Report of Direct Campaign Expenditures: Schedule ATX.1

(Previously "Independent Expenditures not by a Candidate")

Instruction Guide

This report must be filed by persons (as defined in § 2-2-2(17) of the City Code, which includes corporations and political committees) **other than a candidate or a candidate's campaign committee**, who make one or more direct campaign expenditures in a City election that in the aggregate meet or exceed $500.

A **direct campaign expenditure** is an expenditure for an electioneering communication or for express advocacy, as defined in City Code Section § 2-2-31, that is made:

1. independently of any candidate and any candidate's campaign committee;
2. without prior consent, cooperation, strategic communication, or consultation between:
   (a) any candidate, any candidate's campaign staff, any candidate's campaign committee, or an agent or employee of any candidate or candidate's campaign committee; and
   (b) the person or entity making the expenditure, or that person's agent or employee; and
3. without prior sharing of material information regarding the communication's content, intended audience, timing, or method of dissemination between:
   (a) any candidate, any candidate's campaign staff, any candidate's campaign committee, or an agent or employee of any candidate or any candidate's campaign committee; and
   (b) the person or entity making the expenditure, or that person's agent or employee.

An individual or organization must file this report with the Office of the City Clerk each time the aggregate $500 expenditure threshold is met. The filing of one **Schedule ATX.1: Report of Direct Campaign Expenditures** does not excuse the filing of a subsequent report each time this threshold is met.

The deadlines for timely filing of this report are:

1. If the expenditure is made before the 60th day before the date of the election, no later than the fifth business day after the date of the expenditure.
2. If the expenditure is made on or after the 60th day before the date of the election and before the ninth day before the date of the election, no later than the second business day after the date of the expenditure.
3. If the expenditure is made on or after the ninth day before the date of the election, no later than 5 p.m. on the first business day after the date of the expenditure.

Note that the City of Austin's requirement for reporting direct campaign expenditures does not supersede, modify or replace any reporting requirements established by the Texas Ethics Commission (TEC). Individuals, committees, or corporations who file an **ATX.1: Report of Direct Campaign Expenditures** with the City may be subject to additional reporting requirements established by the TEC. It is incumbent upon the filer to be aware of and comply with all reporting requirements for direct campaign expenditures established by governing bodies external to the City.

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Electronic Filing of Schedule ATX.1 Data

All direct campaign expenditures disclosed on the **ATX.1: Report of Direct Campaign Expenditures** must be reported electronically. Beginning in July 2020, the **ATX.1: Report of Direct Campaign Expenditures** will be submitted to the City Clerk using the City of Austin Electronic Filing System, called the E-Filing System, located at: **https://austintexas.ethicsefile.com/EthFile/**

To gain access to the E-Filing System, a filer must fill out and submit the Campaign Finance Contact Form. The form can be filled out and submitted online by the following link: **https://cityofaustin.formstack.com/forms/campaign_finance_contact_form**

Required fields are highlighted in **red** below. Failure to complete the required field will result in an error in the E-Filing System's error check. You will not be able to file your report until all high errors have been resolved in the E-Filing System.

Page 1: Filer Information

1. **Filer Employer and Occupation:** If the filer is an individual, provide the filer's employer and occupation. *For Individuals filing an ATX.1, Filer Employer and Occupation are required. A blank value will result in an error in the E-Filing System's error check and you will not be able to file your report.*

2. **Individual or Organization Address:** The mailing or street address of the individual, committee, or organization that made the direct campaign expenditure. *The Individual or Organization Address is required. A blank value will result in an error in the E-Filing System's error check and you will not be able to file your report.*

3. **Committee Treasurer Name:** For political committees, the full name of the committee's treasurer.

4. **Committee Treasurer Address:** For political committees, the mailing or street address of the committee's treasurer.

Expenditure Information

Provide the following information for each direct campaign expenditure.

1. **Payee Name:** The full name of the individual or name of the company, political committee, organization, or group to whom the expenditure was made. *This Payee Name is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

2. **Payee Address:** The payee's street or mailing address, including city, state and zip code. *This Payee Address is required. A blank value will result in an error in the E-Filing System's error check and you will not be able to file your report.*

3. Expenditure Details

Category: The category code of goods, services, or other thing of value for which the expenditure was made. *This Expenditure Category is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

Description: If the Category is "Other," a description of the goods, services, or other thing of value for which the expenditure was made.

Expenditure Amount: The amount of the expenditure. *This field is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

Expenditure Date: The date on which the payment was made. *This field is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

4. Candidates and/or ballot measures supported or opposed

Provide the following information for each candidate, officeholder, or ballot measure supported or opposed by each direct campaign expenditure. Filers must report at least one candidate/ballot measure supported or opposed.

Candidate's Last Name or Measure Name: For ballot measures supported or opposed, the name of each measure. For candidates or officeholders, the last name of each individual supported or opposed by the expenditure. *This field is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

Candidate's First Name: The first name of each candidate or officeholder supported or opposed by the expenditure, if applicable.

Office Sought: The office sought by each candidate or officeholder supported or opposed by the expenditure, if applicable.

Office Held: The current office held by each officeholder supported or opposed by the expenditure, if applicable.

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Contribution Information

Effective **September 1, 2016** information related to contributions must be reported if the individual or organization making a direct campaign expenditure has accepted a contribution during the current election reporting cycle.

For each contributor who made contributions in an aggregate amount of $500 or more during the current election reporting cycle that have not previously been reported, the following information must be provided for each accepted contribution.*

1. **Contributor Name:** The contributor's full name (for individuals) or the name of the company, political committee, organization, or group who made the contribution. *The Contributor Name is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

2. **Contributor Address:** The contributor's street or mailing address, including city, state, and zip code. *The Contributor Address is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

   Contributor Employer and Occupation: If the contributor is an individual, provide the contributor's employer and occupation. *The Contributor Employer and Occupation are required. A blank value in these fields will result in an error in the E-Filing System's error check and you will not be able to file your report.*

3. **Contribution Details**

   Contribution Date: The date on which each contribution was accepted. *This field is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

   Contribution Amount: The amount of each contribution. *This field is required. A blank value in this field will result in an error in the E-Filing System's error check and you will not be able to file your report.*

Affidavit

1. **Affidavit:** Input your E-Filing System password and select the box next to the affidavit language, "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."

* A person, as defined in City Code § 2-2-2(17), who pays for a direct campaign expenditure exclusively from a segregated bank account must only report information regarding contributions made to that segregated bank account. A segregated bank account is a bank account maintained by a person who makes one or more direct campaign expenditures, consisting of funds that were paid directly to that account by persons other than the person that controls it, and used by that person to make direct campaign expenditures. See Ordinance 20160623-020 for additional details.