



Date: January 12, 2023
To: Election Candidates and Officeholders
From: Don Doering, Interim City Secretary
Re: May 6, 2023 General Election Information

Dear Election Candidates and Officeholders:

Thank you for your interest in serving the citizens of Magnolia to serve on the Magnolia City Council. Should you decide to become a candidate, your candidacy requires compliance with certain state statutes and local ordinances.

Please realize the material in this packet is not exhaustive and that it is the duty of the candidate/officeholder to become familiar with and follow all laws, rules, and regulations applicable to municipal campaigns.

ROLE OF THE CITY SECRETARY

The role of the City Secretary is to accept and file candidate applications, affidavits, and statements required of candidates, and note the dates of filing thereon. **There is no legal duty of the City Secretary to inform anyone of the necessity of or deadlines for the filing of any of the documents, or to advise anyone in regard to the meaning and requirements of the statutes.** The City Secretary should not be expected to judge or comment upon the timeliness or sufficiency of reports filed, but rather to serve only as the custodian of records.

Upon the filing of an Application for Place on the Ballot, the City Secretary shall review it for compliance with requirements as to form, content and procedure only, checking to ensure it was filed correctly, timely and that all required information is completed and attested to. If an Application does not comply with applicable requirements, the City Secretary must reject the Application and provide the candidate written notice of the rejection. [EC Sec. 141.032(e)]. Candidates are not permitted to simply make corrections to the form once submitted, and candidates should review materials fully before submitting. Please file your Application as soon as practicable to allow sufficient time for this review. Filing at the last minute may not give the City Secretary sufficient time to review, which is subject to state law, not City preference. **Please do not leave any blanks on the Application, as doing so may render your Application invalid.**

QUESTIONS?

Available resources:

Campaign Finance Reporting Information – Available through the Texas Ethics Commission (“TEC”) at (512) 463-5800 or (800) 325-8506, and online: <https://www.ethics.state.tx.us/filinginfo/coh/>

State Election Information – Available from the Texas Secretary of State (“SOS”) at (512) 463-5650 or (800) 252-8683, and online: <https://www.sos.state.tx.us/elections/index.shtml>

City Website – <http://www.cityofmagnolia.com> – City election information and links to all City Departments, meetings, events, archived material, financial information, contact information, city limits, ETJ and zoning maps, the City’s Code of Ordinances and Unified Development Code, and more.

EXPLANATIONS OF SOME OF THE FORMS PROVIDED IN THE PACKET:

- 1) **Authorization to Release Email** – This form is required to release the email address listed on your application for a place on the ballot.
- 2) **Application for a Place on the City of Magnolia General Election Ballot**. This form can be filed in my office between January 18, 2023 and February 17, 2023. The application must be signed in the presence of a notary. I will notarize this for you if you have not already signed the form when you file your application.
- 3) **Appointment of a Campaign Treasurer by a Candidate (Form CTA)** – The Form CTA should be filed with me at the same time as you file the application for a place on the ballot. It is prohibited to accept campaign contributions (funds or services) or make any expenditure before this form has been filed. Even if you do not intend to accept campaign contributions or make campaign expenditures, you must file this form. Please note: the statement regarding the nepotism law must be signed. A summary of the nepotism law is in the CTA Instruction Guide. The CTA Instruction Guide can be found at:
https://www.ethics.state.tx.us/forms/coh/CTA_ins.php
- 4) **Code of Fair Campaign Practices Form (CFCP) and CFCP Act** – By signing this form you are signifying your intentions to run a fair, ethical and honest campaign. This form is voluntary; however, it is highly recommended that you sign it and file it at the same time you file your application for a place on the ballot and the Form CTA.
- 5) **Candidate/Officeholder Campaign Finance Report (Forms C/OH, Schedules, C/OH-FR, and C/OH-UC)** – Forms are to be completed by the candidate or the candidate’s campaign treasurer (but signed only by the candidate). These forms are to be filed in my office on the date specified in the filing schedule.

PLEASE NOTE: All applications, affidavits, statements, and campaign reports filed with the City Secretary are considered public information and as such are open to inspection by the public.

ON-LINE COURSES TO COMPLETE AFTER ELECTED:

<https://www.texasattorneygeneral.gov/open-government/governmental-bodies/pia-and-oma-training-resources>

Open Meetings Act

Public Information Act

(Please turn certificates in to City Secretary within 60 days)

We trust that this will be a positive and exciting experience for you, and that you find satisfaction in the call to public service.