

TEXAS ETHICS COMMISSION

FORMER CANDIDATE FOR SPEAKER OF THE TEXAS HOUSE OF REPRESENTATIVES: ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS

FORM SPK-UC – INSTRUCTION GUIDE



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FORM SPK-UC -- INSTRUCTION GUIDE

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These instructions are for the FORMER CANDIDATE FOR SPEAKER OF THE TEXAS HOUSE OF REPRESENTATIVES: ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS (FORM SPK-UC) and all Schedules that are filed with it. FORM SPK-UC includes a cover sheet and Schedules A (SPK-UC), B (SPK-UC), and C (SPK-UC). All filers must submit the cover sheet, but only the schedules on which there is information to report need to be included.

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GENERAL INSTRUCTIONS

Who Must File: You must file an Annual Report of Unexpended Contributions if you are a former speaker candidate who retains unexpended speaker campaign funds.

Due Date: You must file an Annual Report not earlier than January 1 and not later than January 15 of the year after each year in which you maintained unexpended speaker contributions, assets purchased with speaker contributions, or interest or other income earned on speaker contributions. You must continue to file Annual Reports until you have disposed of all your unexpended speaker contributions, assets, or interest or other income earned on speaker contributions.

Limitations on Unexpended Contributions: You may not retain unexpended speaker contributions, assets purchased with speaker contributions, or interest or other income earned on speaker contributions for more than six years after the date you cease to be a speaker candidate or hold the office of speaker.

A former speaker candidate may use unexpended speaker campaign funds to retire debt incurred in connection with the speaker candidacy, or may remit unexpended speaker campaign funds to one or more of the following:

- (1) one or more persons from whom speaker campaign funds were received, subject to the limitation described below; or
- (2) a recognized charitable organization formed for educational, religious, or scientific purposes that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986, and its subsequent amendments.

The amount of speaker campaign funds disposed of under Subdivision (1) (above) to one person may not exceed the aggregate amount accepted from that person in connection with the former speaker candidate's most recent campaign for election to the office of speaker.

Duties of Former Speaker Candidate: Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

Where to File: This form is filed with the Texas Ethics Commission.

Filling Out The Form: All reports must be either handwritten in ink or typewritten. If you complete the report by hand, please print everything other than your signature.

You may use your own computer-generated form if it provides for disclosure of all the information required on the commission's form and it is *substantially similar* in paper size, color, layout, and format. A substitute form that is substantially identical to the commission's prescribed form may be submitted for pre-approval by the commission's executive director.

Always file the cover sheet of the form. You need to file only those schedules on which you have information to report.

You must keep all records necessary to complete the report, and the records must be kept separate from the records required under the Election Code for the speaker candidate's campaign for any other public office.

If you have questions, please call our office at (512) 463-5800.

Photocopies Of Forms: You may use photocopies of Ethics Commission forms. For example, if the space provided on Schedule A (SPK-UC) is insufficient, you may make copies of a blank Schedule A (SPK-UC) form and attach more pages as needed.

Filing Date: A statement is considered timely filed if the postmark shows that it was sent to the Texas Ethics Commission at its official post office address by registered or certified mail from any point in this state before the filing deadline. The deadline for filing a statement is 5 p.m. on the due date. If the due date for a statement falls on a Saturday, Sunday, or legal holiday, the statement is due by 5 p.m. on the next regular business day.

Address your statements and correspondence to the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070. For hand-deliveries, the commission's street address is 201 East 14th Street, Sam Houston Building, 10th Floor, Austin, Texas 78701.

**FORM SPK-UC: FORMER CANDIDATE FOR SPEAKER
OF THE TEXAS HOUSE OF REPRESENTATIVES:
ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS**

These instructions are for the FORMER CANDIDATE FOR SPEAKER OF THE TEXAS HOUSE OF REPRESENTATIVES: ANNUAL REPORT OF UNEXPENDED CONTRIBUTIONS (FORM SPK-UC). A complete report includes the Form SPK-UC Cover Sheet and any of the following schedules on which there is information to report: A (SPK-UC), B (SPK-UC), and C (SPK-UC).

COMPLETING THE COVER SHEET

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

- 1. ACCOUNT #:** You are assigned an account number when you file your first statement as a speaker candidate or when you file your declaration of speaker candidacy. Enter this number wherever you see “ACCOUNT #.”
- 2. TOTAL PAGES FILED:** After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of the cover sheet only. Each side of a two-sided form counts as one page.
- 3. FORMER SPEAKER CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (*e.g.*, Sr., Jr., III), if applicable.
- 4. FORMER SPEAKER CANDIDATE MAILING ADDRESS:** Enter your complete mailing address.
- 5. FORMER SPEAKER CANDIDATE TELEPHONE NUMBER:** Enter your telephone number, including the area code. If applicable, include an extension number.
- 6. PERIOD COVERED:** A reporting period includes the beginning date and the ending date. The *due date* for filing will be *after* the end of the period. Generally, a report picks up where the last report left off. You should never leave gaps between the periods covered, and you should not have an overlap of time periods.

The report covers the period ending on December 31 of the year preceding the year in which the report is due.

- 7. VERIFICATION:** Complete this section only after you have completed all applicable sections and schedules. You must always sign a statement that you file. You must complete this section even if you have no schedules to attach.

SCHEDULE A (SPK-UC): CONTRIBUTIONS

This schedule is for contributions not previously reported on Form SPK (Candidate for Speaker of the Texas House of Representatives: Statement of Contributions, Loans and Expenditures).

You must enter each contribution of money the speaker candidate or the speaker candidate's agent, servant, staff member, or employee received for the speaker campaign, the full name and address of the contributor, and the date and amount of the contribution. You must also enter each contribution of services and other things of value, other than money, that the speaker candidate or the speaker candidate's agent, servant, staff member, or employee received for the speaker campaign, the full name and address of the contributor, the date and value of the contribution, and the nature of the contribution.

Note: An individual may not accept a contribution or promise of a contribution in connection with the speaker candidacy at a time when a speaker candidate declaration is not in effect.

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

- 1. TOTAL PAGES SCHEDULE A (SPK-UC):** After you have completed Schedule A (SPK-UC), count the total number of pages of that schedule and enter that number. A "page" is one side of a two-sided form.
- 2. FORMER SPEAKER CANDIDATE NAME:** Enter your full name.
- 3. ACCOUNT #:** Enter your account number.
- 4. DATE:** Enter the date you received the contribution.
- 5. FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor.
- 6. CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
- 7. AMOUNT / VALUE OF CONTRIBUTION:** Enter the amount of the contribution or the fair market value of an in-kind contribution, as applicable.
- 8. IN-KIND CONTRIBUTION DESCRIPTION:** Enter a description of the contribution, if it was an in-kind contribution. The description should be sufficiently detailed to allow a person reviewing your statement to understand what was contributed.

SCHEDULE B (SPK-UC): LOANS

This schedule is for loans not previously reported on Form SPK (Candidate for Speaker of the Texas House of Representatives: Statement of Contributions, Loans and Expenditures).

You must enter each loan made to the speaker candidate or the speaker candidate's agent, servant, staff member, or employee for the speaker campaign, including all loans listed in previous filings that are as yet unpaid or that were paid during the period covered by this statement.

Note: *An individual may not accept a loan or promise of a loan in connection with the speaker candidacy at a time when a speaker candidate declaration is not in effect.*

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

- 1. TOTAL PAGES SCHEDULE B (SPK-UC):** After you have completed Schedule B (SPK-UC), count the total number of pages of that schedule and enter that number. A “page” is one side of a two-sided form.
- 2. FORMER SPEAKER CANDIDATE NAME:** Enter your full name.
- 3. ACCOUNT #:** Enter your account number.
- 4. DATE OF LOAN:** Enter the date of the loan.
- 5. AMOUNT OF LOAN (\$):** Enter the total amount of the loan.
- 6.** Indicate whether this is the first time the loan is being reported, whether the loan was reported previously but is still unpaid, or whether the loan was paid during the period covered by this statement by checking the appropriate box.
- 7. NAME OF LENDER:** Enter the full name of the lender.
- 8. LENDER ADDRESS:** Enter the complete address of the lender.
- 9. NAMES OF RESPONSIBLE PARTIES, OTHER THAN FORMER SPEAKER CANDIDATE:** Enter the full name of each person, other than the former speaker candidate, who is responsible on the loan.
- 10. ADDRESSES OF RESPONSIBLE PARTIES:** Enter the complete address of each person, other than the former speaker candidate, who is responsible on the loan.
- 11. PAYMENT(S) MADE ON NOTE:** Indicate whether any payments have been made on the loan by checking the appropriate box. If a payment has been made on the loan, continue to item 12.
- 12. AMOUNT OF PAYMENT(S):** Enter the amount of payments that have been made on the loan.
- 13. SOURCE OF PAYMENT(S):** Enter the source used for the payment(s).

SCHEDULE C (SPK-UC): EXPENDITURES

This schedule is for payments from unexpended speaker campaign funds. You must enter the full name and address of each person to whom a payment from unexpended speaker campaign funds is made and the date and amount of the payment.

This schedule is also for expenditures not previously reported on Form SPK (Candidate for Speaker of the Texas House of Representatives: Statement of Contributions, Loans and Expenditures). You must enter each expenditure of campaign funds the speaker candidate or the speaker candidate's agent, servant, staff member, or employee made for the campaign.

Note: See the "Limitation on Unexpended Contributions" under "General Instructions." Also, an individual may not make or authorize an expenditure in connection with the speaker candidacy at a time when a speaker candidate declaration is not in effect, other than an expenditure to retire debt incurred in connection with the speaker candidacy.

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

- 1. TOTAL PAGES SCHEDULE C (SPK-UC):** After you have completed Schedule C (SPK-UC), count the total number of pages of that schedule and enter that number. A "page" is one side of a two-sided form.
- 2. FORMER SPEAKER CANDIDATE NAME:** Enter your full name.
- 3. ACCOUNT #:** Enter your account number.
- 4. DATE:** Enter the date the expenditure was made.
- 5. PAYEE NAME:** Enter the full name of the person to whom an expenditure was made.
- 6. PAYEE ADDRESS:** Enter the complete address of the person to whom an expenditure was made.
- 7. AMOUNT:** Enter the exact amount of the expenditure.
- 8. PURPOSE OF EXPENDITURE:** Describe the purpose of the expenditure.