



2021 Candidate Packet

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Election Calendar

For a City's General Election on

May 1, 2021

This calendar indicates the dates for actions necessary in a general election of city officers to be held on May 1, 2021. It includes all major actions for which the Election Code prescribes a specific date or deadline for performance, but it does not include all actions (e.g., preparation of ballot boxes and other election equipment and of sets of precinct election forms) for which the beginning date for performance can vary from one city to another depending on local factors. Each city secretary should use the chart in M §9.02 of the *Texas Municipal Election Law Manual* together with this calendar to fill in those dates on the city secretary's personal election calendar created in accordance with local conditions [see M §9.03]. The city secretary's personal calendar should also reflect dates that the city secretary prefers in place of the discretionary dates recommended in this calendar.

Column 5 indicates the time interval between the date of the action and election day. For example, the notation 50th in the entry for March 12 means that the day for beginning mandatory office hours is the 50th day before election day; the notation "+10" in the entry for May 11 means that the last day for the presiding judge of the early voting ballot board to mail to voters notices of rejected mail ballots is the 10th day after election day.

When there is a statutory provision prescribing the last day for the performance of an act, the number in Column 5 reflects that day. If the statutory day must be moved because of a Saturday, Sunday, or state or national holiday, the resulting date is designated in Columns 1 and 2, and Column 5 indicates, in parentheses and italics, the actual number of days measured from election day.

In preparing a personal calendar, the city secretary should remember the rule in EC §1.006 that if the last day for performance of an action falls on a Saturday, Sunday, or a state or national holiday, the deadline date is usually extended to the next regular business day whether the day is a city holiday or not [see M §2.16(a)]. When a deadline is extended for this reason, the extended date is used for determining other dates that are calculated in relation to the event of the extended date. Exceptions are noted in this calendar.

Major steps are in ALL CAPS. Steps for early voting are in *ITALICS*.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Dec 14	LAST DAY to begin posting on bulletin board the notice of the dates of the filing period for the general election. (30 days before first day to file application for a place on the ballot). SOS has ruled that notice must contain location where applications will be received.	City Secretary	11.05(f)	138 th
Thu Dec 31	Obtain a supply of the following forms: candidate's application for place on ballot; appointment of campaign treasurer (candidate and specific-purpose committee); report of contributions and expenditures (candidate-officeholder and specific-purpose committee); application for mail ballot, and a set of administrative forms if ordered from a supply house. (Set up schedule for ordering precinct sets and other forms if they are to be ordered later.)	City Secretary	7.11 et seq. 18.10	*121 st
Dec 31-Jan 22	Review recommendation for following steps listed in M §9.02 for possible needed or desired action: Steps 1 through 5 (revising election precincts; designating polling places; changing method of voting if equipment is available but not adopted for use or if acquisition of equipment by city is desired); Step 12 (establishing or changing terms of election judges).	City Secretary and City Council	9.02	*121 st thru *99 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Fri Jan 1	<i>First day voters may submit an application for a ballot by mail (ABBM), for an Annual ABBM, or for a Federal Postcard Application (FPCA).</i>	City Secretary	16.51	120 th
Wed Jan 13	GENERAL ELECTION FIRST DAY FOR FILING APPLICATION for place on ballot. This is the 30 th day before filing deadline.	City Secretary	11.05	108 th
Jan 13	FIRST DAY FOR FILING DECLARATION OF WRITE-IN CANDIDACY.	City Secretary	11.10	108 th
Fri Jan 15	Last day for timely filing of semi-annual report of contributions and expenditures.	City Secretary	18.05	106 th
Mon Jan 18- Feb 12	Recommended period for CALLING ELECTION AND POSTING NOTICE OF ELECTION on bulletin board.	Mayor ^[1]	10.02 10.03 10.04 10.12	*103 rd thru 78 th
Mon Feb 1	LAST DAY for small city in small county to provide secretary of state notice of intent to use exception to accessibility requirements or show undue burden, if required. 90 th day is on Sun. This action is extended to Mon, Feb 1 (89 th day).	City Secretary	7.07(d), (e), (f)	90 th (89 th)
Tue Feb 9	If the candidate dies on or before Feb 9 (day before the 2 nd day before filing deadline, in other words, the 3 rd day before the filing deadline), the City Secretary MUST remove candidate's name from ballot. NOTE - If a candidate dies after this date but on or before the filing deadline, the City Secretary MAY choose to remove the candidate's name from the ballot, in which case the filing deadline is extended to the 5 th day after the regular filing deadline.	City Secretary	11.25(a)	81 st
Fri Feb 12	GENERAL ELECTION STATUTORY LAST DAY FOR ORDERING ELECTION. ^[2]	Mayor ^[1]	10.04	78 th
Feb 12	LAST DAY FOR FILING APPLICATION FOR PLACE ON BALLOT (must be received by 5 p.m.). City Secretary's office should stay open until 5 p.m. NOTE - If a candidate dies after February 9 but on or before the filing deadline, the City Secretary MAY choose to remove the candidate's name from the ballot, in which case the filing deadline is extended to the 5 th day after the regular filing deadline.	City Secretary	11.05(a) 11.06 11.05(b)	78 th
Feb 12	Recommended LAST DAY FOR NOTICE DESIGNATING ELECTION PRECINCTS AND POLLING PLACES.	City Council	3.07	*78 th
Mon Feb 15	Recommended beginning date for preliminary work on appointment of election judges.	City Secretary	4.08	*75 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Feb 15	Recommended last day to POST 72 HOUR NOTICE OF DRAWING for order of names on ballot. Must be posted at least 72 hours preceding the time of the drawing. NOTE: Feb 15 is Presidents' Day, a state holiday. If the city is open for business, these recommended actions may be taken.	City Secretary	8.06	*75 th
Tue Feb 16	LAST DAY FOR A WRITE-IN CANDIDATE to declare candidacy in the GENERAL election.	City Secretary	11.10	74 th
Wed Feb 17	If no candidate has an opponent in an election considered to be a separate election, deliver the certification of unopposed candidates to the city council.	City Secretary	10.23	73 rd
Feb 17	LAST DAY FOR FILING APPLICATION FOR PLACE ON THE BALLOT. If a candidate died after February 11 but on or before the filing deadline, and the City Secretary chose to remove the candidate's name from the ballot (see Feb 12 entry).	City Secretary	11.05(b)	73 rd (5 th day after filing deadline)
Feb 18-22	Recommended period to CONDUCT DRAWING FOR ORDER OF NAMES ON BALLOT. Prepare ballot format and send it to printer.	City Secretary	8.06	*72 nd thru *68 th
Fri Feb 19	LAST DAY for a ballot candidate in general election to withdraw and have name omitted from the ballot (withdrawal request must be received by 5 p.m.). EXCEPTION: A withdrawal submitted after this date is valid if it is submitted before the ballots are prepared AND if the public notice of the logic and accuracy test has not been published.	City Secretary	8.05(b) 11.22(b)	71 st
Feb 19	LAST DAY for a write-in candidate to withdraw in general election and have name omitted from write-in list. The statute does not state a time, but the SOS considers 5 p.m. the deadline.	City Secretary	11.22(b)	71 st
Fri Feb 19	LAST DAY that a declaration of ineligibility causes omission of candidate's name from ballot in the general election. City secretary's office should stay open until 5 p.m.	City Secretary	11.23 11.24	71 st
Sat Feb 20	LAST DAY to order a SPECIAL ELECTION to fill a vacancy so that the filing deadline will be the 62 nd day before election day. This date remains on Sat because it is not the last day to order a special election.	City Council City Secretary	13.06	70 th
Mon Feb 22	LAST DAY to withdraw from GENERAL election IF filing deadline was extended due to removal of deceased candidate's name from the ballot. EXCEPTION: A withdrawal submitted after this date is valid if it is submitted before the ballots are prepared AND if the public notice of the logic and accuracy test has not been published.	City Secretary	11.05(b)	68 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Mar 1	If a SPECIAL ELECTION to fill a vacancy was ordered on or before the 70 th day before the election, this is the LAST DAY to file an application for a place on the ballot and the LAST DAY to file a declaration of write-in candidacy in the SPECIAL ELECTION. 62 nd day is on Sunday. This action is extended to Mon, Mar 1, the 61 st day. NOTE: For information on removal of deceased candidate's name from the special election ballot, and extended filing and withdrawal deadlines, please see endnotes.	City Secretary	13.06	62 nd (61 st)
Tues Mar 2	First day of the period Texas Ethics Commission will defer investigation until after election (or runoff) if an allegation is filed.	City Secy/ Texas Ethics Commission	18.01	60 th
Mar 2	<i>Recommended day to contact the county clerk or elections administrator concerning availability of the initial list of voters who have submitted annual applications for ballot by mail (ABBM).</i> NOTE: Mar 2 is Texas Independence Day, but these actions don't move as they are not statutory deadlines to take action.	City Secretary	16.523	*60 th
Wed Mar 3	LAST DAY TO DELIVER NOTICE OF THE ELECTION TO THE COUNTY CLERK AND VOTER REGISTRAR of each county in which the election will be held. The deadline is the 60 th day, which is March 2, Texas Independence Day, and moves to Wed, Mar 3. NOTE: The Notice must now include the location of each polling place, including the building name, if any, and the street address, including suite or room number, if any.	City Council (City Secretary)	10.16	60 th (61 st)
Fri Mar 5	Extended deadline to file for a place on the ballot in a city office having a 4-year term if no one has filed by 5 p.m. on Feb 12 (must be received by 5 p.m.).	City Secretary	11.05	57 th
Mar 5	If a SPECIAL ELECTION to fill a vacancy was called on or before the 70 th day before the election this is the: 1. LAST DAY for a candidate in the special election to withdraw (withdrawal request must be received by 5 p.m.); and 2. LAST DAY that a declaration of ineligibility causes omission of candidate's name from the ballot. EXCEPTION: a withdrawal submitted after this date is valid if it is submitted before the ballots are prepared AND if the public notice of the logic and accuracy test has not been published. NOTE: For information on removal of deceased candidate's name from the special election ballot, and extended filing and withdrawal deadlines, please see endnotes.	City Secretary	8.05(b) 11.22 11.24	57 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Mar 8-19	Recommended period for APPOINTING ELECTION JUDGES. ^[2] (Schedule for first council meeting after period if no meeting during period.) See M §10.15 on giving notice to election judges of their duties.	City Council ^[1]	4.03 4.04 4.05(b)	*54 th thru *43 rd
Thur Mar 11	RECOMMENDED DATE TO PRINT BALLOTS which have been prepared earlier.	City Secretary	8.16	*51 st
Fri Mar 12	Beginning date of period for mandatory office hours. City Secretary must keep office open for at least 3 hours a day during regular office hours on regular business days.	City Secretary	2.15	50 th
Tue Mar 16	Last day to order a SPECIAL ELECTION to fill a vacancy.	City Secretary	13.06	46 th
Mar 16	Last day for a challenge of a candidate application based on form, content, procedure, if the first ballots by mail are placed in the mail on Mar 17.	City Secretary	11.07(d)	46 th
Wed Mar 17	<i>DEADLINE for mailing ballots to FPCA voters and other voters who are eligible for early voting because they are voting from outside the United States. If it is not possible to mail these ballots by this deadline, the city secretary must notify the secretary of state within 24 hours of knowing the deadline will not be met.</i> NOTE: Information on the roster for a person who votes early voting in person or who votes early by mail must be available for public inspection and on the County's website if the County Clerk or EA is the early voting clerk or on the City's website if the City Secretary is the early voting clerk by 11:00 on the day after the information is entered on the roster (for voters voting in person) or by 11:00 am on the day after the early voting clerk receives the ballot (for voters voting by mail). If the entity does not maintain a website, the information must be on the bulletin board used for posting notices.	City Secretary City Secretary	16.57 16.82(b)	45 th
Mon Mar 22	If a SPECIAL ELECTION to fill a vacancy was ordered after the 70 th day before the election but on or before the 46 th day before election day, this is the LAST DAY for filing an application for a place on the ballot OR to file a declaration of write-in candidacy in the SPECIAL ELECTION . NOTE: For information on removal of deceased candidate's name from the special election ballot, and extended filing and withdrawal deadlines, please see endnotes.	City Council	13.06(a)(2)	40 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Sat Mar 27	<p>LAST DAY for a candidate in a SPECIAL ELECTION with a filing deadline of the 40th day, to withdraw or be declared ineligible and have name omitted from the ballot. The 35th day is Sat, Mar 27. EC §1.006 does not apply to this deadline, and this deadline is not moved.</p> <p>EXCEPTION: A withdrawal submitted after this date is valid if it is submitted before the ballots are prepared AND if the public notice of the logic and accuracy test has not been published.</p> <p>NOTE: For information on removal of deceased candidate's name from the special election ballot, and extended filing and withdrawal deadlines, please see endnotes.</p>	City Secretary	11.22(b) 11.24(b)	35 th
Thur Apr 1	Due date for filing first report of campaign contributions and expenditures by opposed candidates and specific-purpose committees supporting or opposing opposed candidates by 5 p.m. or midnight if filed electronically. City secretary's office should stay open until 5 p.m.	City Secretary	18.06	30 th
Apr 1	Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory.	Registrar	6.23(g) 6.25(b)	30 th
Apr 1	LAST DAY TO MAIL BALLOTTING MATERIALS for early voting by mail to persons whose applications were accepted before the 37 th day. The clerk must mail ballots out to voters by the 30 th day before election day if the clerk accepted the application by the 37 th day before election day (old law was the 45 th day). In any case, ballots should be mailed as soon as possible.	City Secretary	16.57	30 th
Apr 1-21	PERIOD FOR PUBLISHING NOTICE OF ELECTION. Must be published at least once in a newspaper during this period. NOTE: April 21 is San Jacinto Day, but it is highly recommended that the notice be published no later than April 21.	Mayor ^[1]	10.12 20.04	30 th thru 10 th
Apr 1	Minimum 10 th day to begin posting continuous notice if signature verification committee meets Apr 11.	City Secretary	16.72	30 th
Apr 1	Recommended last day to notify presiding judges of duty to hold election.	Mayor	10.15	*30 th
Apr 1	Recommended last day to request voter registrar to prepare lists of registered voters and furnish statement of residence forms to be used in conducting the election.	City Secretary	6.32(d) 6.35 7.42	*30 th
Apr 1	Recommended day to begin posting the Notice of Voting Order Priority for voters with mobility issues on the city's website if the city maintains one.	City Secretary	9.221(d)	*30 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Fri Apr 9	Recommended last day to request waiver of partial manual recount of electronically counted ballots if the secretary of state has not already issued a waiver. NOTE: It is highly unlikely the secretary of state's office will issue a blanket waiver.	City Secretary	9.45	*22 nd
Apr 9-22	<i>Possible period for posting notice amending notice of branch early voting polling places.</i>	City Secretary	16.22(k)	22 nd thru 9 th
Sat Apr 10 (Apr 9 Recommended)	LAST DAY for POSTING NOTICE OF ELECTION on bulletin board for posting notices of city council meetings. NOTE: The 21 st day is on Sat. Technically, the notice can be delayed until Mon, Apr 12, but it is better practice to post no later than Fri, Apr 9, which is the 22 nd day before the election.	City Secretary ^[1]	10.12(c)	21 st
Apr 10 - May 1	For City with at least 250 registered voters that maintains an internet website, period to post on website new bond election voter information pamphlet. See NOTE above re: recommended first day to post.	City Secretary		21 st thru Election Day
Sun Apr 11	<i>First day a signature verification committee may begin work.</i>	City Secretary	16.72	20 th
Mon Apr 12	<i>Last day for unregistered applicant to submit a federal postcard application and be eligible to vote a full ballot.. (The 20th day before the election is Sun, Apr 11. The deadline is extended so that if the application is placed in the mail by Mon, Apr 12, it is timely.)</i>	City Secretary	17.02(a) & (d)	20 th (19 th)
Tue Apr 13	<i>Recommended last day for publication of notice of the test of automatic tabulating and DRE equipment to be used in early voting if the test is on Apr 16. (Notice for tabulating equipment must be 48 hours before date of test. Notice for DRE equipment must be 48 hours before test begins.)</i>	City Secretary	7.38(d) 7.40	18 th
Apr 13	<i>Last day early voting clerk, upon receipt of defective early voting application, must mail 2nd application with explanation of defects and instructions.</i>	City Secretary	16.53(c)	18 th
Wed Apr 14	<i>Last day to begin posting continuous notice of schedule for branch early voting polling places. (5th day before beginning of early voting by personal appearance.)</i>	City Secretary	16.22(k)	17 th
Fri Apr 16	<i>Last day to receive application from voter delivered in person for a ballot to be voted by mail (by close of business). This is the last business day before the beginning of early voting by personal appearance.</i>	City Secretary	16.51(e)(5)	15 th
Apr 16	<i>Last day to accept an FPCA without a postmark to prove mailing date and mail the voter a full ballot if the voter is not permanently registered but meets the requirements to be registered under EC Title 2.</i>	City Secretary	17.02(d)	15 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Apr 16	<i>Last day for conducting first test of automatic tabulating and DRE equipment to be used for early voting (at least 48 hours before it is used).</i>	City Secretary	7.40(c) & (d)	15 th
Apr 16	STATUTORY DEADLINE FOR NOTIFYING JUDGES OF DUTY TO HOLD THE ELECTION.	Mayor	10.15(a)	15 th
Apr 16	Last day to challenge write-in candidate for form, content, and procedure.	City Secretary	11.10(h)	15 th
Sun Apr 18	<i>First day cities holding joint election with county having population of 100,000 or more may convene the early voting ballot board to process mail ballots. 24-hour notice must be posted for each delivery of voting materials made before election day. If notice requirements have been followed, the board may process the materials but may not count the ballots until after the end of the period of early voting by personal appearance. (9th day before end of early voting by personal appearance.)</i>	City Secretary	16.74(a)	13 th
Mon Apr 19	<i>FIRST DAY FOR EARLY VOTING BY PERSONAL APPEARANCE. If voting will be conducted on Sat or Sun, Apr 24 or 25, notice of schedule must be posted at least 72 hours before first hour of the weekend voting. (The city council must designate 2 weekdays that early voting will be conducted for 12 hours.)</i>	City Secretary	16.21 16.22(d) & (i)	12 th
Apr 19	<i>First day for new illness or disability allowing late application for late (emergency) early voting.</i>	Voter	17.16	12 th
Tue Apr 20	<i>Last day to accept application by mail for a ballot to be voted by mail, by 12 noon or close of business, whichever is later.</i>	City Secretary	16.51(d)	11 th
Apr 20	<i>Last day to accept an FPCA from a registered voter.</i>	City Secretary	17.02(b)	11 th
Apr 20	<i>Last day for county clerk or election administrator to deliver final list of voters that submitted an annual ABBM.</i>	City Secretary	16.523(a)	11 th
Wed Apr 21	<i>LAST DAY FOR PUBLICATION OF NOTICE OF ELECTION.</i> NOTE: April 21 is San Jacinto Day, but it is highly recommended that the notice be published no later than the 10 th day before election day.	Mayor ^[1]	10.12	10 th
Apr 21	<i>Last day to post notice if early voting will be conducted on Sat, Apr 24.</i>	City Secretary	16.22(k)	10 th
Thur Apr 22	<i>Last day to post notice if early voting will be conducted on Sun, Apr 25.</i>	City Secretary	16.22(k)	9 th
Fri Apr 23	Due date for filing second report of campaign contributions and expenditures by 5 p.m. or midnight if filed electronically.	City Secretary	18.06(c) 18.08(a) & (c)	8 th

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Apr 26	Last day for publication of notice of first test of automatic tabulating equipment to be used at a <u>polling place</u> if the first test is on April 28. (48 hours before test begins.) Note that testing must occur 48 hours before equipment is to be used (starting at 7:00 am on Election Day).	City Secretary	7.40(d)	*5 th
Apr 26	Last day for publication of notice of first test of DRE equipment to be used at a <u>polling place</u> if the first test is on April 28. Notice must be published at least 48 hours before test begins for DRE's.	City Secretary	7.38(d)	*5 th
Apr 26	Last day for publication of notice of first test of automatic tabulating equipment to be used at a central counting station if the first test is on April 28 (48 hours before test begins).	City Secretary	7.40(b) & (d)	5 th
Apr 26	<i>Last day for early voting clerk to receive mailed ABBM when voter submitted ABBM via email or fax on Tues April 20.</i>	City Secretary	16.51(e)	5 th
Apr 26	<i>First day for death in family to qualify for late (emergency) early voting.</i>	City Secretary	17.31	5 th
Tue Apr 27	<i>LAST DAY OF REGULAR EARLY VOTING BY PERSONAL APPEARANCE.</i>	City Secretary	16.21(c)	4 th
Apr 27- May 1	<i>As soon as early voting is over, and until 7:00 p.m. May 1, early voting materials may be delivered to the early voting ballot board for qualifying purposes (may not be counted until election day, except if election is held jointly with a county of 100,000 or more. See below.) Post notice of delivery continuously 24 hours before each delivery.</i>	City Secretary	16.74(a) & (c)	4 th thru close of polls
Apr 27	<i>In election held jointly with a county having a population of 100,000 or more, this is the first day that the EVBB may begin counting early ballots voted by mail, starting at 7:00 pm (or when polls closed that day). Assure that the counting equipment has been tested at least 48 hours before tabulation begins.</i>	Early Voting Ballot Board	16.74	4 th at close of polls
Wed Apr 28	LAST DAY for first test of automatic tabulating equipment to be used at a polling place or central counting station and DRE equipment to be used at a polling place. If tests are conducted on this day, make sure all notices have been published. See entries for Apr 26 for deadlines for notice publication.	City Secretary	7.40(d)	3 rd
Apr 28	<i>Last day to receive an application to cancel mail ballot that has not arrived at the early voting clerk's address as listed on the carrier envelope.</i>	City Secretary	16.59(a)	3 rd
Apr 28	Last day for conducting first test of automatic tabulating equipment to be used at a <u>polling place</u> (at least 48 hours before used for counting on election day). To assure 48 hours before 7 a.m. of election day, test must be by 3 rd day. Notice must be published at least 48 hours before date of test.	City Secretary	7.40(c) & (d)	3 rd

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Apr 28	Last day for conducting first test of DRE equipment to be used at a <u>polling place</u> or central counting station (at least 48 hours before voting begins on election day). To assure 48 hours before 7 am of election day, test must be by 3 rd day. Notice must be published at least 48 hours before test begins for DREs.	City Secretary	7.38(d)(1) & (2)	3 rd
Apr 28 - 30	<i>Period to apply for late (emergency) early voting because of death in family Apr 26 or later. Requires absence from county on election day.</i>	City Secretary	17.33	3 rd thru 1 st
Apr 28 - 30	Recommended time to prepare list of registered voters for early voting ballot board if more than one early voting polling place. The early voting clerk must mark the names on the list of registered voters of persons who voted early, before this list is delivered to the precinct election judges.	City Secretary	16.76 16.83(a)	*3 rd thru 1 st
Apr 28 - May 1	<i>Period to apply for late (emergency) early voting because of illness or disability originating on or after Apr 19.</i>	City Secretary	17.17	3 rd thru Election Day, 5 p.m.
Thur Apr 29	Last day for first test of automatic tabulating equipment to be used at a <u>central counting station</u> . The equipment must be tested at least 48 hours before it is used to count votes. Notice must be published at least 48 hours before date of test.	Presiding Judge	7.40(b) & (c)	2 nd
Fri Apr 30	<i>Last day to deliver precinct list of registered voters, with the early voting voters marked, to presiding judges and recommended date for delivery of supplies to presiding judges.</i>	City Secretary	7.47(b) 16.83(j)	1 st
Apr 30	Recommended date for delivery of equipment to polling places (statutory deadline is 6 a.m. on election day).	City Secretary	7.48	*1 st
Apr 30	RECOMMENDED DAY TO POST NOTICE OF COUNCIL MEETING to canvass the returns if canvass will be on 3 rd day after election. Notice must be posted at least 72 hours before time of meeting.	City Secretary	9.42(b)	*1 st
Apr 30	<i>Last day to submit an application (by close of business) for and vote a ballot by personal appearance due to death in immediate family that occurred Apr 26 or later.</i>	City Secretary	17.33(b)	1 st
Sat May 1	ELECTION DAY. Polls are open 7 a.m. to 7 p.m. Voting by sick or disabled voters at main early voting place, 7 a.m. to 7 p.m., where electronic voting systems are used at precinct polling place.	City Secretary	17.41	E Day
May 1	<i>7 a.m. to 7 p.m. early voting clerk's office must remain open for early voting activities.</i>	City Secretary	9.23	E Day
May 1	<i>5 p.m. deadline for late applications for ballots from voters who became ill or disabled Apr 19 or later.</i>	City Secretary	17.16 17.17	E Day

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May 1	<i>Deliver early voting ballots, etc., to early voting ballot board. Second key to ballot box is delivered by chief of police or marshal.</i>	City Secretary	16.73(a)	E Day
May 1	7 pm deadline for receiving ballots from voters who became ill or disabled Apr 19 or later.	City Secretary	17.17	E Day
May 1	<i>7 pm first deadline for receiving early voting mail ballots, except overseas and armed forces ballots and certain ballots place for delivery before this deadline. After regular mail delivery, check mail box for early voting mail ballots. See additional deadline on +1 day.</i>	City Secretary	9.23(c) 16.58(a)	E Day
May 1	Receive precinct records, voted ballots, etc. (Chief of police or marshal receives keys to ballot boxes containing voted ballots.)	City Secretary Mayor	9.33(d) 9.34	E Day
May 1	PREPARE UNOFFICIAL TABULATION OF RESULTS.	City Secretary	9.35	E Day
Mon May 3	<i>Second deadline for receiving mail ballots if the delivery envelope arrives before 5 pm and has a cancellation mark indicating it was placed for delivery at or before 7 p.m. at the location of the election on election day. This second deadline occurs the day after the election. The day after the election is Sun. This deadline is extended to Mon, May 3.</i> NOTE: This applies to voters who submitted an application for a ballot by mail and cast a by-mail ballot from within the United States.	City Secretary	16.58(a)	+1 (+2)
May 3	<i>First day for public access to early voting by mail applications and for mailed early voting ballot materials, including those for annual ABBMs.</i> NOTE: Information on the roster for a person who votes early voting in person or who votes early by mail to be available for public inspection and on the County or City's website (or bulletin board if there is no website) when information on voters voting in person is entered on the roster or when ballots by mail are received. See entry for Wed Mar 17.	City Secretary	9.49(d) 16.56(g) 16.522(f)	(+2)
May 3	<i>Last day to deliver provisional ballots to Voter Registrar of each county in which city is located.</i>	City Secretary	9.41(a)	(+2)
Tue May 4	Recommended day to provide Official STATEMENT OF ELECTED OFFICER NOT APPOINTED BY THE GOVERNOR and OATH OF OFFICE to candidates who appear to have won, or may win. These are now Secretary of State Forms 2201 and 2204. These are provided at this time for information. They must be signed after the canvass.	City Secretary	12.32(d)	+3

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
May 4-10	<i>Period during which early voting ballot board may meet to count ballots received from outside the United States if the early voting clerk certifies that all ballots mailed from outside the United States have been received.</i>	Early Voting Ballot Board	16.74(f)(1)	+3 thru +9
May 4 -12	PERIOD FOR OFFICIAL CANVASS. Mayor sets exact day and hour. City secretary records results in election register as soon as practicable after canvass. [Canvass may occur before 11 th day only if all FPCA ballots have been received and the EVBB has completed the count of provisional ballots.]	City Council/ City Secretary	9.42(b) 9.44	+3 thru +11
May 4 -12	<i>Completion before canvass of report of early votes cast for each candidate or measure, by election precinct.</i>	City Secretary	16.87	+3 thru +11
May 4 -12	AFTER CANVASS, ISSUE CERTIFICATES OF ELECTION, except that if a recount has been requested, the certificate of election for that office may not be issued until after the recount.	Mayor	12.23	+3 thru +11
May 4 - 24	Partial manual count of electronically counted ballots must begin not later than 72 hours after polls close and be completed by the +21 st day. +21 st day is Sat, May 22. The date is extended to Mon, May 24.	City Secretary	9.45	+3 thru +21 (+23)
Thur May 6	<i>Last day to receive a ballot from outside the United States, from a non-military voter, IF cancellation or receipt mark indicates ballot was placed for delivery by 7 pm on election day.</i>	City Secretary	16.58(b)	+5
Fri May 7	<i>Last day to receive an FPCA ballot from a member of the U.S. Armed Services or Merchant Marines or a spouse or dependent of a member. NO cancellation or receipt mark showing date placed for delivery is required on these ballots.</i>	City Secretary	16.58(b)	+6
May 7	Last day for provisional voter to present ID to voter registrar or execute required affidavit.	Voter Registrar	16.261(g)	+6
May 7	Last day for voter registrar to complete the review of provisional ballots.	Voter Registrar	9.41(d)	+6
May 7	Type A elected officials may qualify and assume duties of office [LGC §22.006]. The statute states 5 th day after election, excluding Sundays. The resulting day is the 6 th day after. Officials may not take office until the canvass is complete unless the election was cancelled.	Candidate with City Secretary	12.34	+6
May 7, 2022	NOTE for May 7, 2022 : IF City maintains a website, deadline to post on website the requirements and deadline for filing for candidacy of each elected office of the political subdivision. NOTE: See Endnotes for additional information that must be posted on the website.	City Secretary	N/A	365th

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Sun May 9-17	ORDERING OF RUNOFF ELECTION, if necessary, not later than 5 th day after canvass.	City Council or Mayor ^[1]	14.04	+8 thru +16
Mon May 10	Last day for Voter Registrar to designate a time of delivery of provisional ballots to the general custodian of election records or presiding judge of the EVBB. Time must be before the convening of the EVBB. The +7 day is May 8, a Sat. This deadline is extended to Mon, May 10 (+9 th day).		9.41(c) TAC §81.175(d)(3)	+7 (+9)
May 10	Last day for general custodian of election records or presiding judge of the early voting ballot board to retrieve the provisional ballots from the voter registrar.	City Secretary or Judge of EVBB	9.41(d)	+9
May 10	Last day for the EVBB to convene for counting the provisional ballots or any by mail ballots timely and properly received after election day. See entries for May 3, 6, and 7.	Early Voting Ballot Board	16.77(b) 16.58(b)	+9
Tue May 11	Last day for presiding judge of EVBB to mail notices of rejected mail ballots to voters.	Presiding Judge of EVBB	16.78	+10
Wed May 12	LAST DAY for conducting the official canvass of the election.	City Council	9.42(b)	+11
Fri May 14- May 24	Period during which notice of disposition of provisional ballots must be mailed to voters. If 10 th day is Sat or Sun (May 15-16), last day is Mon, May 17. If 10 th day is Sat, May 22, last day is Mon, May 24.	Presiding Judge of EVBB	16.77(e)	By 10 th day after canvass
Mon May 17	Election records must be available in an electronic format no later than this day, for a fee of not more than \$50.00. The deadline is the 15 th day, which is a Sunday, and moves to Mon May 17,	City Secretary	9.48(e) 9.5	+15 (+16)
Mon May 24- Jun 28	POSSIBLE PERIOD FOR RUNOFF ELECTION, depending on date of official canvass, unless a charter provides for a later date. If 45 th day is Sat, Jun 26, the deadline moves to Mon, Jun 28. NOTE: The order of the names on the runoff ballot should be in the same order as they appeared on the general election ballot, so no ballot drawing is required for the runoff ballot.	City Secretary/ City Council	14.03 8.06(g) 14.07	20 th -45 th (47 th) day after canvass
May 24	Last day for mailing results of manual count to secretary of state. +21 st day is Sat. The deadline is extended to Mon, May 24.	City Secretary	9.45	+21 (+23)
Mon May 31	Last day Type A elected officials may qualify and assume duties of office; if they fail to qualify by this day, the office is considered vacant	Candidate with City Secretary	12.34	+30
Thur Jun 10	LAST DAY OF MANDATORY OFFICE HOURS.	City Secretary	2.15	+40
Thur July 1	First day for transfer of voted ballots from the locked ballot box to another secure container.	City Secretary	9.49(g)	+61

*An asterisk in Column 5 indicates the time stated is not required by statute.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Thur July 15	Last day for timely filing of semiannual report of contributions and expenditures.	City Secretary	18.05	July 15
Mar 2, 2023	Last day of preservation period for ballots and other precinct election records of city election, except for candidate applications.	City Secretary	9.49(g)	+22 months
May 2, 2023	Last day of preservation period for candidate applications.	City Secretary	11.02(f)	+2 years

Endnotes

- [1] Follow home-rule city's charter provision, if any.
- [2] The city's governing body may choose to conduct a mock student election under EC §276.007. The major steps taken for a general election should be taken for a student election. The student election may be held on the first day before the election, but results must not be published until after the polls close on election day.
- [3] If a candidate on the ballot dies on or before the filing deadline, the City Secretary MAY choose to remove the candidate from the ballot, in which case, the filing deadline is extended 5 days. If that extended filing deadline falls on a weekend or holiday, it is extended to the next business day. Withdrawal deadlines after the extended filing deadlines will also be impacted. The Monday, March 1 filing deadline for a special election to fill a vacancy ordered on or before the 70th day before election day would be extended to Monday, March 8, and the withdrawal deadline for that extended deadline would be Saturday, March 13 (the withdrawal deadline does NOT move to the next business day). The Monday, March 22 filing deadline for a special election to fill a vacancy ordered after the 70th day but on or before the 46th day before election day would be extended to Monday, March 29, and the withdrawal deadline for that extended deadline would be Saturday, April 3 (the withdrawal deadline does NOT move to the next business day).
- [4] The following information must be posted on a city's website, if the city maintains a website: (1) the political subdivision's contact information, including a mailing address, telephone number, and e-mail address; (2) each elected officer of the political subdivision; (3) the date and location of the next election for officers of the political subdivision; (4) the requirements and deadline for filing for candidacy of each elected office of the political subdivision for the next election (posted one year prior to the date of that election). (5) each notice of a meeting of the political subdivision's governing body under Subchapter C, Chapter 551; and (6) each record of a meeting of the political subdivision's governing body under Section 551.021. Note that a City with population of less than 5,000 located in a county with population of less than 25,000 does not have to post (5) and (6) on its website.

NOTE ON CALENDAR FOR SPECIAL OR RUNOFF ELECTION

To prepare a calendar for a special election to fill a vacancy in office, see M §13.02; for a special election on a measure, see M §15.02; for a runoff election, see M §14.03.

NOTE ON CONTEXT

When reading a section of the Election Code, remember to read the chapter and subchapter titles to determine if the section you are reading applies to cities.

*An asterisk in Column 5 indicates the time stated is not required by statute.

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH
COVER SHEET PG 1

The C/OH Instruction Guide explains how to complete this form.			1 Filer ID (Ethics Commission Filers)	2 Total pages filed:		
3 CANDIDATE / OFFICEHOLDER NAME	MS / MRS / MR	FIRST	MI	OFFICE USE ONLY		
	NICKNAME	LAST	SUFFIX	Date Received		
4 CANDIDATE / OFFICEHOLDER MAILING ADDRESS <input type="checkbox"/> Change of Address	ADDRESS / PO BOX;	APT / SUITE #;	CITY;	STATE; ZIP CODE		
5 CANDIDATE/ OFFICEHOLDER PHONE	AREA CODE ()	PHONE NUMBER	EXTENSION	Date Hand-delivered or Date Postmarked		
6 CAMPAIN TREASURER NAME	MS / MRS / MR	FIRST	MI	Receipt # Amount \$		
	NICKNAME	LAST	SUFFIX	Date Processed		
7 CAMPAIN TREASURER ADDRESS (Residence or Business)	STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #;			CITY; STATE; ZIP CODE		
8 CAMPAIN TREASURER PHONE	AREA CODE ()	PHONE NUMBER	EXTENSION	Final Report (Attach C/OH - FR)		
9 REPORT TYPE	<input type="checkbox"/> January 15	<input type="checkbox"/> 30th day before election	<input type="checkbox"/> Runoff	<input type="checkbox"/> 15th day after campaign treasurer appointment (Officeholder Only)		
	<input type="checkbox"/> July 15	<input type="checkbox"/> 8th day before election	<input type="checkbox"/> Exceeded Modified Reporting Limit	<input type="checkbox"/> Final Report (Attach C/OH - FR)		
10 PERIOD COVERED	Month /	Day /	Year /	Month /	Day /	Year /
11 ELECTION	ELECTION DATE Month Day Year / / /	Primary General	Runoff Special	ELECTION TYPE Other Description		
12 OFFICE	OFFICE HELD (if any)			13 OFFICE SOUGHT (if known)		
14 NOTICE FROM POLITICAL COMMITTEE(S)	THIS BOX IS FOR NOTICE OF POLITICAL CONTRIBUTIONS ACCEPTED OR POLITICAL EXPENDITURES MADE BY POLITICAL COMMITTEES TO SUPPORT THE CANDIDATE / OFFICEHOLDER. THESE EXPENDITURES MAY HAVE BEEN MADE WITHOUT THE CANDIDATE'S OR OFFICEHOLDER'S KNOWLEDGE OR CONSENT. CANDIDATES AND OFFICEHOLDERS ARE REQUIRED TO REPORT THIS INFORMATION ONLY IF THEY RECEIVE NOTICE OF SUCH EXPENDITURES.					
<input type="checkbox"/> Additional Pages		COMMITTEE TYPE	COMMITTEE NAME			
		<input type="checkbox"/> GENERAL	COMMITTEE ADDRESS			
		<input type="checkbox"/> SPECIFIC	COMMITTEE CAMPAIGN TREASURER NAME			
			COMMITTEE CAMPAIGN TREASURER ADDRESS			

GO TO PAGE 2

CANDIDATE / OFFICEHOLDER CAMPAIGN FINANCE REPORT

FORM C/OH
COVER SHEET PG 2

15 C/OH NAME

16 Filer ID (Ethics Commission Filers)

17 CONTRIBUTION TOTALS	1. TOTAL UNITEMIZED POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS, OR CONTRIBUTIONS MADE ELECTRONICALLY)	\$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	\$
EXPENDITURE TOTALS	3. TOTAL UNITEMIZED POLITICAL EXPENDITURE.	\$
	4. TOTAL POLITICAL EXPENDITURES	\$
CONTRIBUTION BALANCE	5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	\$
	6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	\$

18 SIGNATURE I swear, or affirm, under penalty of perjury, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.

Signature of Candidate or Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP/SEAL

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

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____, 20 _____.
(month) (year)

Signature of Candidate/Officeholder (Declarant)

SUBTOTALS - C/OH**FORM C/OH
COVER SHEET PG 3**

19 FILER NAME	20 Filer ID (Ethics Commission Filers)
21 SCHEDULE SUBTOTALS NAME OF SCHEDULE	
1. <input type="checkbox"/> SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS	
2. <input type="checkbox"/> SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS	
3. <input type="checkbox"/> SCHEDULE B: PLEDGED CONTRIBUTIONS	
4. <input type="checkbox"/> SCHEDULE E: LOANS	
5. <input type="checkbox"/> SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	
6. <input type="checkbox"/> SCHEDULE F2: UNPAID INCURRED OBLIGATIONS	
7. <input type="checkbox"/> SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS	
8. <input type="checkbox"/> SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD	
9. <input type="checkbox"/> SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS	
10. <input type="checkbox"/> SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH	
11. <input type="checkbox"/> SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	
12. <input type="checkbox"/> SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER	

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A1

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A1:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Full name of contributor 6 Contributor address; City; State; Zip Code	7 Amount of contribution (\$)
8 Principal occupation / Job title (See Instructions)		9 Employer (See Instructions)
Date	Full name of contributor Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Date	Full name of contributor Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Date	Full name of contributor Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.

NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS

SCHEDULE A2

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A2:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED IN-KIND POLITICAL CONTRIBUTIONS		\$
5 Date	6 Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)	8 Amount of Contribution \$ 9 In-kind contribution description
	7 Contributor address; City; State; Zip Code	Check if travel outside of Texas. Complete Schedule T.
10 Principal occupation / Job title (FOR NON-JUDICIAL)(See Instructions)		11 Employer (FOR NON-JUDICIAL)(See Instructions)
12 Contributor's principal occupation (FOR JUDICIAL)		13 Contributor's job title (FOR JUDICIAL)(See Instructions)
14 Contributor's employer/law firm (FOR JUDICIAL)		15 Law firm of contributor's spouse (if any) (FOR JUDICIAL)
16 If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)		
Date	Full name of contributor <input type="checkbox"/> out-of-state PAC (ID#: _____)	Amount of Contribution \$ In-kind contribution description
	Contributor address; City; State; Zip Code	Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (FOR NON-JUDICIAL) (See Instructions)		Employer (FOR NON-JUDICIAL)(See Instructions)
Contributor's principal occupation (FOR JUDICIAL)		Contributor's job title (FOR JUDICIAL)(See Instructions)
Contributor's employer/law firm (FOR JUDICIAL)		Law firm of contributor's spouse (if any) (FOR JUDICIAL)
If contributor is a child, law firm of parent(s) (if any) (FOR JUDICIAL)		

PLEDGED CONTRIBUTIONS

SCHEDULE B

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.		1 Total pages Schedule B:	
2 FILER NAME		3 Filer ID (Ethics Commission Filers)	
4 TOTAL OF UNITEMIZED PLEDGES		\$	
5 Date	6 Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#:)	8 Amount of Pledge \$	9 In-kind contribution description
	7 Pledgor address; City; State; Zip Code		
			<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
10 Principal occupation / Job title (See Instructions)		11 Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#:)	Amount of Pledge \$	In-kind contribution description
	Pledgor address; City; State; Zip Code		
			<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#:)	Amount of Pledge \$	In-kind contribution description
	Pledgor address; City; State; Zip Code		
			<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#:)	Amount of Pledge \$	In-kind contribution description
	Pledgor address; City; State; Zip Code		
			<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.

LOANS

SCHEDULE E

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.			1 Total pages Schedule E:
2 FILER NAME			3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED LOANS			\$
5 Date of loan	7 Name of lender	<input type="checkbox"/> out-of-state PAC (ID#: _____)	9 Loan Amount (\$)
6 Is lender a financial Institution? Y N	8 Lender address;	City;	State; Zip Code
			10 Interest rate
			11 Maturity date
12 Principal occupation / Job title (See Instructions)		13 Employer (See Instructions)	
14 Description of Collateral <input type="checkbox"/> none		15 <input type="checkbox"/> Check if personal funds were deposited into political account (See Instructions)	
16 GUARANTOR INFORMATION <input type="checkbox"/> not applicable	17 Name of guarantor	19 Amount Guaranteed (\$)	
	18 Guarantor address; City; State; Zip Code		
20 Principal Occupation (See Instructions)		21 Employer (See Instructions)	
Date of loan	Name of lender	<input type="checkbox"/> out-of-state PAC (ID#: _____)	Loan Amount (\$)
Is lender a financial Institution? Y N	Lender address;	City;	State; Zip Code
			Interest rate
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Description of Collateral <input type="checkbox"/> none		<input type="checkbox"/> Check if personal funds were deposited into political account (See Instructions)	
GUARANTOR INFORMATION <input type="checkbox"/> not applicable	Name of guarantor	Amount Guaranteed (\$)	
	Guarantor address; City; State; Zip Code		
Principal Occupation (See Instructions)		Employer (See Instructions)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

If lender is out-of-state PAC, please see Instruction guide for additional reporting requirements.

POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F1

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By Candidate/Officeholder/Political Committee	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Credit Card Payment	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F1:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)	
4 Date	5 Payee name		
6 Amount (\$)	7 Payee address;	City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description	
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
Date	Payee name		
Amount (\$)	Payee address;	City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
Date	Payee name		
Amount (\$)	Payee address;	City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED			

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Candidate/Officeholder/Political Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F2:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)	
4 TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS		\$	
5 Date	6 Payee name		
7 Amount (\$)	8 Payee address;	City; State; Zip Code	
9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political		
10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description	
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
11 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
Date	Payee name		
Amount (\$)	Payee address;	City;	State; Zip Code
TYPE OF EXPENDITURE	<input type="checkbox"/> Political <input type="checkbox"/> Non-Political		
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED			

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

If the requested information is not applicable, **DO NOT include this page in the report.**

<p>The Instruction Guide explains how to complete this form.</p>		1 Total pages Schedule F3:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Name of person from whom investment is purchased 	6 Address of person from whom investment is purchased; City; State; Zip Code
	7 Description of investment	
	8 Amount of investment (\$)	
	Date Name of person from whom investment is purchased Address of person from whom investment is purchased; City; State; Zip Code	
Description of investment		
Amount of investment (\$)		
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By Candidate/Officeholder/Political Committee	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F4:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD		\$
5 Date	6 Payee name	
7 Amount (\$)	8 Payee address;	City; State; Zip Code
9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	
	(b) Description	
(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense		
11 Candidate / Officeholder name		Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH		Office held
Date	Payee name	
Amount (\$)	Payee address;	City; State; Zip Code
TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	
	Description	
<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T. <input type="checkbox"/> Check if Austin, TX, officeholder living expense		
Candidate / Officeholder name		Office sought
Complete <u>ONLY</u> if direct expenditure to benefit C/OH		Office held
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

If the requested information is not applicable, **DO NOT include this page in the report.**

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By Candidate/Officeholder/Political Committee	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Credit Card Payment	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule G:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)	
4 Date	5 Payee name		
6 Amount (\$)	7 Payee address;	City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description	
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
9 Candidate / Officeholder name		Office sought	Office held
Complete <u>ONLY</u> if direct expenditure to benefit C/OH			
Date	Payee name		
Amount (\$)	Payee address;	City;	State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended			
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Candidate / Officeholder name		Office sought	Office held
Complete <u>ONLY</u> if direct expenditure to benefit C/OH			
Date	Payee name		
Amount (\$)	Payee address;	City;	State; Zip Code
<input type="checkbox"/> Reimbursement from political contributions intended			
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Candidate / Officeholder name		Office sought	Office held
Complete <u>ONLY</u> if direct expenditure to benefit C/OH			
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED			

PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

SCHEDULE H

If the requested information is not applicable, **DO NOT** include this page in the report.

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By Candidate/Officeholder/Political Committee	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Credit Card Payment	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule H:	2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Business name		
6 Amount (\$)	7 Business address;	City;	State; Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description	
	(c) <input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
Date	Business name		
Amount (\$)	Business address;	City;	State; Zip Code
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
Date	Business name		
Amount (\$)	Business address;	City;	State; Zip Code
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description	
	<input type="checkbox"/> Check if travel outside of Texas. Complete Schedule T.	<input type="checkbox"/> Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held

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NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.

1 Total pages Schedule I:	2 FILER NAME		3 Filer ID (Ethics Commission Filers)	
4 Date	5 Payee name			
6 Amount (\$)	7 Payee address;		City	State Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories.)	(b) Description (See instructions regarding type of information required.)		
Date	Payee name			
Amount (\$)	Payee address;		City	State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)		
Date	Payee name			
Amount (\$)	Payee address;		City	State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)		
Date	Payee name			
Amount (\$)	Payee address;		City	State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)		

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

SCHEDULE K

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.		1 Total pages Schedule K:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Name of person from whom amount is received 	8 Amount (\$)
	6 Address of person from whom amount is received; City; State; Zip Code	
	7 Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received 	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received 	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
Date	Name of person from whom amount is received 	Amount (\$)
	Address of person from whom amount is received; City; State; Zip Code	
	Purpose for which amount is received <input type="checkbox"/> Check if political contribution returned to filer	
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED		

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

SCHEDULE T

If the requested information is not applicable, **DO NOT include this page in the report.**

<p>The Instruction Guide explains how to complete this form.</p>		1 Total pages Schedule T:												
2 FILER NAME		3 Filer ID (Ethics Commission Filers)												
4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee														
5 Contribution / Expenditure reported on: <table style="margin-left: 20px;"> <tr> <td><input type="checkbox"/> Schedule A2</td> <td><input type="checkbox"/> Schedule B</td> <td><input type="checkbox"/> Schedule B(J)</td> <td><input type="checkbox"/> Schedule C2</td> <td><input type="checkbox"/> Schedule D</td> <td><input type="checkbox"/> Schedule F1</td> </tr> <tr> <td><input type="checkbox"/> Schedule F2</td> <td><input type="checkbox"/> Schedule F4</td> <td><input type="checkbox"/> Schedule G</td> <td><input type="checkbox"/> Schedule H</td> <td><input type="checkbox"/> Schedule COH-UC</td> <td><input type="checkbox"/> Schedule B-SS</td> </tr> </table>			<input type="checkbox"/> Schedule A2	<input type="checkbox"/> Schedule B	<input type="checkbox"/> Schedule B(J)	<input type="checkbox"/> Schedule C2	<input type="checkbox"/> Schedule D	<input type="checkbox"/> Schedule F1	<input type="checkbox"/> Schedule F2	<input type="checkbox"/> Schedule F4	<input type="checkbox"/> Schedule G	<input type="checkbox"/> Schedule H	<input type="checkbox"/> Schedule COH-UC	<input type="checkbox"/> Schedule B-SS
<input type="checkbox"/> Schedule A2	<input type="checkbox"/> Schedule B	<input type="checkbox"/> Schedule B(J)	<input type="checkbox"/> Schedule C2	<input type="checkbox"/> Schedule D	<input type="checkbox"/> Schedule F1									
<input type="checkbox"/> Schedule F2	<input type="checkbox"/> Schedule F4	<input type="checkbox"/> Schedule G	<input type="checkbox"/> Schedule H	<input type="checkbox"/> Schedule COH-UC	<input type="checkbox"/> Schedule B-SS									
6 Dates of travel	7 Name of person(s) traveling													
	8 Departure city or name of departure location													
	9 Destination city or name of destination location													
10 Means of transportation	11 Purpose of travel (including name of conference, seminar, or other event)													
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee														
Contribution / Expenditure reported on: <table style="margin-left: 20px;"> <tr> <td><input type="checkbox"/> Schedule A2</td> <td><input type="checkbox"/> Schedule B</td> <td><input type="checkbox"/> Schedule B(J)</td> <td><input type="checkbox"/> Schedule C2</td> <td><input type="checkbox"/> Schedule D</td> <td><input type="checkbox"/> Schedule F1</td> </tr> <tr> <td><input type="checkbox"/> Schedule F2</td> <td><input type="checkbox"/> Schedule F4</td> <td><input type="checkbox"/> Schedule G</td> <td><input type="checkbox"/> Schedule H</td> <td><input type="checkbox"/> Schedule COH-UC</td> <td><input type="checkbox"/> Schedule B-SS</td> </tr> </table>			<input type="checkbox"/> Schedule A2	<input type="checkbox"/> Schedule B	<input type="checkbox"/> Schedule B(J)	<input type="checkbox"/> Schedule C2	<input type="checkbox"/> Schedule D	<input type="checkbox"/> Schedule F1	<input type="checkbox"/> Schedule F2	<input type="checkbox"/> Schedule F4	<input type="checkbox"/> Schedule G	<input type="checkbox"/> Schedule H	<input type="checkbox"/> Schedule COH-UC	<input type="checkbox"/> Schedule B-SS
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Dates of travel	Name of person(s) traveling													
	Departure city or name of departure location													
	Destination city or name of destination location													
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)													
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee														
Contribution / Expenditure reported on: <table style="margin-left: 20px;"> <tr> <td><input type="checkbox"/> Schedule A2</td> <td><input type="checkbox"/> Schedule B</td> <td><input type="checkbox"/> Schedule B(J)</td> <td><input type="checkbox"/> Schedule C2</td> <td><input type="checkbox"/> Schedule D</td> <td><input type="checkbox"/> Schedule F1</td> </tr> <tr> <td><input type="checkbox"/> Schedule F2</td> <td><input type="checkbox"/> Schedule F4</td> <td><input type="checkbox"/> Schedule G</td> <td><input type="checkbox"/> Schedule H</td> <td><input type="checkbox"/> Schedule COH-UC</td> <td><input type="checkbox"/> Schedule B-SS</td> </tr> </table>			<input type="checkbox"/> Schedule A2	<input type="checkbox"/> Schedule B	<input type="checkbox"/> Schedule B(J)	<input type="checkbox"/> Schedule C2	<input type="checkbox"/> Schedule D	<input type="checkbox"/> Schedule F1	<input type="checkbox"/> Schedule F2	<input type="checkbox"/> Schedule F4	<input type="checkbox"/> Schedule G	<input type="checkbox"/> Schedule H	<input type="checkbox"/> Schedule COH-UC	<input type="checkbox"/> Schedule B-SS
<input type="checkbox"/> Schedule A2	<input type="checkbox"/> Schedule B	<input type="checkbox"/> Schedule B(J)	<input type="checkbox"/> Schedule C2	<input type="checkbox"/> Schedule D	<input type="checkbox"/> Schedule F1									
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Dates of travel	Name of person(s) traveling													
	Departure city or name of departure location													
	Destination city or name of destination location													
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)													
ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED														

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.

•• Complete only if "Report Type" on page 1 is marked "Final Report" ••

1 C/OH NAME	2 Filer ID (Ethics Commission Filers)
3 SIGNATURE	

I do not expect any further political contributions or political expenditures in connection with my candidacy. I understand that designating a report as a final report terminates my campaign treasurer appointment. I also understand that I may not accept any campaign contributions or make any campaign expenditures without a campaign treasurer appointment on file.

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

•• Complete A & B below only if you are not an officeholder. ••

A. CAMPAIGN FUNDS

Check only one:

I do not have unexpended contributions or unexpended interest or income earned from political contributions.

I have unexpended contributions or unexpended interest or income earned from political contributions. I understand that I may not convert unexpended political contributions or unexpended interest or income earned on political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain unexpended contributions or unexpended interest or income earned on political contributions longer than six years after filing this final report. Further, I understand that I must dispose of unexpended political contributions and unexpended interest or income earned on political contributions in accordance with the requirements of Election Code, § 254.204.

B. ASSETS

Check only one:

I do not retain assets purchased with political contributions or interest or other income from political contributions.

I do retain assets purchased with political contributions or interest or other income from political contributions. I understand that I may not convert assets purchased with political contributions or interest or other income from political contributions to personal use. I also understand that I must dispose of assets purchased with political contributions in accordance with the requirements of Election Code, § 254.204.

Signature of Candidate

5 OFFICEHOLDER

•• Complete this section only if you are an officeholder ••

I am aware that I remain subject to filing requirements applicable to an officeholder who does not have a campaign treasurer on file. I am also aware that I will be required to file reports of unexpended contributions if, after filing the last required report as an officeholder, I retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.

Signature of Officeholder

Sec. 4-84. - Temporary signs.

Any sign constructed and displayed for a limited time period is considered a temporary sign. A portable sign is not considered a temporary sign.

- (1) *Banners.* Banners must be properly secured in an approved frame and on an approved sign structure. Banners shall be displayed for a maximum of 45 consecutive days.
 - a. With prior approval by the governing body, banners promoting community events may be placed on, attached to or extend across public property and/or rights-of-way. Time periods beyond the 45-day time limit listed in subsection (1) of this section shall be extended by the governing body.
 - b. The building inspector and/or code compliance officer may inspect a banner at any time for material defects, including wear and tear, faded background, faded graphic designs, and faded lettering, caused by weather, neglect, or abuse.
 - c. If it is determined upon inspection that a banner is materially defective, the city shall issue a written order to the owner of the property upon which the subject sign is located. Said order shall require removal or replacement of the banner with five days of the date of the order.
- (2) *Construction project signs.* One construction sign advertising the prime contractor and setting forth public information concerning a roadway, building, structure, subdivision, or other development under repair or construction will be allowed during the time of construction or repair. For properties with frontages exceeding 200 linear feet, one additional sign shall be allowed. Such signs do require a separate sign permit and will be automatically permitted as part of the building permit.
- (3) *Political signs.* No permit is required under this article for a sign erected solely for and related to a public election for a period commencing 90 days prior to and for five days following such public election. However:
 - a. Such sign shall be located only on private property and shall be constructed of lightweight material, shall not exceed 32 square feet in size and shall not exceed an overall height of eight feet from finished grade of surrounding ground.
 - b. Such sign shall not be placed within any clear sight triangle.

(Ord. No. 16-04-03, § 3(C), 4-28-2016)

PART I - THE CHARTER FOR THE TOWN OF PECOS CITY, REEVES COUNTY, TEXAS^[1]

Footnotes:

--- (1) ---

Editor's note— Printed herein is the Charter of the Town of Pecos City, Texas, adopted at an election held on April 6, 1985. Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines, capitalization and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

State Law reference— Home rule charters, V.T.C.A., Local Government Code § 9.001 et seq.

PREFACE

The members of the Charter commission of the Town of Pecos City, Texas, have prepared the following Charter to be submitted to the qualified voters of the Town of Pecos City, Texas, at an election to be held on the sixth day of April, 1985.

Hay copias en espanol de esta propuesta carta constitucional, disponibles en el Ayuntamiento (City Hall). Vaya por su copia si prefiere leerla en espanol, o llame el numero 445-2421 y se la mandaremos por correo.

ARTICLE I. - INCORPORATION, FORM OF GOVERNMENT, CORPORATE AND GENERAL POWERS

Sec. 1.01. - Incorporation.

The citizens of the Town of Pecos City, Reeves County, Texas, do hereby declare that the Town of Pecos City is incorporated as a political subdivision of the State of Texas under the name of the "Town of Pecos City," hereinafter referred to as "the city," with such powers, privileges, rights, duties, and immunities as are herein provided.

Sec. 1.02. - Form of government.

The city government shall be a council-mayor-city manager form of city government. Pursuant to its provisions and subject only to the limitations imposed by the constitution and general laws of the State of Texas and by this Charter, all powers of the city shall be vested in an elective city council hereinafter referred to as "the council," to be composed of the mayor and five (5) councilmen, which shall enact local legislation, adopt budgets, determine policies, and appoint the city manager. The city manager shall execute the laws and administer the government of the city. All powers of the city shall be exercised in the manner prescribed by this Charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

State Law reference— Form of government, home rule city, V.T.C.A., Local Government Code § 26.001 et seq.

Sec. 1.03. - General powers of the city.

- (a) The city shall be a home rule city with full power of local self government, including the right to amend this Charter as hereinafter provided.
- (b) The city shall have all the powers granted to municipal corporations and to cities by the constitution and general laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers granted. The city may acquire property within or without its corporate limits

for any city purposes in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interests may require; and except as prohibited by the constitution of this state or restricted by this Charter, the city shall and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever. The city may use a corporate seal, may sue and be sued, may contract and be contracted with; may implead and be impleaded in all courts and places and in all matters whatever; may cooperate with the government of the State of Texas or any agency thereof, the Federal Government or any agency thereof, or any political subdivision of the State of Texas, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety and convenience of the city or its habitants; and may pass such ordinance as may be expedient for maintaining and promoting the peace, welfare and government of the city, and for the performance of the functions thereof.

- (c) The council shall have full power and authority to zone the city and to pass all necessary ordinances, rules and regulations governing the same under and by virtue of the authority given to cities and legislative bodies by article 1011A through 1011J, inclusive, of the 1925 Revised Civil Statutes of Texas, now or hereafter amended.
- (d) The enumeration of particular powers by this Charter shall not be judged to be exclusive, and, in addition to the powers enumerated or implied herein, it is intended that the city shall have and may exercise all the powers which, under the constitution and laws of this state, it would be competent for this Charter to enumerate specifically.

State Law reference— Municipal powers, V.T.C.A., Local Government Code § 51.001 et seq.

Sec. 1.04. - Boundaries.

The boundaries of the city shall be the ones as have heretofore been established and which exist as of the date this Charter is adopted. The boundaries of the city, however, may be altered by extension or contraction through annexation or detachment of territories by one (1) of the following methods.

Sec. 1.05. - Change of boundaries.

The council may, by ordinance, annex territory into the city, with or without the consent of the owners or inhabitants thereof; the council may, by ordinance, disannex territory within the city; however, any territory so detached shall be liable for its pro rata share of any debts incurred while it was a part of the city, and the city shall continue to levy and collect taxes on the property until such indebtedness has been discharged. These actions are subject only to such procedural rules as may be prescribed by state law. In accordance with state law, the people who reside in annexed territory shall be entitled to all rights, privileges, and responsibilities of citizens of the city, and shall be bound by the acts, ordinances, resolutions, and regulations of the city.

Sec. 1.06. - Streets and public property.

The city shall have exclusive dominion, control and jurisdiction, in, upon, over and under the public streets, sidewalks, alleys, public squares, public ways and public parks within the corporate limits of the city, and in, upon, over and under all public property of the city. With respect to each and every public street, sidewalk, alley, public square, public park or other public ways within the corporate limits of the city, the city shall have the power to establish, maintain, improve, alter, abandon or vacate the same; to regulate, establish or change the grade thereof; to police, control and regulate the use thereof; and to abate and remove in a summary manner any encroachment thereon.

ARTICLE II. - THE MAYOR AND COUNCIL^[2]

Footnotes:

--- (2) ---

State Law reference— Form of Government, V.T.C.A., Local Government Code § 26.021.

Sec. 2.01. - Composition and terms of office.

The council shall be composed of a mayor and five (5) councilmen who shall be elected and serve in the following manner, subject to the adoption of this Charter:

- (1) The mayor and five (5) aldermen in office at the time of the adoption of this Charter shall continue to serve as mayor and councilmen under this Charter until the expiration of their present terms of office or until their successors have been elected or selected and duly qualified under this Charter.

(Res. No. 15-02-03R, 2-12-2015; Ord. No. 15-05-01, 5-14-2015/5-9-2015)

Sec. 2.02. - Qualifications and eligibility.

The mayor and each of the five (5) councilmen shall be a citizen of the United States of America and a qualified voter of the State of Texas; shall have resided for at least twelve (12) months next preceding the election within the corporate limits of the city or for twelve (12) months next preceding the election within territory which has been annexed by the city; or for twelve (12) months next preceding the election in a combination of residence within the corporate limits of the city and within territory which has been annexed by the city and shall not be in arrears in the payment of any taxes or other liability due the city. A member of the council ceasing to possess any of the qualifications specified in this section, or convicted of a felony while in office, shall immediately forfeit his office; provided, however, that this section shall not apply to the mayor and aldermen or councilmen in office on the effective date of this Charter during the remainder of their respective terms of office.

(Ord. of 5-25-1989, § 1)

Sec. 2.03. - Judge of qualifications.

The council shall be the judge of the qualification and election of its own members and shall, on the next regular meeting after each regular and special election, canvass the returns and declare the results of each election.

Sec. 2.04. - Mayor and mayor pro tempore.

The mayor shall preside at the meetings of the council and shall be recognized as the head of the city government for all purposes, but shall have no regular administrative duties. The council shall elect from among its members a mayor pro tempore at the first meeting after the general election, to serve one (1) year or until his successor has been duly elected and qualified. The mayor pro tempore shall serve for the mayor in his absence or disability. The mayor shall be the registered agent for the city for all legal matters in which the city may be a party. The mayor is authorized to vote in case of a tie.

Sec. 2.05. - Vacancies.

Vacancies in the council arising from any cause shall be filled by a majority vote of the remaining members for the unexpired term or until the next city general election, and provided, the successor shall possess all qualifications required for the office. Provided also, that in all cases the said vacancy shall be filled by election at the next succeeding city general election, and provided, the successor shall possess all qualifications required for the office. Provided also, that in all cases the said vacancy shall be filled by

election at the next succeeding city general election for the remaining year of the unexpired term, or for the next full term, as the case may be.

Sec. 2.06. - Powers.

All powers of the city, except as may be otherwise provided by this Charter or by law, and the determination of all matters of policy shall be vested in the council.

Sec. 2.07. - Meetings of council.

The council shall hold two (2) regular meetings each month. The time and the place of such regular meetings shall be determined by the council and may be changed by ordinance or resolution. Special meetings of the council may be called by the mayor, the mayor pro tempore, or by any three (3) members of the council. All meetings shall be made public; however, the council may recess for the purpose of discussing in a closed or executive session any appropriate matter allowed under the Texas Open Meetings Act. Notices of all meetings shall be posted in advance as required by state law prescribing notification and posting of public meetings.

State Law reference— Open meetings act, V.T.C.A., Government Code § 551.001 et seq.; notice of meetings, V.T.C.A., Government Code § 551.041 et seq.

Sec. 2.08. - Rules of procedure.

The council shall determine its own rules and order of business. It shall keep a journal of its proceedings and the journal shall be open to public inspection.

Sec. 2.09. - Compensation of members of the council.

Each member of the council shall receive for his services such compensation as is provided by law, or as may hereafter be set by the council by ordinance. Such compensation is in no event to exceed the sum of twelve hundred dollars (\$1,200.00) per annum per councilman and the sum of two thousand one hundred dollars (\$2,100.00) per annum for the mayor. In addition to the above, all necessary expenses incurred by the mayor or other members of the council in the performance of their official duties shall be paid by the city.

Sec. 2.10. - Ordinances.

In addition to such acts of the council as are required by statute or by this Charter to be by ordinance, every act of the council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness, shall be by ordinance. The enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF PECOS CITY, TEXAS," and the enacting clause of resolutions shall be similar.

Sec. 2.11. - Procedures for passage of ordinances.

Every ordinance shall be introduced in written or printed form and, upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective not less than ten (10) days from the date of its passage. The city secretary shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty, of any such ordinance to be published in a newspaper of general circulation within the city twice within ten (10) days after the passage of said ordinance. He shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the Charter, and the dates of such publication, which shall be *prima facie* evidence of the legal publication and promulgation of such ordinance; provided that the provisions of this section shall not apply to the codification of the ordinances of the city for the publication in book or pamphlet form. It shall be necessary

to the validity of any ordinance that it shall be read and have an affirmative vote on the occasion of at least two (2) regular sessions of the council. Every ordinance shall be authenticated by the signature of the mayor and city secretary and shall be systematically recorded in an ordinance book in a manner approved by the council. It shall only be necessary to record the titles of ordinances in the minutes or journal of council meetings. The council shall have power to cause all previously adopted ordinances of the city to be codified and printed in code form as often as the council deems advisable, and such printed code, when adopted by the council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts without further proof. Upon designation by the council that an emergency exists, any ordinance may be passed upon its reading and affirmative vote on at least one (1) occasion at a regular session of the council.

(Ord. of 5-25-1989, § 2)

Sec. 2.12. - Investigation by council.

The council shall have power to inquire into the conduct of any office, department, agency, officer, board or commission of the city and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths, and compel the production of books, papers and other evidence. Failure to obey such subpoena or to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a misdemeanor and shall be punishable by fine not to exceed two hundred dollars.

Sec. 2.13. - Administrative departments.

- (a) The council may establish such administrative departments as it may, in its discretion, see fit, for proper and efficient administration of the city government.
- (b) The city may provide for and maintain a volunteer fire department and a volunteer ambulance service. Each department shall elect its own department head, officers and members, subject to the approval of the council and upon such approval shall be commissioned by the mayor. Said department may adopt its own constitution and by-laws, not inconsistent with this Charter or any ordinance of the city. Said department shall assume the care and management of the engines, ambulances, and other implements and apparatus provided by the city and used for fighting fire and making ambulance calls. The powers, duties and compensation for such officers and members shall be prescribed and defined by the council; provided, however, that in the event either the fire department or ambulance service becomes a fully paid department, then it shall revert to the status of a regular department of the city and be governed as other departments of the city. Any city employee or elected city official may receive compensation as prescribed by the city for work in either the volunteer fire department or volunteer ambulance service without regard to other salaries or hourly wages earned as an employee of the city.

Sec. 2.14. - City secretary.

The council shall designate one of the administrative personnel of the city as city secretary. Such officer shall have the responsibility of giving and posting notices of council meetings as required by this Charter and by law, shall keep the journal of the proceedings of the council, shall authenticate or attest by his signature all instruments or official records of the city and shall record in full in a book kept for such purpose all ordinances and resolutions, and shall perform such other duties as the city may direct.

Sec. 2.15. - Municipal court.

There is hereby established a municipal court of the city for the trial and disposition of misdemeanor offenses with the powers and duties as are now and may hereafter be prescribed by the constitution and the statutes of the State of Texas. The judge of the court shall be a qualified voter and resident of the city and shall be appointed to such office by the council. The city judge shall serve at the pleasure of the

council and may be removed by the council at any time. In the event the city judge is absent, disabled, or unable to perform his duties for any cause, or his office becomes vacant by reason of death, removal or resignation, the mayor shall become the judge of said court, or the council may appoint a special judge of said court who shall serve until the regular city judge returns to his duties, or a successor is appointed and qualified. The municipal court shall have the jurisdiction prescribed and authorized by law and shall also have jurisdiction over the violation of any ordinance prohibiting the maintenance of any nuisance outside the city limits, or within five thousand (5,000) feet of the corporate limit lines of the city. All fines imposed by the municipal court, or by any court in cases appealed from judgments of the municipal court, shall be paid into the city treasury for the use and benefit of the city. The council shall designate one of the administrative personnel of the city as the clerk of the municipal court, and such clerk shall have the power to administer oaths and affidavits, make certificates, affix the seals of said court thereto, and generally do and perform any and all acts usual and necessary by clerks of courts in issuing processes of said courts and conducting the business thereof.

State Law reference— Municipal court, V.T.C.A., Government Code § 29.001 et seq.; municipal judge term of office, V.T.C.A., Local Government Code § 29.004.

Sec. 2.16. - City attorney.

The council shall appoint a competent and duly licensed attorney practicing law in the city who shall be the city attorney. He shall receive such compensation as may be fixed by the council and shall hold his office at the pleasure of the council. He shall be the legal advisor, attorney and counselor for the city, its officers and departments. The city attorney shall represent the city in all legal proceedings. It shall be his duty to perform all services incident to his position as may be required by statute, by this Charter or by ordinance, provided in the event the city attorney should consider himself to be disqualified to represent the city in any particular case or cases, he may certify such disqualification to the council and the council may employ other counsel to act in such cases on behalf of the city. Special attorneys may be employed under contract for the collection of delinquent taxes and for any other purposes, at such fees and for such length of time as the council may prescribe.

Sec. 2.17. - City manager.

The council shall appoint a city manager who shall be the administrative head of city government under the direction and supervision of the council. The city manager shall be chosen by the council solely on the basis of his executive and administrative training, experience and ability, and without regard to political consideration. He need not be a resident of the city or the State of Texas, but shall become a resident of the city and shall remain a resident of the city during his tenure of office. No member of the council shall, during the time for which he is elected, be chosen as city manager. In case of absence or disability of the city manager, the council may designate some qualified person to perform the duties of the office during such absence or disability. The city manager shall receive such compensation as may be fixed by the council. The council shall by ordinance prescribe the powers and duties of the city manager.

ARTICLE III. - ELECTIONS^[3]

Footnotes:

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State Law reference— Elections, V.T.C.A., Election Code § 1.001 et seq.; municipal election date, V.T.C.A., Election Code § 41.001.

Sec. 3.01. - Municipal elections: regular and special.

The council may by appropriate ordinance or resolution order special elections, fix the dates and give notice of same, and provide all means for holding such special elections so long as special elections are not scheduled in violation of state election laws.

At the regular City Council election to be held in 2015 at a time in accordance with State law, there shall be an election to select three councilmen for terms of two years each beginning on the next regular meeting after canvassing following their election, or until their successors have been elected or selected and duly qualified under this Charter.

At the regular City Council election to be held in 2016 at a time in accordance with State law, there shall be an election to select the mayor and two councilmen to serve terms of three years each beginning on the next regular meeting after canvassing following their election, or until their successors have been elected, or selected and duly qualified under this Charter. Each council candidate shall file for one of two council positions available. Candidates for mayor shall all file in a single position for mayor. All positions shall run at-large.

At the regular City Council election to be held in 2017 at a time in accordance with State law, there shall be an election to select three councilmen for terms of four years each beginning on the next regular meeting after canvassing following their election, or until their successors have been elected or selected and duly qualified under this Charter. Each council candidate shall file in one of three positions. All positions shall run at-large.

In all odd-numbered years beginning in 2019, there shall be an election to fill the terms of the expiring councilmen and/or mayor. Positions available shall be equal to the number of council positions expiring, with a separate position for mayoral candidates if that term is expiring. No candidate shall file for more than one position. The mayor and each of the councilmen shall be elected from the city at-large and shall hold their respective offices for a term of four years beginning on the next regular meeting after canvassing following their election, or until their successors have been elected or selected and duly qualified under this Charter.

(Res. No. 15-02-03R, 2-12-2015; Ord. No. 15-05-01, 5-14-2015/5-9-2015; Ord. No. 17-07-01, 7-27-2017)

State Law reference— Uniform municipal election date is first Saturday in May, V.T.C.A., Election Code § 41.001.

Sec. 3.02. - Regulation of elections.

The council shall make all regulations which it considers needful or desirable, not inconsistent with this Charter or the laws of the State of Texas, for the conduct of municipal elections and for the prevention of fraud in such elections. The council shall appoint the election judges and shall set the hours and place for holding each election not inconsistent with this Charter or the laws of the State of Texas governing elections. Voters for city elections shall be only resident, qualified voters of the city.

Sec. 3.03. - Filing as a candidate.

Any qualified elector of the city who is otherwise qualified to hold elective office under this Charter may have his name printed upon the official ballot for the particular office at any election by filing his sworn application and loyalty affidavit as required by the state election code prior to the election day. The candidate's application must be accompanied by a certification of the tax assessor/collector of the County that the prospective candidate is not delinquent in the payment of any ad valorem taxes from any applicable taxing jurisdiction. The failure or refusal of a candidate to submit such certificate with his application shall disqualify the applicant as a candidate in the election for which he has applied, and his name shall not appear on the official ballot.

(Res. No. 15-02-03R, 2-12-2015; Ord. No. 15-05-01, 5-14-2015/5-9-2015)

Sec. 3.04. - Official ballot.

The names of all candidates for the council as hereinbefore provided, except such as may have withdrawn, died, or become ineligible, shall be printed on the official ballot without party designations. If two (2) candidates with the same surnames, or with names so similar as to be likely to cause confusion, have made application, the addresses of their places of residence shall be placed with their names on the ballot. The order of the names on the ballot shall be determined by lot.

Sec. 3.05. - Election by majority, runoff.

The Texas State Constitution requires that municipalities adopting governing body terms exceeding two years to be elected by majority vote instead of plurality, therefore each expiring elected position shall have a position created for candidates to file in; two council positions plus a position for mayor when the mayoral position is expired and three councilman positions otherwise.

All candidates shall run at-large and ballot positions shall not correspond with any specific area or precinct within the Town of Pecos City. To be elected to any position, the candidate must receive a majority vote; over 50% of votes cast for that position. In the case of no single candidate getting a majority vote, the two candidates receiving the most votes in the given position and making written request to be included shall be placed on the ballot for a subsequent runoff election to be held no later than 30 days from the initial election. In the event of a tie vote, the winner shall be determined in accordance with the Texas Election Code.

(Res. No. 15-02-03R, 2-12-2015; Ord. No. 15-05-01, 5-14-2015/5-9-2015)

Sec. 3.06. - Laws governing city elections.

All city elections shall be governed by the laws of the State of Texas governing general and municipal elections, so far as [the] same may be applicable thereto; and in the event there should be any failure of the general laws or this Charter to provide for some feature of the city elections, then the council shall have the power to provide for such deficiency, and no informalities in conducting a city election shall invalidate the same. If it be conducted fairly and in substantial compliance with the general laws, where applicable, and the Charter and ordinances of the city.

Sec. 3.07. - Canvassing elections.

Returns of the elections, general and special, shall be made by the election officers to the city council at a meeting on the Thursday next following said election at which time the council shall canvass and declare the results of such election. Such meeting shall be held at the usual time and place of holding meetings of the council.

ARTICLE IV. - INITIATIVE, REFERENDUM

Sec. 4.01. - General authority.

- (a) *Initiative.* The qualified and registered voters of the city shall have power to propose ordinances to the council, except ordinances appropriating money or levying taxes, or ordinances repealing ordinances appropriating money or levying taxes, not in conflict with this Charter, the constitution and laws of the State of Texas, and if the council fails to adopt an ordinance so proposed, to adopt or reject it at a city election.
- (b) *Referendum.* The qualified and registered voters of the city shall have power to require reconsideration by the council of any adopted ordinance, including ordinances submitted to the council by initiative petition and passed by the council without change; and, if the council fails to repeal an ordinance so reconsidered, to approve or reject it at a city election, provided that such power shall not extend to any ordinance relating to appropriation of money or levy of taxes.

Sec. 4.02. - Commencement of proceedings.

- (a) *Filing affidavit and petitioners committee.* Any five (5) registered and qualified voters of the city may commence initiative or referendum proceedings by filing with the city secretary an affidavit stating they will constitute the petitioners committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. In the case of referendum, the affidavit of petitioners committee must be filed within ninety (90) days after the enactment by the council of any ordinance subject to the referendum.
- (b) *City attorney review.* Immediately after the affidavit is filed, the city secretary shall forward the affidavit to the city attorney. The city attorney shall review the affidavit and advise the petitioners committee as to the proper form and language and with the consent of the petitioners committee may redraft the text of the proposed initiative ordinance or ordinance sought to be reconsidered as necessary or desirable to achieve its purposes.

Sec. 4.03. - Petitions.

- (a) *Number of signatures.* Initiative and referendum petitions must be signed by registered and qualified voters of the city equal in number to at least twenty-five (25) percent of the number of votes cast in the last regular city election, or six hundred fifty (650), whichever is greater.
- (b) *Form and content.* All papers of a petition shall be uniform in size and style and shall be assembled as one (1) instrument for filing with the city secretary. There shall appear on each petition the names and addresses of the five (5) members of the petitioners committee. Each signature shall be executed in ink as it appears on city voter registration list and shall be followed by his or her place of residence by street and number or other description sufficient to identify the place. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.
- (c) *Affidavit of circulator.* When filed, each paper of a petition shall have attached to it an affidavit executed by the circulator therein stating that the circulator personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered. No circulator shall receive compensation in return for circulation of petitions for signatures and the above affidavit shall also state and confirm that no such compensation has been received by the circulator.
- (d) *Time for filing petitions.* Initiative and referendum petitions must be filed within thirty (30) days after the city attorney has reviewed the original affidavit of petitioners committee and returned it to the city secretary. Additional time as specified in section 4.05 shall be allowed for amending petitions.

Sec. 4.04. - Determination of sufficiency.

Within twenty (20) days after a petition is filed, the council shall determine whether each paper of the petition has a proper affidavit of the circulator and whether the petition is signed by a sufficient number of registered and qualified voters. The city council shall declare any petition paper entirely invalid which does not have attached thereto an affidavit signed by the circulator thereof. If a petition paper is found to be signed by more persons than the number of signatures certified by the circulator, the last signatures in excess of the number certified shall be disregarded. If a petition paper is found to be signed by fewer persons than the number certified, the signatures shall be accepted unless void on other grounds. After completing its examination of the petition, the council shall certify the result thereof at its next regular meeting. If it certifies that the petition is insufficient, it shall set forth in its certificate the particulars in which it is defective and shall at once notify the petitioners committee of its findings by certified mail.

Sec. 4.05. - Amendment of petitions.

An initiative or referendum petition may be amended at any time within ten (10) days after the notification of insufficiency has been sent by the council, by filing a supplementary petition upon additional papers signed and filed as provided for an original petition. The council shall, within ten (10) days after such an amendment is filed, make examination of the amended petition and if the petition be still insufficient, it shall file its findings to that effect in the minutes and notify the petitioners committee of its findings by certified mail; and no further action shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

Sec. 4.06. - Action on petitions.

- (a) *Action by council.* Within sixty (60) days after the date the initiative or referendum petition has been finally determined sufficient, the council shall:
 - (1) Adopt a proposed initiative ordinance without change in substance; or
 - (2) Repeal a referred ordinance; or
 - (3) Call an election on the proposed or referred ordinance as specified in section 4.06(b).
- (b) *Submission to voters.* The vote of the qualified voters of the city on a proposed or referred ordinance shall be held at the next general election. However, said election shall not be held less than thirty (30) days after the final council vote. No ordinance substantially the same as an initiated ordinance which has been defeated or substantially the same as a referred ordinance which has been approved by any election may be initiated by the voters within one (1) year from the date of such election. Copies of the proposed or referred ordinances shall be made available at the polls.
- (c) *Publication and posting.* The city secretary shall publish at least once in a legal newspaper of general circulation within the city the proposed or referred ordinance within fifteen (15) days but no later than five (5) days before the election, and shall give such other notices and do such other things relative to such election as are required in regular municipal elections or by the ordinance calling said election.

Sec. 4.07. - Form of ballots.

The ballots used when voting upon such proposed or referred ordinances shall set forth their nature sufficiently to identify them in a clear, concise, statement, without argument or prejudice, descriptive of the substance of said ordinance. The ballot shall also set forth upon separate lines the words "For the ordinance" and "Against the ordinance."

Sec. 4.08. - Results of election.

- (a) If a majority of the registered and qualified voters voting on a proposed initiative ordinance shall vote in favor thereof, it shall be an ordinance of the city upon certification of the election results. A referred ordinance which is not approved by a majority of the registered and qualified voters voting thereon shall be considered repealed upon certification of the election results. If conflicting ordinances are approved by the voters at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of the conflict.
- (b) An ordinance adopted by initiative may be repealed or amended at any time after the expiration of one (1) year; and before the expiration of one (1) year by a vote of five (5) of the council members qualified and serving.
- (c) An ordinance repealed by referendum may be reenacted at any time after the expiration of one (1) year; and before the expiration of one (1) year by a vote of five (5) of the council members qualified and serving.

Sec. 4.09. - Authority of district judge to order election.

Should the council fail or refuse to order any of the elections as provided for in this article, when all the requirements for such election have been complied with by the petitioning qualified voters in

conformity with this article of the Charter, then it shall be the duty of the district judge, upon proper application being made therefor, to order such elections and to enforce the carrying into effect of the provisions of this article of the Charter.

ARTICLE V. - FINANCE ADMINISTRATION

Sec. 5.01. - Department of finance.

There shall be a department of finance, the head of which shall be the director of finance. The director of finance shall have knowledge of municipal accounting, budgeting, and financial control. Said director shall provide a bond with such surety and in such amount as the council may require. The premiums on such bond shall be paid by the city.

Sec. 5.02. - Director of finance, powers and duties.

The director of finance shall administer and supervise all financial affairs of the city and shall have such other powers and duties as the council shall by ordinance or resolution prescribe.

Sec. 5.03. - Fiscal year.

The fiscal year of the city shall begin on the first day of each October and end on the last day of September of the succeeding year. All funds collected by the city during any fiscal year, including both current and delinquent revenues, shall belong to such fiscal year and, except for funds derived to pay interest and create a sinking fund on the bonded indebtedness of the city, may be applied to the payment of expenses incurred during such fiscal year, except as provided in this Charter. Any revenues uncollected at the end of any fiscal year, and any unencumbered funds actually on hand, shall become resources of the next succeeding fiscal year.

State Law reference— Fiscal year, V.T.C.A., Local Government Code § 101.022.

Sec. 5.04. - Budget preparation and adoption.

- (a) At least thirty (30) days prior to the end of each fiscal year the city manager shall submit to the council a proposed budget presenting a complete financial plan for the ensuing fiscal year.
- (b) The council shall post in the city hall a general summary of its proposed budget and a notice stating (1) the time and places where copies of the budget are available for inspection by the public; and (2) the time and place, not less than two (2) weeks after the posting of such notice, for a hearing on the budget.
- (c) After the hearing, the council may adopt the budget, with or without amendment. The budget shall be finally adopted not later than the twenty-seventh day of the last month of the fiscal year.

State Law reference— Municipal budget, V.T.C.A., Local Government Code § 102.001 et seq.

Sec. 5.05. - Appropriations.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes named therein. Except as provided in this article, no funds of the city shall be expended nor shall any obligation for the expenditure of money be incurred, except pursuant to the annual appropriation ordinance provided by this article. At the close of each fiscal year, any unencumbered balance of an appropriation shall revert to the fund from which appropriated and become available for reappropriation for the next fiscal year. The council may transfer any unencumbered appropriation balance or portion thereof from one (1) office, department, or agency to another, at any approval, to transfer appropriation balances from one expenditure account to another within a single office, department, or agency of the city.

Sec. 5.06. - Emergency appropriations.

At any time in any fiscal year, the council may, pursuant to this section, make emergency appropriations to meet a pressing need for public expenditure, for other than regular or recurring requirements, to protect the public health, safety or welfare. Such appropriation shall be by ordinance adopted by the favorable votes of the majority of the council members qualified and serving, and shall be made only upon recommendation of the city manager. The total amount of all emergency appropriations made in any fiscal year shall not exceed ten (10) per centum of the tax levy for that fiscal year. Should the unappropriated and unencumbered revenues, income and available funds of the city for such fiscal year be not sufficient to meet the expenditures under the appropriation authorized by this section, thereby creating a deficit, it shall be the duty of the council to include the amount of such deficit in its budget for the following fiscal year, and said deficit shall be paid off and discharged during the said following fiscal year.

Sec. 5.07. - Borrowing to meet emergency appropriations.

In the absence of unappropriated available revenues or other funds to meet emergency appropriations under the provisions of the next preceding section, the council may by resolution authorize the borrowing of money to meet such deficit by the issuance of notes, each of which shall be designated [designated] "Emergency Note" and may be renewed from time to time, but all such notes of any such fiscal year and any renewals thereof shall mature and be payable not later than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation was made, as provided in the last preceding section.

Sec. 5.08. - Depository.

All moneys received by any person, department or agency of the city for or in connection with affairs of the city shall be deposited promptly in the city depository or depositories, which shall be designated by the council in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All checks, vouchers, or warrants for the withdrawal of money from the city depositories shall be signed by the director of finance or his deputy and countersigned by the city manager, provided that the council, under such regulations and limitations as it may prescribe, may by ordinance authorize the use of machine-imprinted facsimile signatures of said director of finance and city manager on such checks, vouchers, or warrants.

Sec. 5.09. - Purchase procedure.

All purchases made and contracts executed by the city shall be pursuant to a requisition from the head of the office, department or agency whose appropriation will be charged, and no contract or order shall be binding upon the city unless and until the director of finance certifies that there is to the credit of such office, department or agency a sufficient unencumbered appropriation and allotment balance to pay for the supplies, materials, equipment, or contractual services for which the contract or order is to be issued. Before the city makes any purchase or contract for supplies, materials, equipment, or contractual services, opportunity shall be given for competition. The council may by ordinance confer upon the city manager general authority to contract for expenditures without further approval of the council for all budgeted items not exceeding two thousand dollars (\$2,000.00). All contracts for expenditures involving more than two thousand dollars (\$2,000.00) must be expressly approved in advance by the council. All contracts or purchases involving more than two thousand dollars (\$2,000.00) shall be let to the lowest and best responsible bidder after there has been opportunity for competitive bidding as provided for by law or ordinance; provided that the council, or the city manager in such cases as he is authorized to contract for the city, shall have the right to reject any and all bids. Contracts for personal or professional services shall not be let on competitive bids. Purchases in excess of two thousand dollars (\$2,000.00) but less than five thousand dollars (\$5,000.00) may be let through an informal competitive bidding process at the discretion of the city council.

Sec. 5.10. - Independent audit.

At the close of each fiscal year, and at such other times as it may be deemed necessary, the council shall cause an independent audit to be made of all accounts of the city by a certified public accountant. The certified public accountant so selected shall have no personal interest, directly or indirectly, in the financial affairs of the city or any of its officers other than that of a general taxpayer of the city. Upon completion of the audit, the results thereof shall be placed on file in the city secretary's office as a public record.

State Law reference— Annual audit, V.T.C.A., Local Government Code § 103.001.

ARTICLE VI. - TAX ADMINISTRATION^[4]

Footnotes:

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State Law reference— Local taxation, V.T.C.A., Tax Code § 301.001 et seq.

Sec. 6.01. - Department of taxation.

There shall be a department of taxation, the head of which shall be the city tax assessor and collector. He shall be responsible for the assessment and collection of all taxes levied by the city.

Sec. 6.02. - Powers of taxation.

The city shall have the power to levy, assess and collect taxes of every character and type not prohibited by the constitution and laws of the State of Texas, for any municipal purpose.

State Law reference— Taxation powers, V.T.C.A., Tax Code § 302.001 et seq.

Sec. 6.03. - Tax administration.

The Texas Property Tax Code shall govern and control in all matters relating to property tax administration, taxable property and exemptions, appraisal and assessments of taxes, collections and delinquency and remedies.

State Law reference— Property taxes, V.T.C.A., Tax Code § 302.001 et seq.

Sec. 6.04. - Other rules and regulations.

Where not in conflict with the Texas Property Tax Code, and in any case where the city may have discretionary powers under such code, the council shall have the power to provide by ordinance such rules and regulations as it may deem necessary or expedient for the assessment and collection of all taxes.

Sec. 6.05. - Offset of arrears of taxes.

The city shall be entitled to counterclaim and offset against any debt, claim, demand or account owed by the city to any person, firm or corporation who is in arrears to the city for taxes, the amount of

taxes so in arrears; and no assignment or transfer of such debt or claim shall affect the right of the city to such offset.

ARTICLE VII. - ISSUANCE AND SALE OF BONDS

Sec. 7.01. - General obligation bonds.

The city shall have the power to borrow money on the credit of the city and to issue general obligation bonds for permanent public improvements or for any other public purpose not prohibited by the constitution and laws of the State of Texas, and to issue refunding bonds to refund outstanding bonds of the city previously issued. All such bonds shall be issued in conformity with the laws of the State of Texas.

Sec. 7.02. - Revenue bonds.

The city shall have power to borrow money for the purpose of constructing, purchasing, improving, extending or repairing of public utilities, recreational facilities or any other self-liquidating municipal function not prohibited by the constitution and laws of the State of Texas, and to issue revenue bonds to evidence the obligation created thereby. Such bonds shall be a charge upon and payable solely from the properties, or interest therein, pledged, or the income therefrom, or both, and shall never be a debt of the city. All such bonds shall be issued in conformity with the laws of the State of Texas.

Sec. 7.03. - Sale of bonds.

- (a) No bond (other than refunding bonds issued to refund and in exchange for previously issued outstanding bonds) issued by the city shall be sold for less than par value and accrued interest.
- (b) All bonds of the city having been issued and sold in accordance with the terms of this section, and having been delivered to the purchasers thereof, shall thereafter be incontestable, and all bonds issued to refund and in exchange for outstanding bonds previously issued shall, after said exchange, be incontestable.

ARTICLE VIII. - FRANCHISE OF PUBLIC UTILITIES

Sec. 8.01. - Powers of the city.

In addition to the city's power to buy, construct, lease, maintain, operate and regulate power utilities and to manufacture, distribute and sell the output of such utility operations, the city shall have such other further powers as may now or hereafter be granted under the constitution and laws of the State of Texas.

Sec. 8.02. - Franchise, power of council.

The council shall have power to grant, amend, renew or extend by ordinance all franchises of all public utilities of every character including any person, business or corporation providing cable television or community antenna television service, operating within the city, and for such purposes is granted full power. No public utility franchise shall be transferable except to persons, firms or corporations taking all or substantially all of the holder's business in the city and except with the approval of the council expressed by ordinance. No franchise shall be granted for an indeterminate term.

Sec. 8.03. - Franchise value not to be allowed.

In determining the just compensation to be paid by the city for public utility property which the city may acquire by condemnation or otherwise, nothing shall be included as to the value of any franchise granted by the city.

Sec. 8.04. - Right of regulation.

All grants, renewals, extensions, or amendments of public utility franchises, whether it be so provided in the ordinance or not, shall be subject to the right of the city:

- (1) To repeal the same by ordinance at any time for failure to begin construction or operation within the time prescribed or for failure otherwise to comply with the terms of the franchise, such power to be exercised only after due notice and hearing;
- (2) To require an adequate and reasonable extension of plant and service, and the maintenance of the plant and fixtures at the standard necessary to render the highest reasonable quality of utility service to the public;
- (3) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates;
- (4) To prescribe the form of accounts kept by each such utility. If the franchise or ordinance does not prescribe the form of accounts kept by each utility, then it shall keep its accounts in accordance with the utility system of accounts for said utility prescribed by the appropriate state and/or federal utility regulatory agencies;
- (5) To examine and audit the accounts and other records of any such utility at any time and to require annual and other reports, including reports on local operations by each such public utility;
- (6) To impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare, and accommodation of the public;
- (7) To show that procedural rules and regulations dealing with public utilities shall conform to the requirements of the appropriate state regulatory agencies.

Sec. 8.05. - Consent of property owners.

The consent of abutting and adjacent property owners shall not be required for the construction, extension, maintenance or operation of any public utility, but nothing in this Charter or in any franchise granted thereunder shall ever be construed to deprive any such property owners of any right of action for damage or injury to their property as now or hereafter provided by law.

Sec. 8.06. - Extensions.

All extensions of public utilities within the city limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extension of a public utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.

Sec. 8.07. - Other conditions.

All franchises heretofore granted are recognized as contracts between the city and the grantee, and the contractual right as contained in any such franchises shall not be impaired by the provisions of this Charter, except that the power of the city to exercise the right of eminent domain in the acquisition of any utility property is in all things reserved, and except the general power of the city heretofore existing and herein provided for to regulate the rates and services of a utility shall include the right to require adequate and reasonable extension of plant and service and the maintenance of the plant fixtures at the standard necessary to render the highest reasonable quality of utility service to the public. Every public utility franchise hereafter granted shall be held subject to all the terms and conditions contained in the various sections of this article whether or not such terms are specifically mentioned in the franchises. Nothing in this Charter shall operate to limit in any way, as specifically stated, the discretion of the council or the voters of the city in imposing terms and conditions as may be reasonable in connection with any franchise grant, including the right to require such compensation or rental as may be permitted by the laws of the State of Texas.

Sec. 8.08. - Franchise records.

The city shall compile and maintain a public record of public utility franchises.

Sec. 8.09. - Regulation of rates.

The council shall have the power by ordinance to fix and regulate, after public hearing and reasonable notice, the price of water, gas, electric lights, electric power and steam heat and to regulate and fix the fares, charges of all public transportation of every kind, whether transporting passengers, freight or baggage, and in general to fix and regulate the rates and charges of all public utilities of every kind operating within the corporate limits of the city, including any person, business or corporation providing cable television or community antenna television services. However, as may be provided under the constitution and laws of this state, the city shall also have the power to delegate such authority to the appropriate state or federal utility regulatory agencies.

ARTICLE IX. - GENERAL PROVISIONS

Sec. 9.01. - Publicity of records.

All public records and accounts of every office, department or agency of the city shall be open to inspection by any citizen, any representative of a citizen's organization or any representative of the press at all reasonable times, and under reasonable regulations which may be established by the council.

(Ord. of 5-25-1989, § 3)

State Law reference— Public records, V.T.C.A., Government Code § 552.001 et seq.

Sec. 9.02. - Personal interest.

- (a) No member of the council or any officer or employee of the city shall have a financial interest, direct or indirect, in any contract with the city or in the sale to the city or in the sale to the city or to a contractor supplying the city, of any land or rights or interests in any land, material, supplies, or service, except on behalf of the city as an officer or employee. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the city found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, expressed or implied, of the person or corporation contracting with the city shall render the contract voidable by the council.
- (b) No person related, within the second degree by affinity or within the third degree by consanguinity, to the mayor or any member of the council or city manager shall be employed or appointed to any office, position or clerkship of the city. This prohibition shall not apply, however, to any person who shall have been employed by the city at least two (2) years prior to and at the time of the election or appointment of the officer related in the prohibited degree.

State Law reference— Code of ethics, V.T.C.A., Local Government Code § 171.001 et seq.

Sec. 9.03. - Oath of office.

The mayor and each councilman of the city shall, before entering upon the duties of his office, take and subscribe to the oath of office, based upon the one prescribed for elective officers of the state in the constitution, and appointive officers of the city shall take and subscribe to the oath based upon the one prescribed for appointive officers of the state; provided that the city attorney shall prepare the form of oath for elective and appointive officers of the city, which form shall contain all of the essential elements of the oath prescribed for state officers.

Sec. 9.04. - Public library.

The council shall have the authority to establish and maintain a free public library within the city and to cooperate with the county, the school district or any person, firm, association or corporation under such terms as the council may agree to or prescribe for the establishment of such free public library.

Sec. 9.05. - Hospital; operation.

The city shall have the authority, either singly or jointly with the county, to acquire, establish and own, either by purchase, donation, bequest or otherwise, all property that may be useful or necessary for the purpose of establishing and maintaining a municipal hospital. Such hospital may be operated by a hospital board.

Sec. 9.06. - Airport.

The city shall have [the] power, either singly or jointly with the county, to acquire, establish and own and operate an airport and the necessary facilities in connection therewith, including the right to cooperate with other governmental subdivisions or agencies, the state and federal governments as to ownership or operation and zoning as provided by law or regulation.

Sec. 9.07. - Housing authority; standards.

The council may create a housing authority under the housing authorities law of the United States of America and State of Texas. The council shall have the power to establish by ordinance regulations providing minimum standards for all buildings which are used, or intended for use, as places of human habitation; which standards shall be based upon the proposition of making it reasonably certain that all such buildings or dwelling places shall be constructed, or repaired, and maintained so as to protect the safety, health and general welfare of the community, its citizens and the persons who reside in such buildings or dwelling places.

Sec. 9.08. - Liens, assignment, execution and garnishment.

The property, real and personal, belonging to the city shall not be liable to be sold or appropriated under any writ of execution or cost bill; and no lien of any kind shall ever exist against any such property owned by the city except that the lien be created or authorized by this Charter or state law. The funds belonging to the city, in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the city be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the city nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The city shall not be obligated to recognize any assignment of wages or funds by its employees, agents, or contractors.

Sec. 9.09. - City not required to give security or execute bond.

It shall not be necessary in any action, suit or proceeding in which the city is a party, for any bond, undertaking or security to be demanded or executed by or on behalf of said city in any of the state courts, but in all such actions, suits, appeals or proceedings same shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law, and said city shall be just as liable as if security or bond had been duly executed.

Sec. 9.10. - Persons indebted to the city shall not hold office or employment.

No person shall be qualified to hold a municipal office or serve the city in any other capacity for which compensation is paid who is, or may become while in service, in arrears in the payment of taxes or other liabilities due the city.

Sec. 9.11. - Claims against city.

Before the city shall be liable to damage claim, or suit for personal injury, or damage to property, the person who is injured or whose property has been damaged, or someone in his behalf, shall give the council notice in writing duly verified within thirty (30) days after the date of the alleged damage or injury, stating specifically in such notice when, where, and how the injury or damage was sustained setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses known to claimant upon whose testimony claimant is relying to establish the injury or damage. In case of injuries resulting in death, the person or persons claiming damage shall within thirty (30) days after the death of the injured person give notice as required above. Provided that nothing herein contained shall be construed to mean the city waives any rights, privileges, defenses, or immunities in tort actions which are provided under the common law, the constitution and law of the State of Texas. The council shall have the power to compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the city, including suits by the city to recover delinquent taxes.

State Law reference— Tort claims act, V.T.C.A., Civil Practice and Remedies Code § 101.001 et seq.; notice of a claim, V.T.C.A., Civil Practice and Remedies Code § 101.101; tort claims payments by local governments, V.T.C.A., Civil Practice and Remedies Code § 102.001 et seq.

Sec. 9.12. - Sale or lease of real property.

Any real property owned by the city may be sold or leased by the council when in its judgment such sale or lease will be for the best interest of the city. In the sale or lease of any such property, the property shall be advertised for sale or lease and bids in the local newspaper. The contract of sale or lease shall be awarded to the highest responsible bidder after such public notice and competition as may be prescribed by law, provided the council shall have the power to reject any or all bids and advertise again; provided, however, that the council shall have the power to lease unimproved land for a period of not to exceed one (1) year and not including any option agreement, without the necessity of advertising for bids as provided in this section.

Sec. 9.13. - Retirement system and social security; group insurance.

The council shall have the power to provide for coverage of its appointed officers and employees under the retirement and social security systems provided by laws of the State of Texas for such officers and employees of the city; and for group insurance coverage of such officers and employees, with the council having power to provide for payment of all or any part of the cost.

State Law reference— Texas Municipal Retirement System, V.T.C.A., Local Government Code § 851.001 et seq.

Sec. 9.14. - Effect of this chapter [Charter] on existing laws.

- (a) All ordinances, resolutions, rules and regulations now in force under the government of the city and not in conflict with the provisions of this Charter, shall remain in force under this Charter in the name of the Town of Pecos City until altered, amended or repealed by the council after this Charter takes effect; and all rights and obligations of the city under existing franchises and contracts are preserved in full force and effect.
- (b) All suits, taxes, penalties, forfeitures and all other rights, claims and demands, which have accrued under the laws heretofore in force governing the city, shall belong to and be vested in and shall be prosecuted by and for the use and benefit of the municipal corporation hereby created, and shall not in anywise be diminished, affected or prejudiced by the adoption and taking effect of this Charter.

Sec. 9.15. - Interim municipal government.

From and after the date of the adoption of this Charter and until the completion of the first regular city election under this Charter and the qualification of the three (3) councilmen therein elected, as provided in

articles II and III of this Charter, the present mayor and the five (5) councilmen shall constitute the council of the city; provided that the mayor and two (2) councilmen whose terms expire in April, 1986, shall continue to serve until the expiration of their terms. Such council shall possess all of the powers provided for the council in this Charter and particularly in article II thereof.

Sec. 9.16. - Amending the Charter.

When the governing body desires to submit amendments to this Charter, said body may, on its own motion, in the absence of a petition, and shall, upon receiving a petition signed by qualified voters in such city, town, or political subdivision in number not less than twenty-five (25) percent of the voters of the last city election or (650) six hundred and fifty, whichever is greater, submit any proposed amendment to this Charter. Any such petition by the voters shall be filed at least thirty (30) days prior to the regular city election. The ordinance proving for the submission of such amendment or amendments shall require the submission thereof at an election to be held on the first Saturday of April. Otherwise, a special election shall be called for that purpose. Notice of the election for the submission of said amendment or amendments shall be given by publication thereof, in some newspaper of general circulation published in said city, on the same day in each of two (2) successive weeks; the date of the first publication to be not less than fourteen (14) days prior to the date set for said election. The form of such notice shall be as prescribed by the governing body or as may be otherwise prescribed by law, and shall include a substantial copy of the proposed amendment or amendments. Every amendment submitted must contain only one (1) subject, and in preparing the ballot for such amendment, it shall be done in such manner that the voter may vote "yes" or "no" on any amendment or amendments without voting "yes" or "no" on all of said amendments. Each such proposed amendments, if approved by the majority of the qualified voters voting at said election, shall become a part of the Charter of said city. No amendment shall be considered adopted until an official order has been entered upon the records of said city by the governing body thereof declaring the same adopted.

Sec. 9.17. - Separability clause; construction.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Sec. 9.18. - Submission of Charter to qualified voters.

- (a) This Charter Commission in preparing this Charter finds and decides that it is impracticable to separate each subject so as to permit a vote of "yes" or "no" on the same, for the reason that the Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. For these reasons the Charter Commission directs that the said Charter be voted upon as a whole and that it shall be submitted to the qualified voters of the city at an election to be held for that purpose on Saturday, the 6th day of April, 1985. If a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, it shall become the Charter of the city, and after the returns have been canvassed, the same shall be declared adopted and the city secretary shall file an official copy of the Charter with the records of the city. The city secretary shall furnish the mayor a copy of said Charter, which copy of the Charter so adopted, authenticated and certified by his signature and the seal of the city, shall be forwarded by the mayor to the Secretary of State of the State of Texas and shall show the approval of such Charter by a majority vote of the qualified voters voting at such election.
- (b) In not less than thirty (30) days prior to such election the council shall cause the city secretary to mail a copy of this Charter to each qualified voter of the Town of Pecos City as appears from the certified list of registered voters for the year ending January 31 preceding said election.
- (c) We, the undersigned members of the Charter Commission, heretofore duly elected to prepare a Charter for the city, do hereby certify that this publication constitutes a true copy of the proposed Charter of the city.

/s/ Dudley Montgomery	/s/ Charlotte Slack
/s/ A. B. Foster, Jr.	/s/ Emily Fernandes
/s/ Dot Stafford	/s/ J. Robert Scott
/s/ John Tomlin	/s/ Fred P. Armstrong
/s/ Paul Williams	/s/ Frances Powell
/s/ Billy Cooksey	/s/ William R. Bickley
/s/ Jim Ed Miller	/s/ Robert McNutt