



City of Galveston

OFFICE OF THE CITY SECRETARY
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January 12, 2026

Dear Candidates and Officeholders:

Thank you for your interest in serving the citizens of Galveston. Should you decide to become a candidate, your candidacy requires compliance with certain state statutes and local ordinances. The City of Galveston is a municipal corporation that operates under its own charter and state law.

The General Election is scheduled for May 2, 2026, for the purpose of electing officers to the following positions:

- Mayor
- Council District 1
- Council District 2
- Council District 3
- Council District 4
- Council District 5
- Council District 6

Forms and information included in this packet are listed as follows:

- City Charter – Article II – The Council, and Article III - Elections
- Election Calendar
- Application for a Place on the Ballot (Form 2-49) and instructions
- Appointment of a Campaign Treasurer by a Candidate (Form CTA)
- Code of Fair Campaign Practices (Form CFCP)
- Campaign Finance Report (Form C/OH)
- Filing schedule for reports due in connection with Elections held on Uniform Election Dates

City Council meets generally once a month on the fourth Thursday of the month. Some months include two meeting dates, and special called meetings can also occur during the month as needed. All meetings are subject to the Open Meetings Act and the agenda must be posted 72-hours in advance of the meeting.

It is your duty to become familiar with the laws applicable to campaigning for office. Regarding the filing of candidate/officeholder reports, the City Secretary is limited to accepting the filing of the various reports, and noting the date and time of filing of the reports. Should you have any questions regarding reporting procedures, contributions, or expenditures, please call the Texas Ethics Commission at (800)325-5806 or (512)463-5800 or visit their website at www.ethics.state.tx.us.

You may direct questions about election laws to the Secretary of State-Election Division at (800)252-8683 or (512)463-5650, or visit their website at www.sos.state.tx.us. Please note that a copy of the current Texas Election Code can be found online.

Your interest in serving the Galveston community is appreciated. If I can be of further service to you, please let me know.

Sincerely,

Janelle Williams
City Secretary



PART I - CHARTER CITY OF GALVESTON, TEXAS¹¹

PREAMBLE

In order to establish a municipal government which will preserve and protect the God-given and lawful rights, and the equal status under the Constitution and laws of the United States and of the State of Texas of every individual, which will attract able and sincere persons to the public service, and which will protect our natural resources, and which will ensure the proper and efficient expenditure of the public funds, the people of this community, exercising their rights of self-government and affirming their beliefs in those principles do ordain these provisions for the Charter of this City.

(Ord. No. 91-95, § 3(1), 11-14-91; [Ord. No. 16-035, § 8, 5-17-16](#))

Footnotes:

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Editor's note— The Charter Commission elected on May 12, 1959, presented this Charter to the Board of Commissioners of the City of Galveston, Texas on January 28, 1960. At a special election held Tuesday, April 19, 1960, this Charter was adopted by a vote of 5,505 in favor and 4,803 against adoption.

State Constitution reference— Home rule cities, art. XI, § 5.

State Law reference— Adoption of home rule charts, Vernon's Ann. Civ. St. arts. 1165—117a—9.

ARTICLE I. - INCORPORATION, FORM OF GOVERNMENT, AND GENERAL POWERS

Section 1. Incorporation. The inhabitants of the City of Galveston, in Galveston County, Texas, within the corporate limits as now established and as hereafter extended, shall continue to be and are hereby constituted a municipal body politic and corporate, in perpetuity, under the name of "CITY OF GALVESTON", hereinafter referred to as the "City", and having such powers, privileges, rights, duties and immunities as are herein provided.

(Ord. No. 96-59, § 4, 6-16-96)

Section 2. Corporate Limits and Jurisdiction. The corporate limits of the City, and the authority and jurisdiction of the City, shall include and extend over all areas of land and water as set forth and described in the Act of the 28th Legislature of the State of Texas, granting a charter to this City (Special Laws, 28th Legislature, chapter 37), and over such other areas of land and water as have been added thereto by ordinance of this City heretofore enacted.

(Ord. No. 96-59, § 4, 6-16-96)

Editor's note— By subsequent annexation virtually all of Galveston Island which was unincorporated has been annexed into the city.

State Law reference— Boundary map, Vernon's Ann. Civ. St. art. 971a.

Section 3. Form of Government. The Municipal Government provided by this Charter shall be, and shall be known as, "Council-Manager Government." Pursuant to the provisions of, and subject only to the limitations imposed by, the State Constitution, the State Laws, and this Charter, all powers of the city shall be vested in an elective Council, hereinafter referred to as the "Council", which shall enact legislation, adopt budgets, determine policies, and appoint the City Manager who shall execute the laws and administer the Government of the City.

(Ord. No. 96-59, § 4, 6-16-96)

State Law reference— For authority of home-rule city to create a commission or other form of government, Vernon's Ann. Civ. St. art. 1175.

Section 4. General Powers of the City. The City is and shall continue to be a Home Rule City, with full power of local self-government, including the right to amend this Charter, as provided by the Constitution and laws of this State. It shall have all the powers granted to cities by the Constitution and laws of the State of Texas, together with all the implied powers necessary to carry into execution such granted powers. It may use a corporate seal; may sue and be sued; may contract and be contracted with; may cooperate with the government of the State of Texas or any agency or political subdivision thereof, or with the Federal government or any agency thereof, to accomplish any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety, and convenience of the City and its inhabitants; may acquire property within or without its corporate limits for any municipal purposes in fee simple, or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation, and subject to the provisions of this Charter, may sell, lease, mortgage, hold, manage, and control such property as may now or hereafter be owned by it; may pass ordinances and enact such regulations as may be expedient for the maintenance of the good government, order, and peace of the City, and the welfare, health, morals, comfort, safety and convenience of its inhabitants; and shall have and may exercise all municipal powers, functions, rights, privileges and immunities of every kind and nature whatsoever, subject only to the limitations imposed by the State Constitution, the State Laws, and this Charter. The enumeration of particular powers by this Charter shall not be deemed to be exclusive and, in addition to the powers enumerated or implied herein, it is intended that the City shall have and may exercise all powers that, under the Constitution and Laws of this State, it would be competent for this Charter specifically to enumerate.

(Ord. No. 96-59, § 4, 6-16-96)

State Law reference— Enumerated powers of home rule cities, Vernon's Ann. Civ. St. art. 1175.

Section 5. Streets and Public Property. The City shall have exclusive dominion, control and jurisdiction in, upon, over and under the public streets, sidewalks, alleys, highways, public squares and public ways within the corporate limits of the City, and in, upon, over and under all public property of the City. With respect to each and every public street, sidewalk, alley, highway, public square, public park, or other public way within the corporate limits of the City, the City shall have the power to establish, maintain, improve, alter, abandon or vacate the same; to regulate, establish, or change the grade thereof; to control and regulate the use thereof; and to abate and remove in a summary manner any encroachment thereon.

(Ord. No. 96-59, § 4, 6-16-96)

Section 6. Annexation of Territory. The Council may by ordinance annex additional territory lying adjacent to the City, with or without the consent of those inhabiting the territory annexed, and the corporate limits of the City shall thereupon include such additional territory.

(Ord. No. 96-59, § 4, 6-16-96)

Editor's note— The city has annexed virtually all of the unincorporated areas of Galveston Island.

State Law reference— Annexation, Vernon's Ann. Civ. Stat. art. 1182a.

ARTICLE II. - THE COUNCIL

Section 1. Number and Term of Office. The Council shall have seven (7) members, consisting of the Mayor and six (6) other Councilmembers who shall be elected in the manner provided by this Charter to serve for terms of two (2) years each, except as may otherwise be provided under Section 2 of Article III of this Charter.

(Ord. No. 63-13, § 2, 4-11-63; Ord. No. 77-25, § 3, 4-4-77; Ord. No. 91-95, § 3(2), 11-14-91; Ord. No. 96-59, § 5, 6-16-96)

Cross reference— Elections, Art. III.

State Constitution reference— Terms of office exceeding two (2) years authorized, Art. XI, § 11.

Section 2. Qualifications. At the time of election, each Councilmember shall be a qualified voter of the City of Galveston, and shall hold no other elective public office. A person elected to Council must have attained the age of eighteen (18) years of age. A person elected to Council who is employed by the City or any agency of the City will be separated from employment with the City or any agency of the City on the day the person takes office. Each Councilmember elected to represent a district shall have been domiciled and shall have had his or her principal physical residence in such district for a period of not less than one (1) year immediately preceding the Councilmember's election. The Mayor shall have been domiciled and shall have had his or her principal physical residence in the City for a period of not less than one (1) year immediately preceding the Mayor's election. For the purposes of this section, a person must meet all of the following to meet the requirement for a "principal physical residence", if applicable:

- (a) The person must use the residence address for voter registration and driver's license purposes;
- (b) The person must use the residence address as the person's home address on documents such as employment records, resumes, business cards, government forms, and loan applications;
- (c) The person must not claim a homestead exemption on any property other than the residence.

The requirements for eligibility to be a candidate for public office, set forth in the Texas Election Code, shall apply to candidates for Mayor and City Council unless superseded by this Charter, and in the event of such a conflict the provisions of the Charter shall apply to the extent allowed by law. If a Councilmember shall cease to possess any of these qualifications, or shall be convicted of a crime involving moral turpitude, the office of the Councilmember shall immediately become vacant.

(Ord. No. 77-25, § 3, 4-4-77; Ord. No. 91-95, § 3(3), 11-14-91; Ord. No. 96-59, § 5, 6-16-96; Ord. No. 98-33, § 4, 6-3-98; Ord. No. 98-66, § 2, 7-30-98; Ord. No. 12-009, § 2, 2-23-12; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 3. Vacancies. If a seat on the council becomes vacant, it shall be filled for the remainder of the unexpired term at a special election called for such purpose, unless the next regular City election is to be held within one hundred twenty (120) days from the time of such vacancy, and in that event the seat shall remain vacant until filled at such next regular election.

(Ord. No. 77-25, § 3, 4-4-77; Ord. No. 96-59, § 5, 6-16-96)

Section 4. Powers of the Council. All powers and authority that are expressly or impliedly conferred on or possessed by the City shall be vested in and exercised by the Council; provided that the Council shall not exercise those powers that are expressly conferred upon other City Officers by this Charter. Council

shall have authority to appoint the City Manager, the City Attorney, the City Secretary, City Collector of Taxes, the City Auditor, and Judge of the Municipal Court under this Charter.

(Ord. No. 96-59, § 5, 6-16-96; Ord. No. 98-33, § 5, 6-3-98; Ord. No. 98-66, § 3, 7-30-98; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 5. Investigative Powers of the Council. The Council shall have the power to inquire into the official conduct of any department, agency, office, officer, or employee of the City, and into any other matters of proper concern to the Municipal Government. For this purpose the Council shall have the power to administer oaths, subpoena witnesses, and to compel the production of books, papers, and other evidence material to the inquiry. The Council shall provide by ordinance penalties for contempt in failing or refusing to obey any such subpoena or to produce any such books, papers or other evidence, and shall have the power to punish any such contempt in the manner provided by this ordinance.

(Ord. No. 96-59, § 5, 6-16-96)

Section 6. Interference in Administrative Matters. Neither the Council nor any of its members shall direct or request the City Manager or any of the City Manager's subordinates to appoint or to remove from office or employment any person except a person whose office is filled by appointment of the Council under the provisions of this Charter. Except for the purpose of inquiry and investigation the Council and its members shall deal with the administrative services of the City solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately.

(Ord. No. 91-95, § 4(1), 11-14-91; Ord. No. 96-59, § 5, 6-16-96)

Section 7. Mayor and Mayor Pro Tem.

- (a) *Creation of the Office of Mayor, Qualifications, Term.* There is hereby established the office of Mayor of the City of Galveston, the incumbent of which shall possess the same qualifications as those prescribed in this Charter for a Councilmember. The Mayor shall be elected by the qualified electors of the City of Galveston in the manner as this Charter provides and shall serve for a term of two (2) years and until the Mayor's successor shall have been elected and qualified unless sooner removed as provided by this Charter.
- (b) *Mayor Pro Tem.* At the first regular meeting of the Council after the introduction of newly elected Councilmembers following each regular election of Councilmembers, the Council shall elect one of its members as Mayor Pro Tem who shall hold such office and title for a period of one year and until a successor Mayor Pro Tem is elected as provided herein. If the Mayor Pro Tem is unavailable, the Council may select one of its members to perform the function of Mayor Pro Tem during such time of unavailability.
- (c) *Disability of the Mayor.* If for any reason the Mayor is absent from the City, sick or unable to perform the duties of office, the Mayor Pro Tem shall act as Mayor and during such absence or disability, shall possess all of the powers and perform all of the duties of the Mayor.
- (d) *Vacancies.* If the Mayor shall cease to possess any of the qualifications required of the office or shall be convicted of a crime involving moral turpitude, the office shall immediately become vacant. In such case or in case of death, resignation or permanent disability of the Mayor, or whenever a vacancy in the office of the Mayor shall occur for any reason, the Mayor Pro Tem shall act as Mayor and shall possess all of the rights and powers of the Mayor and perform all of the duties under the official title, however, of "Mayor Pro Tem" until a Mayor shall have been elected in an election ordered by the Council to fill the vacancy in the office of the Mayor, such election to be called by the Council and held within thirty (30) days after the vacancy occurs or as soon thereafter as possible; provided, however, that no such election shall be called and the Mayor Pro Tem shall continue to act as Mayor if the next

regular city election is to be held within one hundred twenty (120) days after such vacancy in the office of the Mayor has occurred.

- (e) *Powers and Duties.* The Mayor shall preside at all meetings of the Council, shall be recognized as the head of the City's government for all ceremonial purpose and shall have the other special powers and duties expressly provided for the Mayor in this Charter but the Mayor shall have no other administrative powers or duties.

(Ord. No. 63-13, § 2, 4-11-63; Ord. No. 77-25, § 3, 4-4-77; Ord. No. 91-95, §§ 3(4), 4(2), 11-14-91; Ord. No. 96-59, § 5, 6-16-96; Ord. No. 98-33, §§ 6, 7, 6-3-98; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 8. Salaries. The members of the Council shall receive no salaries.

(Ord. No. 96-59, § 5, 6-16-96)

Section 9. Reserved.

Editor's note— [Ord. No. 16-035, § 8, adopted May 17, 2016](#), repealed § 9, in its entirety. Former § 9 pertained to "City Secretary," and was derived from Ord. No. 96-59, § 5, adopted June 16, 1996 and Ord. No. 98-33, § 5, adopted June 3, 1998.

Section 10. Meetings of the Council. The Council shall meet in regular session at the City Hall at least twice each month at such time as may be prescribed by Ordinance, unless otherwise ordered by the Council for reasons to be spread upon the Minutes. Special meetings of the Council shall be called by the City Secretary upon written request of the Mayor or of any two (2) members of the Council. Except as may be otherwise authorized under applicable provision of the Texas Open Meetings Act as it now exists or is hereafter amended, all meetings of the Council shall be open to the public.

(Ord. No. 77-25, § 3, 4-4-77; Ord. No. 91-95, § 3(11), 11-14-91; Ord. No. 96-59, § 5, 6-16-96)

State Law reference— Open meetings act, Vernon's Ann. Civ. St. art. 6252-17.

Section 11. Rules of Procedure. The Council shall by ordinance determine its own rules and order of business. Should the Council fail to establish rules of order of business by ordinance or in any case when such established rules of order do not speak to a particular question, Robert's Rules of Order, Revised, shall govern and establish the procedure under which all official sessions and meetings of the Council shall be conducted. All City boards, commissions, committees, or agencies of the City shall adhere to the same rules of order established by and for Council unless otherwise provided for by State law or City Ordinance. Provided nothing in Robert's Rules of Order, Revised, or in this Charter shall ever deprive the Mayor of the right to vote like other Councilmembers. Council shall be prohibited from adopting any rule of order in which an abstention from voting is counted as an affirmative or negative vote.

Four (4) or more Councilmembers shall constitute a quorum, but no action of the Council shall have any force or effect unless it is adopted by the favorable votes of four (4) or more of the Councilmembers. If an action fails for lack of four (4) favorable votes Councilmembers who voted for or against the action may have Council reconsider the action by placing it on the agenda for the next regularly scheduled meeting in accordance with rules for placing items on agendas. Minutes of all meetings shall be taken and recorded, and such minutes shall constitute a public record.

(Ord. No. 89-17, § 3(1), 1-26-89; Ord. No. 96-59, § 5, 6-16-96; Ord. No. 98-33, § 9, 6-3-98; Ord. No. 98-66, § 4, 7-30-98)

Section 12. Procedure to Enact Legislation. The Council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "Be it Ordained by the City Council of the City of Galveston." All ordinances shall be submitted to the City Attorney for the City Attorney's approval before adoption and unless approved by the City Attorney, in writing, the City Attorney shall file with the City Secretary the City Attorney's written legal objections thereto. Every proposed ordinance shall be in writing and shall be read, either in full or by descriptive caption, in open meeting before any vote is taken thereon, provided, however, that any proposed ordinance that is read by descriptive caption only shall be available for public inspection in the office of the City Secretary not less than seventy-two (72) hours prior to adoption. All ordinances, unless otherwise provided by law or this Charter or by the terms of such ordinance, shall take effect immediately upon the final passage thereof.

(Ord. No. 77-25, § 3, 4-4-77; Ord. No. 91-95, § 4(3), 11-14-91; Ord. No. 96-59, § 5, 6-16-96)

Section 13. Publication of Ordinances. The City Council shall by Ordinance prescribe the requirements for the publication of ordinances in conformity with the laws of the State of Texas.

(Ord. No. 91-95, § 3(7), 11-14-91; Ord. No. 96-59, § 5, 6-16-96; [Ord. No. 16-035, § 8, 5-17-16](#))

State Law reference— Publication of ordinances, V.A.T.C., Local Gov. Code § 52.011 et seq.

Section 14. Code of Ordinances. The Council shall have the power to cause all general ordinances of the City to be compiled and printed in code form, whenever the codification or recodification thereof is deemed desirable or required by law. When adopted by the Council, the printed codes of general ordinances so designated shall be in full force and effect without the necessity of such codes or any part thereof being published in any newspaper. A printed copy of the City's Code of Ordinances when authenticated by the City Secretary shall be admitted in evidence without further proof and shall be prima facie evidence in all courts of the existence and regular enactment of all ordinances therein set forth.

(Ord. No. 96-59, § 5, 6-16-96)

State Law reference— Ordinance codification, V.A.T.C., Local Gov. Code § 53.001 et seq.

Section 15. Emergency Powers. In the event of a disaster or emergency, the Mayor, or in the Mayor's absence or disability, the Mayor Pro Tem shall have all the emergency management powers and duties as authorized by State law. The Council shall by Ordinance provide for the designation of a member of Council who will have all the emergency management powers and duties as authorized by State law in the event of the absence or disability of both the Mayor and Mayor Pro Tem and provide authority of the Mayor Pro Tem or Council designee to exercise emergency powers shall cease when the Mayor ceases to be absent or disabled. The Ordinance will further make provisions for succession of government as well as the cessation of emergency powers.

(Ord. No. 91-95, § 4(4), 11-14-91; Ord. No. 96-59, 5, 6-16-96; Ord. No. 12-009, § 2, 2-23-12; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 16. Limitation on Number of Terms of Councilmembers. *Effective for the 2014 municipal election* and for all elections thereafter, a person who has served as Mayor for a total period of six (6) years or as a member of the City Council for six (6) years shall not again be eligible to serve in that office until at least six (6) years out of office have elapsed since the last term in office has ended. For purposes of this section, a person may in addition to serving six (6) years as a Councilmember also serve six (6) years as Mayor for a total of twelve (12) years, but will not be eligible to serve as a member of Council or as Mayor until at least six (6) consecutive years out of office have elapsed since the last term of office has ended.

Any amount of time for which a person fills a City Council vacancy shall not be counted towards the six (6) years in determining term limits.

(Ord. No. 77-25, § 3, 4-4-77; Ord. No. 91-95, § 3(5), 11-14-91; Ord. No. 96-59, § 5, 6-16-96; Ord. No. 12-009, § 2, 2-23-12; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 17. Limitation on employment. No member of the Council shall, during the time for which the member is elected or for two (2) years thereafter, be employed by either the Park Board or the Wharves Board.

(Ord. No. 12-009, § 2, 2-23-12; [Ord. No. 16-035, § 8, 5-17-16](#))

ARTICLE III. - ELECTIONS

Section 1. Calling and Regulating Elections. The Council shall by Ordinance call the regular City election at the time or times hereinafter provided, and may call such special elections as are authorized by the State Law and this Charter. All elections shall be held in accordance with the Laws of the State of Texas regulating the holding of Municipal Elections and in accordance with the ordinances adopted by the Council for the conduct thereof. The Council shall appoint the election judges and other election officials. Voting precincts shall be as established by ordinance and may be altered from time to time in like manner.

(Ord. No. 96-59, § 6, 6-16-96; Ord. No. 96-59, § 6, 6-16-96)

State Law reference— Time and place of elections, V.A.T.S. Election Code, title 4; election officers, V.A.T.S. Election Code, title 3.

Section 1a. Elections to Amend the Charter. An election to amend this Charter shall not be held more often than every two (2) years.

(Ord. No. 96-59, § 6, 6-16-96)

Editor's note— The above section 1a was created by an amendment approved by a vote of the electorate at the election held on April 7, 1979. The results were confirmed by Ord. No. 79-24, adopted April 9, 1979.

Section 2. Election of Mayor and Councilmembers.* The City shall be divided into six (6) districts. The Mayor shall be elected at large and all six (6) members of Council shall be elected from districts at a regular municipal election, to be held for such purpose on a date authorized by State law in May. In the event State law is amended to eliminate the May uniform election date, then the regular municipal election shall be held on a date set by the City Council that is permissible under State law.

- (a) It shall be the duty of the City Council to establish the boundaries of districts covering the entire City for the purpose of electing District Councilmembers. Such boundaries shall be established by Ordinance, which shall be final for the purposes of this Charter. Any subsequent establishment shall be made when required by this Charter. Except as changed hereby, all other provisions of the City Charter relating to elections of the members of the City Council shall remain unchanged.
- (b) Promptly following the addition of territory to the City by a boundary change, the City Council shall, by Ordinance, add such territory to an adjacent district or districts. The Mayor shall be elected at large and the Councilmembers shall be elected from districts. The districts from which Councilmembers shall be elected shall be designated by City Council as Districts 1, 2, 3, 4, 5,

and 6 according to the boundaries of these districts, as established by Ordinance, in accordance with this Section. At each election, candidates shall be voted upon and be elected separately for each Councilmember district.

- (c) Any qualified person who desires to become a candidate for the office of Mayor or Councilmember shall file with the City Secretary, in accordance with State law, a signed application for the candidate's name to appear on the ballot, specifying the office and position for which the candidate is filing. The order of the ballot of the names of the candidates for each office shall be determined by lot in a drawing to be held under the supervision of the City Secretary. Every qualified voter shall be entitled to vote for Mayor and for one (1) candidate for Councilmember who runs for the district in which the voter lives. The City Council shall be the judge of the election and qualifications of Councilmembers, subject to review by the courts in case of contest. Each district Councilmember shall be elected by the qualified voters of each respective district. The candidate for Mayor and the candidate for each Councilmember district who shall receive fifty (50) percent of the votes plus one (1) vote shall be declared elected in accordance with State law. A candidate for Mayor shall not be a candidate for Councilmember at the same election and a person may be a candidate for only one (1) Councilmember position or district at the same election.
- (d) All candidates elected at a municipal election shall, upon being sworn, take office immediately upon qualifying.

(Ord. No. 63-13, § 2, 4-11-63; Ord. No. 75-18, § 3, 4-10-75; Ord. No. 77-25, § 3, 4-4-77; Ord. No. 87-47, § 1, 9-3-87; Ord. No. 91-95, § 3(6), 11-14-91; Ord. No. 93-108, § 3, 11-11-93; Ord. No. 96-59, § 6, 6-16-96; Ord. No. 99-09 Exh. A(§ 1), 1-28-99; Ord. No. 02-033, § 1, 5-4-02; Ord. No. 04-028, § 2, 2-26-04; Ord. No. 12-009, § 2, 2-23-12)

Editor's note— See Appendix A.

Section 3. Canvassing Election and Declaring Results. The returns of every municipal election shall be delivered forthwith by the election judges to the City Secretary. The Council shall canvass the returns and declare the official results of the election in accordance with State law. The returns of every municipal election shall be recorded in the minutes of the Council, by precinct totals for each candidate or for or against each issue submitted.

(Ord. No. 96-59, § 6, 6-16-96)

Section 4. Notification and Qualification of Elected Officers. It shall be the duty of the City Secretary to promptly notify all persons elected. A member of the Council who is elected in a regular municipal election shall take office and enter upon the duties of office immediately after the election has been canvassed, or as soon thereafter as the person may qualify by taking and subscribing the person's oath of office. A member of the Council who is elected in a special election to fill a vacancy for an unexpired term shall take office immediately upon qualifying.

(Ord. No. 75-18, § 3, 4-10-75; Ord. No. 77-25, § 3, 4-4-77; Ord. No. 91-95, § 4(5), 11-14-91; Ord. No. 96-59, § 6, 6-16-96; Ord. No. 12-009, § 2, 2-23-12)

Section 5. Elections on Creation of Mass Transit Systems. The City Council shall call a public referendum before creating a mass transit system that requires the expenditure of local, state or federal funds by the City of Galveston. The definition of a mass transit system includes, but is not limited to trolley cars, heavy rail systems, or light rail systems.

(Ord. No. 87-5, § 1, 1-22-87; Ord. No. 96-59, § 6, 6-16-96)

Section 6. Elections on Privatizing the Sanitation Department. The City Council shall call a public referendum before privatizing the City sanitation department.

(Ord. No. 87-5, § 1, 1-22-87; Ord. No. 96-59, § 6, 6-16-96; Ord. No. 98-33, § 11, 6-3-98)

Section 7. Elections on Charging a Fee for Parking on Seawall Boulevard and Method of Collecting Such Fee. The City of Galveston shall have the authority to charge a fee for parking a motor vehicle on Seawall Boulevard in the amount of \$2.00 per hour, with a minimum purchase of 2 hours, and not to exceed \$16.00 per day, and an annual permit not to exceed \$45.00 between the hours of 10:00 a.m. and 6:00 p.m. daily, which shall be collected by a paid parking system, electronic means or annual permits issued at City Hall, the Park Board, or other designated locations, except during special events identified by ordinance. Such seawall parking proceeds shall be administered by the City and restricted to the following: 75% for funding seawall enhancements, including; but not limited to, lighting, bathrooms, showers, landscaping, maintenance, and litter control, which shall be funded through debt service or maintenance and operations; 15% being held in reserve for the replacement of capital improvements; and no more than 10% of the proceeds for administrative costs, all in accordance with a neighborhood parking and security plan and state law provisions governing the expenditure of beach user fees. This authorization is extended until December 31, 2029, unless otherwise renewed or amended by a majority of qualified voters.

(Ord. No. 04-035, § 2, 5-26-04; Ord. No. [11-036](#), 5-19-11; Ord. No. [19-030](#), 5-15-19)

ARTICLE IV. - INITIATIVE, REFERENDUM AND RECALL

Section 1. Power of Initiative. The people of the City shall have the power of direct legislation by initiative, and in the exercise of such power may propose any ordinance which is not in conflict with the laws of the State or the provisions of this Charter, except an ordinance concerned with the appropriation of money or the levy of taxes.

(Ord. No. 96-59, § 7, 6-16-96)

Section 2. Power of Referendum. The people of the City shall have the power to approve or reject in a referendum election any legislation, or portion of legislation, that has been enacted by the Council and that would be subject to the initiative process, excepting that an ordinance authorizing the issuance of tax or revenue bonds that has been approved by the voters in an election duly held for that purpose shall not be subjected to such referendum and provided further, that no election shall be called on the issue of casino gaming, unless casino gaming is first made legal under state law. This provision shall apply notwithstanding any other provision in this Charter.

(Ord. No. 89-17, § 3(2), 1-26-89; Ord. No. 96-59, § 7, 6-16-96; Ord. No. 98-33, § 12, 6-3-98)

Section 3. Requirements of Petition for Initiative or Referendum. Petitions to initiate proposed legislation not in conflict with existing State or federal law or for a referendum on legislation that has been enacted by the Council shall be signed by qualified voters of the City equal in number to at least ten (10) percent of all the qualified voters in the City. The petition to initiate legislation shall contain the full text of the proposed ordinance, which must be written by a licensed Texas attorney who must file the original copy of the proposed legislation with the City Attorney at least ten (10) days prior to the commencement of circulation or signing of the initiative petition, and the petition for a referendum shall contain at least the full descriptive caption of the ordinance on which a referendum is asked and the date of its enactment by the Council. Any petition for initiative or referendum must be presented to the Council, with the minimum number of signatures as required by this Charter, within one hundred twenty (120) days after any petition is first distributed to be signed. No signature to a petition shall be counted unless it is followed by the printed name of the signer, the printed street address of the signer, the signer's current voter registration

number as shown on the voter's registration certificate, the date the voter signed the petition, and the petition must also comply with any additional requirements prescribed by applicable State law. It shall not be necessary that a voter's registration number be in the signer's own handwriting. At the end of the petition there shall be a verification made by the person who has circulated the petition, sworn to before a Notary Public, that each signature appearing is the genuine signature of the person whose name purports to be signed to the petition, and was made in the presence of the person so verifying.

A petition to initiate legislation or for a referendum may consist of a number of separate petitions, which shall be counted together to determine the number of voters who have signed the petition, but each separate petition shall in that case fulfill all of the requirements as to form and verification.

(Ord. No. 89-17, § 3(3), 1-26-89; Ord. No. 96-59, § 7, 6-16-96)

Section 4. Suspension of Legislation Enacted by Council; Time for Filing Petitions. A petition to initiate proposed legislation may be submitted at any time excepting only that no ordinance shall be proposed by an initiative petition that is on the same subject as an ordinance so submitted and defeated at an election held within one year prior thereto. A petition for a referendum on legislation that has been enacted by the Council may be filed prior to or within thirty (30) days after the effective date thereof asking that such legislation either be repealed or submitted to the vote of the people. When such a petition has been received and is certified to be sufficient by the City Secretary the legislation concerned shall not go into effect, or its operation shall be suspended, until and unless it is approved by the voters in an election as herein provided. In the event a petition is not submitted prior to or within thirty (30) days after the effective date thereof, but is submitted within one hundred twenty (120) days as otherwise provided by this Charter, the operation of the legislation concerned shall not be suspended.

(Ord. No. 96-59, § 7, 6-16-96; Ord. No. 98-33, § 13, 6-3-98)

Section 5. Procedure after a Petition is Received. The petition to initiate legislation or for a referendum shall be filed with the City Secretary who shall within twenty (20) days thereafter determine whether the petition is sufficient in form and has been signed by the requisite number of qualified voters. If the petition is insufficient in form or signatures, the City Secretary shall notify the person who has filed the petition of the reason therefor, and an additional period of ten (10) days shall be allowed within which to file an amendment or supplement which will correct the deficiency. When a petition as originally filed, amended or supplemented, is found to be sufficient, the City Secretary shall certify to the Council at its next regular meeting.

When the Council receives a petition to initiate legislation which has been certified by the City Secretary to be sufficient, the Council shall either enact the legislation proposed within thirty (30) days thereafter or it shall submit the legislation proposed to a vote of the qualified voters of the City at the next permissible uniform election date, which is not less than forty-five (45) days after the date on which the election is required to be called.

When the Council receives a petition certified by the City Secretary to be sufficient, asking for a referendum on legislation which it previously enacted, it shall formally reconsider such legislation within thirty (30) days thereafter and if upon such reconsideration the legislation is not repealed submit that legislation to the qualified voters of the City, for approval or rejection, at a regular, or special election to be held on the next permissible uniform election date, which is not less than forty-five (45) days after the date on which the election is required to be called.

No legislation that has been initiated by petition and adopted at an election by the qualified voters shall be repealed within two (2) years thereafter, and no legislation enacted by the Council and thereafter rejected by the qualified voters in an election held on petition for referendum shall be re-enacted by the Council within two (2) years thereafter.

If conflicting ordinances should be approved by the qualified voters in the same election, whether submitted upon petition as authorized herein or by the Council on its own initiative, the one which receives the greatest number of affirmative votes shall prevail to the extent of such conflict.

(Ord. No. 89-17, § 3(4), 1-26-89; Ord. No. 91-95, § 3(8), 11-14-91; Ord. No. 96-59, § 7, 6-16-96)

Section 6. Power of Recall. The people of the City shall have the power to recall any elected officer of the City and may exercise such power by filing with the City Secretary a petition, signed by at least ten (10) per cent of qualified voters of the City for those elected officers who were elected at large or signed by at least ten (10) per cent of qualified voters of the district for those elected officers who were elected by district, demanding the removal of such officer. The petition shall be signed and verified, and the sufficiency of the petition in form and number of signatures shall be determined by the City Secretary and certified to the Council, all in the same manner as required for an initiative petition.

(Ord. No. 96-59, § 7, 6-16-96; Ord. No. 98-33, § 14, 6-3-98)

Section 7. Procedure for Recall. When the City Secretary shall have certified to the Council that a sufficient petition for recall has been received, the Council shall order an election to be held at the next permitted election date at which there shall be submitted to all qualified voters the question whether the designated elected officer of the city shall be removed from office. If a majority of the votes cast at this recall election shall be for the removal from office of the elected officer named on the petition and ballot, the office shall be immediately declared vacant, and shall be filled in accordance with the provisions of the Charter for the filling of vacancies. An elected officer who has been so removed from office shall not be eligible to succeed himself or herself.

(Ord. No. 89-17, § 3(5), 1-26-89; Ord. No. 96-59, § 7, 6-16-96)

Section 8. Limitations on Recall. No recall petition shall be filed against an elected officer within ninety (90) days after the officer has taken office, and no elected officer shall be subjected to more than one recall election during a term of office. A recall election need not be ordered by the Council if the term of office of the elected officer against whom a petition is filed is to expire within ninety (90) days after the petition is filed with the City Secretary.

(Ord. No. 91-95, § 4(6), 11-14-91; Ord. No. 96-59, § 7, 6-16-96)

Section 9. Referendum Required For Assuming Certain Debts. The City Council of the City of Galveston shall be prohibited from assuming the outstanding indebtedness of any political subdivision located wholly within the corporate limits of the City of Galveston without approval at an election of a majority of the qualified voters voting in such election of the City of Galveston.

(Ord. No. 73-17, § 3, 4-12-73; Ord. No. 96-59, § 7, 6-16-96)

Section 10. Drilling in Water Areas Prohibited. The City Council, its officers and employees are prohibited from authorizing any further drilling for oil or gas in water areas within the corporate limits of the City of Galveston until such time as a Master Plan for drilling, extraction, processing, and handling of hydrocarbons within the city limits is developed and approved by referendum of the voters of the City of Galveston.

(Ord. No. 73-17, § 3, 4-12-73; Ord. No. 77-25, § 3, 4-4-77; Ord. No. 96-59, § 7, 6-16-96)

Section 11. Payment of Election Costs. If an election under this Article IV is held on a date other than the date of an election called by the Council on another question or for the election of one or more Councilmembers, State law shall govern payment of the election costs.

(Ord. No. 89-17, § 3(6), 1-26-89; Ord. No. 96-59, § 7, 6-16-96)

ARTICLE V. - ADMINISTRATIVE ORGANIZATION

Section 1. Council Appointees. The Council shall appoint a City Manager, a City Attorney, a City Auditor, a City Secretary, a Collector of Taxes, and a Municipal Judge. Except for the City Manager, each may either be appointed for an indefinite term and be removed by majority vote of the entire membership of the Council, or at the Council's discretion may be appointed or contracted for a definite term not to exceed two (2) years. Provided, however, that no appointee be appointed nor awarded a contract sixty (60) days before any City Council election.

The action of the Council in suspending or removing an appointee shall be final. The compensation for an appointee shall be fixed by the Council. No member of the Council shall, during the time for which the member is elected or for two (2) years thereafter, be appointed to any of the positions set out above.

(Ord. No. 77-25, § 3, 4-4-77; Ord. No. 89-17, § 3(7), 1-26-89; Ord. No. 91-95, § 4(7), 11-14-91; Ord. No. 96-59, § 8, 6-16-96; Ord. No. 98-33, § 15, 6-3-98; [Ord. No. 16-035, § 8, 5-17-16](#))

Editor's note— [Ord. No. 16-035, § 8, adopted May 17, 2016](#), amended § 1, to read as set out herein. Previously § 1 was titled " The City Manager."

Section 1a. The City Manager. The Council shall appoint a City Manager, who shall be the chief administrative and executive officer of the City. The City Manager shall be chosen by the Council solely on the basis of administrative and executive training, experience and ability. The City Manager shall reside and be domiciled in the City no later than 90 days after the effective date of hire and shall continue to reside and be domiciled in the City while serving as City Manager.

The City Manager may either be appointed for an indefinite term and be removed by majority vote of the entire membership of the Council, or at the Council's discretion may be appointed or contracted for a definite term not to exceed two (2) years. Provided, however, that the City Manager shall not be initially appointed nor awarded an initial contract sixty (60) days before or after any City Council election. If the Council is renewing an appointment or contract of the person holding the position of City Manager, the sixty days constraint in the prior sentence does not apply.

The action of the Council in suspending or removing the City Manager shall be final. The compensation for the City Manager shall be fixed by the Council. No member of the Council shall, during the time for which the member is elected or for two (2) years thereafter, be chosen as City Manager.

([Ord. No. 16-035, § 8, 5-17-16](#))

Section 2. Powers and Duties of the City Manager. The City Manager shall be responsible to the Council for the proper administration of all the affairs of the City. The City Manager shall have power and shall be required to:

- (1) Appoint and remove any officers or employees of the City except those officers appointed by the Council as otherwise provided by law or this Charter.
- (2) Prepare the budget annually, submit it to the Council for approval, and be responsible for its administration after adoption.

(3) Keep the Council advised of the financial condition and administrative activities of the City, and make such recommendations as may seem desirable.

(4) Perform such other duties as may be prescribed by this Charter or required of the City Manager by the Council, not inconsistent with the provisions of this Charter.

(Ord. No. 91-95, § 4(8), 11-14-91; Ord. No. 96-59, § 8, 6-16-96)

Section 3. Administrative Departments. There shall be such administrative departments as are established by this Charter and as may be established by ordinance, and excepting where otherwise provided in this Charter, these administrative departments shall be under the control and direction of the City Manager. The Council may abolish or combine one or more of the departments created by it, and may assign or transfer the duties of any department to another department where not in conflict with other provisions of this Charter.

(Ord. No. 96-59, § 8, 6-16-96)

Section 4. Directors of Departments. At the head of each department there shall be a director who, unless otherwise provided in this Charter, shall be appointed, and may be removed, by the City Manager. Such directors shall have supervision and control over their respective departments, and may serve as chiefs of divisions within their respective departments. Two or more departments may be headed by the same individual, and the City Manager may head one or more departments.

(Ord. No. 96-59, § 8, 6-16-96)

Section 5. Departmental Organization. The work of each department shall be distributed among such divisions therein as may be established by ordinance. Pending the passage of ordinances establishing departmental divisions the City Manager may establish temporary divisions in any department.

(Ord. No. 96-59, § 8, 6-16-96)

Section 6. Department of Law. There shall be a Department of Law, the head of which shall be the City Attorney. The City Attorney shall be appointed by the Council, and shall be licensed to practice law in the State of Texas, and shall serve at the pleasure of the City Council. The City Attorney shall reside and be domiciled in the City no later than ninety (90) days after the effective date of hire and shall continue to reside and be domiciled in the City while serving as City Attorney.

The City Attorney shall be the legal advisor and attorney for all officers and departments of the City and shall represent the City in all litigation and proceedings, including the prosecution of cases before the Municipal Court. The City Attorney shall draft, approve, or file written legal objections to, every ordinance before it is acted upon by the Council, and shall pass upon all documents, contracts and legal instruments in which the City may have an interest.

There shall be such Assistant City Attorneys that may be authorized by the Council and appointed by the Council on the recommendation of the City Attorney. There shall be such other staff who shall be hired by and serve at the pleasure of the City Attorney. The Assistant City Attorneys may be authorized to act for and on behalf of the City Attorney in all matters wherein the City Attorney might act. The City Attorney or an Assistant City Attorney shall not engage in private practice while holding this office without first obtaining the approval from the City Council.

(Ord. No. 91-95, § 4(9), 11-14-91; Ord. No. 96-59, § 8, 6-16-96; Ord. No. 98-33, § 16, 6-3-98)

Section 7. City Secretary. The Council shall appoint the City Secretary, who shall serve at the pleasure of the Council. The City Secretary shall reside and be domiciled in the City no later than ninety (90) days after the effective date of hire and shall continue to reside and be domiciled in the City while serving as City Secretary. There shall be such Assistant City Secretaries as appointed by Council on the recommendation of the City Secretary. Any Assistant City Secretary shall serve at the pleasure of the City Secretary. There shall be such other staff who shall be hired by and serve at the pleasure of the City Secretary. The City Secretary shall keep the minutes and other records of the Council, shall receive service of civil process, and shall have such other duties and responsibilities as may be assigned by this Charter, City Ordinance and/or the Council.

[\(Ord. No. 16-035, § 8, 5-17-16\)](#)

Section 8. City Auditor. There shall be a qualified City Auditor who shall be appointed by the Council and be responsible directly to the Council. The City Auditor shall reside and be domiciled in the City no later than ninety (90) days after the effective date of hire and shall continue to reside and be domiciled in the City while serving as City Auditor. The City Auditor may be removed only by a majority of the City Council. The City Auditor shall have such duties, responsibilities and staff as determined by ordinance including the responsibility to conduct or cause to be conducted, financial, performance, investigative, and other audits following government auditing standards as promulgated by the Comptroller General of the United States. The City Auditor shall assist the City Council in establishing accountability and in improving City system and service delivery. There shall be such Assistant City Auditors as appointed by Council on the recommendation of the City Auditor. Any Assistant City Auditor shall serve at the pleasure of the City Auditor.

[\(Ord. No. 16-035, § 8, 5-17-16\)](#)

ARTICLE VI. - MUNICIPAL COURT^[2]

Section 1. Municipal Court. There shall be a Municipal Court of the City of Galveston, which shall have such jurisdiction, powers and duties as are given and prescribed by the Laws of the State of Texas.

(Ord. No. 96-59, § 9, 6-16-96)

State Law reference— Creation of court, Vernon's Ann. Civ. Stat. art. 1194.

Section 2. Judge of the Municipal Court. The Municipal Court shall be presided over by a Magistrate who shall be known as the Judge of the Municipal Court. The Municipal Judge shall be appointed by the City Council, and shall serve at the pleasure of the City Council. The person so appointed shall be a licensed attorney in the State of Texas and shall have been a resident of and domiciled in the City of Galveston for not less than three (3) years immediately prior to appointment and shall continue to reside and be domiciled in the City while serving as Municipal Court Judge. The Municipal Judge shall deal with the administrative services of Municipal Court solely through the Municipal Court Clerk or the City Manager. The term of the Municipal Judge's appointment shall be for two (2) years. In the event the Judge of the Municipal Court is unable to act for any reason, the Council shall appoint a qualified attorney to act in the Judge's place. The Judge, or anyone acting in the Judge's place, shall receive such compensation as may be set by the Council. The Council shall have the power to create and establish additional Municipal Courts, with the same or separate jurisdictions, and to appoint an additional Magistrate for each Court so established. The Municipal Court Judge shall not give orders to the Municipal Court Clerk or to any subordinates of City Manager.

(Ord. No. 91-95, § 3(9), 11-14-91; Ord. No. 96-59, § 9, 6-16-96; Ord. No. 98-33, § 17, 6-3-98)

Editor's note— In addition to altering the name, the proposition approved at the election of April 7, 1979, altered the term of the Judge.

State Law reference— Judge of the Municipal Court, Vernon's Ann. Civ. Stat. art. 1196.

Section 3. Clerk of the Municipal Court. There shall be a Clerk of the Municipal Court who shall be appointed by the City Manager for a term of two (2) years. The Clerk shall have the power to administer oaths, make certificates, affix the Seal of the Court thereto, and otherwise perform any and all acts necessary in issuing process of such Court and conducting the business thereof. Deputy Clerks shall be appointed as may be required and shall have authority to act for and on behalf of the Clerk of the Municipal Court in all matters wherein the Clerk might act. The Municipal Court Clerk shall be responsible for the receipt, disbursement and safekeeping of all funds received by the clerk's office in accordance with the directives of the Director of Finance.

(Ord. No. 91-95, § 3(10), 11-14-91; Ord. No. 96-59, § 9, 6-16-96)

Section 4. Remission of Fines. The Council in open meeting or the Judge of the Municipal Court in open court, and no other person, shall have the power to remit fines and penalties which have been imposed for the violation of penal ordinances of the City. Neither the Council, individual members of the Council nor any officer or employee of the City shall attempt to exert influence upon the Judge of the Municipal Court.

(Ord. No. 96-59, § 9, 6-16-96)

Footnotes:

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Editor's note— Article VI was amended by a proposition approved by the electorate on April 7, 1979. The election results were confirmed by Ord. No. 79-24, adopted April 9, 1979, so as to change the name from corporation court to municipal court.

State Law reference— Municipal court, Vernon's Ann. Civ. St. art. 1194 et seq.

ARTICLE VII. - FINANCE

Section 1. Department of Finance. There shall be a Department of Finance, the head of which shall be the Director of Finance, who shall be appointed by the city manager. The Director of Finance shall have knowledge of municipal accounting and finance and shall be otherwise qualified by experience or training for this position.

(Ord. No. 96-59, § 10, 6-16-96)

Section 2. Director of Finance. The Director of Finance shall supervise the Department of Finance and administer all the financial affairs of the City other than the assessment and collection of taxes. The Director of Finance shall be responsible for the receipt, disbursement and safe-keeping of all City funds, establish the accounting procedures to be used in all departments, and approve all expenditures to ensure that legal requirements have been met and the budget appropriations are not exceeded.

(Ord. No. 91-95, § 4(10), 11-14-91; Ord. No. 96-59, § 10, 6-16-96)

Section 3. Reserved.

Editor's note— [Ord. No. 16-035, § 8, adopted May 17, 2016](#), repealed § 3, in its entirety. Former § 3 pertained to " City Auditor," and was derived from Ord. No. 91-95, § 4(11), adopted November 14, 1991; Ord. No. 96-59, § 10, adopted June 16, 1996 and Ord. No. 98-33, § 18, adopted June 3, 1998.

Section 4. Accounting. Complete and accurate financial records and accounts shall be kept for every department, office and agency of the City and covering every receipt and expenditure of municipal funds. Such records and accounts shall be established and maintained according to standard and approved systems of accounting, and shall be designed to reflect as nearly as possible the cost of each service provided by the City, including the capital expenditures properly to be included therein.

(Ord. No. 96-59, § 10, 6-16-96)

Section 5. Fiscal Year. The fiscal year of the City shall begin on the first day of each October, and end on the last day of September in the succeeding calendar year.

(Ord. No. 96-59, § 10, 6-16-96)

Section 6. Preparation of the Budget. At least forty-five (45) days prior to the beginning of each fiscal year the City Manager shall submit to the Council a proposed budget, which shall include:

- (1) The anticipated revenues and the proposed expenditures for the year, in detail;
- (2) A statement of all capital projects proposed to be undertaken during the year, and the method of their financing;
- (3) A statement of the capital projects planned for the next succeeding five (5) fiscal years, with estimates of their costs. The budget shall be accompanied by a report from the City Manager, with supporting schedules and exhibits, setting forth a complete financial plan for operation of the City during the coming fiscal year, with suitable explanation of any major changes in the cost of operation or the financial policy.

(Ord. No. 89-17, § 3(8), 1-26-89; Ord. No. 96-59, § 10, 6-16-96)

Section 7. Public Hearings on Budget. When submitted to the Council the proposed budget and the budget message shall become a public record and sufficient copies shall be available for distribution to interested persons. A time and place for a public hearing on the budget shall be set by the Council and notice thereof shall be published in accordance with State law. The public hearing shall be held as required by State law. At such hearings, all interested persons shall be given the opportunity to be heard for or against any items of income or expenditure in the proposed budget, including the capital projects proposed to be undertaken.

(Ord. No. 89-17, § 3(9), 1-26-89; Ord. No. 96-59, § 10, 6-16-96; Ord. No. 98-33, § 19, 6-3-98; Ord. No. 98-66, § 6, 7-30-98)

Section 8. Approval of the Budget. After the public hearing thereon the Council shall approve and adopt the budget by the second regularly scheduled Council meeting in September, either in the same form as submitted by the City Manager or with such changes as the Council may find to be necessary or desirable. No budget shall be adopted or appropriation made unless the anticipated revenues for the fiscal year equal or exceed the authorized expenditures. The adoption of the budget shall require a favorable vote of at least a majority of all the members of the Council. In the event the budget has not

been adopted by the beginning of the fiscal year, the latest budget proposed by the City Manager shall take and remain in effect until the budget is finally adopted by the Council.

(Ord. No. 89-17, § 3(9), 1-26-89; Ord. No. 96-59, § 10, 6-16-96; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 9. Appropriations. No funds of the City shall be expended nor shall any obligation for the expenditure of money be incurred unless there is an appropriation therefor in the budget as duly adopted. Expenditures appropriated in anticipation of revenues from sale of capital assets or legal settlements shall be made only after actual receipt of those revenues. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the fund from which appropriated and may be re-appropriated by the Council. During the fiscal year the Council shall have the power to transfer any unencumbered appropriation balance or portion thereof from one office, department, or agency to another, at any time, and the City Manager shall have authority, without Council approval, to transfer appropriation, balances from one expenditure account to another within a single office, department, or agency of the City.

(Ord. No. 96-59, § 10, 6-16-96)

Section 10. Emergency Appropriations. (1) At any time in any fiscal year, the Council may, pursuant to this section, make emergency appropriations only in a case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention. Such appropriations shall be by ordinance adopted by the favorable vote of five members of the Council and shall be made only upon recommendation of the City Manager. The total amount of such emergency appropriations made in any fiscal year shall not exceed ten per centum of the tax levy for general purposes in that fiscal year. Should the unappropriated and unencumbered revenues, income and available funds of the City for such fiscal year be not sufficient to meet the expenditures under the appropriation authorized by this section, thereby creating a deficit, it shall be the duty of the Council to include the amount of such deficit in its budget and said deficit shall be paid off and discharged not later than thirty-six (36) months from the date the appropriation was made. If the Council amends the budget to meet an emergency, the Council shall file a copy of its ordinance in accordance with State law.

(2) At any time in any fiscal year, where the City has experienced a natural or man-made disaster that results in the issuance of a Proclamation of Public Disaster by the President of the United States or Governor of the Great State of Texas, the Council may make emergency appropriations to alleviate the effects of the natural or man-made disaster, and the limitations on the total amount of emergency expenditures set out in the preceding section shall not apply.

(Ord. No. 96-59, § 10, 6-16-96; Ord. No. 98-33, § 20, 6-3-98; Ord. No. 02-033, § 2, 5-4-02; Ord. No. 04-028, § 2, 2-26-04; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 11. Borrowing to Meet Emergency Appropriations. In the absence of unappropriated available revenues or other funds to meet emergency appropriations under the provision of the next preceding section, the Council may by resolution authorize the borrowing of money to meet such deficit by the issuance of notes, secured by ad valorem taxes which the City is authorized to levy in payment thereof, each of which shall be designated "Emergency Note" and may be renewed from time to time, but all such notes and any renewals thereof shall mature and be payable not later than thirty-six (36) months after which the emergency appropriation's debt was incurred, as provided in the last preceding section.

(Ord. No. 96-59, § 10, 6-16-96; Ord. No. 04-028, § 2, 2-26-04)

Section 12. Borrowing in Anticipation of Taxes. Except for borrowing to meet emergency appropriations, no loan shall be authorized or made to pay any deficiency arising from a failure to realize sufficient income from taxation to meet the amounts provided for in the budget, but the Council, during

any fiscal year, may borrow money for its use in anticipation of the receipt of taxes collected or to be collected during such fiscal year, and pledge, as security, the uncollected taxes for such fiscal year; provided, that any notes or other obligations issued hereunder shall mature and be payable not later than the end of the fiscal year in which issued.

(Ord. No. 96-59, § 10, 6-16-96; Ord. No. 04-028, § 2, 2-26-04)

Section 13. Depository and Withdrawals. All monies received by any person, department, or agency of the City for or in connection with affairs of the City shall be deposited promptly in the City depository or depositories, which shall be designated by the Council in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All checks, vouchers or warrants for the withdrawal of money from the City depositories shall be signed by the Director of Finance and countersigned by the City Manager or their designees. Provided, that the Council, under such regulations and limitations as it may prescribe, may by ordinance authorize the use of machine-imprinted facsimile signatures of said Directors of Finance and City Manager on such checks, vouchers, or warrants.

(Ord. No. 91-95, § 4(12), 11-14-91; Ord. No. 96-59, § 10, 6-16-96)

Section 14. General Obligation Bonds. The City shall have the power to borrow money on the credit of the City and to issue general obligation bonds for permanent public improvements or for any other public purpose not prohibited by the Constitution and Laws of the State of Texas, and to issue refunding bonds to refund outstanding bonds of the City previously issued. All such bonds shall be authorized and issued in conformity with the Laws of the State of Texas.

(Ord. No. 96-59, § 10, 6-16-96)

Section 15. Revenue Bonds. The City shall have power to borrow money for the purpose of constructing, purchasing, improving, extending or repairing public utilities, recreational facilities or any other self-liquidating municipal function not prohibited by the Constitution and Laws of the State of Texas, and to issue revenue bonds to evidence the obligation created thereby. Such bonds shall be a charge upon and payable solely from the properties, or interest therein, pledged, or the income therefrom, or both, and shall never be a debt of the City. All such bonds shall be authorized and issued in conformity with the Laws of the State of Texas.

(Ord. No. 96-59, § 10, 6-16-96)

Section 15a. Limitation on Borrowing. The City shall not borrow, or issue general obligation bonds, or any other instrument, or series of instruments to evidence the obligation created thereby unless first submitted to all of the qualified voters in the City for their approval at an election duly called and held for such purposes. This section shall not apply to borrowing to meet a natural or man-made disaster resulting in the declaration of a Proclamation of Public Disaster by the President of the United States or the Governor of the Great State of Texas, emergency appropriations, borrowing in anticipation of taxes, or borrowing as otherwise provided by the City Charter. This section shall not apply to refunding bonds of the City previously issued, so long as the issuance of refunding bonds does not result in a higher total expenditure by the City. This section shall not apply to revenue bonds or certificates of obligation which shall be issued in accordance with State law. Six (6) or more members of the Council must approve the issuance of revenue bonds or certificates of obligation.

(Ord. No. 89-17, § 3(10), 1-26-89; Ord. No. 96-59, § 10, 6-16-96; Ord. No. 98-33, § 21, 6-3-98; Ord. No. 02-033, § 3, 5-4-02; [Ord. No. 16-035, § 8, 5-17-16](#))

Editor's note— Section 15a was created by an amendment approved by the electorate on January 20, 1979. The election results were confirmed by Ord. No. 79-2, adopted January 22, 1979.

Section 16. Sale of Bonds. All bonds shall be sold in accordance with the laws of the State of Texas.

(Ord. No. 96-59, § 10, 6-16-96; [Ord. No. 16-035, § 8, 5-17-16](#))

Section 17. Purchase Procedure.

(1) All purchases made by the City, and contracts executed which will require the expenditure of City funds, shall be made pursuant to a requisition from the head of the office or department whose appropriation will be charged. No order shall be given, nor contract made, and neither shall be binding upon the City, unless the Director of Finance, or designee, shall have certified that there is to the credit of the budget appropriation to be charged a sufficient unencumbered balance to pay therefor.

(2) It shall be the policy of the City to obtain written competitive bids on purchases or contracts involving the expenditure of City funds, and such bidding shall be required when the amount involved is more than One Thousand Dollars (\$1,000.00). When bids are received the purchase or contract shall be awarded to the lowest and best bid excepting that the City shall reserve the right to reject any and all bids for cause stated.

(3) The Council may by ordinance confer upon the City Manager the power and authority to enter upon such purchases and contracts without further action of the Council where the expenditure is provided in the budget and does not exceed Fifteen Thousand Dollars (\$15,000.00). All other expenditures must have the express approval of the Council, in advance. In the event of a declared local state of disaster or emergency, the City Manager shall have the authority to enter upon purchases and contracts in an amount not to exceed ten (10) percent of the City's current annual budget in accordance with state and federal procurement laws, provided a quorum of Council is unable to be present at a meeting.

(4) Contracts for supplies, equipment or contractual services to be furnished the City shall only be made upon competitive bidding and the period of such contracts may not exceed thirty-six (36) months unless a longer term, not to exceed 60 months, is approved by five members of City Council.

(5) The requirement of competitive bidding shall not extend to contracts for personal or professional services.

(6) The requirement of competitive bidding shall not apply to purchases made at publicly advertised auctions if the items purchased do not exceed Ten Thousand Dollars (\$10,000.00) each, and items may be purchased at such auctions for amounts in excess of Ten Thousand Dollars (\$10,000.00) with the prior approval of the Council.

(Ord. No. 89-17, § 3(11), 1-26-89; Ord. No. 96-59, § 10, 6-16-96; Ord. No. 98-33, §§ 22, 23, 6-3-98; Ord. No. 02-033, § 4, 5-4-02; Ord. No. 12-009, § 2, 2-23-12)

Section 18. Independent Audit. At the close of each fiscal year the Council shall cause an independent audit to be made of all accounts of the City by a Certified Public Accountant. Upon completion of this audit it shall be filed in the office of the City Secretary as a public record.

(Ord. No. 96-59, § 10, 6-16-96; Ord. No. 98-33, § 24, 6-3-98)

Section 19. Limitation on Expenditures. The Council shall not approve a budget that exceeds more than seven (7) per cent of the budget of the prior fiscal year as to total expenditures for any and all purposes excluding expenditures related to bond funded projects, grant funded programs, trust and

agency funds, internal services fund expenditures, and any capital improvement funds appropriated in the previous fiscal year that have not been expended.

(Ord. No. 96-59, § 10, 6-16-96; Ord. No. 04-028, § 2, 2-26-04; Ord. No. 12-009, § 2, 2-23-12)

Editor's note— Section 19 was created by an amendment approved by the electorate on January 20, 1979. The election results were confirmed by Ord. No. 79-2, adopted January 22, 1979.

Section 20. Capital Improvement and/or Debt Service Account. The City shall create a "Capital Improvement and/or Debt Service Account" allocating an equivalent of 1% of the General Fund Operating Budget ("annual allocation") to such an account beginning in fiscal year 2013 and an additional 1% in each successive fiscal year thereafter until the cumulative annual allocation to the account reaches a minimum of 8% of the total General Fund Operating Budget, for either Capital Improvements or Debt Service in every year, and each year thereafter allocate at least 8% of the total General Fund Operating Budget to such account, subordinate to any deficiency in the emergency 90-day minimum reserve. For purposes of this section "Capital Improvements" shall be defined as projects above \$100,000.00.

(Ord. No. 12-009, § 2, 2-23-12)

ARTICLE VIII. - TAXATION

Section 1. Department of Taxation. There may be a department of taxation, the head of which shall be the City Collector of Taxes. The Collector of Taxes shall be appointed by the Council and shall be responsible for the collection of all taxes levied by the City of Galveston. In addition the Collector of Taxes may be made responsible for the assessment and collection of taxes levied by a School District, Navigation District, Water Control and Improvement District or other political subdivisions, if the Council has by contract with such other political subdivision so provided. Instead of creating a department of taxation and appointing a City Collector of Taxes, the City may contract to have another government entity or agency, who is qualified to perform either the collection and appraisal functions, assess or collect taxes hereunder in accordance with the requirements of the Texas Tax Code and other applicable laws.

(Ord. No. 89-17, § 3(12), 1-26-89; Ord. No. 91-95, § 4(13), 11-14-91; Ord. No. 96-59, § 11, 6-16-96)

Section 2. Powers of Taxation. In order to carry out its municipal purposes, the City shall have the power to levy, assess, and collect taxes of every character and type as now or hereafter authorized by the Constitution and Laws of the State of Texas. Provided, however, that until otherwise authorized by the amendment of this Charter the power of the City to levy an annual ad valorem tax upon taxable property situated within its corporate limits shall include only the following:

(1) A tax at a rate not to exceed Seventy Cents (\$0.70) on each \$100.00 of assessed valuation for general operating expenses; and for the City's contributions toward the retirement or disability pensions of City employees; and for payment on the interest on and provide for the sinking fund required by law for all outstanding general obligation bonds of the City; and at the discretion of City Council for the employment of a municipal band.

(2) Effective January 1, 1979, for the conduct, maintenance, improvement and extension of Rosenberg Library, a tax rate which will yield that amount which would be derived by the levy of a Five Cent (\$0.05) tax, or at the discretion of the City Council, an additional amount up to a maximum total of an Eight Cent (\$0.08) tax, per \$100.00 of assessed valuation based upon a one hundred (100) per cent assessment ratio.

(Ord. No. 75-18, § 3, 4-10-75; Ord. No. 79-24, § 3, 4-9-79; Ord. No. 89-17, § 3(13), 1-26-89; Ord. No. 96-59, § 11, 6-16-96; Ord. No. 98-33, § 25, 6-3-98; Ord. No. 98-66, § 7, 7-30-98)

State Constitution reference— Tax rate limited, Const., art. 8, § 9, art. 11, § 5; license fees limited, Const., art. 8, § 1.

Editor's note— The property subject to taxation is now controlled by V.A.T.C., Property Tax Code, § 11.01.

State Law reference— Tax for airport purposes, Vernon's Ann. Civ. St. art. 46d-8.

Section 2(a) Tax on Occupants of Hotel Rooms. The City Council may impose on the occupants of hotels, as that term is defined by State law, a tax as permitted by State law on the amount paid for rooms; and may provide for the collection, on behalf of the City, of such tax by the operator of the hotel from the occupant of the room, and transmittal of the proceeds of the tax to the City. The proceeds of any such tax levied at the rate of 3%, after the expense of collection, shall be appropriated by the city for the use by the beach park board of trustees for the purpose of advertising and promoting the city's recreational advantages and advertising and promoting recreational facilities under the board's supervision and control; provided, however, that no portion of the tax levied at the rate of 3% for advertising and promoting the city's recreational advantages and advertising and promoting recreational facilities shall be used by the beach park board of trustees for capital improvements nor shall such proceeds ever be pledged as security for a bond issue.

(Ord. No. 96-59, § 11, 6-16-96; Ord. No. 98-33, § 26, 6-3-98; Ord. No. 98-66, § 8, 7-30-98)

Editor's note— Section 2(a) of Article VIII of the Charter was adopted at a regular city election held April 11, 1967. The election results were confirmed by Ord. No. 67-23, § 3, adopted April 20, 1967.

Section 2(b) Limitation on Taxation. The City Council shall not make, permit, or approve any increase in ad valorem taxes on any taxable property in the City in any one year exceeding five (5) per cent of the City's immediate prior year's ad valorem tax, subject, however, to the total tax limitation in the City Charter. Such five (5) per cent limitation shall not prevent increased market valuation and taxation of taxable property when subsequent improvements are made. Provided further; that the proceeds of the one-half of one per cent ($\frac{1}{2}\%$) sales tax adopted by the City shall be used to reduce the ad valorem tax rate on the basis of one dollar for each dollar received from the additional sales tax based on the sales tax received by the City from the most recent twelve month period that ends on June 30th to the extent required by Article VIII, Section I and Article VII, Section 19, of this Charter. This limitation shall not prevent increased market valuation and taxation of taxable property when subsequent improvements are made.

(Ord. No. 89-17, § 3(14), 1-26-89; Ord. No. 96-59, § 11, 6-16-96; Ord. No. 02-033, § 6, 5-4-02)

Editor's note— Section 2(b) was created by an amendment approved by the electorate on January 20, 1979. The election results were confirmed by Ord. No. 79-2, adopted January 22, 1979.

Section 3. Appraisal of Property for Tax Purposes. All property real, personal or mixed, having a situs within the corporate limits of the City of Galveston on January 1st of each year, not expressly exempted by law, shall be subject to taxation by the City of Galveston for such year. If the State requires appraisals of property, those appraisals will be made in accordance with State laws.

(Ord. No. 89-17, § 3(15), 1-26-89; Ord. No. 96-59, § 11, 6-16-96)

State Law reference— Tax assessment, Vernon's Ann. Civ. St., art. 7181a et seq.; listing of property for taxation, Vernon's Ann. Civ. St., art. 7151.

Section 4. Tax Payments. All taxes due the City of Galveston shall be payable at the office of the City Tax Collector in accordance with State law. The City shall assess penalties and interest in accordance with State law.

(Ord. No. 89-17, § 3(17), 1-26-89; Ord. No. 96-59, § 11, 6-16-96)

Section 5. Tax Liens and Liabilities. All property, real, personal and mixed, situated in the City of Galveston on the 1st day of January of each year shall stand charged with a special lien in favor of the City from said date for the taxes due thereon. The liens provided herein shall be superior to all other liens, excepting where otherwise provided by law, regardless of when such other liens were created. All persons purchasing any of said property after the 1st day of January of any year shall take the same subject to the liens herein provided. In addition to the liens against property as herein provided, the owner on the 1st day of January of any year of property subject to taxation by the City shall be personally liable for taxes due thereon for such year. The City shall have the power to sue for and recover personal judgement for taxes without foreclosure, or to foreclosure its lien or liens, or to recover both personal judgement and foreclosure. In any such suit where it appears that the description of any property in the City tax rolls is insufficient to identify such property, the City shall have the right to plead a good description of the property intended to be assessed, to prove the same, and to have its judgement foreclosing the tax lien or for personal judgement against the owner for such taxes.

(Ord. No. 89-17, § 3(18), 1-26-89; Ord. No. 96-59, § 11, 6-16-96)

Sections 6 and 7. Reserved.

Editor's note— Former § 6, tax liens and liabilities, has been amended and renumbered as § 5. Former § 7, joint interest in property, has been repealed in its entirety. The aforesaid amendments were enacted by Ord. No. 89-17, § 3(18), (19), adopted January 26, 1989.

Section 8. Arrears of Taxes Offset to Debt Against City. The City shall be entitled to counterclaim and offset against any debt, claim, demand or account owed by the City to any person, firm or corporation that is in arrears to the City of Galveston for taxes, in the amount of taxes so in arrears, and no assignment or transfer of such debt, claim, demand or account after the said taxes are due, shall affect the right of the City to so offset the said taxes against the same.

(Ord. No. 96-59, § 11, 6-16-96)

Section 9. Disposition of Unappropriated Delinquent Taxes. The Council shall be authorized to appropriate all delinquent taxes against which no demands are outstanding, and after the purposes for which said taxes were levied have been fulfilled and satisfied, to any proper municipal purpose, and the Council shall be empowered at the end of the fiscal year to declare such residue of all said delinquent taxes a surplus fund, and to direct that the same when collected be carried as a surplus account subject to the further appropriation by said Council for proper municipal purposes.

(Ord. No. 96-59, § 11, 6-16-96)

ARTICLE IX. - PERSONNEL

Section 1. Appointments and Promotions. Appointments and promotions in the administrative service of the City shall be made according to merit and fitness, to be ascertained so far as practicable, by competitive examination. To carry out this purpose the Council shall be empowered to provide by ordinance a system for the classification of employees and rules for the appointment and promotion of employees within such classifications.

(Ord. No. 96-59, § 12, 6-16-96)

Section 2. Classified Service. No officer, employee, member of a board, or other person, who is to be appointed by the Council under this Charter, and no department head, shall be included within the classified service of the City, but all other persons in the administrative services of the City shall be included therein unless specifically excluded therefrom by the ordinance providing for a system of classified services.

(Ord. No. 96-59, § 12, 6-16-96)

Section 3. Prohibited Acts. (a) No person appointed by the Council to any board, commission, committee, or agency of the City and no person employed in the administrative service of the City, or who seeks an appointment thereto, shall be appointed, promoted, reduced, removed, or in any way favored or discriminated against because of sex, race or political or religious opinions or affiliations.

(b) No paid appointive officer or employee of the City shall continue in such position after becoming a candidate for nomination or election to any public office.

(c) No appointive officer or employee of the City shall make a contribution to the campaign fund of any person seeking election to a City office or to any political party supporting a candidate for election to a City office, nor shall the officer or employee be solicited for this purpose, but the right to express an opinion or cast a vote as a citizen shall not be limited.

(d) No person seeking appointment to or promotion in the administrative service of the City shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for or on account of or in connection with the appointment or promotion, or any examination conducted therefor.

(e) Any person who either alone or with others willfully violates any provision of this section shall be ineligible for appointment or election to a position in the City for a period of four years, and if the person is an officer or employee of the City the person shall immediately forfeit the office or position he or she holds.

(Ord. No. 89-17, § 3(20), 1-26-89; Ord. No. 91-95, § 4(14), 11-14-91; Ord. No. 96-59, § 12, 6-16-96; Ord. No. 12-009, § 2, 2-23-12)

Section 4. Employee Pensions and Insurance. All rights and obligations under any plan for the payment of retirement benefits, pensions, or disability benefits to any City employee which is in force upon the effective date of this Charter shall be unaffected by the adoption thereof. The Council shall have the power, in its discretion and subject to such regulations and limitations as it may deem proper, to create, operate, and contract plans or insurance which will provide health, life, accident, medical and hospital benefits, or any of these, for all or any group of City employees, and to pay or contribute toward the cost of such plan or insurance out of funds available for that purpose.

(Ord. No. 96-59, § 12, 6-16-96)

Cross reference— Taxation for pension plans, Art. VIII, § 2(e)(5).

Section 5. Reserved.

Editor's note— Section 5 of Article IX was repealed by approval of Proposition 5 at a city charter amendment election held April 8, 1968. The results of the election were confirmed by Ord. No. 69-35, enacted April 17, 1969. Section 5 which pertained to wages and compensation of the police and fire department, was adopted at an election held April 11, 1967, the results being confirmed by Ord. No. 67-23 enacted April 20, 1967.

ARTICLE X. - PLANNING

Section 1. Organization. There shall be established a Planning Commission that shall consist of seven (7) citizens of the City of Galveston. The City Council shall appoint one of its members to serve as ex-officio to the Commission. Ex-officio members shall not have the power to vote. The members of said commission shall be appointed by the Council for a terms [term] of three (3) years, except that of the seven (7) members first appointed two (2) shall be appointed for a term of one (1) year, two (2) for a term of two (2) years, and three (3) for a term of three (3) years. Such appointees shall serve without compensation and may not hold any elective office of the State of Texas or any political subdivision thereof. The Commission shall elect a chairman from among its official members and shall meet not less than once each month. A vacancy in an unexpired term shall be filled by the Council for the remainder of the term.

(Ord. No. 96-59, § 13, 6-16-96; Ord. No. 02-033, § 7, 5-4-02)

Section 2. Powers and Duties. The Planning Commission shall have the following powers and duties:

- (1) Make, amend, extend, or add to a Master Plan for the physical development of the City;
- (2) Recommend to the Council approval or disapproval of proposed changes in the zoning plan;
- (3) Approve or disapprove the platting or subdividing of land within the corporate limits of the City and within adjacent areas as permitted by law;
- (4) Reserved;
- (5) Require information from the other departments of the City government in relation to its work;
- (6) Reserved;
- (7) Recommend to the Council approval or disapproval of plans for slum clearance, public housing, and urban re-development and renewal projects.

The Commission shall be responsible to and act as an advisory body to the Council on all other appropriate matters and shall perform such additional duties and exercise such additional powers as may be prescribed by ordinance of the Council not inconsistent with the provisions of this Charter.

(Ord. No. 96-59, § 13, 6-16-96; Ord. No. 04-028, § 2, 2-26-04)

State Law reference— Zoning, generally, Vernon's Ann. Civ. St. art. 1011a et seq.

Section 3. Director of Planning. There shall be a Director of Planning who shall be appointed by the City Manager, and who shall be qualified by special training and experience in the field of City Planning. The Director of Planning shall serve as the regular technical adviser of the Planning Commission, shall have the status of a director of a department, and shall have such other duties and responsibilities as the City Council may establish.

(Ord. No. 96-59, § 13, 6-16-96)

Section 4. The Master Plan. The Master Plan for the overall physical development of the City shall contain the commission's recommendations for growth, improvement and beautification of the City. A copy of the Master Plan, or any part thereof, shall be forwarded to the City Manager who shall thereupon submit such plan or part, thereof, to the Council with the City Manager's recommendations thereon. The Council may adopt this plan as a whole or in part, and may adopt any amendment thereto, after at least one public hearing on the proposed action. The Council shall act on such plan, or part thereof, within sixty (60) days following its submission by the City Manager. If such plan, or part thereof, should be rejected by the Council, the Planning Commission may modify such plan, or part thereof, and again forward it to the City Manager for submission to the Council. All amendments to the Master Plan recommended by the Planning Commission shall be submitted in the same manner as that outlined above to the Council for approval, and all recommendations to the Council from any City department affecting the Master Plan must be accompanied by a recommendation from the Planning Commission.

(Ord. No. 91-95, § 4(15), 11-14-91; Ord. No. 96-59, § 13, 6-16-96)

Section 5. Legal Effect of Master Plan. Upon adoption of the Master Plan by the Council, no subdivision, street, park, nor any public way, ground or space, public building or structure and no public utility, whether publicly or privately owned that is in conflict with the Master Plan, shall be constructed or authorized by the City until and unless the location and extent thereof shall have been submitted to and approved by the Commission. In case of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule such disapproval and upon such overruling the Council or the appropriate office, department, or agency shall have power to proceed. The widening, narrowing, relocation, vacating or change in the use of any street or watercourse, or other public way or ground or the sale of any public building or real property shall be subject to similar submission and approval, and failure to approve may be similarly overruled by the Council. The failure of the Commission to act within thirty (30) days after the date of official submission to the Commission shall be deemed approval, unless a longer period be granted by the Council or the submitting official.

(Ord. No. 96-59, § 13, 6-16-96)

ARTICLE XI. - FRANCHISES AND PUBLIC UTILITIES

Section 1. Inalienability of Public Property. The right of control and use of the public streets, highways, sidewalks, alleys, parks, public squares, waterways, public places, and other real property of the City is hereby declared to be inalienable by the City, except by ordinances not in conflict with the provisions of this Charter. No act or omission by the Council or any officer or agent of the City shall be construed to grant, renew, extend, or amend by estoppel or indirection any right, franchise or easement affecting said public streets, highways, sidewalks, alleys, parks, public squares, waterways, public places and other real property.

(Ord. No. 96-59, § 14, 6-16-96)

Section 2. Power to Grant Franchise. The Council shall have the power by ordinance to grant, renew, and extend all franchises of all public utilities of every character operating within the City, and, with

consent of the franchise holder, to amend the same. No franchise shall be for a term of more than fifty (50) years from the date of its grant, renewal or extension.

(Ord. No. 96-59, § 14, 6-16-96)

Section 3. Ordinance Granting Franchise. Every ordinance granting, renewing, extending or amending a public utility franchise shall be read at three regular meetings of the Council, and shall not be finally acted upon until thirty (30) days after the first reading thereof. Within five (5) days following each of the three readings of the ordinance, the full text thereof shall be published one time in the official newspaper of the City, and the expense of the such publication shall be borne by the prospective franchise holder. No such ordinance shall become effective until the expiration of sixty (60) days following the date of its final adoption by the Council, and every such ordinance shall be subject to the referendum procedures provided by State Law and this Charter.

(Ord. No. 96-59, § 14, 6-16-96)

Section 4. Transfer of Franchise. No public utility franchise shall be transferred by the holder thereof, except with the approval of the Council expressed by ordinance; provided, however, that such approval of the Council shall not be withheld with respect to a transfer of a franchise incident to the creation or foreclosure of a mortgage, or other instrument of security, executed in good faith for the purpose of financing or refinancing the public utility operations of the franchise holder.

(Ord. No. 96-59, § 14, 6-16-96)

Section 5. Regulation of Franchise. Every public utility franchise, whether so provided therein or not, shall be subject to the right of the Council:

- (1) To forfeit any such franchise by ordinance at any time for failure of the holder thereof to comply with the terms of the franchise, such power to be exercised only after notice and hearing, and a reasonable opportunity to correct the default.
- (2) To impose reasonable regulations to insure safe, efficient and continuous service to the public.
- (3) To require such expansion and extension of plants and facilities as are reasonably necessary to provide adequate service to the public.
- (4) To require every franchise holder to furnish to the City, without cost to the City, full information regarding the location, character and extent of all facilities of such franchise holder in, over and under the streets, alleys, and other public property of the City, and to regulate and control the location, relocation, and removal of any part of such facilities whenever required in the public interest.
- (5) To collect from every public utility operating in the City such proportion of the expense of excavating, grading, paving, repaving, constructing, reconstructing, draining, repairing, maintaining, alleys, bridges, culverts, viaducts and other public places of the City as represents the increased cost of such operations resulting from the occupancy of such public places by such public utility, and such proportion of the costs of such operations as results from the damage to or disturbance of such public places caused by such public utility, or to compel such public utility to perform, at its own expense, such operations as above listed that are made necessary by the occupancy of such public places by such utility or by damage to or disturbance of such public places caused by such public utility.
- (6) To require every franchise holder to allow other public utilities holding a franchise from the City to use its tracks, poles, or other facilities, including bridges and viaducts, wherever in the judgement of the Council such use shall be in the public interest, provided that in such event a reasonable compensation shall be paid such owner of facilities for such use. Provided further, that inability of such public utilities to

agree upon the compensation to be paid for use of such facilities shall not be an excuse for failure to comply with such requirement by the Council.

(7) (a) To require the keeping of accounts in such form as will accurately reflect the cost of the property of each franchise holder which is used and useful in rendering its service to the public and the expense, gross receipts and profits of all kinds of such franchise holder; provided, however, that any utility which keeps its books in accordance with a standard system of accounts or those prescribed by a Federal or State regulatory agency will be considered to have complied with any Council order passed under this section.

(b) To examine and audit at any time during business hours the accounts and other records of any franchise holder relevant to the City's right of regulation.

(c) To require annual and other reports on the local operations of the utility, which shall be in such form and contain such information relevant to the City's right of regulation as the Council shall prescribe.

(8) To require and collect any tax, compensation, and rental not now or hereafter prohibited by the laws of this State.

(9) To require such franchise holders who request an increase in rates, charges or fares, to reimburse the City for reasonable expenses incurred in employing rate consultants to conduct investigations, present evidence and advise the Council on such requested increase.

(Ord. No. 96-59, § 14, 6-16-96)

Section 6. Regulation of Rates. The Council shall have full power after notice and hearing to regulate by ordinance the rates, charges and fares of every public utility franchise holder operating in the City. Provided that no such ordinance shall be passed as an emergency measure. Any franchise holder requesting an increase in its rates, charges, or fares shall have, at the hearing on such request, the burden of establishing by clear and convincing evidence the fair value of the property of such franchise holder devoted to furnishing service to the City or the inhabitants thereof, and the amount and character of its expenses and revenues. The Council shall act on any request for a change in rates, charges, or fares within a reasonable time after such request has been presented. No franchise holder shall institute any legal action to contest any rate, charge, or fare fixed by the Council until such franchise holder has filed a motion for rehearing with the Council specifically setting out each ground of its complaint against the rate, charge, or fare fixed by the Council, and until the Council shall have acted upon such motion. Such motion shall be deemed overruled unless acted upon by the Council within a reasonable time, not to exceed sixty (60) days from the filing of such motion.

(Ord. No. 96-59, § 14, 6-16-96)

ARTICLE XII. - GALVESTON WHARVES

Section 1. Designation as a Separate Utility. The Wharf and Terminal properties belonging to the City of Galveston, as set forth and described in that certain ordinance adopted on the 17th day of October, 1940, authorizing the issuance of City of Galveston Wharf and Terminal Facilities Revenue Bonds and execution of a trust indenture securing the same, together with all additions, improvements, or extensions of such properties, and the accumulated income and increment thereof, as heretofore or hereafter acquired by the City, are set apart and designated as a separate utility of the City, to be known as "Galveston Wharves" and to be managed, maintained, operated and controlled as herein provided.

(Ord. No. 96-59, § 15, 6-16-96)

Section 2. Board of Trustees. The Galveston Wharves, and the income and revenue therefrom, shall be fully managed, controlled, maintained and operated by a Board of Trustees to be known as "Board of

Trustees of the Galveston Wharves." One member of such board shall be the ex officio representative of the City's Council and shall be elected by the Council from their own number to serve as such Trustee during a term contemporaneous with the term of the Council electing him. The four members of the Board of Trustees of the Galveston Wharves other than the ex officio member thereon who are serving in this capacity on the effective date of this Charter, by prior appointment, shall continue to hold such office until the several expirations of the terms for which they were appointed. On or after the 1st day of January, 1962, the Council shall appoint three additional Trustees to serve for terms of one (1), two (2) and three (3) years thereafter and these three Trustees, with the three remaining holdover Trustees then having unexpired terms of one (1), two (2) and three (3) years respectively shall, with the ex officio member, constitute a board of seven (7) Trustees. All appointments thereafter shall be for terms of three (3) years, excepting an appointment to fill a vacancy occurring before the expiration of a term that shall be only for the unexpired term, with two regular appointments of Trustees being made by the Council on or after January 1st of each year so that the total membership of the said Board of Trustees will be fixed and shall remain at seven.

(Ord. No. 96-59, § 15, 6-16-96)

Section 3. Qualification of Trustees. At the time of appointment, each Trustee shall be a citizen of the United States and shall have resided in the City of Galveston for at least one year immediately prior thereto. With the exception of the ex officio member no Trustee shall hold an elective public office, and no Trustee shall be appointed who is an employee of the City or of the Galveston Wharves. A Trustee who ceases to possess any qualification required for appointment as Trustee shall automatically vacate the office as a Trustee.

(Ord. No. 91-95, § 4(16), 11-14-91; Ord. No. 96-59, § 15, 6-16-96)

Section 4. General Powers of Board of Trustees. The Board of Trustees shall have those powers which are necessary or proper to the discharge of their responsibilities including, but not being limited to, the election of a Chairman, the employment of a general manager for Galveston Wharves and such subordinate officers and employees as may be required for the proper conduct of the Galveston Wharves, the preparation of budgets, the fixing of charges, the authorization of expenditures, the acquisition of properties, the determination of policies, and, in general, the complete management and control of the Galveston Wharves and the income and revenue thereof, subject only to the special limitations herein provided. All meetings of the Board of Trustees shall be open to the public excepting only for executive sessions held to discuss personnel appointments or to discuss or act upon matters of concern to the competitive position of the Galveston Wharves as a port facility.

State Law reference— Open meetings art., Vernon's Ann. Civ. St. art. 6252-17.

All of the area lying in the City and County of Galveston, Texas, commonly referred to as Pier 19, and described by metes and bounds as follows:

Beginning at a point on the northerly edge of a concrete street near the middle of 20th Street, said point bears N 22° 38' W a distance of 336.9 feet from the northwest corner of City Block 679;

Thence N 18° 27' W from said beginning point along a line parallel with and 6 inches easterly of a chain link fence, a distance of 243.8 feet to the edge of the ramp to Pier 19;

Thence N 64° 10' E along the edge of said ramp a distance of 30.4 feet to the Northeast corner of said ramp;

Thence S 30° 21' E along the edge of said ramp a distance of 18.4 feet to a point for corner;

Thence N 58° 32' E along the northerly face of a line of power poles, a distance of 609.6 feet to the easterly face of Pier 19;

Thence N 31° 28' W along the easterly face of Pier 19 a distance of 37.2 feet to a point for corner;

Thence N 58° 32' E a distance of 50.0 feet to a point for corner;

Thence N 31° 28' W a distance of 29.6 feet to a point for corner;

Thence N 57° 17' E across the mouth of the slip a distance of 191.5 feet to the northwest corner of Pier 18;

Thence S 34° 31' E along the westerly face of Pier 18 a distance of 176.8 feet to an angle to the right in the pier face;

Thence S 7° 08' E along the harbor side of the curb on Pier 18 a distance of 117.7 feet to a point for corner;

Thence N 35° 44' E along a line parallel with and 6 inches southerly of a chain link fence, a distance of 73.8 feet to a point for corner;

Thence S 42° 15' E inside of fence a distance of 81.0 feet to a point for corner;

Thence S 26° 28' E inside of fence a distance of 50.9 feet to a point for corner;

Thence S 16° 05' E a distance of 92.4 feet to a point 6 inches west of a gate post and on the northerly edge of the previously mentioned concrete street;

Thence S 16° 42' E a distance of 24.5 feet crossing said concrete street to a point on south edge of said concrete street;

Thence S 73° 18' W along said concrete street edge a distance of 63.12 feet to a point of curvature;

Thence southwesterly along a curve to the left with radius of 395.16 feet to a distance of 80.5 feet to the point of tangency;

Thence S 61° 38' W continuing along the edge of the concrete street a distance of 211.3 feet to a point for corner;

Thence S 66° 13' W a distance of 47.4 feet to a point for corner;

Thence N 23° 47' W a distance of 20.0 feet to the place of beginning and containing 7.09 acres more or less;

which is owned by the City of Galveston and is under the management of the Board of Trustees of the Galveston Wharves is dedicated to be used, rented or leased exclusively as boat slips, berths or docks for shrimp boats, party boats, fishing boats, retail and commercial fish-sales outlets and fuel docks and public parking relating to all such uses, including existing railroad use. The tenants of said Pier 19 area as well as the public, shall have free and full access to such dedicated area, not rented or leased, on and over 20th Street north of The Strand and on and over a right-of-way easement for vehicular and pedestrian traffic being twenty (20) feet wide, starting at the intersection of 20th Street and the southeasterly side of the Pier 19 area continuing through the Pier 19 area and existing at the point Port Industrial Boulevard exits from Pier 19 area.

The Board of Trustees shall make, or shall authorize to be made, such expenditures for the maintenance and repair of the entire dedicated area as may be reasonably required to maintain all of the dedicated uses of this area; and the rental or lease payments to be charged for the use of any of the facilities in this dedicated area shall not be excessive, but shall be reasonable and in such amounts as will be competitive with similar charges made in such other public areas on the Texas coast.

Nothing contained herein shall be construed, either by the Board of Trustees or the Council, as an impediment to the rights of the holder of any of the city's bonds or as any diminishment of the city's

obligations under any such bonds; rights of the holders of any of the city's bonds or as any and only to the extent that any other provision of this Charter or any provision of any city ordinance be in conflict herewith is any such provision of this Charter or of any ordinance hereby repealed.

(Ord. No. 77-4, § 3, 1-17-77; Ord. No. 79-24, § 3, 4-9-77; Ord. No. 96-59, § 15, 6-16-96)

Section 5. Contracts. The Board of Trustees shall have the power to contract in the name of the Galveston Wharves for all essential purposes, but shall have no power to contract in the name of the City of Galveston, and no undertaking, contract, action or inaction by the Board of Trustees individually or collectively, or under their authority, shall render the City liable for damages, indemnity or compensation or shall be binding other than on the properties, income and revenue of the Galveston Wharves.

(Ord. No. 96-59, § 15, 6-16-96)

Section 6. Records. All books, documents and records of the Galveston Wharves including the minutes of the proceedings of the Board of Trustees, shall at all reasonable times be open to inspection by the Council or its authorized representative. The books of account and other records shall be kept as nearly as practicable according to the procedure prescribed by the Interstate Commerce Commission or other regulatory authority having jurisdiction over the Galveston Wharves and shall adequately show all matters necessary to correctly present the condition of the property, and the income and expense of its operation. An annual audit shall be made by a Certified Public Accountant and a copy of this audit shall be filed with the City Secretary as a public record.

(Ord. No. 96-59, § 15, 6-16-96)

Section 7. Appropriations. The Board of Trustees shall make or authorize to be made such expenditures for the maintenance, repair, replacement and improvement of the properties under its management and control as are necessary or desirable to establish and preserve the Galveston Wharves as an efficient and valuable wharf and terminal facility, and to this end shall be empowered to establish and maintain reserves for depreciation, working capital, and future additions and improvements.

(Ord. No. 96-59, § 15, 6-16-96)

Section 8. Competitive Bidding. In the purchase of equipment, supplies and materials and the awarding of contracts for construction and repair of the properties or for other purposes the Board of Trustees shall, whenever practical, follow the policy of soliciting competitive bids and shall comply with the competitive bidding requirements of State law.

(Ord. No. 89-17, § 3(21), 1-26-89; Ord. No. 96-59, § 15, 6-16-96)

Section 9. Payments to the City. From the annual net income remaining in each fiscal year after payment of all current maintenance and operating expenses the Galveston Wharves shall pay to the City of Galveston the sum of one hundred sixty thousand dollars (\$160,000.00) of which amount twenty-five and thirty-nine one hundredths per cent (25.39%) shall be paid over to the Galveston Independent School District and the remainder thereof shall be for general City purposes. All other net revenues of the Galveston Wharves shall be retained thereby for the betterment and extension of this utility to the benefit and advantage of the City, provided, this shall not prevent the Board of Trustees from agreeing and contracting to pay the City at a reasonable and proper rate for such special services furnished by the City to Galveston Wharves as would not customarily be furnished to other businesses or utilities or if so furnished would not be furnished without a charge being made therefor.

(Ord. No. 73-17, § 3, 4-12-73; Ord. No. 96-59, § 15, 6-16-96)

Section 10. Interest in Contracts. No member of the Board of Trustees, and no officer, employee or agent of the Galveston Wharves shall have an interest, direct or indirect, either for the person or as agent for any other person, in any contract for work to be done for, or supplies or equipment to be furnished to, the Galveston Wharves. No trustee shall have the right to vote on any contractual matter in which the Trustee is financially interested, directly or indirectly. The position or employment of any person violating this provision shall automatically be terminated.

(Ord. No. 91-95, § 4(17), 11-14-91; Ord. No. 96-59, § 15, 6-16-96)

Section 11. Reports to the City. The Board of Trustees shall file with the Council at the end of each fiscal year an annual report showing in detail the operations for the year past, including, but not being limited to, the volume of business, the gross receipts and the operating expenses. The Council shall be entitled at any time to require, and the Board of Trustees shall thereupon furnish, any information that the Council may deem proper in order to fully understand the physical and financial condition of the Galveston Wharves and the results of its operations. The reports so filed shall be retained by the City Secretary as public records, provided only that the Council may order parts of any report or other information provided to be a closed record when that may be deemed necessary to protect the competitive position of the Galveston Wharves as a port facility.

(Ord. No. 96-59, § 15, 6-16-96)

Section 12. Employment Contracts. No employment contract shall be made by the Board of Trustees for a term to exceed five (5) years except with the consent of the Council of the City of Galveston.

(Ord. No. 96-59, § 15, 6-16-96)

Section 13. Compensation of Trustees. Members of the Board of Trustees shall receive no salary or compensation as such but each member shall be entitled to a fee of Ten Dollars (\$10.00) for each meeting of the board attended. A member of the Board of Trustees shall also be entitled to the reimbursement of the Trustee's expenses, if any, incurred by the Trustee in the performance of the Trustee's duties as trustee.

(Ord. No. 91-95, § 4(18), 11-14-91; Ord. No. 96-59, § 15, 6-16-96)

Section 14. Depository. All monies of the Galveston Wharves shall be deposited in a depository or depositories to be selected by the Board of Trustees in accordance with the procedures prescribed by law and under this Charter for the selection of the City depository, and no monies shall be withdrawn therefrom except in accordance with the regulations therefor established by the Board of Trustees.

(Ord. No. 96-59, § 15, 6-16-96)

Section 15. Construction of article. The provisions of this article shall be construed as setting forth the provisions for the management, control, maintenance and operation of the Galveston Wharves and the income and revenues therefrom and shall constitute exceptions to the other provisions of this Charter in these respects.

(Ord. No. 96-59, § 15, 6-16-96)

ARTICLE XIII. - SUCCESSION IN GOVERNMENT

Section 1. When Charter Takes Effect. For the purpose of electing the members of the Council the provisions of this Charter shall be in effect for a regular City election to be held with that purpose on the

second Tuesday in April, 1961. For all other purposes this Charter shall be in effect from and after the Tuesday following the second Tuesday in May of 1961, and such shall be deemed the "effective date" of this Charter as that term is used hereinafter.

(Ord. No. 96-59, § 16, 6-16-96)

Editor's note— Section 1a, created by Ord. No. 63-12, § 2, adopted on April 11, 1963 dealt with the effective date of the 1963 charter amendments; such section has been deleted as obsolete.

Section 2. The First Fiscal Year. The first full fiscal year under this Charter shall be the fiscal year beginning on the 1st day of October, 1961; but provided that after the effective date of this Charter the Council shall be empowered to make such amendments to the budget in force for the fiscal year ending on the 30th day of September, 1961, as may be required by and are consistent with the provisions of this Charter.

(Ord. No. 96-59, § 16, 6-16-96)

Section 3. Continuance of Status of Officers and Employees. All persons holding administrative office or employment with the City upon the effective date of this Charter shall continue in such office or employment and in the performance of their duties until appropriate provision in respect thereto has been made by the Council. Any office, department or agency provided for in or established pursuant to this Charter with powers and duties the same or substantially the same as those of an office, department or agency heretofore existing shall be deemed to be a continuation of such office, department or agency. Nothing in this Charter contained, except as specifically provided, shall effect or impair the rights and privileges of officers and employees of the City as existing on the effective date hereof, or any provision of law in force at such time which is not inconsistent with the provisions of this Charter, in relation to the appointment, rank, grade, tenure, promotion, removal, pension and retirement rights, Civil Service status, or any other rights and privileges of such officers and employees.

(Ord. No. 96-59, § 16, 6-16-96)

Section 4. Effect of Charter on Existing Laws. All ordinances, resolutions, rules and regulations in force in the City on the effective date of this Charter, and not in conflict with this Charter, shall remain in force until altered, amended, or repealed by the Council. All taxes, assessments, liens, incumbrances, claims and demands, of, by, or against the City, fixed or established before the effective date of this Charter, or for the fixing or establishing of which proceedings have begun at such a date, shall be valid when properly fixed or established either under the law in force at the time of the beginning of such proceedings or pursuant to the provisions hereof.

(Ord. No. 96-59, § 16, 6-16-96)

Section 5. Contracts, Franchises and Bonds. All authorizations for the issuance of bonds and all rights and obligations under contracts and franchises, which were lawfully made, granted, or established prior to the effective date of this Charter shall be preserved and continued thereafter in full force and effect.

(Ord. No. 96-59, § 16, 6-16-96)

ARTICLE XIV. - GENERAL PROVISIONS

Section 1. Publicity of Records. All records and accounts of every office, department or agency of the City shall be open to inspection by any citizen, any representative of a citizen's organization, or any representative of the press at all reasonable time, excepting only that records or documents the

disclosure of that would tend to defeat the lawful purpose which they are intended to accomplish may be closed to inspection in accordance with State law.

(Ord. No. 96-59, § 17, 6-16-96; Ord. No. 04-028, § 2, 2-26-04)

State Law reference— Public records act, Vernon's Ann. Civ. St. art. 6752-17a.

Section 2. Personal Interest in City Contracts. (a) No member of the Council, and no Officer or Employee of the City who is concerned with the procurement of land, materials, supplies, or services for the use of the City, shall have a personal financial interest in any Contract with the City or in the Sale to the City of any land, material, supplies or services. The foregoing shall not apply where such financial interest is only through the ownership of stock in a corporation provided the holder of the stock is not active in the management of the corporation and discloses the person's interest as a stockholder before any action is taken.

(b) No member of City Council whose employer has a contract with the City shall participate in discussions or vote on any other Councilmember's employer's contract with the City. No member of City Council who is related to a person who has a contract with the City shall participate in discussions or vote on any contract in which that contract involves a person related to any other Councilmember. As used in the preceding sentence, the term "related" means a person related to a Councilmember in the second degree if related by marriage and in the third degree if related by blood.

(Ord. No. 91-95, § 4(19), 11-14-91; Ord. No. 96-59, § 17, 6-16-96; Ord. No. 12-009, § 2, 2-23-12)

Section 3. Interest in Franchises. No member of the Council or elected or appointed officer or employee of the City shall be directly or indirectly in the employ of any person, firm or corporation holding or seeking to hold any franchise from the City, or shall receive or accept from such person, firm or corporation any compensation, commission, fee or gift.

(Ord. No. 96-59, § 17, 6-16-96)

Section 4. Malfeasance in Office. Any member of the Council or elected or appointed officer or employee of the City who shall willfully violate any provision of this Charter shall be guilty of misconduct in office and shall be subject to review by the Ethics Commission. The Mayor or any member of the City Council who shall have been convicted of any felony shall immediately forfeit his or her office.

(Ord. No. 91-95, § 4(20), 11-14-91; Ord. No. 96-59, § 17, 6-16-96; Ord. No. 98-33, § 27, 6-3-98; Ord. No. 98-66, § 9, 7-30-98)

Section 5. Oath of Office. Every person elected or appointed to any office in the City shall, before entering upon the duties of the office, take and subscribe to the oath of office prescribed by the constitution or laws of the State of Texas.

(Ord. No. 91-95, § 4(21), 11-14-91; Ord. No. 96-59, § 17, 6-16-96)

State Constitution reference— Oaths, Cons. Art. 16, § 1.

State Law reference— Taking of oath required Vernon's Ann. Civ. St. art. 993.

Section 6. Nepotism. No person who is related by affinity or consanguinity (marriage or blood) as defined by State law, to a member of the Council or other elected official, or to a department head, or to the City Manager, shall be appointed to any office, clerkship or other paid position with the City, but this prohibition shall not apply to officers or employees who have been employed by the City continuously for more than two years prior to the elections of such member of council or other elected official. No department head, or other City employee who is related by affinity or consanguinity (marriage or blood) as defined by State law, to a City employee, shall supervise that employee. "Defined by State law" shall mean the degree of affinity or consanguinity prohibited by State law for State officials.

(Ord. No. 96-59, § 17, 6-16-96; Ord. No. 98-33, § 28, 6-3-98; Ord. No. 98-66, § 10, 7-30-98)

Section 7. Notice of Claims. The City of Galveston shall never be liable for damages for the death or personal injuries of any person or for the damages or destruction of property of any kind, which does not constitute a taking or damaging of property under Article I, Section 17, Constitution of Texas, unless the person injured, if living, or the person's representatives, if deceased, or the owner, the person's attorney, or the person's agent of the property damaged or destroyed, shall give the City Council a notice in writing, duly verified by affidavit, of such death, injury, damage or destruction, within one hundred eighty (180) days after the same has been sustained, unless a longer notice period is otherwise provided by applicable state or federal law. The written notice shall specifically state when, where, and how the death, injury, damage or destruction occurred, the apparent extent of any such injury, the amount of damages sustained, the actual residence of the claimant by street and number at the date the claim is presented, the actual residence of such claimant for six months immediately preceding the occurrence of such death, injury, damage or destruction, and the names and addresses of all witnesses upon whom the claimant relies to establish the claim for damages. Failure to notify the city council within the time and manner specified herein shall exonerate, excuse and exempt the City of Galveston from any liability whatsoever. This provision shall not shorten the notice period provided in Section 101.101 of the Texas Civil Practice and Remedies Code, as amended, or in a successor statute, nor shall this provision govern notice of any claim brought under federal statute or require the giving of notice by a person incapable of managing his or her own affairs by reason of minority or physical or mental incapacity.

(Ord. No. 89-17, § 3(22), 1-26-89; Ord. No. 91-95, § 4(22), 11-14-91; Ord. No. 96-59, § 17, 6-16-96)

Editor's note— Section 7 of Article XIV of the charter was originally amended by the approval of Proposition No. 6 at a city charter amendment election held April 8, 1969. The results of the election were confirmed by Ord. No. 69-35, enacted April 17, 1969. The amendment changed the time for filing claims from 90 days to 45 days; deleted notice to the city manager; deleted provisions relating to actual notice by the city council or city manager and the waiver of notice by the city council.

Section 8. Limitation of City's Liability. The City of Galveston shall not be liable for damages to anyone, on account of any defect in, obstruction on, or anything else in connection with any sidewalk in the City.

(Ord. No. 96-59, § 17, 6-16-96)

Section 9. Security or Bond Not Required. It shall not be necessary in any action, suit, or proceeding in which the City is a party for any bond, undertaking or security to be demanded or executed by or on behalf of the City. The City shall have all remedies of appeal provided by law to all courts in this state without bond or security of any kind, but shall be liable in the same manner and to the same extent as if such bond, undertaking, or security had actually been executed or given.

(Ord. No. 96-59, § 17, 6-16-96)

Section 10. Assignment, Execution, and Garnishment. The property, real and personal, belonging to the City shall not be liable for sale or appropriation under any writ of execution. The funds belonging to the City, in the hands of any person, firm, or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the City be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the City nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors.

(Ord. No. 96-59, § 17, 6-16-96)

Section 11. Boards, Commissions, Committees, Corporations, and Political Subdivisions Created by the City. Excepting where otherwise required by this Charter, laws of the State of Texas, or Articles of Incorporation or By-laws, all boards, commissions, committees, corporations, and political subdivisions created by the City ("boards") shall have the powers and duties prescribed for them by the Council, and the members of such boards shall be appointed by the Council; No citizen shall be appointed to serve as a member of any board if that person has not been a resident of and domiciled in the City for at least one (1) year immediately preceding the appointment; The residency and domicile requirements for City Council set forth in this Charter shall be applicable to board domicile requirements for City Council set forth in this Charter shall be applicable to board members; No person shall serve as a member of any advisory board who holds an elective public office unless the person is a member ex officio of such board; No person shall be reappointed to the same board if that person has served six (6) consecutive years, unless such person has been off the board for the length of the term of appointment; No member of any board, committee, or commission shall, during the time for which the member is appointed or for two (2) years thereafter, be employed by the entity on which the member serves; All meetings of boards shall be open to the public excepting only for executive sessions held to discuss personnel appointments or to discuss matters of competitive concern to the City wherein no formal action is taken; No member of any City Board, including the Park Board of Trustees, The Board of Trustees of the Galveston Wharves, and the Galveston Housing Authority, who has a contract with the member's board shall participate in discussions or vote on any other member's contract with the same board; No member of any City Board, including the Park Board of Trustees, The Board of Trustees of the Galveston Wharves, and the Galveston Housing Authority, whose employer has a contract with the member's board shall participate in discussions or vote on any other member's contract with the same board; No member of any City Board, including the Park Board of Trustees, The Board of Trustees of the Galveston Wharves, and the Galveston Housing Authority, who is related to a person who has a contract with the member's board shall participate in discussions or vote on any other member's contract with the same board. As used in the preceding sentence "related to a person" means a person related to a member in the second degree if related by marriage and in the third degree if related by blood.

(Ord. No. 91-95, § 4(23), 11-14-91; Ord. No. 96-59, § 17, 6-16-96; Ord. No. 98-33, § 29, 6-3-98; Ord. No. 98-66, § 11, 7-30-98; Ord. No. 02-033, § 8, 5-4-02; Ord. No. 12-009, § 2, 2-23-12)

Editor's note— Ord. No. 12-009, § 2, adopted February 23, 2012, changed the title of section 11 from "Administrative and Advisory Boards" to "Boards, Commissions, Committees, Corporations, and Political Subdivisions Created by the City." The historical notation has been preserved for reference purposes.

State Law reference— Open meeting act. Vernon's Ann. Civ. Stat. art. 6252-17.

Section 12. Publications. The Council shall have power to designate by ordinance a newspaper of general circulation in the City as the official newspaper. The City shall cause to be published all

ordinances, notices and other matters which are required by this Charter, the ordinance of the City, or the constitution or laws of the State of Texas, to be officially published in the manner prescribed by law.

(Ord. No. 96-59, § 17, 6-16-96; [Ord. No. 16-035, § 8, 5-17-16](#))

Editor's note— [Ord. No. 16-035, § 8, adopted May 17, 2016](#), amended § 12, to read as set out herein. Previously § 12 was titled " Official Newspaper."

Section 13. Storm Protection. For the protection of persons and property against high winds and water the Council shall be empowered to enact ordinances:

- (1) Determining the elevations and grades for properties in the different areas of the City, and requiring the establishment and maintenance thereof;
- (2) Prohibiting the erection or removal of structures outside of the seawall without a special permit first obtained from the City;
- (3) Regulating the construction of buildings and all other types of improvements.

(Ord. No. 96-59, § 17, 6-16-96)

Section 14. Limitation on Charges for Use of the Sewer System. The Council shall be empowered to fix and collect reasonable charges for the use of the public sewer system of the City and to use or pledge the revenue therefrom for the operation, maintenance and improvement of the sewer system, including the payment of the principal and interest of bonds issued for the purpose of providing facilities for the collection and disposal of sewage, but no charges for use of the public sewer system shall be made or collected for any other purpose.

(Ord. No. 96-59, § 17, 6-16-96)

Section 15. Official Bonds. The Tax Collector, the Director of Finance, and such other officers or employees as the Council may by general ordinance require so to do, shall give bond in such amount and with such surety as may be approved by the Council. The premiums on such bonds shall be paid by the City.

(Ord. No. 96-59, § 17, 6-16-96)

Section 16. Sale of Property. No City property shall be sold or otherwise disposed of without the prior approval of the Council. The Council may by ordinance give authority to the City Manager for the routine sale or other disposition of personal property without further action by the Council where the value of the property does not exceed One Thousand Dollars (\$1,000.00) and provided that the sale or disposition is reported to the next meeting of the Council.

(Ord. No. 89-17, § 3(23), 1-26-89; Ord. No. 96-59, § 17, 6-16-96)

Section 17. Judicial Notice. This Charter shall be deemed a public act, and shall have the force and effect of a general law, may be read in evidence without pleading or proof, and judicial notice thereof shall be taken in all Courts and places without further proof.

(Ord. No. 96-59, § 17, 6-16-96)

Section 18. Rearrangement and Renumbering of Charter Provisions. To preserve the unity and arrangement of this Charter the Council shall have the power, by Ordinance, to rearrange and renumber all Articles, Sections, and Subparagraphs of this Charter and any Amendments thereto, as may be appropriate; upon the passage of any such Ordinance a copy thereof Certified by the City Secretary shall be forwarded to the Secretary of State for filing.

(Ord. No. 96-59, § 17, 6-16-96)

Section 19. Separability Clause. If any Section or part of a Section of this Charter is held to be invalid or unconstitutional by a Court of competent jurisdiction, the same shall not invalidate or impair the validity, force, or effect of any other Section or part of a Section of this Charter.

(Ord. No. 96-59, § 17, 6-16-96)

Section 20. Neutral Gender References. All references to persons in this Charter shall be neutral as to gender. Prior to the next printing of this Charter after January 21, 1989, the City Attorney shall change to a neutral form all gender references not previously changed. All future amendments referring to persons shall be made neutral at the time of enactment.

(Ord. No. 89-17, § 3(24), 1-26-89; Ord. No. 96-59, § 17, 6-16-96)

Section 21. Ethics Commission. Recognizing that public office is a public trust and that all public officials, city employees, and members of committees, commissions or boards should act in a manner that does not conflict with proper public interest, City Council shall adopt a "Code of Ethics" and appoint an Ethics Commission. The Ethics Commission shall be comprised of seven residents, appointed by City Council in accordance with the "Code of Ethics." The Ethics Commission shall monitor and enforce the "Code of Ethics," which shall apply to all elected and appointed officials, members of committees, commissions, or boards, whether such officials or members are paid or unpaid, and to all city employees. The Ethics Commission shall investigate any alleged violation of The City Charter.

(Ord. No. 96-59, § 17, 6-16-96; Ord. No. 98-33, § 30, 6-3-98)

Section 22. Transfers from Enterprise Fund to General Fund. Any transfer, loan, advance or other allocation of enterprise fund revenue or fund balance to the general fund during the fiscal year in excess of seven (7) per-cent of the actual fiscal year revenue of such enterprise fund shall operate to require a corresponding reduction in the ad valorem tax rate in an amount necessary to offset the transfer, loan, advance or other allocation credited to the general fund when such ad valorem rate is adopted for the next fiscal year.

(Ord. No. 04-028, § 2, 2-26-04)

Section 23. Transfers from Enterprise Fund to Enterprise Fund. The portion of any transfer, loan, advance or other allocation of the revenue or fund balance of one or more enterprise funds (including to, from or within any combined enterprise funds) made to another enterprise fund (hereinafter termed the borrowing enterprise fund) that remains on the accounts of the City for a period in excess of twelve (12) months, shall be deemed and become an obligation of the general fund, and shall be offset by a corresponding reduction in the ad valorem tax rate in an amount necessary to offset the transfer, loan, advance or other allocation credited to the borrowing enterprise fund, when such rate is adopted for the next fiscal year commencing after the expiration of the twelve month period, unless during the next fiscal year commencing after the expiration of the twelve month period, the general fund makes a transfer to clear such account.

(Ord. No. 04-028, § 2, 2-26-04)

January 28, 1960.

To the Mayor-President and Board of Commissioners,
City of Galveston, Texas.

Sirs:

In the election held on the 12th day of May, 1959, the voters of the City of Galveston voted affirmatively on the question "Shall a Commission be Chosen to Frame a New Charter." Members of the Charter Commission elected at that time, and who thereafter qualified by taking the oath of office, were:

Edward Schreiber, Theodore B. Stubbs, H. E. Kleinecke, Jr., Mrs. Harris L. Kempner, Mrs. A. R. Schwartz, Leroy E. Brown, Jean Edmond Hosey, Dr. Edgar F. Jones, Jr., Dr. Sidney R. Kay, Maco Stewart, Richard Thornton, Mrs. Lewis Harris, Dr. Oscar T. Kirksey, Edward W. Watson, Robert Rourke, Al West, Robert H. Albright, Irving David Clark, Raymond G. Reesby, and A. W. McDonald.

After organizing, this Charter Commission adopted by-laws and elected the following permanent officers:

Chairman: Edward Schreiber.
Vice Chairman: Theodore B. Stubbs.
Secretary: Mrs. Lewis Harris.

Meeting[s] were thereafter held from time to time, all meeting[s] being open to the public. After full consideration of the many problems and of the ends sought to be accomplished, the Charter Commission has prepared and given its final approval to a new Charter, a copy of which is hereto attached, for submission to the qualified voters of this City in an election to be held for that purpose.

Pursuant to the obligations imposed on this Charter Commission by law it has determined, and hereby certifies:

1. That the annexed Charter is a true and correct copy of the Charter prepared by this Charter Commission.
2. That in the submission of this Charter to the voters it would be impracticable to segregate each subject for a separate vote thereon, for the reason that the Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. Therefore, it is to be submitted so as to be voted on as a whole.
3. That the election for this purpose is to be held in the City of Galveston on the 19th day of April, 1960.
4. That the Charter Commission completed its work on the 25th day of January, 1960, which is within 90 days of the date set for such election.

The members of the Charter Commission have also voted to express their appreciation for the cooperation which was given them at all times by officials of the City in the accomplishment of their work.

Respectfully submitted,

(s) *Edward Schreiber.*

Edward Schreiber,
Chairman,
Charter Commission of the
City of Galveston.

Attested:

(s) *Mrs. Lewis Harris,*

Mrs. Lewis Harris,
Secretary.

Appendix A

On May 2, 1998, the voters of the City of Galveston, Texas, approved Proposition No. 10, Proposition No. 11, and Proposition No. 12. The ballot language for Proposition 10 read as follows:

"Shall the voting districts of the City Council be changed from six to four, and shall one member of Council be elected from each of the four districts, and shall the Mayor and two members of Council be elected at large, and shall qualified voters be entitled to vote for one candidate who runs in the district in which the voter lives, and for one candidate who runs in the at-large position A, and for one candidate who runs in the at-large position B, and for one candidate for Mayor? (Art. III, sec. 2)."

The ballot language for Proposition 11 read as follows: "Shall the voting district lines be drawn north to south and shall the population of each district be as equal as possible? (Art. III, sec. 2(a))."

The ballot language for Proposition 12 read as follows: "Shall the candidate for Mayor and the candidates for each Council position who receive fifty percent of the votes plus one vote be declared elected? (Art. III, sec. 2(c))"

Upon the voters approving Proposition Numbers 10, 11, and 12, the City Council of the City of Galveston, Texas, adopted Ordinance No. 98-33 on May 14, 1998, and Ordinance No. 98-66 on July 23, 1998, amending The City Charter to reflect the voters approval of the Propositions. Pursuant to the voter's adoption of Proposition Numbers 10, 11, and 12, Article III, section 2, "Election of Mayor and Councilmembers" was amended to read and provide as follows:

"Section 2. Election of Mayor and Councilmembers. The City shall be divided into four (4) districts. The Mayor shall be elected at large. One member of Council shall be elected from each of the four (4) districts. Two (2) members of Council shall be elected at-large from two (2) at-large positions, position "A" and position "B." The mayor and all members of Council shall be elected at a regular City election, to be held for such purpose on the first Saturday in May in every even-numbered year.

(a) It shall be the duty of the City Council to establish the boundaries of districts covering the entire City for the purpose of electing District Councilmembers. Such boundaries shall be established by Ordinance, which shall be final for the purposes of this Charter. The boundary lines of each district shall be drawn from North to South, and shall follow an existing City street even if the street does not run the entire width of the City from North to South, and the population of each district shall be as equal as possible with only minor variations depending upon the streets selected for district boundaries. Any subsequent establishment shall be made when required by this Charter. Except as changed hereby, all other provisions of the City Charter relating to elections of the members of the City Council shall remain unchanged.

(b) Promptly following the addition of territory to the City by a boundary change, the City Council shall, by Ordinance, add such territory to an adjacent district or districts. The Mayor shall be elected at large and four (4) Councilmembers shall be elected from districts, and two (2) councilmembers shall be elected from two at-large positions. The districts from which Councilmembers shall be elected shall be designated by City Council as Districts 1, 2, 3, and 4, according to the boundaries of these districts, as established by Ordinance, in accordance with this Section. The at-large Council positions shall be designated by City Council as Position A and Position B. At each election, candidates shall be voted upon and be elected separately from each Councilmember district, and from the two at-large positions.

(c) Any qualified person who desires to become a candidate for the office of Mayor or Councilmember shall file with the City Secretary, no earlier than seventy-five (75) days nor less than forty-five (45) days prior to the election, a signed application for the candidate's name to appear on the ballot, specifying the office and position for which the candidate is filing. The order of the ballot of

the names of the candidates for each office shall be determined by lot in a drawing to be held under the supervision of the City Secretary. Every qualified voter shall be entitled to vote for Mayor and for one (1) candidate for Councilmember who runs for the district in which the voter lives, and for one candidate who runs for at-large position "A," and for one candidate who runs for at-large position "B." The City Council shall be the judge of the election and qualifications of Councilmembers, subject to review by the courts in case of contest. Each district Councilmember shall be elected by the qualified voters of each respective district. Each at-large Councilmember shall be elected by the qualified voters of the City. The candidate for Mayor and the candidate for each Councilmember district and for each Councilmember at-large who shall receive fifty (50) percent of the votes plus one (1) vote shall be declared elected. A candidate for Mayor shall not be a candidate for Councilmember at the same election and a person may not be a candidate for more than one (1) Councilmember position or district at the same election.

(d) All candidates elected at the regular City election shall, upon being sworn, take office on the first Thursday following the election."

Although the election changes complied with State law, on December 14, 1998, the United States Department of Justice issued an "Objection Letter" stating that it objected to Proposition Numbers 10, 11, and 12. As a matter of Federal law, the language existing prior to the election held on May 2, 1998, remains in effect until the Department of Justice withdraws its objections or the United States District Court for the District of Columbia issues a declaratory judgment that the changes neither have the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. Because of the upcoming year 2000 censuses, the City Council of the City of Galveston, Texas, deems it not to be in the public interest to challenge the "Objection Letter" at this time. Therefore, the City of Galveston, Texas, cannot implement the election changes and the language amending **The City Charter** to reflect those election changes is legally unenforceable. Consequently, the language amending **The City Charter** to reflect those election changes must be removed and replaced with the language existing prior to the May 2, 1998 election. A copy of the December 14, 1998, "Objection Letter" submitted by the Department of Justice is included in, and is to be considered part of, this Appendix A."

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

December 14, 1998

Barbara E. Roberts, Esq.
City Attorney
P.O. Box 779
Galveston, Texas 77553-0779

Dear Ms. Roberts:

This refers to amendments to the city charter that provide for a change in the method of election for the city council from six single-member districts to four single-member districts and two at large with numbered posts, a change from a plurality to a majority vote requirement, redistricting criteria and revised recall procedures for the City of Galveston in Galveston County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your response to our August 17, 1998, request for additional information on October 15, 1998.

The Attorney General does not interpose any objection to the specified recall procedures. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoy the enforcement of the change. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

With regard to the remaining specified changes, we cannot come to the same conclusion. We have carefully considered the information you provided, as well as Census data, and information in our files and from other interested parties. According to 1990 Census data, the city's total population is 28 percent black and 21 percent Hispanic. Under the existing system, six councilmembers are elected from single-member districts and the mayor is elected at large. Two of the single-member districts have black population majorities and have elected black representatives to the city council. This method of election and districting plan were adopted in settlement of a vote dilution lawsuit filed by minority residents against the city in Arceneaux v. City of Galveston, No. G-90-221 (S.D. Tex.), and received preclearance under Section 5 for use on an interim basis on April 29, 1993, and for use on a permanent basis on January 27, 1994.

Prior to the adoption of a single-member district method of election, the city sought preclearance for a method of election similar to the plan currently under review. It provided for the election of four councilmembers from single-member districts, two councilmembers elected at large by numbered position and the mayor elected at large with a plurality vote requirement. This 4-2-1 method of election was proposed as a replacement for the at-large method of election that was the subject of the vote dilution lawsuit. On December 14, 1992, the Attorney General precleared the use of a plurality vote requirement, but interposed an objection under Section 5 to the proposed 4-2-1 method of election and to the use of numbered posts for the at-large seats because the city had not met its burden under Section 5 of demonstrating the absence of a discriminatory purpose and effect. Our conclusion in this regard was premised upon a number of factors.

First, our analysis of the at-large system indicated that voting in municipal elections was racially polarized and that minority-supported candidates had very limited success under the at-large system. Second, the districting plan that accompanied the 4-2-1 method of election did not include a single district in which black or Hispanic voters constituted a majority of the population; instead, the plan included two districts in which black and Hispanic voters combined constituted a majority. The city failed, however, to provide evidence of cohesion between black and Hispanic voters in municipal elections, rendering it doubtful that either minority group under this plan would elect a candidate of choice to a council seat. Third, the city maintained its preference for the 4-2-1 plan over the opposition of the minority community and the Arceneaux plaintiffs, who favored the adoption of a six single-member district plan with two districts in which black voters would constitute a majority of the population. Fourth, the city chose to maintain two at-large positions on the city council, in addition to the mayoral seat, and to add numbered posts. Given the existence of racially polarized voting in municipal elections, we concluded that these features of the proposed electoral system would limit the ability of minority voters to elect their candidates of choice to the city council. Finally, given all of the circumstances described above, we determined that the city had not provided legitimate, nonracial justifications for its choices regarding the 4-2-1 method of election and its adoption of numbered posts. It is against this backdrop that we must view the city's current request for preclearance of the 4-2-1 plan, with numbered posts, as well as the proposed return to the use of a majority vote requirement.

In light of the Attorney General's prior objection to virtually identical voting changes, and the requirement of Section 5 that the submitting authority carries the burden of demonstrating that proposed voting changes are free of discriminatory purpose and effect—see 28 C.F.R. 51.52(a)—we have examined the information provided to determine whether new factual or legal circumstances exist which would lead to the conclusion that voting changes that did not satisfy the nondiscrimination requirement of section 5 in 1992 will satisfy the same requirement under Section 5 today. Central to our consideration of this issue is the presence today in the City of Galveston of a method of election which fairly reflects minority voting strength, a circumstance which did not exist when the 1992 objection was interposed.

Our examination of city election returns since 1991 indicates that racial bloc voting continues to play a significant role in city elections. This year's mayoral election in which the Hispanic candidate was successful appears to have been an instance where Hispanic and black voters did vote together, along with a number of Anglo crossover voters. However, this cohesion between minority voters appears to have been a departure from the norm, as evidenced by the results in other recent elections. Of particular note is the fact that the proposed majority vote requirement, had it been in effect in this year's election, could well have changed the outcome of the mayoral race since the majority of the votes cast were for candidates favored by the Anglo voting majority. We find it significant that the city has provided no

information or analysis in support of the proposed changes regarding racial bloc voting or cohesiveness between black or Hispanic voters, factors which were critical in our 1992 examination of the 4-2-1 method of election and which are no less important today.

While the city council has not yet adopted a redistricting plan for the proposed method of election, we understand that three alternative plans were developed by an appointed redistricting committee and they are currently before the council. We understand that all three plans are based on 1990 Census data and that this data continues to be the most accurate available information on the city's demographics. As was the case in 1992, we are informed that none of these plans provide for a single-member district in which Hispanic persons constitute a majority of the population or more than one district in which black persons constitute a majority. If this information is correct, it would appear to confirm that the proposed method of election, under current circumstances, cannot produce an electoral system that recognizes minority voting strength as fairly as does the current system. Therefore, the proposed 4-2-1 method of election with numbered posts for the two at-large seats and a majority vote requirement would lead to a retrogression in minority voting strength prohibited by Section 5. See *Beer v. United States*, 425 U.S. 130, 141 (1976) ("the purpose of § 5 has always been to insure that no voting-procedure changes would be made that would lead to a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise"); 28 C.F.R. 51.54.

We have considered the impact of the proposed redistricting criteria on the city's ability in the future to draw districts that fairly recognize minority voting strength. Our analysis has been hampered by the lack of information from the city regarding these criteria and how they are to be interpreted and applied. For reasons that the city does not explain, these criteria place what appear to be significant restrictions on the ability of the city to draw racially fair redistricting plans. The criteria specify that city districts be drawn from north to south and that districts "be as equal as possible with only minor variations depending upon the streets selected for district boundaries." The latter criterion appears to be significantly more exacting than the plus or minus 10 percent deviation standard approved by the federal courts for local jurisdictions to satisfy the one person, one vote requirement of the Constitution. If we understand these criteria correctly, had they been in effect in 1993 they would not have permitted the existing districts to be drawn, and their future application could hamper the ability of the city to draw nonretrogressive redistricting plans in compliance with Section 5.

Although city officials and members of the charter review committee established in 1997 presumably were aware of the prior history of litigation under the Voting Rights Act and the Attorney General's 1992 objection, the information provided by the city in support of its application for preclearance of the instant changes contains remarkably little acknowledgement of these past events or their relevance to our review under Section 5 of the city's preclearance request. For example, the city council, which appointed the charter review committee, apparently provided little direction to the committee regarding factors that should be considered in proposing changes that would affect voting, such as whether its proposals complied with Section 2 of the Voting Rights Act, 42 U.S.C. 1973, and satisfied the nonretrogression standard of Section 5. In response to a specific inquiry on this subject, you informed us simply that "the Charter Review Committee did not discuss in depth the Attorney General's 1992 objection." These facts, viewed in light of the position adopted by the council before the committee began its work that it would put before the voters any proposed charter change approved by a majority of the committee, support an inference that the council gave very little independent consideration to the serious voting rights issues implicated by the charter committee's work and the potential impact of its efforts on the political participation opportunities of minority voters.

Under Section 5 of the Voting Rights Act, the submitting authority has the burden of showing that a submitted change has neither a discriminatory purpose nor a discriminatory effect. *Georgia v. United States*, 411 U.S. 526 (1973); see also 28 C.F.R. 51.52. In light of the considerations discussed above, I cannot conclude that your burden has been sustained in this instance. Therefore, on behalf of the Attorney General, I must object to the change in the method of election to four single-member districts and two at-large seats, the adoption of numbered posts for the at-large seats, the adoption of a majority vote requirement for the election of city officers, and the proposed redistricting criteria.

We note that under Section 5 you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that the proposed changes neither have the purpose nor

will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. See 28 C.F.R. 51.44. In addition, you may request that the Attorney General reconsider the objection. See 28 C.F.R. 51.45. However, until the objection is withdrawn or a judgement from the District of Columbia Court is obtained, the objected-to changes continue to be legally unenforceable. Clark v. Roemer, 500 U.S. 646 (1991); 28 C.F.R. 51.10.

To enable us to meet our responsibility to enforce the Voting Rights Act, please inform us of the action the City of Galveston plans to take concerning this matter. If you have any questions, you should call George Schneider (202-307-3153), an attorney in the Voting Section.

Sincerely,

Bill Lann Lee
Acting Assistant
Attorney General
Civil Rights Division

U.S. Department of Justice
Civil Rights Division

Office of the Assistant Attorney General
Washington, D.C. 10035

C. Robert Heath, Esq.
Bickerstaff, Heath, Smiley, Pollan, Keever &
McDaniel
816 Congress Avenue, Suite 1700
Austin, Texas 78701-2443

Dear Mr. Heath:

This refers to your request that the Attorney General reconsider and withdraw the December 14, 1998, objection interposed under Section 5 of the Voting Rights Act, 42 U.S.C. 1973c, to charter amendments that provide for a change in the method of election for the city council from six single-member districts to four single-member districts and two elected at large with numbered posts, a change from a plurality to a majority vote requirement, and redistricting criteria for the City of Galveston in Galveston County, Texas. We received your request on December 5, 2001.

Your letter also requests that if the Attorney General withdraws the objection to the above charter changes, the Attorney General should then proceed with his analysis of the city's proposed 2001 redistricting plan (identified in your letter as Plan Z) which the city proposes to use in connection with the four single-member, two at large framework.

Your letter acknowledges that if the Attorney General declines to withdraw the December 14, 1998, objection, Redistricting Plan Z will be moot. Accordingly, the city has also presented for Section 5 review a 2001 redistricting plan (Plan C) for use under the six single-member district method of election.

We have reconsidered our earlier determination in this matter based on the information and arguments you have advanced in support of your request, along with the other information in our files and comments received from other interested persons. Based on this review we have concluded that the charter amendment requiring a majority vote for the election of the mayor and city council would not have a retrogressive effect on the ability of minority voters to elect candidates of their choice.

Accordingly, pursuant to Section 51.48(b) of the Procedures for the Administration of Section 5, the objection interposed to the majority vote requirement for the election of the mayor and members of the

city council is hereby withdrawn. However, we note that failure of the Attorney General to object does not bar subsequent litigation to enforce the enforcement of the change. See 28 C.F.R. 51.41.

We cannot reach a similar conclusion with regard to your request for reconsideration of the remaining changes.

The city's prior history with regard to the enforcement of the Voting Rights Act is generally set out in our December 14, 1998, objection letter and need not be repeated in depth here. The record shows that it was not until the replacement in 1993 of the at-large election system by the court ordered single-member district system that African-American voters achieved a significant level of representation on the city council reflective of their voting strength in the city which continues to this day.

While our procedural guideline states that a submitting authority may request reconsideration of an objection "at any time," it recommends that such requests "should contain relevant information or legal argument." Procedures for the Administration of Section 5 (28 C.F.R. 51.45).

In support of your request for reconsideration, your letter notes the following changed circumstances since the 1998 objection, which you request that the Attorney General consider: (1) the availability of more current demographic data as a result of the release of the 2001 Census; and (2) the occurrence of a city election in which the incumbent Hispanic mayor was reelected.

We certainly agree that the most recent census data is critically important in evaluating the current impact of proposed voting changes, and of redistricting plans in particular. Our review of the census data has confirmed the accuracy of your statistics for the existing plan and the alternative plans you have presented. We also note your statement that the 2001 Census revealed that in the ten years since the 1990 Census, Hispanics supplanted African-Americans as the predominant minority group in the city. However, your letter does not explain the significance of this demographic shift with regard to the essential question in the Section 5 analysis: Do the proposed changes reflect a purpose to retrogress minority voting strength, and do they result in retrogression?

Similarly, the results of the 2000 city election, while certainly relevant to our analysis, would be significant if they indicated that racial bloc voting was no longer an operative factor in city elections. However, Mayor Quiroga's reelection, when considered together with our previous analyses of racial bloc voting in the city (referred to in our December 14, 1998, objection letter) fails to persuade us that voting in the City of Galveston is no longer racially polarized.

In light of these considerations, I remain unable to conclude that the City of Galveston has carried its burden of showing that the submitted changes have neither a discriminatory purpose nor a discriminatory effect. See Georgia v. United States, 411 U.S. 526 (1973); see also 28 C.F.R. 51.52.

Therefore, on behalf of the Attorney General, I must decline to withdraw the objection to the charter amendments that provide for a change in the method of election for the city council from six single-member districts to four single-member districts and two elected at large with numbered posts and the redistricting criteria.

As we previously advised, you may seek a declaratory judgment from the United States District Court for the District of Columbia that the proposed changes have neither the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. We remind you that until such a judgment is rendered by that court, the objection by the Attorney General remains in effect and the proposed changes continue to be legally unenforceable. See Clark v. Roemer, 500 U.S. 646 (1991); 28 C.F.R. 51.10.

Your request that the Attorney General review for preclearance the city's proposed six single-member districting plan if he declines to withdraw the objection to the charter changes will be addressed in a separate letter.

Sincerely,

/s/ Ralph F. Boyd, Jr.

Assistant Attorney General
Civil Rights Division

CHARTER COMPARATIVE TABLE

The original charter, Articles I through XIV, is set out as adopted on January 28, 1960. The following table shows the disposition of amendments thereto.

Ordinance Number	Date	Section	Disposition



City of Galveston

OFFICE OF THE CITY SECRETARY

PO Box 779 | Galveston, TX 77553-0779

citysec@galvestontx.gov | 409-797-3510

CALENDAR for the May 2, 2026 City of Galveston Election

January 15	*	Last day for timely filing of semi-annual report of contributions and expenditures
January 15 through February 13		Period for filing application for place on ballot
February 17		Last day to file declaration of write-in candidacy
February 19 - 23		Period to conduct drawing for order of names on ballot
April 2		Last day to register to vote and be eligible to vote in May 4 City Election
April 2	*	Due date for filing 1st report of campaign contributions & expenditures by opposed candidates
April 20		First Day to vote early by personal appearance
April 24	*	Due date for filing 2nd report of campaign contributions & expenditures by opposed candidates
April 28		Last Day of Early Voting by personal appearance
May 2		ELECTION DAY
May 13		Council Meeting for Official Canvass
July 15	*	Due date for filing semiannual report of contributions and expenditures



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 _____ 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 VOID NUMBER² (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)
This Box Must ONLY be Completed by Candidates for School District Board of Trustees					
Check the Box Below: <input type="checkbox"/> I am aware that I am not eligible to serve as a trustee of an independent school district if I am required to register as a sex offender under Chapter 62, Code of Criminal Procedure.					
*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					
_____/_____/_____ Date Received		_____/_____/_____ Date Accepted		(See Section 1.007) _____ 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. <https://www.sos.state.tx.us/elections/laws/voter-reg-req-candidate-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.

**SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL
 PARA UNA CIUDAD, DISTRITO ESCOLAR U OTRA SUBDIVISIÓN POLÍTICA**

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL¹ El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE _____					
Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo			(nombre de la elección)		
Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación.					
CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			INDIQUE TÉRMINO <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO		
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA*		
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		OCUPACIÓN (No deje este espacio en blanco)	FECHA DE NACIMIENTO / /	VOID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional)	
INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Hogar: _____ Trabajo: _____ Celular: _____					
ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)			DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA		
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³			EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es)		EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es)
Esta casilla SÓLO debe ser rellenada por los candidatos para la Junta Directiva del Distrito Escolar Marque la casilla a continuación: <input type="checkbox"/> Reconozco que no soy elegible para servir como fideicomisario de un distrito escolar independiente si estoy obligado a registrarme como delincuente sexual conforme al Capítulo 62 del Código de Procedimiento Penal.					
*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.					
Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice: "Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."					
			X		
			FIRMA DEL CANDIDATO		
Jurado y suscrito ante mí este día ____ de ____ del ____ por ____. (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento ⁴ _____ Título del oficial autorizado para administrar el juramento			Nombre del oficial autorizado para administrar juramentos en letra de molde _____ Notarial o sello oficial		
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					
____/____/____		____/____/____		____	
Date Received		Date Accepted		Signature of Filing Officer or Designee	

INSTRUCCIONES

Una solicitud para un lugar en la elección general para una ciudad, distrito escolar u otra subdivisión política, no puede ser presentada antes de los 30 días antes de la fecha límite prescrita por este código para presentar la solicitud. Una solicitud presentada antes de ese día es nula. Todos los campos de la solicitud **deben** completarse a menos que estén específicamente marcados como opcional.

Para una elección que se lleve a cabo en una fecha de elección uniforme, el día de la fecha límite de presentación es el 78° día antes del día de la elección.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con sí mismo, o con cualquier otro miembro del órgano de gobierno o corte en el que se desempeña cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

NOTAS

¹Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

²La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la División de Elecciones de la Secretaría de Estado para obtener información adicional. <https://www.sos.state.tx.us/elections/laws/voter-reg-req-candidate-faq.shtml>

³La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

Se debe enviar uno de los siguientes documentos con esta solicitud:

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701

Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01

Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

⁴Todos los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier corte de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código del Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

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 \$1,110 in political contributions or
make more than \$1,110 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>

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised June 20, 2025

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

FORM CTA—INSTRUCTION GUIDE

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APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form CTA). Use Form CTA only for appointing your campaign treasurer. Use the AMENDMENT (Form ACTA) for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. Note: Candidates for most judicial offices use Form JCTA to file a campaign treasurer appointment.

DUTIES OF A CANDIDATE OR OFFICEHOLDER

As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form and all candidate/officeholder reports of contributions, expenditures, and loans. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

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. Note: A candidate may appoint himself or herself as his or her own campaign treasurer.

DUTIES OF A CAMPAIGN TREASURER

State law does not impose any obligations on a candidate's campaign treasurer.

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

If you plan to run for a public office in Texas (except for a federal office), you must file this form when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures. A "candidate" is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:

- (A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;
- (B) the filing of an application for a place on the ballot;

- (C) the filing of an application for nomination by convention;
- (D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;
- (E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;
- (G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and
- (H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

Additionally, the law provides that you must file this form before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment form with the proper filing authority.

If you are an officeholder, you may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. If you do not have a campaign treasurer appointment on file and you wish to accept *campaign* contributions or make *campaign* expenditures in connection with your office or for a different office, you must file this form before doing so. In such a case, a sworn report of contributions, expenditures, and loans will be due no later than the 15th day after filing this form.

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT

The appropriate filing authority depends on the office sought or held.

a. Texas Ethics Commission. The Texas Ethics Commission (Commission) is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner.
- State Senator or State Representative.
- Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge.*
- State Board of Education.

- A multi-county district judge* or multi-county district attorney.
- A single-county district judge.*
- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
- A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
- A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.

* Judicial candidates use FORM JCTA to appoint a campaign treasurer.

b. County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate local filing authority for a candidate for:

- A county office.
- A precinct office.
- A district office (except for multi-county district offices).
- An office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.
- An elected position on the board of directors of an appraisal district.

c. Local Filing Authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

FILING WITH A DIFFERENT AUTHORITY

If you have a campaign treasurer appointment on file with one authority, and you wish to accept campaign contributions or make or authorize campaign expenditures in connection with another office that would require filing with a different authority, you must file a new campaign treasurer appointment *and* a copy of your old campaign treasurer appointment (certified by the old authority) with the new filing authority before beginning your campaign. You should also provide written notice to the original filing authority that your future reports will be filed with another authority; use Form CTA-T for this purpose.

FORMING A POLITICAL COMMITTEE

As a candidate, you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA). You may also form a specific-purpose committee to support your candidacy. Remember that filing a campaign treasurer appointment for a political committee does not eliminate the requirement that a candidate file his or her own campaign treasurer appointment (FORM CTA) and the related reports.

NOTE: *See the Campaign Finance Guide for Political Committees for further information about specific-purpose committees.*

CHANGING A CAMPAIGN TREASURER

If you wish to change your campaign treasurer, simply file an amended campaign treasurer appointment (FORM ACTA). This will automatically terminate the outgoing campaign treasurer appointment.

AMENDING A CAMPAIGN TREASURER APPOINTMENT

If *any* of the information reported on the campaign treasurer appointment (FORM CTA) changes, file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM ACTA) to report the change.

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

If you are an officeholder who appoints a campaign treasurer after a period of not having one, you must file a report of contributions, expenditures, and loans no later than the 15th day after your appointment is effective. This requirement is not applicable if you are a candidate or an officeholder who is merely changing campaign treasurers.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

You may terminate your campaign treasurer appointment at any time by:

- 1) filing a campaign treasurer appointment for a successor campaign treasurer, or
- 2) filing a final report.

Remember that you may not accept any campaign contributions or make or authorize any campaign expenditures without a campaign treasurer appointment on file. You may, however, accept officeholder contributions and make or authorize officeholder expenditures.

If your campaign treasurer quits, he or she must give written notice to both you and your filing authority. The termination will be effective on the date you receive the notice or on the date your filing authority receives the notice, whichever is later.

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. If you have surplus funds, or if you retain assets purchased with political funds, you will be required to file annual reports. (*See instructions for FORM C/OH - UC.*) If you are an officeholder at the time of filing a final report, you may be required to file semiannual reports of contributions, expenditures, and loans as an officeholder.

If you do not have an appointment of campaign treasurer on file, you may not accept *campaign* contributions or make *campaign* expenditures. A payment on a campaign debt is a campaign expenditure. An officeholder who does not have an appointment of campaign treasurer on file may accept *officeholder* contributions and make *officeholder* expenditures.

To file a final report, you must complete the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (FORM C/OH), check the “final” box on Page 1, Section 9, and complete and attach the DESIGNATION OF FINAL REPORT (FORM C/OH-FR).

ELECTRONIC FILING

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

GUIDES

All candidates should review the applicable Commission’s campaign finance guide. Guides are available on the Commission’s website at <http://www.ethics.state.tx.us>.

SPECIFIC INSTRUCTIONS

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

PAGE 1

- 1. TOTAL PAGES FILED:** After you have completed the form, enter the total number of pages 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. CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, of this form.
- 3. CANDIDATE MAILING ADDRESS:** Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. **We recommend using a PO Box or other address where you receive mail, rather than your home**

address. This will be public information. If this information changes, please notify your filing authority immediately.

4. **CANDIDATE PHONE:** Enter your phone number, including the area code and extension, if applicable.
5. **OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
6. **OFFICE SOUGHT:** If you are a candidate, please enter the office you seek, if known. Include the district, precinct, or other designation for the office, if applicable.
7. **CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
8. **CAMPAIGN TREASURER STREET ADDRESS:** Enter the complete street address of your campaign treasurer, including the zip code. You may enter either the treasurer's business or residential street address. If you are your own treasurer, you may enter either your business or residential street address.
9. **CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer, including the area code and extension, if applicable.
10. **CANDIDATE SIGNATURE:** Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.
 - The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.
 - A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.
 - A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.
 - Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The degree of consanguinity is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. Examples: (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent

to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

PAGE 2

11. CANDIDATE NAME: Enter your name as you did on Page 1.

12. MODIFIED REPORTING DECLARATION: Sign this option if you wish to report under the modified reporting schedule.

The modified reporting option is not available for candidates for the office of state chair of a political party and candidates for county chair of a political party.

To the left of your signature, enter the year of the election or election cycle to which your selection of modified reporting applies.

Your selection of modified reporting is valid for an entire election cycle. For example, if you choose modified reporting before a primary election, your selection remains in effect for any runoff and for the general election and any related runoff. You must make this selection at least 30 days before the first election to which your selection applies.

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$1,110 in political contributions or make more than \$1,110 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$1,110 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semiannual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$1,110 maximums apply to each election within the cycle. In other words, you are limited to \$1,110 in contributions and expenditures in connection with the primary, an additional \$1,110 in contributions and expenditures in connection with the general election, and an additional \$1,110 in contributions and expenditures in connection with a runoff.

EXCEEDING \$1,110 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$1,110 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$1,110 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

Your selection is not valid for other elections or election cycles. Use the AMENDMENT (FORM ACTA) to renew your option to file under the modified schedule for a different election year or election cycle.

For more information, see the Commission's campaign finance guide that applies to you.

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

Pursuant to chapter 258 of the Election Code, every candidate and political committee is encouraged to subscribe to the Code of Fair Campaign Practices. The Code may be filed with the proper filing authority upon submission of a campaign treasurer appointment form. Candidates or political committees that already have a current campaign treasurer appointment on file as of September 1, 1997, may subscribe to the code at any time.

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE

POLITICAL COMMITTEE

If filing as a candidate, complete boxes 3 - 6, then read and sign page 2.

If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

GO TO PAGE 2

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 / OFFICEHOLDER CAMPAIGN FINANCE REPORT

**FORM C/OH
COVER SHEET PG 2**

15 C/OH NAME		16 Filer ID (Ethics Commission Filers)
17 CONTRIBUTION TOTALS	1. TOTAL UNITEMIZED POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS, OR CONTRIBUTIONS MADE ELECTRONICALLY)	\$
	2. TOTAL POLITICAL CONTRIBUTIONS (OTHER THAN PLEDGES, LOANS, OR GUARANTEES OF LOANS)	\$
EXPENDITURE TOTALS	3. TOTAL UNITEMIZED POLITICAL EXPENDITURE.	\$
	4. TOTAL POLITICAL EXPENDITURES	\$
CONTRIBUTION BALANCE	5. TOTAL POLITICAL CONTRIBUTIONS MAINTAINED AS OF THE LAST DAY OF REPORTING PERIOD	\$
OUTSTANDING LOAN TOTALS	6. TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS AS OF THE LAST DAY OF THE REPORTING PERIOD	\$

18 SIGNATURE I swear, or affirm, under penalty of perjury, that the accompanying report is true and correct and includes all information required to be reported by me under Title 15, Election Code.

Signature of Candidate or Officeholder

Please complete either option below:

(1) Affidavit

NOTARY STAMP / SEAL

Sworn to and subscribed before me by _____ this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath



(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

Signature of Candidate/Officeholder (Declarant)

SUBTOTALS - C/OH

**FORM C/OH
COVER SHEET PG 3**

19 FILER NAME		20 Filer ID (Ethics Commission Filers)
21 SCHEDULE SUBTOTALS NAME OF SCHEDULE		SUBTOTAL AMOUNT
1.	SCHEDULE A1: MONETARY POLITICAL CONTRIBUTIONS	\$
2.	SCHEDULE A2: NON-MONETARY (IN-KIND) POLITICAL CONTRIBUTIONS	\$
3.	SCHEDULE B: PLEDGED CONTRIBUTIONS	\$
4.	SCHEDULE E: LOANS	\$
5.	SCHEDULE F1: POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
6.	SCHEDULE F2: UNPAID INCURRED OBLIGATIONS	\$
7.	SCHEDULE F3: PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS	\$
8.	SCHEDULE F4: EXPENDITURES MADE BY CREDIT CARD	\$
9.	SCHEDULE G: POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS	\$
10.	SCHEDULE H: PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH	\$
11.	SCHEDULE I: NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS	\$
12.	SCHEDULE K: INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER	\$

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A1

If the requested information is not applicable, **DO NOT** include this page in the report.

The Instruction Guide explains how to complete this form.		1 Total pages Schedule A1:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Full name of contributor out-of-state PAC (ID#: _____) 6 Contributor address; City; State; Zip Code	7 Amount of contribution (\$)
8 Principal occupation / Job title (See Instructions)		9 Employer (See Instructions)
Date	Full name of contributor out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Date	Full name of contributor out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Date	Full name of contributor out-of-state PAC (ID#: _____) Contributor address; City; State; Zip Code	Amount of contribution (\$)
Principal occupation / Job title (See Instructions)		Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED
 If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.

PLEGGED CONTRIBUTIONS

SCHEDULE B

If the requested information is not applicable, **DO NOT** include this page in the report.

The Instruction Guide explains how to complete this form.		1 Total pages Schedule B:	
2 FILER NAME		3 Filer ID (Ethics Commission Filers)	
4 TOTAL OF UNITEMIZED PLEDGES		\$	
5 Date	6 Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) 7 Pledgor address; City; State; Zip Code	8 Amount of Pledge \$	9 In-kind contribution description Check if travel outside of Texas. Complete Schedule T.
10 Principal occupation / Job title (See Instructions)		11 Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of Pledge \$	In-kind contribution description Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of Pledge \$	In-kind contribution description Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	
Date	Full name of pledgor <input type="checkbox"/> out-of-state PAC (ID#: _____) Pledgor address; City; State; Zip Code	Amount of Pledge \$	In-kind contribution description Check if travel outside of Texas. Complete Schedule T.
Principal occupation / Job title (See Instructions)		Employer (See Instructions)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

If contributor is out-of-state PAC, please see Instruction guide for additional reporting requirements.

LOANS

SCHEDULE E

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.		1 Total pages Schedule E:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED LOANS		\$
5 Date of loan	7 Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	9 Loan Amount (\$)
6 Is lender a financial Institution? <input type="checkbox"/> Y <input type="checkbox"/> N	8 Lender address; City; State; Zip Code	10 Interest rate
		11 Maturity date
12 Principal occupation / Job title (See Instructions)		13 Employer (See Instructions)
14 Description of Collateral none		15 Check if personal funds were deposited into political account (See Instructions)
16 GUARANTOR INFORMATION not applicable	17 Name of guarantor	19 Amount Guaranteed (\$)
	18 Guarantor address; City; State; Zip Code	
20 Principal Occupation (See Instructions)		21 Employer (See Instructions)
Date of loan	Name of lender <input type="checkbox"/> out-of-state PAC (ID#: _____)	Loan Amount (\$)
Is lender a financial Institution? <input type="checkbox"/> Y <input type="checkbox"/> N	Lender address; City; State; Zip Code	Interest rate
		Maturity date
Principal occupation / Job title (See Instructions)		Employer (See Instructions)
Description of Collateral none		Check if personal funds were deposited into political account (See Instructions)
GUARANTOR INFORMATION not applicable	Name of guarantor	Amount Guaranteed (\$)
	Guarantor address; City; State; Zip Code	
Principal Occupation (See Instructions)		Employer (See Instructions)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

If lender is out-of-state PAC, please see Instruction guide for additional reporting requirements.

POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F1

If the requested information is not applicable, **DO NOT** include this page in the report.

EXPENDITURE CATEGORIES FOR BOX 8(a)

- | | | | |
|---|-------------------------------|--------------------------------|--|
| Advertising Expense | Event Expense | Loan Repayment/Reimbursement | Solicitation/Fundraising Expense |
| Accounting/Banking | Fees | Office Overhead/Rental Expense | Transportation Equipment & Related Expense |
| Consulting Expense | Food/Beverage Expense | Polling Expense | Travel In District |
| Contributions/Donations Made By
Candidate/Officeholder/Political Committee | Gift/Awards/Memorials Expense | Printing Expense | Travel Out Of District |
| Credit Card Payment | Legal Services | Salaries/Wages/Contract Labor | Other (enter a category not listed above) |

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F1:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Payee name	
6 Amount (\$)	7 Payee address;	City; State; Zip Code
PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address;	City; State; Zip Code
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$)	Payee address;	City; State; Zip Code
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

UNPAID INCURRED OBLIGATIONS

SCHEDULE F2

If the requested information is not applicable, **DO NOT** include this page in the report.

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Candidate/Officeholder/Political Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

1 Total pages Schedule F2:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
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4 TOTAL OF UNITEMIZED UNPAID INCURRED OBLIGATIONS	\$
--	----

5 Date	6 Payee name
---------------	---------------------

7 Amount (\$)	8 Payee address; City; State; Zip Code
----------------------	---

9 TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
------------------------------	------------------------------------	--

10 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense

11 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
--	-------------------------------	---------------	-------------

Date	Payee name
------	------------

Amount (\$)	Payee address; City; State; Zip Code
-------------	--------------------------------------

TYPE OF EXPENDITURE	<input type="checkbox"/> Political	<input type="checkbox"/> Non-Political
---------------------	------------------------------------	--

PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense

Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought	Office held
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ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PURCHASE OF INVESTMENTS MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE F3

If the requested information is not applicable, **DO NOT include this page in the report.**

The Instruction Guide explains how to complete this form.		1 Total pages Schedule F3:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Name of person from whom investment is purchased	
 6 Address of person from whom investment is purchased; City; State; Zip Code	
	7 Description of investment	
	8 Amount of investment (\$)	
Date	Name of person from whom investment is purchased	
 Address of person from whom investment is purchased; City; State; Zip Code	
	Description of investment	
	Amount of investment (\$)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

EXPENDITURES MADE BY CREDIT CARD

SCHEDULE F4

If the requested information is not applicable, **DO NOT** include this page in the report.

EXPENDITURE CATEGORIES FOR BOX 10(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Candidate/Officeholder/Political Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)

The Instruction Guide explains how to complete this form.

USE A NEW PAGE FOR EACH CREDIT CARD ISSUER

1 TOTAL PAGES SCHEDULE F4:	2 FILER NAME	3 FILER ID (Ethics Commission Filers)
4 TOTAL OF UNITEMIZED EXPENDITURES CHARGED TO A CREDIT CARD		\$
5 CREDIT CARD ISSUER	Name of financial institution	
6 PAYMENT	(a) Amount Charged \$	(b) Date Expenditure Charged
		(c) Date(s) Credit Card Issuer Paid
7 PAYEE	(a) Payee name	(b) Payee address; City, State, Zip Code
8 PURPOSE OF EXPENDITURE <input type="checkbox"/> Political <input type="checkbox"/> Non-Political	(a) Category (See Categories listed at the top of this schedule)	
	(b) Description	
	(c) Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
9 Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office Sought Office Held
PAYMENT	(a) Amount Charged \$	(b) Date Expenditure Charged
		(c) Date(s) Credit Card Issuer Paid
PAYEE	(a) Payee name	(b) Payee address; City, State, Zip Code
PURPOSE OF EXPENDITURE <input type="checkbox"/> Political <input type="checkbox"/> Non-Political	(a) Category (See Categories listed at the top of this schedule)	
	(b) Description	
	(c) Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office Sought Office Held
PAYMENT	(a) Amount Charged \$	(b) Date Expenditure Charged
		(c) Date(s) Credit Card Issuer Paid
PAYEE	(a) Payee name	(b) Payee address; City, State, Zip Code
PURPOSE OF EXPENDITURE <input type="checkbox"/> Political <input type="checkbox"/> Non-Political	(a) Category (See Categories listed at the top of this schedule)	
	(b) Description	
	(c) Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
Complete ONLY if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office Sought Office Held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

POLITICAL EXPENDITURES MADE FROM PERSONAL FUNDS

SCHEDULE G

If the requested information is not applicable, **DO NOT** include this page in the report.

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense	Event Expense	Loan Repayment/Reimbursement	Solicitation/Fundraising Expense
Accounting/Banking	Fees	Office Overhead/Rental Expense	Transportation Equipment & Related Expense
Consulting Expense	Food/Beverage Expense	Polling Expense	Travel In District
Contributions/Donations Made By	Gift/Awards/Memorials Expense	Printing Expense	Travel Out Of District
Candidate/Officeholder/Political Committee	Legal Services	Salaries/Wages/Contract Labor	Other (enter a category not listed above)
Credit Card Payment			

The Instruction Guide explains how to complete this form.

1 Total pages Schedule G:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Payee name	
6 Amount (\$) Reimbursement from political contributions intended	7 Payee address; City; State; Zip Code	
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$) Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$) Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Payee name	
Amount (\$) Reimbursement from political contributions intended	Payee address; City; State; Zip Code	
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T.	Check if Austin, TX, officeholder living expense
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

PAYMENT MADE FROM POLITICAL CONTRIBUTIONS TO A BUSINESS OF C/OH

SCHEDULE H

If the requested information is not applicable, **DO NOT** include this page in the report.

EXPENDITURE CATEGORIES FOR BOX 8(a)

Advertising Expense Accounting/Banking Consulting Expense Contributions/Donations Made By Candidate/Officeholder/Political Committee Credit Card Payment	Event Expense Fees Food/Beverage Expense Gift/Awards/Memorials Expense Legal Services	Loan Repayment/Reimbursement Office Overhead/Rental Expense Polling Expense Printing Expense Salaries/Wages/Contract Labor	Solicitation/Fundraising Expense Transportation Equipment & Related Expense Travel In District Travel Out Of District Other (enter a category not listed above)
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The Instruction Guide explains how to complete this form.

1 Total pages Schedule H:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Business name	
6 Amount (\$)	7 Business address;	City; State; Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (See Categories listed at the top of this schedule)	(b) Description
	(c) Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
9 Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Business name	
Amount (\$)	Business address;	City; State; Zip Code
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held
Date	Business name	
Amount (\$)	Business address;	City; State; Zip Code
PURPOSE OF EXPENDITURE	Category (See Categories listed at the top of this schedule)	Description
	Check if travel outside of Texas. Complete Schedule T. Check if Austin, TX, officeholder living expense	
Complete <u>ONLY</u> if direct expenditure to benefit C/OH	Candidate / Officeholder name	Office sought Office held

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

NON-POLITICAL EXPENDITURES MADE FROM POLITICAL CONTRIBUTIONS

SCHEDULE I

If the requested information is not applicable, **DO NOT** include this page in the report.

The Instruction Guide explains how to complete this form.

1 Total pages Schedule I:	2 FILER NAME	3 Filer ID (Ethics Commission Filers)
4 Date	5 Payee name	
6 Amount (\$)	7 Payee address;	City State Zip Code
8 PURPOSE OF EXPENDITURE	(a) Category (See instructions for examples of acceptable categories.)	(b) Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)
Date	Payee name	
Amount (\$)	Payee address;	City State Zip Code
PURPOSE OF EXPENDITURE	Category (See instructions for examples of acceptable categories.)	Description (See instructions regarding type of information required.)

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

INTEREST, CREDITS, GAINS, REFUNDS, AND CONTRIBUTIONS RETURNED TO FILER

SCHEDULE K

If the requested information is not applicable, **DO NOT** include this page in the report.

The Instruction Guide explains how to complete this form.		1 Total pages Schedule K:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Date	5 Name of person from whom amount is received 6 Address of person from whom amount is received; City; State; Zip Code	8 Amount (\$)
7 Purpose for which amount is received		Check if political contribution returned to filer
Date	Name of person from whom amount is received Address of person from whom amount is received; City; State; Zip Code	Amount (\$)
Purpose for which amount is received		Check if political contribution returned to filer
Date	Name of person from whom amount is received Address of person from whom amount is received; City; State; Zip Code	Amount (\$)
Purpose for which amount is received		Check if political contribution returned to filer
Date	Name of person from whom amount is received Address of person from whom amount is received; City; State; Zip Code	Amount (\$)
Purpose for which amount is received		Check if political contribution returned to filer

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

IN-KIND CONTRIBUTIONS OR POLITICAL EXPENDITURES FOR TRAVEL OUTSIDE OF TEXAS

SCHEDULE T

If the requested information is not applicable, **DO NOT** include this page in the report.

The Instruction Guide explains how to complete this form.		1 Total pages Schedule T:
2 FILER NAME		3 Filer ID (Ethics Commission Filers)
4 Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
5 Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A2 <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule B(J) <input type="checkbox"/> Schedule C2 <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F1 <input type="checkbox"/> Schedule F2 <input type="checkbox"/> Schedule F4 <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule COH-UC <input type="checkbox"/> Schedule B-SS		
6 Dates of travel	7 Name of person(s) traveling	
	8 Departure city or name of departure location	
	9 Destination city or name of destination location	
10 Means of transportation	11 Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A2 <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule B(J) <input type="checkbox"/> Schedule C2 <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F1 <input type="checkbox"/> Schedule F2 <input type="checkbox"/> Schedule F4 <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule COH-UC <input type="checkbox"/> Schedule B-SS		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	
Name of Contributor / Corporation or Labor Organization / Pledgor / Payee		
Contribution / Expenditure reported on: <input type="checkbox"/> Schedule A2 <input type="checkbox"/> Schedule B <input type="checkbox"/> Schedule B(J) <input type="checkbox"/> Schedule C2 <input type="checkbox"/> Schedule D <input type="checkbox"/> Schedule F1 <input type="checkbox"/> Schedule F2 <input type="checkbox"/> Schedule F4 <input type="checkbox"/> Schedule G <input type="checkbox"/> Schedule H <input type="checkbox"/> Schedule COH-UC <input type="checkbox"/> Schedule B-SS		
Dates of travel	Name of person(s) traveling	
	Departure city or name of departure location	
	Destination city or name of destination location	
Means of transportation	Purpose of travel (including name of conference, seminar, or other event)	

ATTACH ADDITIONAL COPIES OF THIS SCHEDULE AS NEEDED

CANDIDATE / OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

FORM C/OH - FR

The Instruction Guide explains how to complete this form.

•• Complete only if "Report Type" on page 1 is marked "Final Report" ••

1 C/OH NAME

2 Filer ID (Ethics Commission Filers)

3 SIGNATURE

I do not expect any further political contributions or political expenditures in connection with my candidacy. I understand that designating a report as a final report terminates my campaign treasurer appointment. I also understand that I may not accept any campaign contributions or make any campaign expenditures without a campaign treasurer appointment on file.

Signature of Candidate / Officeholder

4 FILER WHO IS NOT AN OFFICEHOLDER

•• Complete A & B below *only* if you are not an officeholder. ••

A. CAMPAIGN FUNDS

Check only one:

- I do not have unexpended contributions or unexpended interest or income earned from political contributions.
- I have unexpended contributions or unexpended interest or income earned from political contributions. I understand that I may not convert unexpended political contributions or unexpended interest or income earned on political contributions to personal use. I also understand that I must file an annual report of unexpended contributions and that I may not retain unexpended contributions or unexpended interest or income earned on political contributions longer than six years after filing this final report. Further, I understand that I must dispose of unexpended political contributions and unexpended interest or income earned on political contributions in accordance with the requirements of Election Code, § 254.204.

B. ASSETS

Check only one:

- I do not retain assets purchased with political contributions or interest or other income from political contributions.
- I do retain assets purchased with political contributions or interest or other income from political contributions. I understand that I may not convert assets purchased with political contributions or interest or other income from political contributions to personal use. I also understand that I must dispose of assets purchased with political contributions in accordance with the requirements of Election Code, § 254.204.

Signature of Candidate

5 OFFICEHOLDER

•• Complete this section *only* if you are an officeholder ••

I am aware that I remain subject to filing requirements applicable to an officeholder who does not have a campaign treasurer on file. I am also aware that I will be required to file reports of unexpended contributions if, after filing the last required report as an officeholder, I retain political contributions, interest or other income from political contributions, or assets purchased with political contributions or interest or other income from political contributions.

Signature of Officeholder



AFFIDAVIT FOR CANDIDATE OR OFFICEHOLDER: ELECTRONIC FILING EXEMPTION

An exemption affidavit must be submitted with each paper report.

Beginning on January 1, 2025, a candidate or officeholder who has accepted more than \$33,910 in political contributions or made more than \$33,910 in political expenditures in any calendar year must file all subsequent reports electronically.

Filer name	Filer ID #
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OFFICE USE ONLY	
Date Received	
Date Hand-delivered or Date Postmarked	
Receipt #	Amount \$
Date Processed	
Date Imaged	

- I swear or affirm that I have not accepted more than \$33,910 in political contributions or made more than \$33,910 in political expenditures in a calendar year.
- I further swear or affirm that I do not use computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
- I further swear or affirm that no person acting as my agent or consultant, and no person with whom I contract, uses computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
- I further swear or affirm that I understand that I am required to file my campaign finance reports electronically if I, my agent or consultant, or a person with whom I contract exceeds \$33,910 in political contributions or political expenditures in a calendar year, or uses computer equipment to keep current records of political contributions, political expenditures, or persons making political contributions to me.
- I am filing this affidavit with the _____ report due on _____. I understand that this affidavit is required to be filed with each campaign finance report for which I am claiming an exemption from electronic filing.

Please complete either option below:

(1) Affidavit

Signature of Filer

NOTARY STAMP / SEAL

Sworn to and subscribed before me by _____ this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath	Printed name of officer administering oath	Title of officer administering oath
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OR

(2) Unsworn Declaration

My name is _____, and my date of birth is _____.

My address is _____ (street), _____ (city), _____ (state), _____ (zip code), _____ (country).

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

Signature of Filer (Declarant)

FILERS WHO ARE EXEMPT FROM THE ELECTRONIC FILING REQUIREMENT ARE STILL REQUIRED TO FILE CAMPAIGN FINANCE REPORTS ON PAPER



TEXAS ETHICS COMMISSION
2026 FILING SCHEDULE FOR REPORTS DUE IN CONNECTION WITH
ELECTIONS HELD ON UNIFORM ELECTION DATES

This is a filing schedule for reports to be filed in connection with elections held on uniform election dates in May and November. Examples of elections held on uniform election dates are elections for school board positions and city offices. The uniform election dates in 2026 are May 2 and November 3.

Candidates and officeholders must file semiannual reports (due on January 15, 2026, and July 15, 2026). In addition, a candidate who has an opponent on the ballot in an election held on a uniform election date must file two pre-election reports (unless the candidate has elected modified reporting).

The campaign treasurer of a political committee that is involved in an election held on a uniform election date must also file pre-election reports (unless the committee is a general-purpose political committee that files monthly or a specific-purpose political committee that files on the modified reporting schedule). This schedule sets out the due dates for pre-election reports in connection with elections on uniform election dates. Please consult the 2026 REGULAR FILING SCHEDULE FOR GENERAL-PURPOSE POLITICAL COMMITTEES (GPAC), COUNTY EXECUTIVE COMMITTEES (CEC), AND SPECIFIC-PURPOSE POLITICAL COMMITTEES (SPAC) for a complete listing of political committee deadlines.

Candidates for and officeholders in local offices regularly filled at the general election for state and county officers (the November election in even-numbered years) should use the 2026 FILING SCHEDULE FOR CANDIDATES AND OFFICEHOLDERS FILING WITH THE COUNTY CLERK OR ELECTIONS ADMINISTRATOR.

EXPLANATION OF THE FILING SCHEDULE CHART

COLUMN I: REPORT DUE DATE - This is the date by which the report must be filed. If the due date for a report falls on a Saturday, Sunday, or legal holiday, the report is due on the next regular business day. This schedule shows the extended deadline where applicable. A report transmitted to the Texas Ethics Commission over the Internet is considered timely filed if it is transmitted *by midnight, Central Time Zone, on the night of the filing deadline*. For most filing deadlines, a report filed on paper is considered timely filed if it is deposited with the U.S. Post Office or a common or contract carrier properly addressed with postage and handling charges prepaid, or hand-delivered to the filing authority by the filing deadline. **Pre-Election Reports:** A report due 30 days before an election and a report due 8 days before an election must be *received* by the appropriate filing authority no later than the report due date to be considered timely filed.

COLUMN II: TYPE OF REPORT (WHO FILES) - This column gives the report type and explains which reporting form to use and which filers are required to file the report.

COLUMN III: BEGINNING DATE OF PERIOD COVERED - This column sets out the beginning date of the time period covered by the report. Use the latest one of the applicable dates. The "date of campaign treasurer appointment" is the beginning date only for the *first* report filed after filing a campaign treasurer appointment. For officeholders recently appointed to an elective office, the beginning date for the first report will be the date the officeholder took office, provided that he or she was not already filing as an officeholder or candidate at the time of the appointment. (*NOTE: If you are ever confused about the beginning date for a required report, remember this rule: **There should never be gaps between reporting periods and, generally, there should not be overlaps.***)

COLUMN IV: ENDING DATE OF PERIOD COVERED - This column sets out the ending date of the time period covered by the report. The report must include reportable activity occurring on the ending date.

Please consult the CAMPAIGN FINANCE GUIDE FOR CANDIDATES AND OFFICEHOLDERS WHO FILE WITH LOCAL FILING AUTHORITIES or the CAMPAIGN FINANCE GUIDE FOR POLITICAL COMMITTEES for further information.

<u>COLUMN I</u> DUE DATE	<u>COLUMN II</u> TYPE OF REPORT (WHO FILES)	<u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED	<u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED
Thursday, January 15, 2026	January semiannual [FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,110 in contributions or expenditures for the reporting period) [FORM GPAC] (all GPACs) [FORM SPAC] (all SPACs)	July 1, 2025, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended.	December 31, 2025
Thursday, January 15, 2026	Annual report of unexpended contributions [FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)	January 1, 2025, <i>or</i> the day after the date the final report was filed.	December 31, 2025

REPORTS DUE BEFORE THE MAY 2, 2026, UNIFORM ELECTION

Thursday, April 2, 2026 NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 2, 2026.	30th day before the May 2, 2026, uniform election [FORM C/OH] (all local candidates who have an opponent on the ballot in the May 2 election and who do not file on the modified reporting schedule) [FORM GPAC] (all GPACs that are involved in the May 2 election) [FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the May 2 election)	January 1, 2026, <i>or</i> the date of campaign treasurer appointment, <i>or</i> the day after the date the last report ended.	March 23, 2026
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NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

<u>COLUMN I</u> DUE DATE	<u>COLUMN II</u> TYPE OF REPORT (WHO FILES)	<u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED	<u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED
<p>Friday, April 24, 2026</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than April 24, 2026.</p>	<p>8th day before May 2, 2026, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the May 2 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved in the May 2 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the May 2 election)</p>	<p>March 24, 2026, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	<p>April 22, 2026</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after April 22, 2026, may be required. Please consult the Campaign Finance Guide for further information.</p>
<p>Wednesday, July 15, 2026</p>	<p>July semiannual</p> <p>[FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,140 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p>	<p>January 1, 2026, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	<p>June 30, 2026</p>
<p>NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period. The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.</p>			

<u>COLUMN I</u> DUE DATE	<u>COLUMN II</u> TYPE OF REPORT (WHO FILES)	<u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED	<u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED
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REPORTS DUE BEFORE THE NOVEMBER 3, 2026, UNIFORM ELECTION

<p>Monday, October 5, 2026</p> <p><i>Deadline is extended because of weekend.</i></p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 5, 2026.</p>	<p>30th day before the November 3, 2026, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 3 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that are involved in the November 3 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that supported or opposed an opposed candidate or a measure in the November 3 election)</p>	<p>July 1, 2026, <u>or</u></p> <p>the date of campaign treasurer appointment, <u>or</u></p> <p>the day after the date the last report ended.</p>	<p>September 24, 2026</p>
<p>Monday, October 26, 2026</p> <p>NOTE: This report must be <u>received</u> by the appropriate filing authority no later than October 26, 2026.</p>	<p>8th day before the November 3, 2026, uniform election</p> <p>[FORM C/OH] (all local candidates who have an opponent on the ballot in the November 3 election and who do not file on the modified reporting schedule)</p> <p>[FORM GPAC] (all GPACs that filed a “30th Day Before Election Report” or that are involved in the November 3 election)</p> <p>[FORM SPAC] (all SPACs that do not file on the modified reporting schedule and that filed a “30th Day Before Election Report” or that supported or opposed an opposed candidate or a measure in the November 3 election)</p>	<p>September 25, 2026, <u>or</u></p> <p>the date of campaign treasurer appointment, <u>or</u></p> <p>the day after the date the last report ended.</p>	<p>October 24, 2026</p> <p>NOTE: Daily pre-election reports of contributions accepted and direct campaign expenditures made after October 24, 2026, may be required. Please consult the Campaign Finance Guide for further information.</p>

NOTE: A political committee must file pre-election reports if the committee is involved in the election during each pre-election reporting period. **A political committee must file an 8-day pre-election report if the committee filed a 30-day pre-election report, even if there is no activity to report during the 8-day reporting period.** The campaign treasurer of a political committee may be required to file 30-day and 8-day pre-election reports in connection with elections not listed on this schedule.

<u>COLUMN I</u> DUE DATE	<u>COLUMN II</u> TYPE OF REPORT (WHO FILES)	<u>COLUMN III</u> BEGINNING DATE OF PERIOD COVERED	<u>COLUMN IV</u> ENDING DATE OF PERIOD COVERED
Friday, January 15, 2027	<p>January semiannual</p> <p>[FORM C/OH] (all local candidates and officeholders, except for officeholders who do not have a campaign treasurer appointment on file and who do not exceed \$1,140 in contributions or expenditures for the reporting period)</p> <p>[FORM GPAC] (all GPACs)</p> <p>[FORM SPAC] (all SPACs)</p>	<p>July 1, 2026, <i>or</i></p> <p>the date of campaign treasurer appointment, <i>or</i></p> <p>the day after the date the last report ended.</p>	December 31, 2026
Friday, January 15, 2027	<p>Annual report of unexpended contributions</p> <p>[FORM C/OH-UC] (former candidates and former officeholders who have filed a final report and who retained unexpended contributions or assets purchased with contributions)</p>	<p>January 1, 2026, <i>or</i></p> <p>the day after the date the final report was filed.</p>	December 31, 2026