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 member 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 1-800-252-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 30th 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**

See CTA Instruction Guide for detailed instructions.

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I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.

I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.

I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.

_________________________________________  ________________________________
Signature of Candidate                      Date Signed

GO TO PAGE 2

Forms provided by Texas Ethics Commission  www.ethics.state.tx.us  Revised 1/1/2023
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 OPTIONAL. Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE ______________ City of Rusk ______________ 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
[ ] FULL [ ] 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? (Optional)

TELEPHONE CONTACT INFORMATION (Optional)

Home:
Office:
Cell:

FELONY CONVICTION STATUS (You MUST check one)

☐ I have not been finally convicted of a felony.

☐ 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.\(^2\)

LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN

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 ____________________________.

(name of candidate)

Signature of Officer Authorized to Administer Oath\(^4\)

Printed Name of Office Authorized to Administer Oath

Notarized 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:

☐ CASH ☐ CHECK ☐ MONEY ORDER ☐ CASHIERS CHECK ☐ PETITION IN LIEU OF A FILING FEE.

This document and $_______ filing fee or a nominating petition of _____ pages received.

☐ 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

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

2 Inclusion 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

3 Proof 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

4 All 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 untrammeled 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 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