 9) identification by description and category of the amount of all assets and liabilities of any corporation, firm, partnership, or association<sup>58</sup> in which 50% or more of the outstanding stock was held, acquired or sold;
- 10) a list of all boards of directors of which the person is a member, and any executive positions held in corporations, firms, partnerships, and

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<sup>57</sup> Tex. Gov't. Code § 572.022 requires the description of a gift of cash or cash equivalent to include the value of the gift.

proprietorships by the person, stating the position held, and the name of each corporation, firm, partnership or proprietorship;

- 11) identification of any person providing transportation, meals, or lodging expenses permitted under Section 36.07(b), Texas Penal Code, (the code “does not prohibit a public servant from
- 12) accepting transportation and lodging expenses in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent that those services are more than merely perfunctory, or from accepting meals in connection with such an event”), and the amount of those expenses, other than expenditures required to be reported under Government Code Chapter 305 (Registration of Lobbyists);
- 13) any partnership, joint venture, or other business association, excluding a publicly-held corporation, in which both the county officer and a person registered under Chapter 305 have an interest;<sup>59</sup>
- 14) identification by name and the category of the number of shares of any mutual fund held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale; and
- 15) identification of each blind trust that complies with subsection (c), including the category of the fair market value of the trust, date of creation, name and address of trustee, and a statement signed by the trustee under penalty of perjury that the trustee has not revealed certain information to the filer.<sup>60</sup>

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<sup>58</sup> Sections 572.023 (b) (9), (10), and (12) list the following entities: corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint ventures, or other business association.

<sup>59</sup> Tex. Loc. Gov’t. Code § 159.052(b); Tex. Gov’t. Code § 572.023(b)

<sup>60</sup> 572.023(c) describes a blind trust as one to which the trustee is a disinterested party, is not the filer, is not required to register as a lobbyist, is not a public officer or public employee, was not appointed to an office or employment by the filer or a person the filer supervises, and the trustee has complete discretion to manage the trust and to dispose of and acquire assets without consulting or notifying the filer.

### Degree of Detail Required for Reportable Items

*Categories of Value:* The statute directs that certain items are to be listed in “categories” of amounts rather than actual dollar amounts. The statute establishes the categories to be used.<sup>61</sup>

*Amounts of Stock:* Similarly, the law requires that amounts of stock must be reported by category of number of shares, instead of dollar value, and the report is to reflect whether the amount is: 1) less than 100 shares; 2) at least 100 but less than 500; 3) at least 500 but less than 1000 shares; 4) at least 1000 but less than 5000; 5) at least 5000 but less than 10,000 shares; 6) 10,000 shares or more.<sup>62</sup>

*Real Property:* The officer must report real property by reporting the street address, if available, or the number of lots or acres, as applicable, in each county, along with the name of the appropriate county, if the street address is not available, and the names of all persons retaining an interest in the property, other than severed mineral interests.<sup>63</sup>

### Timeliness of Filing

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<sup>61</sup> Tex. Gov't. Code § 572.022(a). See Appendix D.

<sup>62</sup> Tex. Gov't. Code § 572.022(b). See Appendix D.

<sup>63</sup> Tex. Gov't. Code § 572.022(c). Street address information is required on a statement.

The deadline for filing is 5 p.m. of the deadline day.<sup>64</sup> See the discussion under Subchapter A “Timeliness of Filing” (page 4) for the extension of a deadline that falls on a weekend or holiday and the discussion of the “mailbox rule.”

### Records Maintenance and Access

Financial statements filed under Subchapter C are public information and the county clerk or Ethics Commission must maintain the records in a manner accessible to the public during regular business hours.<sup>65</sup> Until the first anniversary of the filing date of the statement, each time a person requests to see a financial statement, excluding the county clerk, the clerk’s employees acting on official business, or commission employees, the clerk shall note and maintain in the file a listing of the requesting person’s name and address, who that person represents, and the date of the request.<sup>66</sup>

The county clerk or Ethics Commission may destroy each financial statement filed by a county judicial officer after the second anniversary date the person ceases to hold office, and must destroy the document if the second anniversary has lapsed and the former county judicial officers so requests.<sup>67</sup>

Upon written request of a county judicial officer or candidate, the county clerk or the Ethics Commission shall remove the names of the dependent children of the officer or

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<sup>64</sup> Tex. Loc. Gov’t. Code § 159.053(b); Tex. Gov’t. Code § 572.029

<sup>65</sup> Tex. Loc. Gov’t. Code § 159.055(a); Tex. Gov’t. Code § 572.032(a)

<sup>66</sup> Tex. Loc. Gov’t. Code § 159.055(c); Tex. Gov’t. Code § 572.032(b)

<sup>67</sup> Tex. Loc. Gov’t. Code § 159.055(d); Tex. Gov’t. Code § 572.032(c)

candidate from the financial statement before that statement is made available to the public.<sup>68</sup> This unique provision is intended to help prevent any harassment or retaliation by certain individuals against members of a judge's family because of a judge's decision in a given case or legal action.

## Penalties

### *Criminal Penalty*

A county judicial officer, or candidate for that office commits a Class B misdemeanor if the person knowingly fails to file the required financial statement.<sup>69</sup> Unlike Subchapters A and B of Chapter 159, Subchapter C does not contain any express defenses to prosecution.

### *Civil Penalty*

No civil penalty is provided in Subchapter C for a late filing with the county clerk. However, a person who chooses to file with the Ethics Commission and who fails to file timely is subject to civil penalties by the commission.<sup>70</sup>

Venue for an offense within the Ethics Commission's jurisdiction is in Travis County as well as any other county in which it may be prosecuted.<sup>71</sup>

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<sup>68</sup> Tex. Loc. Gov't. Code § 159.055(b)

<sup>69</sup> Tex. Loc. Gov't. Code § 159.056

<sup>70</sup> Tex. Gov't. Code § 572.033

<sup>71</sup> Tex. Gov't. Code § 572.008

APPENDIX A

TEXAS LOCAL GOVERNMENT CODE


CHAPTER 159

Vernon's Texas Statutes and Codes Annotated [Currentness](#)

Local Government Code [\(Refs & Annos\)](#)

Title 5. Matters Affecting Public Officers and Employees

Subtitle B. County Officers and Employees

 [Chapter 159](#). Financial Disclosure by County Officers and Employees [\(Refs & Annos\)](#)

→ [Subchapter A](#). Financial Disclosure by Certain County Officers [\(Refs & Annos\)](#)

→ [§ 159.001. Applicability of Subchapter](#)

This subchapter applies only to:

- (1) a county officer or candidate for a county office of a county with a population of 100,000 or more; or
- (2) a justice of the peace or a candidate for the office of justice of the peace of a county with a population of 125,000 or more.

→ [§ 159.002. Definition](#)

In this subchapter, “county officer” means a county judge, county commissioner, or county attorney.

→ [§ 159.003. Financial Statement Required](#)

(a) A county officer, candidate for a county office, justice of the peace, or candidate for the office of justice of the peace shall file a financial statement as required by this subchapter.

(b) The statement must:

- (1) be filed with the county clerk of the county in which the officer, justice, or candidate resides; and
- (2) comply with [Sections 572.022](#) and [572.023, Government Code](#), and with any order of the commissioners court of the county requiring additional disclosures.

→ [§ 159.004. Filing Dates; Timeliness of Filing](#)

(a) A county officer or justice of the peace shall file the financial statement required by this subchapter within the time prescribed by [Section 572.026, Government Code](#). A candidate for office as a county officer or justice of the peace shall file the financial statement required by this subchapter within the time prescribed by [Section 572.027, Government Code](#).

(b) The timeliness of the filing is governed by [Section 572.029, Government Code](#).

(c) A county officer or justice of the peace may request the county clerk to grant an extension of time of not more than 60 days for filing the statement. The county clerk shall grant the request if it is received before the filing deadline or if a timely filing or request for extension is prevented because of physical or mental incapacity. The county clerk may not grant more than one extension to a person in one year except for good cause shown.

(d) The county clerk may not grant an extension to a candidate for office as a county officer or justice of the peace.

→ [§ 159.005. Preparation of Forms](#)

(a) The county clerk may:

- (1) design a form to be used for filing the financial statement required by this subchapter; or
- (2) require that a form designed by the Texas Ethics Commission under Chapter 572, Government Code, be used for filing the financial statement.

(b) The county clerk shall mail or, at the request of the person required to file under this subchapter send by electronic mail, two copies of the form to each person required to file under this subchapter within the time prescribed by [Section 572.030\(c\), Government Code](#).

→ **[§ 159.006. Duplicate Statements](#)**

If a person has filed a financial statement under one provision of this subchapter covering the preceding calendar year, the person is not required to file a financial statement required under another provision of this subchapter to cover that same year if, before the deadline for filing the statement under the other provision, the person notifies the county clerk in writing that the person has already filed a financial statement under this subchapter to cover that year.

→ **[§ 159.007. Public Access to Statements](#)**

(a) Financial statements filed under this subchapter are public records. The county clerk shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours.

(b) During the one-year period following the date of filing of a financial statement, each time a person, other than the county clerk or an employee of the county clerk who is acting on official business, requests to see the financial statement, the county clerk shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The county clerk shall retain that statement in the file for one year after the date the requested financial statement is filed.

(c) The county clerk may, and on notification from a former county officer, justice of the peace, or candidate shall, destroy any financial statements filed by the officer, justice, or candidate two years after the date the person ceases to be an officer, justice, or candidate, as applicable.

→ **[§ 159.0071. Notification to Prosecuting Attorney](#)**

The county clerk of each county in which a person is required to file a financial statement under this chapter shall maintain a list of the county officers, candidates for county office, justices of the peace, and candidates for the office of justice of the peace required to file the financial statement. Not later than the 10th day after each applicable filing deadline, the county clerk shall provide to the county attorney or criminal district attorney a copy of the list showing for each county officer, candidate for county office, justice of the peace, and candidate for justice of the peace:

- (1) whether the officer, justice, or candidate timely filed a financial statement as required by this subchapter;
- (2) whether the officer, justice, or candidate timely requested and was granted an extension of time to file as provided for by [Section 159.004](#) and the new due date for each such officer, justice, or candidate; or
- (3) whether the officer, justice, or candidate did not timely file a financial statement or receive an

extension of time.

→ **§ 159.008. Criminal Penalty**

(a) A county officer, candidate for county office, justice of the peace, or candidate for the office of justice of the peace commits an offense if the officer, justice, or candidate knowingly fails to file a financial statement as required by this subchapter.

(b) An offense under this section is a Class B misdemeanor.

(c) It is a defense to prosecution under this section that the officer, justice, or candidate did not receive copies of the financial statement form required to be mailed to the officer, justice, or candidate by this subchapter.

→ **§ 159.009. Venue**

An offense under this subchapter, including perjury, may be prosecuted in any county in which it may be prosecuted under the Code of Criminal Procedure.

→ **§ 159.010. Civil Penalty**

(a) A person who determines that a person required to file a financial statement under this subchapter has failed to do so may notify in writing:

(1) the county attorney or criminal district attorney; or

(2) the district attorney, if the person required to file the statement is the county attorney.

(b) On receipt of a written notice under Subsection (a), the county attorney, district attorney, or criminal district attorney shall determine from any available evidence whether the person to whom the notice relates has failed to file a statement. On making that determination, the county attorney, district attorney, or criminal district attorney shall immediately mail by certified mail a notice of the determination to the person responsible for filing the statement.

(c) If the person responsible for filing the statement fails to file the statement before the 30th day after the person receives the notice under Subsection (b), the person is civilly liable to the county for an amount not to exceed \$1,000.

(d) A penalty paid under this section shall be deposited to the credit of the general fund of the county.

(e) This section is cumulative of any other available sanctions for late filings of statements.

→ **§§ 159.011 to 159.016. Deleted by Acts 1997, 75th Leg., ch. 1134, § 18, eff. Sept. 1, 1997**

→ **§§ 159.011 to 159.016. Deleted by Acts 1997, 75th Leg., ch. 1134, § 18, eff. Sept. 1, 1997**

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→ [§§ 159.011 to 159.016. Deleted by Acts 1997, 75th Leg., ch. 1134, § 18, eff. Sept. 1, 1997](#)

## **Subchapter B. Financial Disclosure by Other County Officers and Employees**

→ [§ 159.031. County Covered by Subchapter](#)

This subchapter applies only to a county with a population of 125,000 or more.

→ [§ 159.032. Definitions](#)

In this subchapter:

- (1) “County officer” means a sheriff, county tax assessor-collector, county clerk, district clerk, county treasurer, county auditor, or county purchasing agent. The term does not include a county officer as defined by [Section 159.002](#).
- (2) “Precinct officer” means a constable.
- (3) “County judicial officer” means a justice of the peace or a master, magistrate, or referee appointed by a justice of the peace.
- (4) “County employee” does not include a person covered by Subdivision (1), (2), or (3).

→ [§ 159.033. Financial Disclosure Reporting System](#)

- (a) The commissioners court of the county may adopt by order a financial disclosure reporting system for county officers, precinct officers, county judicial officers, candidates for those offices, and county employees.
- (b) The commissioners court shall prescribe the items required to be reported and the times the report is due.
- (c) If reporting is required, the commissioners court may restrict the reporting requirement to a limited part of county employees if all employees with similar jobs are required to report.

→ [§ 159.034. Filing Requirement](#)

- (a) The commissioners court may require the report to be filed with the clerk of the commissioners court, the county auditor, or any other county officer. However, the commissioners court may require the report to be filed with the county clerk or other elected county officer only if the county clerk or elected county officer consents to the imposition of that duty.
- (b) The commissioners court may not require records filed under this subchapter to be maintained for more than one year and may require the authority with whom the records are filed to destroy the records after one year.
- (c) A person required by order of the commissioners court to file a report under this subchapter is considered to have complied with the order if the person files with the authority prescribed by the commissioners court a report that complies with the requirements of Chapter 572, [\[FN1\]](#) Government Code.

[\[FN1\] V.T.C.A., Government Code § 572.001 et seq.](#)

→ [§ 159.035. Civil Penalty](#)

(a) If a report is determined to be late, the person responsible for filing the report is civilly liable to the county for \$100. The county attorney or the district or criminal district attorney with civil jurisdiction may not initiate suit for the penalty until the 10th day after the date a notice concerning the late report is mailed to the person. If the report is filed and the penalty is paid before the 10th day after the date of the mailing, the authority with whom the report is filed shall notify the county attorney or the district or criminal district attorney, and the civil suit under this section may not be initiated.

(b) A penalty paid under this section shall be deposited to the credit of the general fund of the county.

→ [§ 159.036. Criminal Penalty](#)

(a) An officer, candidate, or employee required to file a report by an order adopted under this subchapter commits an offense if the person knowingly fails to file the report as required by the order.

(b) An offense under this section is a Class B misdemeanor.

(c) It is a defense to prosecution under this section that the person has filed the required report and paid a civil penalty as provided by this subchapter.

**Subchapter C. Financial Disclosure by County Judicial Officers**

→ [§ 159.051. Definitions](#)

In this subchapter:

(1) “Commission” means the Texas Ethics Commission.

(2) “County judicial officer” means the judge of a statutory county court or statutory probate court.

→ [§ 159.052. Filing Requirement](#)

(a) A county judicial officer or a candidate for office as a county judicial officer shall file with the county clerk or the commission a financial statement that complies with [Sections 572.022](#) and [572.023, Government Code](#).

(b) A county judicial officer or candidate who files a financial statement with the commission shall file with the county clerk a document stating that the officer or candidate is filing the financial statement with the commission. The document must be filed by the deadline for filing the financial statement.

→ [§ 159.053. Filing Dates; Timeliness of Filing](#)

(a) A county judicial officer shall file the financial statement required by this subchapter within the time prescribed by [Section 572.026, Government Code](#). A candidate for office as a county judicial officer shall file the financial statement required by this subchapter within the time prescribed by [Section 572.027, Government Code](#).

(b) The timeliness of the filing is governed by [Section 572.029, Government Code](#).

→ **§ 159.054. Preparation of Forms**

(a) The county clerk may:

(1) design a form to be used for filing the financial statement required by this subchapter; or

(2) require that a form designed by the commission under Chapter 572, Government Code, be used for filing the financial statement.

(b) The county clerk shall make copies of the form available to each person required to file under this subchapter within the time prescribed by [Section 572.030\(c\), Government Code](#).

→ **§ 159.055. Public Access to Statements**

(a) Except as provided by Subsection (b), a financial statement filed under this subchapter or a document filed under [Section 159.052\(b\)](#) is a public record. The county clerk or the commission shall maintain the financial statements or documents in a manner that is accessible to the public during regular business hours.

(b) On the written request of a county judicial officer or candidate, the county clerk or the commission shall remove the names of the officer's or candidate's dependent children from the officer's or candidate's financial statement before the statement is made available to a member of the public.

(c) Until the first anniversary of the date a financial statement is filed, each time a person requests to see the financial statement, excluding the county clerk or an employee of the county clerk or the commission, acting on official business, the county clerk or the commission shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The county clerk or the commission shall maintain that statement in the file until the first anniversary of the date the financial statement is filed.

(d) After the second anniversary of the date a person ceases to be a county judicial officer, the county clerk or the commission may and on notification from the former officer shall destroy each financial statement filed by the officer.

→ **§ 159.056. Failure to File; Criminal Penalty**

(a) A person commits an offense if the person:

(1) is a county judicial officer or a candidate for office as a county judicial officer; and

(2) knowingly fails to file a financial statement as required by this subchapter.

(b) An offense under this section is a Class B misdemeanor.

## APPENDIX B

**TEXAS COUNTIES HAVING POPULATION OF 100,000 OR MORE**

**2010 U. S. Census Bureau Data**

**TEXAS COUNTIES HAVING POPULATION OF 100,000 OR MORE  
2010 US CENSUS DATA**

County	Population
Bell	310,235
Bexar	1,714,773
Brazoria	313,166
Brazos	194,851
Cameron	406,220
Collin	782,341
Comal	108,472
Dallas	2,368,139
Denton	662,614
Ector	137,130
Ellis	149,610
El Paso	800,647
Fort Bend	585,375
Galveston	291,309
Grayson	120,877
Gregg	121,730
Guadalupe	131,533
Harris	4,092,459
Hays	157,107
Hidalgo	774,769
Jefferson	252,273
Johnson	150,934
Kaufman	103,350
Lubbock	278,831
McLennan	234,906
Midland	136,872
Montgomery	455,746
Nueces	340,223
Parker	116,927
Potter	121,073
Randall	120,725
Smith	209,714
Tarrant	1,809,034
Taylor	131,500
Tom Green	110,224
Travis	1,024,266
Webb	250,304
Wichita	131,500
Williamson	422,679

## APPENDIX C

§§662.003 AND 662.021, Texas Government Code

## LEGAL HOLIDAYS

### § 662.003. Dates and Descriptions of Holidays

(a) A national holiday includes only the following days:

- (1) the first day of January, "New Year's Day";
- (2) the third Monday in January, "Martin Luther King, Jr., Day" in observance of the birthday of Dr. Martin Luther King, Jr.;
- (3) the third Monday in February, "Presidents' Day";
- (4) the last Monday in May, "Memorial Day";
- (5) the fourth day of July, "Independence Day";
- (6) the first Monday in September, "Labor Day";
- (7) the 11th day of November, "Veterans Day," dedicated to the cause of world peace and to honoring the veterans of all wars in which Texans and other Americans have fought;
- (8) the fourth Thursday in November, "Thanksgiving Day"; and
- (9) the 25th day of December, "Christmas Day."

(b) A state holiday includes only the following days:

- (1) the 19th day of January, "Confederate Heroes Day," in honor of Jefferson Davis, Robert E. Lee, and other Confederate heroes;
- (2) the second day of March, "Texas Independence Day";
- (3) the 21st day of April, "San Jacinto Day";
- (4) the 19th day of June, "Emancipation Day in Texas," in honor of the emancipation of the slaves in Texas in 1865;
- (5) the 27th day of August, "Lyndon Baines Johnson Day," in observance of the birthday of Lyndon Baines Johnson;
- (6) the Friday after Thanksgiving Day;
- (7) the 24th day of December; and
- (8) the 26th day of December.

(c) An "optional holiday" includes only the days on which Rosh Hashanah, Yom Kippur, or Good Friday falls.

### § 662.021. Dates of Holidays

A legal holiday includes only the following days:

- (1) a national holiday under [Section 662.003\(a\)](#); and
- (2) a state holiday under [Sections 662.003\(b\)\(1\)](#) through [\(6\)](#).

## APPENDIX D

### TEXAS ETHICS COMMISSION INSTRUCTION GUIDE & FORMS\*\*

**\*\*Please note that the PFS forms provided here were revised by the Texas Ethics Commission 10/27/2011.**

**At the time of publication of this handbook, the Instruction Guide had not been revised. Filers are urged to check the Ethics Commission web site for the most current version at <http://www.ethics.state.tx.us/forms/pfs12.pdf>**

# PERSONAL FINANCIAL STATEMENT

## FORM PFS COVER SHEET

Filed in accordance with chapter 572 of the Government Code.  
For filings required in 2012, covering calendar year ending December 31, 2011.  
Use FORM PFS--INSTRUCTION GUIDE when completing this form.

TOTAL NUMBER OF PAGES FILED:

ACCOUNT #

1 NAME	TITLE; FIRST; MI	<b>OFFICE USE ONLY</b>	
	NICKNAME; LAST; SUFFIX		
2 ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Date Received	
	<input type="checkbox"/> (CHECK IF FILER'S HOME ADDRESS)	Receipt #	
		HD / PM	Amount
3 TELEPHONE NUMBER	AREA CODE	Date Processed	
	PHONE NUMBER; EXTENSION (      )	Date Imaged	

4 REASON FOR FILING STATEMENT

CANDIDATE \_\_\_\_\_ (INDICATE OFFICE)

ELECTED OFFICER \_\_\_\_\_ (INDICATE OFFICE)

APPOINTED OFFICER \_\_\_\_\_ (INDICATE AGENCY)

EXECUTIVE HEAD \_\_\_\_\_ (INDICATE AGENCY)

FORMER OR RETIRED JUDGE SITTING BY ASSIGNMENT

STATE PARTY CHAIR \_\_\_\_\_ (INDICATE PARTY)

OTHER \_\_\_\_\_ (INDICATE POSITION)

5 Family members whose financial activity you are reporting (filer must report information about the financial activity of the filer's spouse or dependent children if the filer had actual control over that activity):

SPOUSE \_\_\_\_\_

DEPENDENT CHILD 1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

In Parts 1 through 18, you will disclose your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose not only your own financial activity, but also that of your spouse or a dependent child if you had actual control over that person's financial activity.

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# SOURCES OF OCCUPATIONAL INCOME

## PART 1A

NOT APPLICABLE

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> INFORMATION RELATES TO	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>2</b> EMPLOYMENT  <input type="checkbox"/> EMPLOYED BY ANOTHER  <hr style="border-top: 1px dashed black;"/> <input type="checkbox"/> SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD <input type="checkbox"/> (Check If Filer's Home Address)       NATURE OF OCCUPATION
INFORMATION RELATES TO	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
EMPLOYMENT  <input type="checkbox"/> EMPLOYED BY ANOTHER  <hr style="border-top: 1px dashed black;"/> <input type="checkbox"/> SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD <input type="checkbox"/> (Check If Filer's Home Address)       NATURE OF OCCUPATION
INFORMATION RELATES TO	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
EMPLOYMENT  <input type="checkbox"/> EMPLOYED BY ANOTHER  <hr style="border-top: 1px dashed black;"/> <input type="checkbox"/> SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD <input type="checkbox"/> (Check If Filer's Home Address)       NATURE OF OCCUPATION

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# RETAINERS

# PART 1B

NOT APPLICABLE

This section concerns fees received as a retainer by you, your spouse, or a dependent child (or by a business in which you, your spouse, or a dependent child have a "substantial interest") for a claim on future services in case of need, rather than for services on a matter specified at the time of contracting for or receiving the fee. Report information here only if the value of the work actually performed during the calendar year did not equal or exceed the value of the retainer. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> FEE RECEIVED FROM	NAME AND ADDRESS
<b>2</b> FEE RECEIVED BY	NAME OF BUSINESS  <input type="checkbox"/> FILER OR FILER'S BUSINESS _____  <input type="checkbox"/> SPOUSE OR SPOUSE'S BUSINESS _____  <input type="checkbox"/> DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
<b>3</b> FEE AMOUNT	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

FEE RECEIVED FROM	NAME AND ADDRESS
FEE RECEIVED BY	NAME OF BUSINESS  <input type="checkbox"/> FILER OR FILER'S BUSINESS _____  <input type="checkbox"/> SPOUSE OR SPOUSE'S BUSINESS _____  <input type="checkbox"/> DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
FEE AMOUNT	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# STOCK

## PART 2

NOT APPLICABLE

List each business entity in which you, your spouse, or a dependent child held or acquired stock during the calendar year and indicate the category of the number of shares held or acquired. If some or all of the stock was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1 BUSINESS ENTITY</b>	NAME			
<b>2 STOCK HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
<b>3 NUMBER OF SHARES</b>	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
<b>4 IF SOLD</b>	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE		
	<input type="checkbox"/> NET LOSS			

<b>BUSINESS ENTITY</b>	NAME			
<b>STOCK HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
<b>NUMBER OF SHARES</b>	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
<b>IF SOLD</b>	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE		
	<input type="checkbox"/> NET LOSS			

<b>BUSINESS ENTITY</b>	NAME			
<b>STOCK HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
<b>NUMBER OF SHARES</b>	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
<b>IF SOLD</b>	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE		
	<input type="checkbox"/> NET LOSS			

<b>BUSINESS ENTITY</b>	NAME			
<b>STOCK HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
<b>NUMBER OF SHARES</b>	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
<b>IF SOLD</b>	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE		
	<input type="checkbox"/> NET LOSS			

<b>BUSINESS ENTITY</b>	NAME			
<b>STOCK HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> DEPENDENT CHILD _____	
<b>NUMBER OF SHARES</b>	<input type="checkbox"/> LESS THAN 100	<input type="checkbox"/> 100 TO 499	<input type="checkbox"/> 500 TO 999	<input type="checkbox"/> 1,000 TO 4,999
	<input type="checkbox"/> 5,000 TO 9,999	<input type="checkbox"/> 10,000 OR MORE		
<b>IF SOLD</b>	<input type="checkbox"/> NET GAIN	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE		
	<input type="checkbox"/> NET LOSS			

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# BONDS, NOTES & OTHER COMMERCIAL PAPER

## PART 3

NOT APPLICABLE

List all bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child during the calendar year. If sold, indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> DESCRIPTION OF INSTRUMENT	
<b>2</b> HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> IF SOLD  <input type="checkbox"/> NET GAIN  <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
IF SOLD  <input type="checkbox"/> NET GAIN  <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
IF SOLD  <input type="checkbox"/> NET GAIN  <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**



# INCOME FROM INTEREST, DIVIDENDS, ROYALTIES & RENTS

## PART 5

NOT APPLICABLE

List each source of income you, your spouse, or a dependent child received *in excess of \$500* that was derived from interest, dividends, royalties, and rents during the calendar year and indicate the category of the amount of the income. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> SOURCE OF INCOME	NAME AND ADDRESS
<b>2</b> RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

SOURCE OF INCOME	NAME AND ADDRESS
RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

SOURCE OF INCOME	NAME AND ADDRESS
RECEIVED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
AMOUNT	<input type="checkbox"/> \$500--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# PERSONAL NOTES AND LEASE AGREEMENTS

## PART 6

NOT APPLICABLE

Identify each guarantor of a loan and each person or financial institution to whom you, your spouse, or a dependent child had a total financial liability of more than \$1,000 in the form of a personal note or notes or lease agreement at any time during the calendar year and indicate the category of the amount of the liability. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
<b>2</b> LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> GUARANTOR	
<b>4</b> AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<hr/>	
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<hr/>	
PERSON OR INSTITUTION HOLDING NOTE OR LEASE AGREEMENT	
LIABILITY OF	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
GUARANTOR	
AMOUNT	<input type="checkbox"/> \$1,000--\$4,999 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# INTERESTS IN REAL PROPERTY

## PART 7A

NOT APPLICABLE

Describe all beneficial interests in real property held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS-INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1 HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>2 STREET ADDRESS</b> <input type="checkbox"/> NOT AVAILABLE <input type="checkbox"/> CHECK IF FILER'S HOME ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
<b>3 DESCRIPTION</b> <input type="checkbox"/> LOTS <input type="checkbox"/> ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
<b>4 NAMES OF PERSONS RETAINING AN INTEREST</b> <input type="checkbox"/> NOT APPLICABLE (SEVERED MINERAL INTEREST)	
<b>5 IF SOLD</b> <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

<b>HELD OR ACQUIRED BY</b>	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>STREET ADDRESS</b> <input type="checkbox"/> NOT AVAILABLE <input type="checkbox"/> CHECK IF FILER'S HOME ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
<b>DESCRIPTION</b> <input type="checkbox"/> LOTS <input type="checkbox"/> ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
<b>NAMES OF PERSONS RETAINING AN INTEREST</b> <input type="checkbox"/> NOT APPLICABLE (SEVERED MINERAL INTEREST)	
<b>IF SOLD</b> <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# INTERESTS IN BUSINESS ENTITIES

## PART 7B

NOT APPLICABLE

Describe all beneficial interests in business entities held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>2</b> DESCRIPTION	<div style="text-align: right; font-size: small;">NAME AND ADDRESS</div> <input type="checkbox"/> (Check If Filer's Home Address)
<b>3</b> IF SOLD  <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION	<div style="text-align: right; font-size: small;">NAME AND ADDRESS</div> <input type="checkbox"/> (Check If Filer's Home Address)
IF SOLD  <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

HELD OR ACQUIRED BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION	<div style="text-align: right; font-size: small;">NAME AND ADDRESS</div> <input type="checkbox"/> (Check If Filer's Home Address)
IF SOLD  <input type="checkbox"/> NET GAIN <input type="checkbox"/> NET LOSS	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# GIFTS

# PART 8

NOT APPLICABLE

Identify any person or organization that has given a gift *worth more than \$250* to you, your spouse, or a dependent child, and describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift. Do not include: 1) expenditures required to be reported by a person required to be registered as a lobbyist under chapter 305 of the Government Code; 2) political contributions reported as required by law; or 3) gifts given by a person related to the recipient within the second degree by consanguinity or affinity. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> DONOR	NAME AND ADDRESS
<b>2</b> RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> DESCRIPTION OF GIFT	

DONOR	NAME AND ADDRESS
RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION OF GIFT	

DONOR	NAME AND ADDRESS
RECIPIENT	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
DESCRIPTION OF GIFT	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# TRUST INCOME

## PART 9

NOT APPLICABLE

Identify each source of income received by you, your spouse, or a dependent child as beneficiary of a trust and indicate the category of the amount of income received. Also identify each asset of the trust from which the beneficiary received *more than \$500* in income, if the identity of the asset is known. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> SOURCE	NAME OF TRUST
<b>2</b> BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>3</b> INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<b>4</b> ASSETS FROM WHICH OVER \$500 WAS RECEIVED	<input type="checkbox"/> UNKNOWN

SOURCE	NAME OF TRUST
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED	<input type="checkbox"/> UNKNOWN

SOURCE	NAME OF TRUST
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
INCOME	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED	<input type="checkbox"/> UNKNOWN

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# BLIND TRUSTS

## PART 10A

NOT APPLICABLE

Identify each blind trust that complies with section 572.023(c) of the Government Code. See FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> NAME OF TRUST	
<b>2</b> TRUSTEE	NAME AND ADDRESS
<b>3</b> BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>4</b> FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
<b>5</b> DATE CREATED	

NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DATE CREATED	

NAME OF TRUST	
TRUSTEE	NAME AND ADDRESS
BENEFICIARY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
FAIR MARKET VALUE	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
DATE CREATED	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# TRUSTEE STATEMENT

# PART 10B

NOT APPLICABLE

An individual who is required to identify a blind trust on Part 10A of the Personal Financial Statement must submit a statement signed by the trustee of each blind trust listed on Part 10A. The portions of section 572.023 of the Government Code that relate to blind trusts are listed below.

<b>1</b> NAME OF TRUST	
<b>2</b> TRUSTEE NAME	
<b>3</b> FILER ON WHOSE BEHALF STATEMENT IS BEING FILED	NAME
<b>4</b> TRUSTEE STATEMENT	<p>I affirm, under penalty of perjury, that I have not revealed any information to the beneficiary of this trust except information that may be disclosed under section 572.023 (b)(8) of the Government Code and that to the best of my knowledge, the trust complies with section 572.023 of the Government Code.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Trustee Signature</p>

## § 572.023. Contents of Financial Statement in General

(b) The account of financial activity consists of:

(8) identification of the source and the category of the amount of all income received as beneficiary of a trust, other than a blind trust that complies with Subsection (c), and identification of each trust asset, if known to the beneficiary, from which income was received by the beneficiary in excess of \$500;

(14) identification of each blind trust that complies with Subsection (c), including:

(A) the category of the fair market value of the trust;

(B) the date the trust was created;

(C) the name and address of the trustee; and

(D) a statement signed by the trustee, under penalty of perjury, stating that:

(i) the trustee has not revealed any information to the individual, except information that may be disclosed under Subdivision (8); and

(ii) to the best of the trustee's knowledge, the trust complies with this section.

(c) For purposes of Subsections (b)(8) and (14), a blind trust is a trust as to which:

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

(C) is not required to register as a lobbyist under Chapter 305;

(D) is not a public officer or public employee; and

(E) was not appointed to public office by the individual or by a public officer or public employee the individual supervises; and

(2) the trustee has complete discretion to manage the trust, including the power to dispose of and acquire trust assets without consulting or notifying the individual.

(d) If a blind trust under Subsection (c) is revoked while the individual is subject to this subchapter, the individual must file an amendment to the individual's most recent financial statement, disclosing the date of revocation and the previously unreported value by category of each asset and the income derived from each asset.



# LIABILITIES OF BUSINESS ASSOCIATIONS

## PART 11B

NOT APPLICABLE

Describe all liabilities of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the assets. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<b>1</b> BUSINESS ASSOCIATION	NAME AND ADDRESS <input type="checkbox"/> (Check If Filer's Home Address)	
<b>2</b> BUSINESS TYPE		
<b>3</b> HELD, ACQUIRED, OR SOLD BY	<input type="checkbox"/> FILER	<input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
<b>4</b> LIABILITIES	DESCRIPTION	CATEGORY
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999
		<input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999
		<input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999
		<input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999
		<input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999
		<input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
		<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999
		<input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# BOARDS AND EXECUTIVE POSITIONS

## PART 12

NOT APPLICABLE

List all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions you, your spouse, or a dependent child hold in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, other business associations, or proprietorships, stating the name of the organization and the position held. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

<sup>1</sup> ORGANIZATION	
<sup>2</sup> POSITION HELD	
<sup>3</sup> POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

## PART 13

NOT APPLICABLE

Identify any person who provided you with necessary transportation, meals, or lodging, as permitted under section 36.07(b) of the Penal Code, in connection with a conference or similar event in which you rendered services, such as addressing an audience or participating in a seminar, that were more than perfunctory. Also provide the amount of the expenditures on transportation, meals, or lodging. You are not required to include items you have already reported as political contributions on a campaign finance report, or expenditures required to be reported by a lobbyist under the lobby law (chapter 305 of the Government Code). For more information, see FORM PFS--INSTRUCTION GUIDE.

<sup>1</sup> PROVIDER	NAME AND ADDRESS
<sup>2</sup> AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	
PROVIDER	NAME AND ADDRESS
AMOUNT	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# INTEREST IN BUSINESS IN COMMON WITH LOBBYIST

## PART 14

NOT APPLICABLE

Identify each 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 you, your spouse, or a dependent child, and a person registered as a lobbyist under chapter 305 of the Government Code that both have an interest. For more information, see FORM PFS--INSTRUCTION GUIDE.

<b>1</b> BUSINESS ENTITY	NAME AND ADDRESS
--------------------------	------------------

<b>2</b> INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
---------------------------	---

BUSINESS ENTITY	NAME AND ADDRESS
-----------------	------------------

INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
------------------	---

BUSINESS ENTITY	NAME AND ADDRESS
-----------------	------------------

INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
------------------	---

BUSINESS ENTITY	NAME AND ADDRESS
-----------------	------------------

INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
------------------	---

BUSINESS ENTITY	NAME AND ADDRESS
-----------------	------------------

INTEREST HELD BY	<input type="checkbox"/> FILER <input type="checkbox"/> SPOUSE <input type="checkbox"/> DEPENDENT CHILD _____
------------------	---

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST'S EMPLOYER

## PART 15

NOT APPLICABLE

Report any fee you received for providing services to or on behalf of a person required to be registered as a lobbyist under chapter 305 of the Government Code, or for providing services to or on behalf of a person you actually know directly compensates or reimburses a person required to be registered as a lobbyist. Report the name of each person or entity for which the services were provided, and indicate the category of the amount of each fee. For more information, see FORM PFS--INSTRUCTION GUIDE.

<b>1</b> PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
<b>2</b> FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

## PART 16

NOT APPLICABLE

*This section applies only to members of the Texas Legislature. A member of the Texas Legislature who represents a person for compensation before a state agency in the executive branch 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. For more information, see FORM PFS--INSTRUCTION GUIDE.*

**Note:** Beginning September 1, 2003, 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 involves 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.

<sup>1</sup> STATE AGENCY	
<sup>2</sup> PERSON REPRESENTED	
<sup>3</sup> FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE
STATE AGENCY	
PERSON REPRESENTED	
FEE CATEGORY	<input type="checkbox"/> LESS THAN \$5,000 <input type="checkbox"/> \$5,000--\$9,999 <input type="checkbox"/> \$10,000--\$24,999 <input type="checkbox"/> \$25,000--OR MORE

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

## PART 17

NOT APPLICABLE

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 of the Government Code or title 15 of the Election Code if the benefit and the source of any benefit over \$50 in value are: 1) 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 which are nonreimbursable 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. For more information, see FORM PFS--INSTRUCTION GUIDE.

1 SOURCE OF BENEFIT	NAME AND ADDRESS
2 BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# LEGISLATIVE CONTINUANCES

# PART 18

NOT APPLICABLE

Identify any legislative continuance that you have applied for or obtained 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 continuances on the grounds that an attorney for a party is a member or member-elect of the legislature.

1 NAME OF PARTY REPRESENTED	
2 DATE RETAINED	
3 STYLE, CAUSE NUMBER, COURT & JURISDICTION	
4 DATE OF CONTINUANCE APPLICATION	
5 WAS CONTINUANCE GRANTED?	<input type="checkbox"/> YES <input type="checkbox"/> NO

NAME OF PARTY REPRESENTED	
DATE RETAINED	
STYLE, CAUSE NUMBER, COURT, & JURISDICTION	
DATE OF CONTINUANCE APPLICATION	
WAS CONTINUANCE GRANTED?	<input type="checkbox"/> YES <input type="checkbox"/> NO

**COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY**

# PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires the personal financial statement to be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations. Without proper verification, the statement is not considered filed.

I swear, or affirm, under penalty of perjury, that this financial statement covers calendar year ending December 31, 2011, and is true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.

\_\_\_\_\_  
Signature of Filer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, to certify which, witness my hand and seal of office.

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Print name of officer administering oath

\_\_\_\_\_  
Title of officer administering oath

# TEXAS ETHICS COMMISSION

## PERSONAL FINANCIAL STATEMENT

### FORM PFS - INSTRUCTION GUIDE



Revised March 5, 2009

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711  
(512) 463-5800      FAX (512) 463-5777      TDD 1-800-735-2989

Visit us at <http://www.ethics.state.tx.us> on the Internet.

**AN EQUAL OPPORTUNITY EMPLOYER**

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

# PERSONAL FINANCIAL STATEMENT

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## 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. 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 Texas Ethics Commission.

Every candidate for one of the elective public offices listed in chapter 572 of the Government Code must also file a personal financial statement with the Texas Ethics Commission in February of the election year. 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, or about how to complete the form, please contact the Texas Ethics Commission at (512) 463-5800. Copies of chapter 572 of the Government Code, commission rules, and personal financial statement brochures are available from the Ethics Commission. Our website, at <http://www.ethics.state.tx.us>, also provides access to our forms, statutes, guides, and brochures.

The Texas Ethics Commission also provides information about whether a public servant is permitted to accept gifts or other benefits under the Penal Code or lobby law. Disclosing an impermissible benefit does not legalize its acceptance.

### WHO IS REQUIRED TO FILE?

**Chapter 572 of the Government Code.** The following individuals are required to file a personal financial statement with the Texas Ethics Commission under chapter 572 of the Government Code:

- Appointed officers of executive branch state agencies;
- Executive heads of state agencies;
- Board members and executive heads of river authorities;

- Officeholders in and candidates for the following offices:
  1. Member of the Texas Legislature;
  2. Statewide elected officer;
  3. Justice of a court of appeals;
  4. District judge;
  5. District or criminal district attorney; and
  6. Member of the State Board of Education;
- Former or retired judges sitting by assignment;<sup>1</sup> and
- State chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

**Chapter 159 of the Local Government Code (Statutory County Court/Probate Court Judges).**

Chapter 159 of the Local Government Code, requires statutory county court and statutory probate court judges and judicial candidates for those offices to file a personal financial statement with either the county clerk or the Texas Ethics Commission. A filer who chooses to file with the Texas Ethics Commission must notify the county clerk of the decision to file with the Texas Ethics Commission on or before the deadline for filing the personal financial statement. Local Gov't Code § 159.052(b). *A filer who chooses to file with the Texas Ethics Commission may be subject to a \$500 late filing penalty if the report is filed after the deadline.*

**Other Local Filers.** Other local officers, candidates, or even employees may also be required to file a personal financial statement with a local filing authority. Some of those filing authorities may choose to use the Texas Ethics Commission Form PFS. Consult chapter 159 of the Local Government Code for additional information.

**Section 11.064 of the Education Code (School Board Trustees):** During the Third Called Session, the 78th Legislature changed the requirement that trustees of certain independent school districts file personal financial statements. The new law (HB 7, Article 30) allows the board of trustees in ANY independent school district to adopt a resolution requiring members of the board of trustees to file personal financial statements. The new law also authorizes the commissioner of education to require members of the board of trustees of an independent school district to file personal financial statements in specified circumstances. A personal financial statement required to be filed under the new law must be filed with the board of trustees AND with the Texas Ethics Commission.

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<sup>1</sup> A former or retired judge who sits by assignment at the district court level or above must complete a personal financial statement. Attorney General Opinion H-526 (1975).

**Municipalities With Populations of 100,000 or More:** The mayor, members of the governing body, the municipal attorney, and the city manager of municipalities with a population of 100,000 or more are required to file personal financial statements with the clerk or secretary of the municipality. The Texas Ethics Commission does not have jurisdiction over this filing requirement. See chapter 145 of the Local Government Code for additional information.

**Sport and Community Venue Districts:** Directors of sports and community venue districts may be required to file personal financial statements with the board of directors of the district and with the Texas Ethics Commission. Consult Sections 335.102 and 335.1085 of the Local Government Code for additional information. Note that the requirement to file a personal financial statement applies only to directors of districts located in a county with a population of 2.4 million or more.

## COMPLETING THE FORM

All forms must be either typewritten or legibly hand-printed in ink. If requested information is not applicable, clearly check the “NOT APPLICABLE” box. A complete statement consists of the Cover Sheet, Parts 1A through 18, and the Personal Financial Statement Affidavit.

## PERIOD COVERED

In most cases, the personal financial statement covers activity for the entire calendar year *preceding* the year the statement is due. For example, a personal financial statement due in 2005 covers activity occurring between and including January 1 and December 31, 2004.

**New Appointees.** For a newly appointed officer, the period covered by the first required personal financial statement is determined by the date the officer is appointed to the office. A new appointee’s first personal financial statement covers the entire calendar year *preceding the year of appointment* rather than preceding the year the statement is due. For example, a person appointed to serve on a board effective December 15, 2008, is required to file a personal financial statement due January 14, 2009. This personal financial statement covers activity occurring between and including January 1 and December 31, 2007.

Please contact the Texas Ethics Commission for further information if you have questions about the period covered by a personal financial statement.

## SUBSTITUTION OF FORMS

You may use photocopies of Texas Ethics Commission forms. You may also use your own computer-generated form if it provides for disclosure of all the information required on the commission’s form and it is *substantially identical* in paper size, color, layout, and format. You may submit a substitute form for pre-approval by the executive director of the Texas Ethics Commission.

## FILING DEADLINES

**Annual Statement.** The regular filing deadline for the annual personal financial statement is **April 30**.

**Candidate Statement.** A partisan or independent candidate for elected office who is required to file a personal financial statement must file it no later than the 40th day after the date of the regular filing deadline for filing an application to be on the ballot in the general primary election. *The deadline applies whether or not the candidate runs in a primary election.*

**Others.** All other individuals required to file the personal financial statement with the Texas Ethics Commission (such as appointed officers and executive directors filing for the first time) should contact the Texas Ethics Commission for further information about the applicable filing deadline.

## **TIMELY FILINGS**

A personal financial statement filed by first-class United States mail or by common or contract carrier is timely filed if:

- (1) it is properly addressed with postage or handling charges prepaid; and
- (2) it bears a post office cancellation mark or a receipt mark from a common or contract carrier indicating it was sent on or before the deadline, or if the filer furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier on or before the deadline. A hand-delivered statement is timely filed if it is delivered to the proper filing authority by 5:00 P.M. on the deadline date. The Texas Ethics Commission is located on the 10th floor of the Sam Houston Building, 201 E. 14th St., Austin, Texas 78701. Our mailing address is P.O. Box 12070, Austin TX 78711-2070.

## **EXTENSION OF THE APRIL 30TH DEADLINE**

A state officer filing the annual personal financial statement due April 30 may request a 60-day extension of the filing deadline. The executive director of the Texas Ethics Commission shall grant such a request if the request is made on or before the regular deadline. A statutory county court or probate court judge is also eligible for a 60-day extension of the April 30 deadline if the judge requests the extension on or before the regular filing deadline. ***Extensions may not be granted for any other personal financial statement filing deadline***, such as the deadline for candidates or newly-appointed board members.

## **LATE FILING PENALTY**

An individual who files the personal financial statement with the Texas Ethics Commission may be assessed a \$500 late filing penalty if the personal financial statement is not filed by the deadline.

## **CHANGES IN INFORMATION**

If you discover after the filing deadline that the personal financial statement you filed was incorrect or incomplete, you must file a corrected financial statement. Please contact the Texas Ethics Commission for additional information.

## COMPLETING FORM PFS

### COVER SHEET

**1. Name:** List your name.

**2. Address:** List the address at which you would like to receive communications from this office, such as notices of your filing requirements. If you are listing your home address here, please indicate this by placing a check in the box provided.

**Note for Judges and Justices:** By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you are providing your home address for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

**3. Telephone Number:** List a telephone number at which you can be reached during regular business hours.

**4. Reason for Filing Statement:** Check the appropriate box to indicate in which capacity you are filing this personal financial statement. Generally, if you come within more than one category, you will check all applicable boxes. You are only required to file one personal financial statement for the same calendar year, even if you fit within more than one category.

- **Candidate:** If you are a candidate for an elected office, check this box and indicate which office you seek. Identify the office completely, including the district or place name, if applicable. See “Who Is Required to File?” under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.
- **Elected Officer:** If you are an elected officeholder, check this box and indicate which office you hold. Identify the office completely, including the district or place name, if applicable. See “Who Is Required to File?” under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

*Example:* Frank is running for judge in the 560th Judicial District. He should check the “Candidate” box and write “Judge, 560th District” to indicate the office he seeks. Jane is the judge for Mars County Court at Law Number 2. She will check the “Elected Officer” box and write “Mars County Court at Law No. 2.”

- **Appointed Officer:** If you are an appointed officeholder of a state agency, check this box and indicate the agency.

*Note:* “State agency” is defined as:

(A) a department, commission, board, office, or other agency that:

(i) is in the executive branch of state government;

(ii) has authority that is not limited to a geographical portion of the state; and

(iii) was created by the Texas Constitution or a statute of this state;

(B) a university system or an institution of higher education as defined by Section 61.003, Education Code, other than a public junior college; or

(C) a river authority created under the Texas Constitution or a statute of this state.

Gov't Code § 572.002(10).

- **Executive Head:** If you are the executive head of a state agency, check this box and indicate the agency.
- **Former or Retired Judge Sitting by Assignment:** If you are a former or retired judge who sits by assignment at the district court level or above, check this box.
- **State Party Chair:** If you are a state party chair, check this box and indicate the party.
- **Other:** If you are filing because you hold a position other than one of the positions listed above, check "other" and describe the position.

See the General Instructions for detailed information about who is required to file a personal financial statement.

**5. Names of Family Members Whose Financial Activity You Are Reporting:** In responding to Parts 1 through 14 of the personal financial statement, you must provide information about the financial activity of your spouse and dependent children as well as your own if you had *actual control* over that activity.

**Spouse.** If you are reporting any financial activity for your spouse on this financial statement, enter your spouse's full name here.

**Dependent Child.** If you are reporting any financial activity for a dependent child on this financial statement, enter the child's full name here. If you are reporting information about more than one dependent child, please list the children separately on the appropriate lines. A child (including an adopted child or a step-child) is considered a dependent if you provided more than 50 percent of the child's support during a calendar year. *Note: Statutory county court or probate court judges may request in writing that the names of dependent children listed on the Form PFS be deleted before the form is made available to the public.*

## FINANCIAL ACTIVITY

In Parts 1 through 18, you will disclose information about your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose not only your own financial activity, but also the financial activity of your spouse or a dependent child if you had actual control over that person's financial activity. When reporting information about a dependent child's activity in Parts 1 through 14, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet under item 5.

## PART 1. SOURCES OF OCCUPATIONAL INCOME AND RETAINERS

### PART 1A. SOURCES OF OCCUPATIONAL INCOME

Complete a block for each source of occupational income. If the requested information is not applicable, check the “NOT APPLICABLE” box.

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

- 1. Information Relates To:** Check the appropriate box indicating whether the source relates to you, your spouse, or a dependent child.
- 2. Employment:** Check the appropriate box indicating whether the individual the information relates to is employed by another or self-employed.

**Employed by Another.** If the individual is employed by another, provide the name and address of the employer and the position held. If you are listing your home address here, please indicate this by placing a check in the box provided.

**Note for Judges and Justices:** By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you are providing your home address for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

**Self-Employed.** If the individual is self-employed, report the nature of the occupation, *e.g.*, attorney, carpenter, etc.

### PART 1B. RETAINERS

This section asks for information about fees received by you, your spouse, or a dependent child, or received by a business in which you, your spouse, or a dependent child have a “substantial interest,” as a retainer for a claim on future services in case of need, rather than fees for services on a matter specified at the time of contracting for or receiving the fee. Report such retainers only in cases in which the value of the amount of work actually performed during the calendar year did not equal or exceed the value of the retainer. If the requested information is not applicable, check the “NOT APPLICABLE” box.

**Example:** Last year you received a retainer for \$15,000 for consulting services in case of need. You ended up providing \$5,000 worth of services during the calendar year. You should report the retainer on this year’s financial statement.

**Substantial Interest.** An individual has a substantial interest in a business entity if the individual:

- (1) has a controlling interest in the business entity;
- (2) owns more than 10 percent of the voting interest in the business entity;

- (3) owns more than \$25,000 of the fair market value of the business entity;
- (4) has a direct or indirect participating interest by shares, stocks, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the business entity;
- (5) is a member of the board of trustees or other governing board of the business entity;
- (6) serves as an elected officer of the business entity; or
- (7) is an employee of the business entity.

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

- 1. Fee Received From:** Provide the name and address of the individual or entity from whom the fee was received.
- 2. Fee Received By:** Check the appropriate box indicating whether the fee was received by you, your spouse, or a dependent child. If the fee was received by a business, provide the name of the business.
- 3. Fee Amount:** Check the appropriate fee category for the amount received.

## PART 2. STOCK

This section is for information about business entities in which you, your spouse, or a dependent child held or acquired stock. Complete a separate block for each entity in which stock was held or acquired. If the requested information is not applicable, check the "NOT APPLICABLE" box.

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

- 1. Business Entity:** Enter the name of the business entity in which the stock was held or acquired.
- 2. Stock Held or Acquired By:** Check the appropriate box indicating whether the stock was held or acquired by you, your spouse, or a dependent child.
- 3. Number of Shares:** If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.
- 4. If Sold:** Complete this section if you sold any of the indicated stock during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving stock of a particular entity, indicate the net gain or net loss resulting from those transactions. You do not have to show the net gain or net loss from each sale of stock in the same business entity.

## PART 3. BONDS, NOTES, AND OTHER COMMERCIAL PAPER

This section is for information about bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child. Complete a separate block for each bond, note, or other commercial instrument held or acquired. If the requested information is not applicable, check the “NOT APPLICABLE” box.

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

**1. Description of Instrument:** Briefly describe the instrument.

**Commercial Paper.** Commercial paper includes any type of negotiable instrument, such as certificates of deposit (CDs), money market certificates, treasury bills, or bills of exchange.

**2. Held or Acquired By:** Check the appropriate box indicating whether the instrument was held or acquired by you, your spouse, or a dependent child.

**3. If Sold:** Complete this section if you sold any of the instruments during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

## PART 4. MUTUAL FUNDS

This section is for information about shares of mutual funds held or acquired by you, your spouse, or a dependent child. Complete a separate block for each mutual fund in which shares were held or acquired. If the requested information is not applicable, check the “NOT APPLICABLE” box.

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

**1. Mutual Fund:** Enter the name of the mutual fund in which shares were held or acquired.

**2. Shares of Mutual Funds Held or Acquired By:** Check the appropriate box indicating whether the shares in the mutual fund were held or acquired by you, your spouse, or a dependent child.

**3. Number of Shares of Mutual Fund:** If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.

**4. If Sold:** Complete this section if you sold any of the indicated shares of the mutual fund during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving shares of the mutual fund, indicate the net gain or net loss resulting from those transactions. You do not have to show the net gain or net loss from each sale of shares of the mutual fund.

## **PART 5. INCOME FROM INTEREST, DIVIDENDS, ROYALTIES, AND RENTS**

If you, your spouse, or a dependent child received *more than \$500 from any source* in interest, dividend, royalty, or rent income, identify the source of the income and the category of the amount received. Complete a separate block for each source of interest, dividend, royalty, or rent income. If the requested information is not applicable, check the “NOT APPLICABLE” box.

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

- 1. Source of Income:** Provide the name and address of the source of income.
- 2. Received By:** Check the appropriate box indicating whether the income was received by you, your spouse, or a dependent child.
- 3. Amount:** Check the appropriate monetary category for the amount received.

## **PART 6. PERSONAL NOTES AND LEASE AGREEMENTS**

Complete this section if at any time during the year you, your spouse, or a dependent child owed a financial obligation *in excess of \$1,000* to a person or financial institution on a personal note or notes or a lease agreement. Complete a separate block for each person or institution holding a personal note or lease agreement covered by this section. If the requested information is not applicable, check the “NOT APPLICABLE” box.

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

- 1. Person or Institution Holding Note or Lease Agreement:** Identify the person (for example, “Zebu National Bank,” “Echidna Mortgage Company”) holding the personal note or lease agreement on which you, your spouse, or a dependent child owed the obligation.
- 2. Liability of:** Check the appropriate box indicating whether the personal note or lease agreement is the liability of you, your spouse, or a dependent child.
- 3. Guarantor:** If the obligation was a loan, identify the guarantor of the loan, if any.
- 4. Amount:** Check the appropriate monetary category for the amount of the liability.

## **PART 7. INTERESTS IN REAL PROPERTY AND BUSINESS ENTITIES**

This section is for reporting beneficial interests held or acquired in real property and business entities. Part 7A pertains to interest in real property and Part 7B pertains to interest in business entities. Refer to the following definitions when completing both Parts 7A and 7B. If the requested information is not applicable, check the “NOT APPLICABLE” box.

**Beneficial Interest.** A beneficial interest may be either legal or equitable title (such as when a creditor takes the legal title as security for the repayment of a debt). Report items held by a trust of which you are a beneficiary under Part 9 rather than under this section.

**Business Entity.** “Business entity” means a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust, or any other entity recognized by law through which business for profit is conducted.

## PART 7A. INTERESTS IN REAL PROPERTY

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

- 1. Held or Acquired By:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.
- 2. Street Address:** Enter the street address of the real property, if available, and include the city, and state where the real property is located. If you are listing your home address here, please indicate this by placing a check in the box provided.

**Note for Judges and Justices:** By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you are providing your home address for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

- 3. Description:** If a street address is not available, check whether the real property consists of lots or acres. Provide the number of lots or acres, as applicable, and the name of each county in which the lots or acres are located.

If the real property is identifiable by a street address, you must provide that information in Item 2 of this part instead of providing a description.

- 4. Names of Persons Retaining an Interest:** List the names of any persons retaining an interest in the real property other than you, your spouse, or a dependent child. The requirement to list the names of persons retaining an interest in real property does not apply to a severed mineral interest.

*Example:* If you own a house and make mortgage payments, you would list the house in this section and list the mortgage holder as another person retaining an interest in the property.

- 5. If Sold:** Complete this item only if you sold the interest during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

## PART 7B. INTERESTS IN BUSINESS ENTITIES

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

- 1. Held or Acquired By:** Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.
- 2. Description:** Provide the name and address of the business entity. If you are listing your home address here, please indicate this by placing a check in the box provided.

**Note for Judges and Justices:** By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you are providing your home address for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

- 3. If Sold:** Complete this item only if you sold the interest during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

## PART 8. GIFTS

This section is for reporting gifts worth more than \$250 received by you, your spouse, or a dependent child, other than: 1) a gift required to be reported by a lobbyist as a lobby expenditure; 2) a political contribution; or 3) a gift from a person related to you within the second degree by consanguinity or affinity. If the requested information is not applicable, check the “NOT APPLICABLE” box.

**Gifts from Relatives.** A parent, child, brother, sister, grandparent, or grandchild is related to you within the second degree by *consanguinity*. Individuals related to you within the second degree by *affinity* include the spouse of anyone related to you within the second degree by consanguinity, and anyone related to your spouse within the second degree by consanguinity. You are not required to report gifts from these individuals.

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

- 1. Donor:** Provide the name and address of the person or organization giving the gift.
- 2. Recipient:** Check the appropriate box indicating whether the gift was given to you, your spouse, or a dependent child. *If more than one of you received it, check as many boxes as apply.*
- 3. Description:** Describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift.

## PART 9. TRUST INCOME

Complete this section if *any* income was received as a beneficiary of a trust, other than a blind trust, the definition of which is included in the PART 10A of instructions. Identify the trust by name and indicate the category of the amount received. If the requested information is not applicable, check the “NOT APPLICABLE” box.

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

- 1. Source:** Provide the name of the trust.
- 2. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.
- 3. Income:** Check the appropriate monetary category to indicate the amount of income received by the beneficiary.
- 4. Assets from which over \$500 was Received:** Identify each asset of the trust from which more than \$500 in income was received, *if you know the identity of the asset.*

## PART 10A. BLIND TRUSTS

This section is for reporting each blind trust that is defined in section 572.023(c) of the Government Code in which you, your spouse, or a dependent child is a beneficiary. If the requested information is not applicable, check the “NOT APPLICABLE” box.

**Section 572.023(c) of the Government Code.** A blind trust is a trust as to which:

- (1) the trustee:
  - (A) is a disinterested party;
  - (B) is not the individual;
  - (C) is not required to register as a lobbyist under Chapter 305;
  - (D) is not a public officer or public employee; and
  - (E) was not appointed to public office by the individual or by a public officer or public employee the individual supervises; and
- (2) the trustee has complete discretion to manage the trust, including the power to dispose of and acquire trust assets without consulting or notifying the individual.

You must submit a statement signed by the trustee of each trust listed on this section. See Part 10B for additional information.

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

- 1. Name of Trust:** Provide the name of the trust.
- 2. Trustee:** Provide the name and address of the trustee.
- 3. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.
- 4. Fair Market Value:** Check the appropriate monetary category to indicate the fair market value of the trust.
- 5. Date Created:** Report the date the trust was created.

## **PART 10B. TRUSTEE STATEMENT**

You must submit with your personal financial statement a statement signed by the trustee of each blind trust listed on Part 10A. If the requested information is not applicable, check the “NOT APPLICABLE” box.

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

- 1. Name of Trust:** Provide the name of the trust.
- 2. Trustee Name:** Provide the name of the trustee.
- 3. Filer on Whose Behalf Statement is Being Filed:** Provide the name of the person on whose behalf the trustee statement is being filed.
- 4. Trustee Statement:** Signature of the trustee.

## **PART 11. ASSETS AND 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 11A pertains to assets of the corporation or partnership and Part 11B pertains to liabilities of the corporation or partnership. If the requested information is not applicable, check the “NOT APPLICABLE” box.

## PART 11A. ASSETS OF BUSINESS ASSOCIATIONS

*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. If you are listing your home address here, please indicate this by placing a check in the box provided.

**Note for Judges and Justices:** By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you are providing your home address for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

**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 11B. LIABILITIES OF BUSINESS ASSOCIATIONS

*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. If you are listing your home address here, please indicate this by placing a check in the box provided.

**Note for Judges and Justices:** By placing a check in the box provided, the Texas Ethics Commission will redact the address as required by law. If the box is not checked, the commission will presume the listed address is not your home address and will not redact it. If you are providing your home address for the first time and wish to have this address redacted on all previous PFS filings, please notify the commission in writing.

**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, check the “NOT APPLICABLE” box.

**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 positions 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, check the “NOT APPLICABLE” box.

**Political Contributions and Lobby Expenditures.** You are not required to list items you have already reported as political contributions on a campaign finance report or items required to be reported by a lobbyist as lobby expenditures.

*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 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, and 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, check the “NOT APPLICABLE” box.

**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.

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

- 1. Business Entity:** Provide the name and address of business entity in which you, your spouse, or dependent child, and a person registered as a lobbyist have an interest.
- 2. Interest Held By:** Check the appropriate box to indicate whether you, your spouse, and 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 of the 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. If the requested information is not applicable, check the “NOT APPLICABLE” box.

**Actual Knowledge.** You “actually” know someone who directly compensates or reimburses a person required to be registered as a lobbyist if you personally know the person who does so or you could readily discover it by contacting the person or the Texas Ethics Commission. Ethics Advisory Opinion No. 333 (1996).

*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, at any time during calendar year 2004, 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, check the “NOT APPLICABLE” box.

*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:** Beginning September 1, 2003, 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 involves 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 of the 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 which 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, check the “NOT APPLICABLE” box.

*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 party is a member or member-elect of the legislature. If the requested information is not applicable, check the "NOT APPLICABLE" box.

*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.

## PERSONAL FINANCIAL STATEMENT AFFIDAVIT

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, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations.