



City of Rusk
Municipal Election
May 6, 2023

CANDIDATE PACKET

Instructions, Information Forms and Guidelines

For electing a Mayor and two Council Members,
District 1 and District 2

1. Appointment of a Campaign Treasurer by Candidate (Form CTA)
 - This form is to be filed in the City Secretary's office at the same time as the Application for Place on Ballot. Must be filed before accepting contributions or making expenditures. A candidate who does not intend to accept more than \$940 in political contributions or make more than \$940 in political expenditures should sign Page 2 of the form declaring "Modified Reporting" thereby eliminating the pre-elections reporting requirements. NOTE: If you select "Modified Reporting" and later exceed \$940 in political contributions or expenditures, you must file Form C/OH Campaign Finance Reports according to the regular filing schedule. The CTA Instruction Guide is also included.
2. Application for a place on the General Election Ballot
 - The loyalty oath is included on this application and must be notarized. This form must be filed in the City Secretary's office no earlier than Wednesday, January 18, 2023, and no later than Friday, February 17, 2023, by 5:00 pm CST. Office hours are 7:30 a.m. – 5:30 p.m. Monday through Friday.
3. Code of Fair Campaign Practices (Form CFCP)
 - Voluntary Filing. Although not required, all candidates are encouraged to subscribe to the Code of Fair Campaign Practices.
4. Authorization to Release Email
 - This form is required to release the email address listed on your application for a place on the ballot.
5. Candidate/Officeholder Campaign Finance Report (Form C/OH)
 - Pre-election reports must be filed with the City Secretary on the 30th day before the election (April 6, 2023) and the 8th day before the election (April 28, 2023).
6. 2023 Texas Ethics Commission Filing Schedule
 - In this schedule you will find information regarding the May 6, 2023 election. Any questions on reporting procedures, contributions, or expenditures should be addressed to the Texas Ethics Commission at 512-463-5800.
7. Links to Helpful Resources:
 - [Election Calendar](#)
 - [Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities](#)
 - [A Guide to Becoming a City Official](#)
 - [Political Advertising – What You Need to Know](#)
 - [Prohibition Against Using Political Subdivision Resources for Political Advertising in Connection with an Election](#)
 - [Title 15, Election Code – Regulating Political Funds and Campaigns](#)
 - [TxDOT Campaign Sign Regulations](#)
 - [Conflict of Interest Questionnaire \(CIQ\)](#)
 - [Conflicts Disclosure Statement \(CIS\)](#)



January 14, 2023

Dear Prospective Candidate:

Thank you for your interest in becoming a candidate for the City Council of the City Rusk. On May 6, 2023, citizens of Rusk will be electing three citizens to serve as City Council members for Mayor and District 1 and District 2. The Mayor position is at-large and can be held by a qualified candidate. District 1 and District 2 are single members districts. Each member elected will serve a three-year term from May 2023 to May 2026.

Running for office encompasses a broad range of activities. The Secretary of State of Texas and the Texas Ethics Commission each regulate portions of the election process at the local level. It is your responsibility to familiarize yourself with the laws applicable to running for elective office.

The City Secretary's office has prepared this Candidate Packet with necessary forms, pertinent information, and basic instructions to assist you in completing your candidacy filing for the upcoming election. I encourage you to read this letter and the enclosed material carefully prior to filling out the forms.

Upon filing. All candidates will be provided a link to the Council Agenda Packet during the campaign period. These packets are delivered electronically (if you prefer a paper copy notify me) Monday prior to the Thursday Council meeting and can be downloaded from the City website at www.rusktx.org.

Please accept this letter as notification that we will hold the drawing for order of names on the ballot on Tuesday February 21 at 9:00 am in the City Secretary's office. As a candidate, you are invited and encouraged to attend this drawing.

As City Secretary, I will be happy to answer general questions regarding filing your application and due dates for reporting and filings. The Office of the City Secretary is specifically limited by law to the acceptance and filing of various applications, affidavits, statements, and reports, and noting the date and time of all such filings. These documents become public records upon filing and are available for public inspection.

You may direct specific legal questions to the office of the Secretary of State at 1-800252-VOTE (8683) or www.sos.state.tx.us, or the Texas Ethics Commission at 512-463-5800 or www.ethics.state.tx.us.

Best wishes with your campaign.

Sincerely,
Cinda Etheridge
City Secretary

First Steps for Candidates Running for a City Office

This quick-start guide for candidates seeking a city office is not intended to provide comprehensive information. For more details, including information on political advertising requirements, fundraising rules, and filing schedules, see the Texas Ethics Commission's (TEC) website at www.ethics.state.tx.us.

1. All candidates must file a Campaign Treasurer Appointment ([Form CTA](#)).

All candidates must file [Form CTA](#) even if you do not intend to raise or spend any money. [Form CTA](#) is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. File [Form CTA](#) with the city clerk or city secretary, as applicable.

2. Opposed Candidates: Will you accept or spend more than **\$940*** for the election?

- YES:

- You do not qualify to file on the modified reporting schedule.
- You are **required** to file pre-election campaign finance reports using [Form C/OH](#) if you have an opponent on the ballot. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
- Pre-election reports are due 30 days and 8 days prior to each election. To be timely filed, pre-election reports must be received by the city clerk or city secretary no later than the due date.

- NO:

- You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of [Form CTA](#). File [Form CTA](#) with the city clerk or city secretary.
- If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.

- Exceed \$940*: If you elect to file on the modified reporting schedule but later exceed \$940 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$940*.

- If you exceed \$940* on or before the 30th day before the election, you are **required** to file pre-election campaign finance reports due 30 days and 8 days prior to an election using [Form C/OH](#). To be timely filed, pre-election reports must be received by the city clerk or city secretary no later than the due date. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
- If you exceed \$940* after the 30th day before the election, you are **required** to file an Exceeded Modified Reporting Limit report using [Form C/OH](#). To be timely filed, this report must be filed with the city clerk or city secretary within 48 hours of exceeding \$940.* You must also file the pre-election report due 8 days prior to an election. Find [Form C/OH](#) and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage. If you exceed \$940* on or before the 8th day before the election, you are **required** to file a pre-election campaign finance report due 8 days prior to an election using [Form C/OH](#). To be timely filed, the pre-election report must be received by the city clerk or city secretary no later than the due date.

Find [Form C/OH](#) and its instructions on our “[Local Filers Non-Judicial Candidate/Officeholder](#)” webpage.

3. Unopposed Candidates.

If you do not have an opponent whose name will appear on the ballot in the election, you are an unopposed candidate and are not required to file pre-election campaign finance reports prior to that election.

4. All candidates must file semiannual campaign finance reports ([Form C/OH](#)).

All candidates are **required** to file semiannual reports using [Form C/OH](#) even if you have no campaign activity or were unsuccessful in the election. Semiannual reports are due on January 15th and July 15th and must be filed with the city clerk or city secretary. To end your filing obligations, you must cease campaign activity and file a Final report using [Form C/OH](#) and attaching Form C/OH-FR (Designation of Final Report). Form C/OH-FR is found on the last page of [Form C/OH](#). Find [Form C/OH](#) and its instructions on our “[Local Filers Non-Judicial Candidate/Officeholder](#)” webpage. For more information, see “[Ending Your Campaign](#)” for local filers.

5. All candidates can use the TEC’s Filing Application to prepare campaign finance reports ([Form C/OH](#)).

You can use the TEC’s [Filing Application](#) to prepare a PDF version of your campaign finance report ([Form C/OH](#)). Select “Local Authority” and follow the steps to set up an account and login to the application. Once you have completed your report, print out a copy, add your treasurer information, get it notarized, and file it with the city clerk or city secretary by the appropriate deadline.

6. Need More Information?

See the [Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities](#), forms, instructions, examples on how to disclose contributions and expenditures, political advertising and fundraising guides, and other information you may find useful on our website at www.ethics.state.tx.us under the “Resources” and “Forms/Instructions” main menu items.

***NOTE:** *The \$940 threshold is specific to transactions made in 2022.*

May 6, 2023 - Uniform Election Date

First Day to File Application for Place on Ballot, Local General Election (This is the 30 th day before the filing deadline)	Wednesday, January 18, 2023
Last Day for Filing Application for Place on Ballot, Local General Election	Friday, February 17, 2023 by 5:00 p.m.
Last Day for a Candidate to Withdraw	Friday, February 24, 2023 by 5:00 p.m.
Last Day to Register to Vote	Thursday, April 6, 2023
Due date for filing first report of campaign contributions and expenditures by opposed candidates (unless declared modified reporting) with the City Secretary	Thursday, April 6, 2023
First Day of Early Voting By Personal Appearance	Monday, April 24, 2023
Due date for filing second report of campaign contributions and expenditures by opposed candidates (unless declared modified reporting) with the City Secretary	Friday, April 28, 2023
Last Day of Early Voting By Personal Appearance	Tuesday, May 2, 2023
Election Day	Saturday, May 6, 2023

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1 Total pages filed:		
2 CANDIDATE NAME	MS / MRS / MR	FIRST	MI	OFFICE USE ONLY
	NICKNAME	LAST	SUFFIX	
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE			
	Date Received			
4 CANDIDATE PHONE	AREA CODE	PHONE NUMBER	EXTENSION	Receipt #
	()			Amount \$
5 OFFICE HELD (if any)				Date Processed
6 OFFICE SOUGHT (if known)				Date Imaged
7 CAMPAIGN TREASURER NAME	MS/MRS/MR	FIRST	MI	NICKNAME
			LAST	SUFFIX
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS; APT / SUITE #; CITY; STATE; ZIP CODE			
9 CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER	EXTENSION	
	()			
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p>			
	<p>_____</p> <p>Signature of Candidate</p>		<p>_____</p> <p>Date Signed</p>	
GO TO PAGE 2				

**CANDIDATE MODIFIED
REPORTING DECLARATION**

**FORM CTA
PG 2**

**11 CANDIDATE
NAME**

**12 MODIFIED
REPORTING
DECLARATION**

**COMPLETE THIS SECTION ONLY IF YOU ARE
CHOOSING MODIFIED REPORTING**

**•• This declaration must be filed no later than the 30th day before
the first election to which the declaration applies. ••**

•• The modified reporting option is valid for one election cycle only. ••
(An election cycle includes a primary election, a general election, and any related runoffs.)

**•• Candidates for the office of state chair of a political party
may NOT choose modified reporting. ••**

I do not intend to accept more than \$1,010 in political contributions or make more than \$1,010 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

Year of election(s) or election cycle to
which declaration applies

Signature of Candidate

This appointment is effective on the date it is filed with the appropriate filing authority.

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us
or mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

**Non-TEC Filers must file this form with the local filing authority
DO NOT SEND TO TEC**

For more information about where to file go to:
<https://www.ethics.state.tx.us/filinginfo/QuickFileAREport.php>

APPLICATION FOR A PLACE ON THE BALLOT FOR A GENERAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE <u>City of Rusk</u> GENERAL ELECTION BALLOT						
TO: City Secretary/Secretary of Board _____ (name of election)						
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.						
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)				INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED		
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*			
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)			
CITY	STATE	ZIP	CITY	STATE	ZIP	
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)		DATE OF BIRTH / /	VOTER REGISTRATION VUID NUMBER ² (Optional)	
TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____						
FELONY CONVICTION STATUS (You MUST check one)			LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN			
<input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³			IN THE STATE OF TEXAS _____ year(s) _____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED _____ year(s) _____ month(s)	
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.						
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."						
X _____						
SIGNATURE OF CANDIDATE						
Sworn to and subscribed before me this the _____ day of _____, _____, by _____.						
		(day)	(month)	(year)	(name of candidate)	
Signature of Officer Authorized to Administer Oath ⁴			Printed Name of Officer Authorized to Administer Oath			
			Notarial or Official Seal			
Title of Officer Authorized to Administer Oath						
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:						
<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.						
This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified						
_____/_____/_____		_____/_____/_____		(See Section 1.007)		
Date Received		Date Accepted		Signature of Filing Officer or Designee		

INSTRUCTIONS

An application for a place on the general election for a city, school district or other political subdivision, may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void. All fields of the application **must** be completed unless specifically marked optional.

For an election to be held on a uniform election date, the day of the filing deadline is the 78th day before Election Day.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to the officer, or to any other member of the governing body or court on which the officer serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at an election other than the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

FOOTNOTES

¹An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

²Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

³Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

One of the following documents must be submitted with this application.

Judicial Clemency under Texas Code of Criminal Procedure 42A.701

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

⁴All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.
- (2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.
- (3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.
- (4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.
- (5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.
- (6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.
- (7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

Signature

Date



Candidate Authorization Form to Release E-Mail Address

May 6, 2023, City of Rusk General Election

Candidate Name: _____

- On the "Application for a Place on the General Election Ballot" form, there is a box to list the candidate's e-mail address.
- Listing the e-mail address is indicated as an optional item to fill out.
- The application is subject to open records under the Public Information Act; however, personal e-mails are considered confidential.

By signing this acknowledgement form, the candidate is indicating their approval to release their e-mail address should they include it on the application form.

Acknowledged and approved to release:

Signature of Candidate

Date