

TEXAS ETHICS COMMISSION

AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE

FORM AGTA—INSTRUCTION GUIDE



Revised June 20, 2025

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Promoting Public Confidence in Government

FORM AGTA—AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE

GENERAL INSTRUCTIONS

These instructions are for the AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE form (FORM AGTA). Use this form for changing information previously reported on FORM GTA and for adding the names of general-purpose committees to which the committee intends to make contributions. The information entered on Sections 1-16 of this form will replace the information from the previous APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE form (FORM GTA).

If the address of the committee's campaign treasurer changes, you must report the change within 10 days after the change occurs. If any other information required to be reported on the APPOINTMENT form (FORM GTA) changes, you must report the changes no later than the 30th day after the changes occur. Use the AMENDMENT form (FORM AGTA) to report these changes. Do not use the APPOINTMENT form (FORM GTA).

You must use the AMENDMENT form (FORM AGTA) to add the names of other general-purpose committees that will receive contributions from the general-purpose committee filing this report. The name of the recipient general-purpose committee must be reported on FORM GTA or FORM AGTA before the contribution is made.

You must also use the AMENDMENT form to change from regular filing to monthly filing or from monthly filing to regular filing. A general-purpose committee that does not choose monthly filing when it first appoints a campaign treasurer may change to monthly by giving notice to the Ethics Commission *only during the period that begins January 1 and ends on January 15*. A general-purpose committee that chooses monthly filing when it first appoints a campaign treasurer may revert to the regular filing schedule *only during the period that begins on January 1 and ends on January 15*. See the CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES for further explanation.

If your committee wishes to use corporation or labor organization political contributions to make a direct campaign expenditure in connection with a campaign for an elective office but did not file the required affidavit with your Form GTA, you must use the AMENDMENT form. Please be aware that the law requires specific language in the affidavit for it to be effective. The Commission provides a form affidavit that contains the required language. The form affidavit can be found on Page 4 of Form AGTA.

This requirement also applies to direct campaign expenditure-only committees. Thus, if a direct campaign expenditure-only committee wishes to use a political contribution that it accepted from a corporation or labor organization to make a direct campaign expenditure in connection with a campaign for elective office, it must also file the "Statement Authorizing Direct Campaign Expenditures from Corporation or Labor Organization Political Contributions" before making the expenditure.

Except for the committee's name at the top of the form (and its account number), enter only the information that is *different* from what was previously reported. Do not repeat information that has not changed. The "NEW" boxes emphasize that the information entered on this form should

only be information that is different from what was previously reported. Any information entered in a space with a “NEW” box will replace the existing information.

SPECIFIC INSTRUCTIONS

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

PAGE 1

1. **TOTAL PAGES FILED:** After completing the form, enter the total number of pages you are filing of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.
2. **COMMITTEE NAME:** Enter the full name of the committee as it is on the committee’s current campaign treasurer appointment. Enter the committee name in the same way on Page 2, Section 17, and on Page 3, Section 22, of this form. If the committee is reporting a name change, enter the new name under Section 4.
3. **FILER ID #:** The committee was assigned a filer account number when the initial campaign treasurer appointment was filed. The campaign treasurer should have received a letter acknowledging receipt of the form and informing him or her of the committee’s account number. Enter this number wherever you see “FILER ID #.”
4. **COMMITTEE NAME (NEW):** Complete this Section only if the committee’s name has *changed*. If the committee’s name has changed, enter the committee’s complete new name. Remember that if the committee’s name changed, you may also need to amend Page 2, Section 19, of this form. The name of a general-purpose committee must meet the following requirements:
 - The name must not be deceptively similar to the name of a general-purpose committee already on file. The Ethics Commission will inform the campaign treasurer if another general-purpose committee has a similar name.
 - The name must include the full name, or a commonly recognized acronym, of any corporation, labor organization, or other association or legal entity other than an individual that directly establishes, administers, or controls the committee. A corporation, labor organization, or other association or legal entity that “directly establishes, administers, or controls” a general-purpose committee is one that has:
 - 1) the authority to actively participate in determining to whom the general-purpose committee makes political contributions or for what purposes the general-purpose committee makes political expenditures;
or
 - 2) the authority to designate a person to a position of authority with the general-purpose committee, including that of an officer or director of the general-purpose committee.

5. **ACRONYM:** Complete this Section only if the committee's acronym has *changed*. If the committee's acronym has changed, enter completely the committee's new acronym.
6. **COMMITTEE ADDRESS:** Complete this Section only if the committee's mailing address has *changed*. If the committee's mailing address has changed, enter the committee's complete new address (street address or P.O. Box, apartment or suite number, city, state, and zip code). We recommend using a PO Box or other address where your committee receives mail, rather than a home address. This will be public information.
7. **REPORTING TYPE:** A general-purpose committee that did not choose monthly filing when it first appointed a campaign treasurer, may change to monthly by giving notice to the Ethics Commission *only during the period that begins January 1 and ends on January 15*. A general-purpose committee that chose monthly filing when it first appointed a campaign treasurer may revert to the regular filing schedule *only during the period that begins on January 1 and ends on January 15*.

Regular: Check this box if the committee is changing from the monthly filing schedule to the regular filing schedule.

8. **Monthly:** Check this box if the committee is changing from the regular filing schedule to the monthly filing schedule.
9. **CAMPAIGN TREASURER NAME:** Complete this Section only if the committee's campaign treasurer has *changed*. If the committee's campaign treasurer has changed, enter the full name of the committee's new campaign treasurer.

Qualifications of Campaign Treasurer. A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period. A person who violates this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision.

10. **CAMPAIGN TREASURER STREET ADDRESS:** Complete this Section only if the campaign treasurer's street address has *changed*. If the campaign treasurer's street address has changed, enter the complete new residence or business street address of the committee's campaign treasurer (street address, apartment or suite number, city, state, and zip code).
11. **CAMPAIGN TREASURER MAILING ADDRESS:** Complete this Section only if the campaign treasurer's mailing address has *changed* and is different from the street address entered in Section 9. If the campaign treasurer's mailing address has changed, enter the new mailing address (street address or P.O. Box number, apartment or suite number, city, state, and zip code). If the mailing address is the same as the address entered in Section 9, check the "same as above" box.
12. **CAMPAIGN TREASURER PHONE:** Complete this Section only if the campaign treasurer's phone number has *changed*. If the campaign treasurer's phone number has

changed, enter the new phone number of the campaign treasurer, including the area code and, if applicable, the extension.

- 12. PERSON APPOINTING TREASURER:** Complete this Section only if the committee is appointing a new campaign treasurer. Enter the full name of the person who is appointing the committee's new campaign treasurer.
- 13. SIGNATURE:** If a new appointment is being made, the person appointed campaign treasurer must enter his or her signature in this Section.

Sections 14 - 16 pertain to the assistant campaign treasurer. If the committee is not appointing a new assistant campaign treasurer, skip these Sections. If the committee is appointing a new assistant campaign treasurer, continue with Section 14.

- 14. ASSISTANT CAMPAIGN TREASURER:** Complete this Section only if the committee's assistant campaign treasurer has *changed*. If the committee's assistant campaign treasurer has changed, enter the full name of the committee's new assistant campaign treasurer.
- 15. ASSISTANT CAMPAIGN TREASURER ADDRESS:** Complete this Section only if the assistant campaign treasurer's mailing address has *changed*. If the assistant campaign treasurer's mailing address has changed, enter the assistant campaign treasurer's complete new address (street address or P.O. Box, apartment or suite number, city, state, and zip code).
- 16. ASSISTANT CAMPAIGN TREASURER PHONE:** Complete this Section only if the assistant campaign treasurer's phone number has *changed*. If the assistant campaign treasurer's phone number has changed, enter the new phone number of the assistant campaign treasurer, including the area code and, if applicable, the extension.

PAGE 2:

- 17. COMMITTEE NAME:** Enter the name of the committee as you did on Page 1, Section 2.
- 18. FILER ID #:** Enter the committee's account number as you did on Page 1, Section 3.

Sections 19 - 21 pertain to the control of the committee. Complete Section 19, 20, or 21 only if you are adding new information or deleting information that was previously reported on the committee's campaign treasurer appointment form (FORM GTA). If you are adding new information, check the "ADD" box to the left of the name. If you are deleting previous information, check the "DELETE" box to the left of the name. Committees are required to disclose their controlling entity or decision makers information.

- 19. CONTROLLING ENTITY INFORMATION:** If you choose to complete Section 19, provide the information as shown below. This Section is designed to allow the names, and acronyms if applicable, of up to three (3) controlling entities. Please attach additional copies of FORM AGTA, Page 2, if you need additional space.

Full Name of Controlling Entity: Enter the full name of any entity whose name is required to be used in the committee's name. See FORM AGTA, Page 1, Section 2.

Acronym: Enter any acronym used by the entity, if applicable.

- 20. CONTRIBUTION DECISION MAKERS:** If you choose to complete Section 20, provide the information as shown below. This Section is designed to allow the names of up to six (6) persons who determine to whom the committee makes contributions. Please attach additional copies of form AGTA, Page 2, if you need additional space.

Full Name of Individual: Enter the full name of the person you are adding or deleting who determines to whom the committee makes contributions.

- 21. EXPENDITURE DECISION MAKERS:** If you choose to complete Section 21, provide the information as shown below. This Section is designed to allow the names of up to six (6) persons who determine for what purposes the committee makes expenditures. Please attach additional copies of Form AGTA, Page 2, if you need additional space.

Full Name of Individual: Enter the full name of the person you are adding or deleting who determines for what purpose the committee makes expenditures.

PAGE 3:

- 22. COMMITTEE NAME:** Enter the name of the committee as you did on Page 1, Section 2.
- 23. FILER ID #:** Enter the committee's account number as you did on Page 1, Section 3.

Complete Section 24 only if you are adding names of general-purpose committees that will receive contributions from your committee.

- 24. RECIPIENT GENERAL-PURPOSE COMMITTEE(S):** For each other general-purpose committee to which the general-purpose committee filing this report intends to make one or more political contributions, enter the following information.

Committee Name: Enter the full name, and acronym, if applicable, of the recipient general-purpose committee. The name of the recipient general-purpose committee must be included on this form before the contribution is made.

Committee Address: Enter the complete address (street address or P.O. Box, city, state, and zip code) of the recipient general-purpose committee.

Note: A general-purpose political committee (including a state or county executive committee of a political party) may not make a political contribution to another general-purpose political committee (including a state or county executive committee of a political party) unless the recipient committee is listed on the campaign treasurer appointment for the contributor committee.

PAGE 4:

NOTE: Complete this page ONLY if it applies to the political committee. This page is only used for general-purpose committees that intend to use corporation or labor organization political contributions to make a direct campaign expenditure in connection with a campaign for an elective office. This page is NOT REQUIRED for all political committees. If a

political committee does not accept political contributions from any corporations or labor organizations, this affidavit is not required.

25. COMMITTEE NAME: Enter the committee name as you did on Page 1, Section 2.

26. AFFIRMATION: If the political committee wishes to use a political contribution from a corporation or labor organization to make a direct campaign expenditure in connection with a campaign for an elective office, check the box beside the first statement and complete one of the jurats in the bottom half of this page. If the political committee has previously filed this affirmation and the first statement no longer applies to the committee, check the box beside the second statement instead and complete one of the jurats below.

The affirmation must include EITHER: 1) a completed Affidavit Jurat, or 2) a completed Unsworn Declaration Jurat. If you use the Affidavit Jurat, the affirmation must be signed and notarized or sworn before an officer administering an oath. If you use the Unsworn Declaration Jurat, the affirmation must be signed and must include your name, date of birth, and address, and the county, state, and date of your signature.

SIGNATURE OF COMMITTEE REPRESENTATIVE: A person representing the committee must enter his or her signature to the corresponding jurat used.