



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 7

April 23, 1992

Whether a person filing a report under title 15 of the Election Code may substitute a form for the form prescribed by the Ethics Commission. (AOR-9)

The Texas Ethics Commission has been asked to consider whether a general-purpose committee may substitute its own form for a page of the form prescribed by the commission and designated "General-Purpose Committee Sworn Report of Contributions and Expenditures."

The General-Purpose Committee Sworn Report of Contributions and Expenditures is a reporting form that provides places for a general-purpose political committee to disclose all the information required by sections 254.031 and 254.151 of the Election Code. These sections require information about the committee itself, about contributions the committee has accepted, and about expenditures it has made.

Each report filed under title 15 of the Election Code must be on a form prescribed by the commission unless the report is a computer printout. Elec. Code § 254.036(a). When a report is on a computer printout, the printout must conform to the same format and paper size as the form prescribed by the commission. Apart from permitting the use of a computer printout, the statute does not permit a person filing a report to substitute a form in place of the prescribed form or a page in place of a page of the form adopted by the commission. The commission recognizes, however, that the spaces allocated for listing certain contributions and expenditures on the prescribed forms may not be well suited to a particular person's needs. In such a case the person may submit a proposed attachment for approval by commission staff. Any proposed attachment must be of the same paper size as the prescribed form. The information must appear on the attachment in substantially the same format as it would have appeared on the prescribed form. If the commission staff approves an attachment, a person may use it by noting on the appropriate page of the prescribed form that the requested information is on an attachment.

The commission has been asked if the form attached as Appendix A to this opinion may be substituted for Part G-06 of the general-purpose committee report, which is attached as Appendix B. The form attached as Appendix A may be used, with the changes described below, as an attachment to the prescribed form if the person refers to the attachment on Part G-06 of the prescribed form.

The form attached as Appendix A does not have the same format as the full page of Part G-06, but it does have the same format of the portion of Part G-06 that relates to the information that the requestor seeks to disclose on the attachment. The headings on the attachment should reflect the information to be reported on the attachment. Thus, in the case of the proposed attachment in Appendix A, the column heading that now reads "Disbursements of cash not previously reported" should repeat the full heading used on the commission form or simply read "Disbursements of cash" if that is the only information to be reported on the attachment. The heading that now reads "specific purpose" should include the words "of expenditure."

SUMMARY

A person filing a report under title 15 of the Election Code may not substitute a form in place of the prescribed form or a page in place of a page of the form adopted by the commission unless the commission has approved the use of the substitute form. For an attachment to be approved, the attachment must be of the same paper size

as the prescribed form. The information must appear on the attachment in substantially the same format as it would have appeared on the prescribed form.