

# TEXAS ETHICS COMMISSION

## APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE

### FORM GTA – INSTRUCTION GUIDE



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*Promoting Public Confidence in Government*

# FORM GTA – INSTRUCTION GUIDE

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## **APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL - PURPOSE COMMITTEE**

### **GENERAL INSTRUCTIONS**

*These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE (Form GTA). Use Form GTA only for appointing the general-purpose committee's campaign treasurer. Use the AMENDMENT (Form AGTA) for changing information previously reported on Form GTA.*

### **TYPES OF POLITICAL COMMITTEES**

A political committee is a group of two or more people that accepts political contributions or makes political expenditures. There are two types of political committees: general-purpose committees and specific-purpose committees. Please consult the Texas Ethics Commission's (Commission's) CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES for an explanation of the difference.

### **WHEN TO FILE A CAMPAIGN TREASURER APPOINTMENT**

A general-purpose committee must file a campaign treasurer appointment before it may accept more than \$1,140 in political contributions *or* make more than \$1,140 in political expenditures.

A general-purpose committee that has not exceeded \$1,140 in contributions or expenditures may file a campaign treasurer appointment. Once a general-purpose committee files a campaign treasurer appointment, however, the committee must begin filing reports of contributions, expenditures, and loans.

### **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.

### **DUTIES OF A CAMPAIGN TREASURER**

The campaign treasurer is responsible for filing all reports of the committee, except for the campaign treasurer appointment form (Form GTA) that designates him or her as the committee's campaign treasurer. Therefore, the person appointed should be capable of fulfilling those duties. Failing to file a report on time or filing an incomplete report may subject the campaign treasurer to criminal or civil penalties.

### **WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT**

A general-purpose committee must file its campaign treasurer appointment and all other reports required by title 15 of the Election Code with the Commission.

## CHANGING THE CAMPAIGN TREASURER

If the committee wishes to change its campaign treasurer, the committee simply files an amended appointment form (Form AGTA). This will automatically terminate the previous campaign treasurer appointment. Within 10 days of the termination, the outgoing treasurer of a committee that is filing under the regular filing schedule must file a GENERAL-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form GPAC) designated as the “10th day after campaign treasurer termination” report. The outgoing treasurer of a committee that is filing under the monthly filing schedule must file a MONTHLY FILING GENERAL-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form MPAC) designated as the “10th day after campaign treasurer termination” report. (The 10-day period is calculated beginning with the day the treasurer files the termination, not the day the committee receives it.) If the committee changes treasurers on the last day of a reporting period, no separate termination report is required. However, if the committee changes treasurers on the day it files a report, the outgoing treasurer must file a separate termination report.

## AMENDING A CAMPAIGN TREASURER APPOINTMENT

If the campaign treasurer’s address that was reported on the general-purpose committee’s campaign treasurer appointment form (Form GTA) changes, the campaign treasurer must file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE (Form AGTA) within 10 days of the change.

If any other information on the general-purpose committee’s campaign treasurer appointment form (Form GTA) changes, the committee’s campaign treasurer must file an AMENDMENT (Form AGTA) within 30 days of the change.

An AMENDMENT (Form AGTA) must also be filed 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.

## APPOINTING AN ASSISTANT CAMPAIGN TREASURER

A general-purpose committee may appoint an assistant campaign treasurer. The assistant campaign treasurer may sign reports if the campaign treasurer is not available. However, if the campaign treasurer appointment is terminated, the assistant campaign treasurer does not have authority to sign the committee’s reports or otherwise act as the committee’s campaign treasurer. Also, the campaign treasurer, not the assistant campaign treasurer, is responsible for any penalties imposed for failure to file a report on time or for filing an incomplete report.

## **USING CERTAIN POLITICAL CONTRIBUTIONS FOR DIRECT CAMPAIGN EXPENDITURES**

A general-purpose political committee must file an affidavit containing specific language before it can use corporate or labor organization political contributions to make a direct campaign expenditure in connection with a campaign for an elective office. The affidavit must state that the committee is not established or controlled by a candidate or an officeholder, and that the committee will not use any political contribution from a corporation or labor organization to make a political contribution to a candidate for elective office, an officeholder, or a political committee that has not filed such an affidavit with its campaign treasurer appointment. The Commission provides a form affidavit containing the required language. This affidavit can be found on Page 4 of Form GTA or 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.

## **TERMINATING A CAMPAIGN TREASURER APPOINTMENT**

A general-purpose committee may terminate its campaign treasurer appointment at any time by:

- (1) notifying the filing authority in writing of the termination;
- (2) filing a campaign treasurer appointment for a successor campaign treasurer; or
- (3) filing a dissolution report.

*Remember* that once a committee’s campaign treasurer appointment is terminated, the committee may not accept any political contributions or make any political expenditures until a new campaign treasurer appointment is filed.

A committee’s campaign treasurer may resign by notifying both the appointing authority and the filing authority in writing. If the campaign treasurer resigns or otherwise leaves the position, the termination is effective on the date the committee actually receives the notice or on the date the filing authority actually receives the notice, whichever is later (except for purposes of calculating the period covered by the outgoing campaign treasurer’s termination report, *see* “Termination Report” below).

## **TERMINATION REPORT**

No later than 10 days after the campaign treasurer files the termination, the outgoing treasurer of a committee filing under the regular filing schedule must file a GENERAL-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form GPAC) designated as the “10th day after campaign treasurer termination” report. The outgoing treasurer of a committee filing under the monthly filing schedule must file a MONTHLY FILING GENERAL-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form MPAC) designated as the “10th day

after campaign treasurer termination” report. (The 10-day period is calculated beginning with the day the treasurer files the termination, not the day the committee receives it.) If the termination occurs on the last day of a reporting period, no separate termination report is required.

Filing a termination of a general-purpose committee’s campaign treasurer appointment and a termination report does not dissolve the general-purpose committee. A general-purpose committee may dissolve only by filing a dissolution report. A general-purpose committee that does not have a campaign treasurer appointment on file may not accept political contributions or make political expenditures.

## **DISSOLVING THE COMMITTEE**

The campaign treasurer of a general-purpose committee may file a dissolution report at any time that the committee expects no further reportable activity to occur. Filing a dissolution report terminates the general-purpose committee’s campaign treasurer appointment and relieves the campaign treasurer of the obligation of filing additional reports, including a termination report. A general-purpose committee must file a new campaign treasurer appointment form (Form GTA) if it intends to accept political contributions or make political expenditures.

To dissolve a general-purpose committee filing under the regular filing schedule, the campaign treasurer must complete the GENERAL-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form GPAC), check the “Dissolution report” box on Page 1, Section 9, and complete and attach the POLITICAL COMMITTEE AFFIDAVIT OF DISSOLUTION (Form PAC-DR).

To dissolve a general-purpose committee filing under the monthly filing schedule, the campaign treasurer must complete the MONTHLY FILING GENERAL-PURPOSE COMMITTEE CAMPAIGN FINANCE REPORT (Form MPAC), check the “Dissolution report” box on Page 1, Section 9, and complete and attach the POLITICAL COMMITTEE AFFIDAVIT OF DISSOLUTION (Form PAC-DR).

## **ELECTRONIC FILING**

All persons filing campaign finance reports with the Commission are required to file those reports electronically unless the person is eligible to claim an exemption. Please check the Ethics Commission’s website at <http://www.ethics.state.tx.us> for more detailed information about electronic filing.

## 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 committee’s full name. Enter the committee name in the same way on Page 2, Section 15, and on Page 3, 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.

**3. ACRONYM:** Enter any acronyms that are used by the committee, if applicable.

**4. COMMITTEE ADDRESS:** Enter the committee’s complete mailing 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.

**5. REPORTING TYPE:** Check whether the committee will file according to the “REGULAR” filing schedule or the “MONTHLY” filing schedule. The CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES explains the types of reports of contributions and expenditures that a general-purpose committee must file.

**Note:** 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.

**6. CAMPAIGN TREASURER NAME:** Enter the full name of the committee's campaign treasurer.

**7. CAMPAIGN TREASURER STREET ADDRESS:** Enter the complete business or residential street address of the committee's campaign treasurer. Please do not enter a P.O. Box.

**8. CAMPAIGN TREASURER MAILING ADDRESS:** If the campaign treasurer's mailing address is the same as the address entered in Section 7, check the "SAME AS ABOVE" box. If the campaign treasurer's mailing address is different from the street address entered in Section 7, enter the mailing address in this Section (street address or P.O. Box, apartment or suite number, city, state, and zip code).

**9. CAMPAIGN TREASURER PHONE:** Enter the phone number of the committee's campaign treasurer, including the area code and, if applicable, the extension.

**10. PERSON APPOINTING TREASURER:** Enter the full name of the person who is appointing the committee's campaign treasurer.

**11. SIGNATURE:** The person appointed campaign treasurer must enter his or her signature in this Section.

*Sections 12 - 14 pertain to the assistant campaign treasurer. If the committee chooses to appoint an assistant campaign treasurer, continue with Section 12. If the committee is not appointing an assistant campaign treasurer, skip these Sections.*

**12. ASSISTANT CAMPAIGN TREASURER:** Enter the full name of the committee's assistant campaign treasurer.

**13. ASSISTANT CAMPAIGN TREASURER ADDRESS:** Enter the assistant campaign treasurer's complete mailing address (street address or P.O. Box, apartment or suite number, city, state, and zip code).

**14. ASSISTANT CAMPAIGN TREASURER PHONE:** Enter the phone number of the assistant campaign treasurer, including the area code and, if applicable, the extension.

## **PAGE 2**

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

<p><i>You must complete at least one of the following sections: Section 16, Section 17, or Section 18.</i></p>
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**16. CONTROLLING ENTITY INFORMATION:** If you choose to complete Section 16, 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 GTA, 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 GTA, Page 1, Section 2.

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

**17. CONTRIBUTION DECISION MAKERS:** If you choose to complete Section 17, 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 GTA, Page 2, if you need additional space.

**Full Name of Individual:** Enter the full name of each person who determines to whom the committee makes contributions.

**18. EXPENDITURE DECISION MAKERS:** If you choose to complete Section 18, 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 GTA, Page 2, if you need additional space.

**Full Name of Individual:** Enter the full name of each person who determines for what purpose the committee makes expenditures.

### **PAGE 3**

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

**20. 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 Form GTA or Form AGTA 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.

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

**22. 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 statement and complete one of the jurats on 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, use form AGTA instead to amend the campaign treasurer appointment.

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.