

TEXAS ETHICS COMMISSION

LEGISLATIVE CAUCUS REPORT OF CONTRIBUTIONS & EXPENDITURES

FORM LEG – INSTRUCTION GUIDE



Revised January 21, 2020

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

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Promoting Public Confidence in Government

FORM LEG – INSTRUCTION GUIDE

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FORM LEG: LEGISLATIVE CAUCUS REPORT OF CONTRIBUTIONS & EXPENDITURES

These instructions are for the LEGISLATIVE CAUCUS REPORT OF CONTRIBUTIONS AND EXPENDITURES (Form LEG). Form LEG includes a two-page Cover Sheet and Schedules A(L), E(L), and F(L). All filers must submit the two-page Cover Sheet, but only the schedules on which there is information to report need to be included.

GENERAL INSTRUCTIONS

These general instructions apply to all forms required to be filed under title 15, Texas Election Code.

ELECTRONIC FILING

Legislative caucus reports are required to be filed electronically unless the caucus is eligible to claim an exemption. Please check the Texas Ethics Commission's (Commission) website at <https://www.ethics.state.tx.us> for information about exemptions from the electronic filing requirement.

FILLING OUT THE FORMS

All reports filed on paper must be either handwritten in ink or typewritten. If you complete the report by hand, please print everything other than your signature.

*You may use your own computer-generated form if it provides for disclosure of all the information required on the Commission's form and it is *substantially identical* in paper size, color, layout, and format. A substitute form that is substantially identical to the Commission's prescribed form must be submitted for pre-approval by the Commission's executive director.*

Always file the two-page Cover Sheet of the Legislative Caucus Report form. You need to file only those schedules on which you have information to report.

You must keep an exact copy of each report filed and all records necessary to complete the report for at least two (2) years after the deadline for filing the report.

If you have questions, please call our office at (512) 463-5800.

PHOTOCOPIES OF FORMS

You may use photocopies of Commission forms. For example, if the space provided on Schedule A(L) is insufficient, you may make copies of a blank Schedule A(L) form and attach more pages as needed.

FILING DATE

A document is considered timely filed if it is properly addressed with postage or handling charges prepaid and bears a postmark or receipt mark of a common or contract carrier indicating a time on or before the deadline.

Form LEG – Instruction Guide

Please address your reports and correspondence to the Texas Ethics Commission, P. O. Box 12070, Austin, Texas 78711-2070. For hand deliveries, the Commission's street address is 201 East 14th Street, Sam Houston Building, 10th Floor, Austin, Texas 78701.

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.

COMPLETING THE COVER SHEET

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

PAGE 1:

- 1. FILER ID:** The Commission assigned a filer identification number when you sent written notice to the Commission regarding the formation of the legislative caucus. Enter this number wherever you see “Filer ID.”
- 2. TOTAL PAGES FILED:** After you have completed the form, count the total number of pages of this form and any attached schedules. Enter that number where indicated on the top line of Page 1 only. Each side of a two-sided page counts as one page.
- 3. CAUCUS NAME:** Enter the full name of the legislative caucus.
- 4. CAUCUS CHAIR:** Enter the full name of the caucus chair. The chair of each legislative caucus is responsible for completing the Legislative Caucus Report (Form LEG).
- 5. CAUCUS MAILING ADDRESS:** Enter the complete mailing address for the legislative caucus. This should be the address at which the caucus chair would like to receive future correspondence from the Commission regarding this report.
- 6. REPORT TYPE:** Check the appropriate box to indicate which semiannual report is being filed.

January 15 (Semiannual) Report: All legislative caucuses must file a semiannual report with the Commission no later than the January 15 report due date.

July 15 (Semiannual) Report: All legislative caucuses must file a semiannual report with the Commission no later than the July 15 report due date.

- 7. PERIOD COVERED:** Indicate the time period covered by this report.

January 15 (Semiannual) Report: The start date is July 1 or the date your legislative caucus was organized, whichever is later. The end date is December 31.

July 15 (Semiannual) Report: The start date is January 1 or the date your legislative caucus was organized, whichever is later. The end date is June 30.

- 8. NO REPORTABLE ACTIVITY:** If the legislative caucus had no reportable activity (contributions, expenditures, or loans) during the period covered by this report, check the box and then sign the report in section 10. You do not need to file any schedules.
- 9. TOTALS:** Complete this section only after you have completed any applicable schedules.

Line 1 – TOTAL UNITEMIZED CONTRIBUTIONS FROM NON-CAUCUS MEMBERS: Enter the total of all unitemized contributions (other than loans or guarantees of loans) of \$90 or less accepted from non-caucus members. Do not include any contributions itemized on Schedule A(L).

On Schedule A(L), you were required to itemize non-caucus member contributions that totaled more than \$90 from one source. (**Remember:** If the caucus accepted contributions **totaling** more than \$90 from one person during the report period, you were required to itemize all of those contributions, even if individual contributions were \$90 or less.) You also had the option of itemizing contributions of \$90 or less from one source. Do not include any itemized contributions in the total entered on Line 1, regardless of amount.

Line 2 – TOTAL CONTRIBUTIONS: Your total contributions include all contributions accepted from both non-caucus members *and* caucus members.

To find the sum of non-caucus member contributions, add the total contributions listed on Schedule A(L) to the amount entered on Line 1. That amount should then be added to the amount of contributions received from caucus members during the report period. (The caucus should maintain an internal list of contributions from caucus members.)

Line 3 – TOTAL UNITEMIZED EXPENDITURES : Enter the total of all unitemized expenditures of \$90 or less in the aggregate to a payee. Do not include any expenditures itemized on Schedule F(L).

On Schedule F(L), you were required to itemize expenditures that totaled more than \$90 to one payee. (**Remember:** If the caucus made expenditures **totaling** more than \$90 to one person during the report period, you were required to itemize all of those expenditures, even if individual expenditures were \$90 or less.) You also had the option of itemizing expenditures totaling \$90 or less to one payee. Do not include any expenditures itemized on Schedule F(L) in the total entered on Line 3, regardless of amount.

Line 4 – TOTAL EXPENDITURES: Add the following:

- (1) the total expenditures listed on Schedule F(L); and
- (2) the amount you entered on Line 3.

Enter that total on Line 4.

Line 5 – TOTAL PRINCIPAL AMOUNT OF ALL OUTSTANDING LOANS: Enter the aggregate outstanding principal amount of all loans accepted by your caucus as of the last day of the report period. This is different from the information reported on Schedule E(L). Only loans accepted during the period covered by the report are entered on Schedule E(L). Include outstanding principal of loans made in this report period as well as outstanding principal of loans made previously.

- 10. AFFIDAVIT:** Complete this section only after you have completed all applicable sections. Only the legislative caucus chair may sign the affidavit.

PAGE 2:

- 11. CAUCUS NAME:** Enter the full name of the legislative caucus.

- 12. FILER ID:** See instructions for Cover Sheet, page 1, section 1.

13. SCHEDULE SUBTOTALS: Complete this section only after you have completed all applicable schedules.

Line 1 – Schedule A(L): Add the total amount of political contributions from non-caucus members itemized on Schedule A(L) to the amount of unitemized political contributions from non-caucus members accepted during the period covered. Enter that total on Line 1. Enter a “0” if you did not accept any political contributions during the period covered.

Line 2 – Schedule E(L): Add the total amount of loans itemized on Schedule E(L) to the amount of unitemized loans accepted during the period covered. Enter that total on Line 2. Enter a “0” if you did not accept any loans during the period covered.

Line 3 – Schedule F(L): Add the total amount of legislative caucus expenditures itemized on Schedule F(L) to the amount of unitemized expenditures. Enter that total on Line 3. Enter a “0” if you did not make any expenditures during the period covered.

**SCHEDULE A(L): NON-CAUCUS MEMBER CONTRIBUTIONS
(ITEMIZED CONTRIBUTIONS OTHER THAN LOANS)**

These instructions are for the chair of a legislative caucus using SCHEDULE A(L): NON-CAUCUS MEMBER CONTRIBUTIONS – ITEMIZED CONTRIBUTIONS OTHER THAN LOANS.

Use this schedule only to report information about contributions accepted during the report period from non-caucus members. Do not enter on this schedule information on loans or guarantees of loans. (Report loans and guarantees of loans on Schedule E(L).)

Itemization: You must itemize contributions that exceed \$90 that the caucus accepted during the report period from one source. You are not required to itemize contributions from caucus members. If the caucus accepted two or more contributions from the same source, the total of which exceeds \$90, itemize each contribution separately. Although you are not required to do so, you may also itemize contributions that do not exceed \$90.

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

1. **TOTAL PAGES SCHEDULE A(L):** After you have completed Schedule A(L), count the total number of pages. Each side of a two-sided page counts as one page.
2. **CAUCUS NAME:** Enter the full name of the legislative caucus.
3. **FILER ID:** See instructions for Cover Sheet, page 1, section 1.
4. **DATE:** Enter the date the legislative caucus *accepted* the contribution.
Accepting a contribution is different from *receiving* a contribution. The caucus accepts a contribution when the determination is made to accept it rather than reject it. This may or may not be the same day that the caucus receives the contribution.
5. **FULL NAME OF CONTRIBUTOR:** Enter the full name of the contributor.
6. **CONTRIBUTOR ADDRESS:** Enter the complete address of the contributor.
7. **AMOUNT OF CONTRIBUTION:** Enter the amount of the contribution or the fair-market value of an in-kind contribution, as applicable.
8. **IN-KIND CONTRIBUTION DESCRIPTION:** Enter a description of the contribution if the contribution was for goods or services or any other thing of value. The description should be sufficiently detailed to allow a person reviewing the report to understand what was contributed.

SCHEDULE E(L): LOANS TO LEGISLATIVE CAUCUS –LOAN AND GUARANTOR INFORMATION

These instructions are for the chair of a legislative caucus using SCHEDULE E(L): LOANS TO LEGISLATIVE CAUCUS (LOANS AND GUARANTOR INFORMATION).

Use this schedule to report information about loans and guarantees of loans accepted during the report period.

Itemization: You must itemize loans that exceed \$90 that the caucus accepted during the report period from one source. If the caucus accepted two or more loans from the same source, the total of which exceeds \$90, itemize each loan separately. Although you are not required to do so, you may also itemize loans that do not exceed \$90.

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

- 1. TOTAL PAGES SCHEDULE E(L):** After you have completed Schedule E(L), count the total number of pages. Each side of a two-sided page counts as one page.
- 2. CAUCUS NAME:** Enter the full name of the legislative caucus.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. TOTAL OF UNITEMIZED LOANS:** Enter the total amount of loans accepted during the report period that did not exceed \$90 in the aggregate from one person.

Although you are not required to do so, you may also itemize loans of \$90 or less on this Schedule. If you itemize some loans of \$90 or less, do not include those loans in the total you enter here. If you choose to itemize all loans of \$90 or less, do not enter a total amount here.

- 5. DATE OF LOAN:** Enter the date the legislative caucus accepted the loan.
- 6. IS LENDER A FINANCIAL INSTITUTION?:** If you accepted the loan from a corporation that has been legally engaged in the business of making loans for more than one year, circle “Y” for yes. If you accepted the loan from any other source, circle “N” for no.
- 7. NAME OF LENDER:** Enter the full name of the person or financial institution that made the loan. If the lender is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the lender is an entity, enter the full name of the entity.
- 8. LENDER ADDRESS:** Enter the complete address of the person or financial institution that made the loan.
- 9. LOAN AMOUNT:** Enter the principal amount of the loan.
- 10. INTEREST RATE:** Enter the interest rate for the loan.
- 11. MATURITY DATE:** Enter the maturity date of the loan.

12. **DESCRIPTION OF COLLATERAL:** If there is no collateral for the loan, check “None.” If there is collateral for the loan, enter a description of the collateral for the loan.
13. **GUARANTOR INFORMATION:** If there are no guarantors for the loan, check the “Not Applicable” box and go to the next loan. If you have no further loans to report, go to the next schedule.
14. **NAME OF GUARANTOR:** Enter the full name of the guarantor.
15. **GUARANTOR ADDRESS:** Enter the complete address of the guarantor.
16. **AMOUNT GUARANTEED:** Enter the dollar amount of the loan that the guarantor has agreed to guarantee.
17. **PRINCIPAL OCCUPATION:** Enter the principal occupation of the guarantor.
18. **EMPLOYER:** Enter the name of the employer of the guarantor.

SCHEDULE F(L): LEGISLATIVE CAUCUS EXPENDITURES – ITEMIZED EXPENDITURES

*These instructions are for the chair of a legislative caucus using SCHEDULE F(L):
LEGISLATIVE CAUCUS EXPENDITURES – ITEMIZED EXPENDITURES.*

Use this schedule only to report information about expenditures made or authorized during the report period.

Itemization: You must enter expenditures made to an individual or entity that exceed \$90 during a report period. If the caucus made more than one expenditure to the same payee, the total of which exceeded \$90, enter each expenditure separately. Although you are not required to do so, you may report expenditures to one person that do not exceed \$90 on this Schedule. If you choose not to itemize expenditures of \$90 and less on this Schedule, you must total all unitemized expenditures and report them on Form LEG, Cover Sheet, page 1, section 9, line 3.

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

- 1. TOTAL PAGES SCHEDULE F(L):** After you have completed Schedule F(L), count the total number of pages. Each side of a two-sided page counts as one page.
- 2. CAUCUS NAME:** Enter the full name of the legislative caucus.
- 3. FILER ID:** See instructions for Cover Sheet, page 1, section 1.
- 4. DATE:** Enter the date the caucus made the expenditure. The date of an expenditure is not necessarily the date that goods or services are received. It is the date on which your caucus incurs the obligation to make a payment, as long as the amount of the payment is “readily determinable.” Generally, you know the amount of an expenditure (and therefore it is readily determinable) when the obligation is incurred, but in some cases you may not know the amount until the receipt of a periodic bill. An amount is readily determinable if the vendor can provide the amount at your request.

Example 1: On June 29th, a caucus orders goods or services. On July 16th, the caucus receives the invoice for the goods or services. The date of the expenditure is June 29th, if on that date the vendor can provide the amount the filer will owe the vendor for the goods or services. Filers should request a vendor to provide the amount of an obligation at the time the obligation is incurred.

Example 2: A caucus will not know the amount owed for long distance telephone service until the caucus receives the statement. The date you receive the phone statement is the date of the expenditure for reporting purposes.

- 5. PAYEE NAME:** Enter the full name of the payee. If the payee is an individual, enter the full name, first, last, and suffix (Jr., III, etc.) if applicable (title is optional). If the payee is an entity, enter the full name of the entity.

NOTE: If the expenditure was by credit card, enter the name of the vendor who sold you the goods or services, not the name of the credit card issuer.

6. **PAYEE ADDRESS:** Enter the complete address of the person or entity to whom the expenditure was made.
7. **AMOUNT:** Enter the exact amount of the expenditure.
8. **PURPOSE OF EXPENDITURE:** Enter a brief statement or description of the caucus activity that is conducted by making the expenditure. The brief statement or description must include the item or service purchased and must be sufficiently specific, when considered within the context of the description of the category, to make the reason for the expenditure clear.