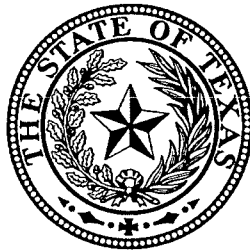


TEXAS ETHICS COMMISSION
LOBBY REGISTRATION AMENDMENT

FORM AREG - INSTRUCTION GUIDE



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The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

FORM AREG - INSTRUCTION GUIDE

*Use FORM AREG when you file any amendment to your original
Lobby Registration or to a previous amendment.*

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LOBBY REGISTRATION AMENDMENT FORM AREG - INSTRUCTION GUIDE

This guide contains the instructions for the LOBBY REGISTRATION AMENDMENT FORM (Form AREG), which consists of a Cover Sheet and Schedules A, B, and C.

Note: The electronic filing software refers to an amendment as an “update.”

If you are registered as a lobbyist with the Texas Ethics Commission and any of the information you reported on either your original lobby registration or on a previous registration amendment has changed (other than information requested in Part 3 of Schedule A), you must file a LOBBY REGISTRATION AMENDMENT (Form AREG) that discloses the changed information. The LOBBY REGISTRATION AMENDMENT (Form AREG) must be filed no later than the 10th day of the month after the month the information changes. If you are a monthly filer, you may report subject matter changes on your next monthly activity report instead of on Form AREG.

Changes to Registration Information During a Regular Legislative Session. *If you are registered as a lobbyist with the Texas Ethics Commission and any of the information you reported on either your original lobby registration or on a previous registration amendment changes during a regular legislative session, the LOBBY REGISTRATION AMENDMENT (Form AREG) must be filed no later than the 5th day after the information changes.*

There is no fee for filing an amended registration unless your registration status changes on the cover sheet, item number 4.

If you have any questions concerning amendments to your lobby registration or how to complete this form, please call the Texas Ethics Commission at (512) 463-5800.

GENERAL INSTRUCTIONS

Electronic Filing. Beginning with filing for 2005, lobbyist registration reports and lobby activity reports are required to be filed electronically unless the lobby registrant is eligible to claim an exemption. Please check the Texas Ethics Commission’s website at <http://www.ethics.state.tx.us> for information about the Ethics Commission’s electronic filing software and for information about exemptions from the electronic filing requirement.

Filling Out the Forms. All forms must be either typewritten or handwritten in ink.

No need to complete schedules that do not apply. You do not need to complete or file any schedules of this LOBBY REGISTRATION AMENDMENT (Form AREG) that do not apply to your changes.

Photocopies of Forms. You may use photocopies of blank Ethics Commission forms. Any form filed with the Ethics Commission, however, must have an original signature.

Note: You should retain copies of all reports filed with the commission.

Substitution of Forms. You may use your own computer-generated form if it provides for disclosure of all the information required on the commission's form and is *substantially similar* in paper size and format. You may submit a substitute form for pre-approval by the commission's executive director.

Effective Date of Amended Registration. A LOBBY REGISTRATION AMENDMENT (Form AREG) must be filed no later than the **10th day** of the month after the month the information changes.

A document is considered “filed” with the Ethics Commission on either:

1. the workday it is hand-delivered, as long as it is received by 5 p.m.; or
2. the date it is mailed, as evidenced by the post office cancellation mark or a receipt mark from a common or contract carrier. The date mark from an office postage meter does not determine the filing date.

Note: When the tenth day of the month falls on a state or federal holiday or a weekend, the deadline is extended to the next business day.

The Ethics Commission is located at 201 East 14th Street, 10th Floor of the Sam Houston Building, Austin, Texas 78701. The mailing address for the Ethics Commission is P. O. Box 12070, Austin, Texas 78711-2070.

FILLING OUT THE COVER SHEET

When filing a LOBBY REGISTRATION AMENDMENT (Form AREG), you must complete boxes 1 through 3 of FORM AREG and sign the form at box 13. You should complete other items only as needed to amend information reported on your original registration or a previous amendment.

1. **Number of Schedules Filed.** Enter the total number of Schedules A and B you are filing. Indicate whether you are filing a Schedule C.
2. **Registrant Name.** Provide your name as currently listed with the Ethics Commission. If you would like to change the way your name appears in Ethics Commission records, indicate the change in box 5.
3. **Information Changes.** Check all applicable boxes to show the types of changes you are making to your registration.
4. **Registration Fee Paid.** Complete this section only if your registration fee status has changed since you filed your initial registration and you are now required to pay a higher registration fee for this calendar year. Check the appropriate box to show your new registration fee status.

For most filers, the annual registration fee is \$750.

The registration fee is \$150 if all of your clients are exempt from federal income tax under section 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code of 1986, as well as for any registrant who is employed exclusively by such an organization. To register at this level, all of your clients must qualify as exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986. If you are selecting this level of registration, you must first verify that at the time of the selection, all of your clients are listed on the IRS website at [http://www.irs.gov/uac/SOI-Tax-Stats-Exempt-Organizations-Business-Master-File-Extract-\(EO-BMF\)](http://www.irs.gov/uac/SOI-Tax-Stats-Exempt-Organizations-Business-Master-File-Extract-(EO-BMF)) (then scroll down the web page to find the excel files for Texas).

If all of your clients are not listed on the IRS website, you must provide for each of the clients not listed, qualifying documentation to the Texas Ethics Commission verifying that the client is exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986, before you can register at this level. Submit qualifying documentation to the Texas Ethics Commission in one of the following ways: fax to 512-463-8808, or mail or hand deliver to Texas Ethics Commission, 201 E. 14th St., Sam Houston Building - 10th Floor, Austin, TX 78701.

If you cannot provide such qualifying documentation for clients not listed on the above IRS website, then you are subject to the \$750 registration fee.

The registration fee is \$75 for a person who is required to register under section 305.0041 of the Government Code and who meets all of the following criteria: 1) the person is an independent contractor as defined by Texas Ethics Commission Rule § 34.1(5); 2) the person's only direct communication as a registrant is with a member of the executive branch to influence administrative action as an independent contractor; 3) the compensation for the communication is totally or partially contingent on the outcome of a purchasing decision, or negotiations regarding such decisions, and the amount of the purchasing decision does not exceed \$10 million; and 4) the person is also required to register under the compensation threshold set by section 305.003(a)(2) of the Government Code but does not exceed the expenditure threshold set by section 305.003(a)(1) of the Government Code. An independent contractor who is required to register as a lobbyist under the lobby law but who does not meet all of these criteria is subject to the \$750 registration fee. An independent contractor who qualifies for the \$75 registration fee but who ceases to meet the criteria at any time during the calendar year becomes subject to the \$750 registration fee.

- 4a. Amount Enclosed.** Enter the additional registration fee amount included with this Form AREG as a result of your change in status.
- 5. (Changed) Reporting Schedule.** If you wish to change to a different schedule for filing LOBBY ACTIVITIES REPORTS (Form LA), check the box indicating your **new** reporting type.

Switching to Regular (Monthly) Reporting: If you registered as a modified (annual) filer but are changing to monthly filing, your first activities report will be due by the 10th day of the month after the month in which you file the amendment. Your first monthly report must report activities from January 1 through the last day of the month in which you filed the amendment.

Note: If you register for modified (annual) filing but exceed the \$1,000 expenditure threshold during the calendar year, you must change to monthly filing. Your first monthly report will be due by the 10th day of the month following the month in which you exceeded the \$1,000 threshold and must cover activities occurring during the period from January 1 through the last day of the month in which you exceeded \$1,000 in lobby expenditures.

Switching to Modified (Annual) Reporting: If you are a regular (monthly) filer but do not intend to exceed the \$1,000 expenditure threshold and are therefore eligible for modified reporting, you may change your reporting type by filing a LOBBY REGISTRATION AMENDMENT (Form AREG). After the amendment is filed, you will no longer be required to file monthly activities reports. You will file one report covering the entire calendar year in which your registration was effective. Your annual activities report for lobby activities from

January 1 through December 31 will be due no later than January 10 of the following year. *In this annual report, you will include any activity you previously reported on your monthly activities report(s).*

6. **(Changed) Registrant Name.** If you would like to change the way your name appears in Ethics Commission records, indicate the change here.
7. **(Changed) Registrant's Normal Business.** Indicate any change here.
8. **(Changed) Registrant's Business Address.** Indicate any change here.
9. **(Changed) Registrant's Mailing Address.** If you would like to change the address at which you receive mail from the commission to a new address, enter the new address here.
10. **(Changed) Registrant's Business Phone.** Indicate any change here.
11. **(Changed) Employer Information (If Employer Is Lobby Firm).** If you are an employee of a business entity engaged in the representation of clients for the purpose of influencing legislation or administrative action, give the changed name, address, and phone number of the firm here.

If you previously reported lobby firm employer information and are no longer employed by a lobby firm, check the **"not applicable"** box.

12. **(New) Person(s) Providing Compensation and/or Reimbursement from Political Funds.** Provide the full name and address of each new person who compensates or reimburses you (or a person acting as your agent) for your services, including political consulting services, from a political contribution, from interest received from a political contribution, or from an asset purchased with a political contribution. Note that this disclosure requirement applies to "any service" for which you are compensated or reimbursed with political funds, regardless of whether the service is related to your activity as a lobbyist. This information must be disclosed for compensation or reimbursement received on or after September 1, 2013. Skip this section if you do not receive compensation or reimbursement from political funds.

You may attach more pages as necessary to complete this section. If you do so, check the **"additional pages"** box.

13. **(New) Subject Matter Categories.** Check the appropriate box to indicate any new lobby subject matter.
14. **(New) Docket Nos. or Other Designations.** List the docket number or other administrative designation of new subject matters, if applicable.

Note: You are not required to report a change in the docket number or other administrative designation of a matter previously reported.

15. Signature. Form AREG must be signed and verified. If the registrant is an entity, the person who signs the amendment must be a person whose actions legally bind the entity (such as the owner, an officer, or a director). The person who signs the report must also affirm that, to the best of the person's knowledge, the person has complied with section 305.028, Government Code, by reporting conflicts of interest to the Texas Ethics Commission.

Section 305.028 provides as follows:

(a) In this section:

(1) "Client" means a person or entity for which the registrant is registered or is required to be registered.

(2) "Matter" means the subject matters for which a registrant has been reimbursed, retained, or employed by a client to communicate directly with a member of the legislative or executive branch.

(3) "Person associated with the registrant" or "other associated person" means a partner or other person professionally associated with the registrant through a common business entity, other than a client, that reimburses, retains, or employs the registrant.

(b) Except as permitted by Subsection (c) or (c-1), a registrant may not represent a client in communicating directly with a member of the legislative or executive branch to influence a legislative subject matter or an administrative action if the representation of that client:

(1) involves a substantially related matter in which that client's interests are materially and directly adverse to the interests of:

(A) another client of the registrant;

(B) an employer or concern employing the registrant; or

(C) another client of a person associated with the registrant; or

(2) reasonably appears to be adversely limited by:

(A) the registrant's, the employer's or concern's, or the other associated person's responsibilities to another client; or

(B) the registrant's, employer's or concern's own interests, or other associated person's own business interests

(c) A registrant may represent a client in the circumstances described in Subsection (b) if:

(1) the registrant reasonably believes the representation of each client will not be materially affected;

(2) not later than the second business day after the date the registrant becomes aware of a conflict described by Subsection (b), the registrant provides written notice, in the manner required by the commission, to each affected client; and

(3) not later than the 10th day after the date the registrant becomes aware of a conflict described by Subsection (b), the registrant files with the commission a statement that:

(A) indicates that there is a conflict;

(B) states that the registrant has notified each affected client as required by Subdivision (2); and

(C) states the name and address of each affected client.

(c-1) A registrant may represent a client in the circumstances described in Subsection (b) without regard to whether the registrant reasonably believes the representation of each client will be materially affected if:

(1) the registrant provides the written notice to each affected client as described by Subsection (c)(2) and files the statement described by Subsection (c)(3); and

(2) after the registrant has provided the written notice described by Subsection (c)(2), each affected client of the registrant consents to the conflict and grants the registrant permission to continue the representation.

(d) If a registrant has accepted representation in conflict with the restrictions of this section, or if multiple representation properly accepted becomes improper under this section, the registrant shall promptly withdraw from one or more representations to the extent necessary for any remaining representation not to be in conflict with this section.

(e) If a registrant would be prohibited by this section from engaging in particular conduct, an employer or concern employing the registrant or a partner or other person associated with the registrant may not engage in that conduct.

(f) In each report filed with the commission, a registrant shall, under oath, affirm that the registrant has, to the best of the registrant's knowledge, complied with this section.

(g) The commission may receive complaints regarding a violation of this section. If the commission determines a violation of this section has occurred, the commission, after notice and hearing:

(1) shall impose a civil penalty in an amount not to exceed \$2,000; and

(2) may rescind the person's registration and may prohibit the person from registering with the commission for a period not to exceed two years from the date of the rescission of the person's registration.

(h) A penalty under this section is in addition to any other enforcement, criminal, or civil action that the commission or another person may take under this chapter or other law.

Subsection (i) repealed by Acts 2005, 79th Leg., R.S., H.B. 2202, § 3, eff. Sept. 1, 2005.

(j) A statement filed under Subsection (c) is not public information.

(k) The commission may adopt rules to implement this section consistent with this chapter, the Texas Disciplinary Rules of Professional Conduct, and the common law of agency.

If the \$150 registration fee was selected, the person who signs this report must also affirm that, to the best of the person's knowledge, the person has listed only employers/clients that qualify as exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986, and, for any employer/client not listed on the IRS website at [http://www.irs.gov/uac/SOI-Tax-Stats-Exempt-Organizations-Business-Master-File-Extract-\(EO-BMF\)](http://www.irs.gov/uac/SOI-Tax-Stats-Exempt-Organizations-Business-Master-File-Extract-(EO-BMF)), the person has provided for each client not listed, qualifying documentation to the Texas Ethics Commission verifying that the client is exempt from federal income tax under Section 501(c)(3), 501(c)(4), or 501(c)(6), Internal Revenue Code of 1986.

Changes in Information. *If any of the information provided in this registration changes (other than information requested on Part 3(a) or 3(b) of Schedule A), you must file a Lobby Registration Amendment (Form AREG) showing the changed information by the 10th day of the month following the month the information changed. If you are a monthly filer, you may report subject matter changes on your next monthly activity report instead of on Form AREG. If the change occurs during a regular legislative session, you must file Form AREG showing the changed information by the 5th day after the information changed.*

SCHEDULE A: EMPLOYER/CLIENT

Complete Schedule A to report information about a new employer/client or to change information about an existing employer/client. If you wish to delete an employer/client previously listed on your registration, use Schedule C.

Note: You must complete a separate Schedule A for each person that reimburses, retains, or employs you to influence legislation or administrative action and on whose behalf you have engaged in lobby communications.

If you are employed by a business entity engaged in the representation of clients for the purpose of influencing legislation or administrative action, you must complete a Schedule A for each of the entity's clients for which you lobby. You must also complete a Schedule A for the entity itself if the entity reimburses, retains, or employs you to lobby on behalf of the entity itself.

PART 1 - GENERAL INFORMATION

- 1. Total pages this Schedule A.** Once you complete a Schedule A in regard to a particular employer/client, count the total number of pages of that Schedule A and write the total in this box. (Each side you complete counts as a page.)
- 2. Registrant Name.** Print your name as listed on your registration.
- 3. Employer/Client Name.** Print the name of the person covered by this Schedule A. Remember that you must complete a separate Schedule A for each person that employs you to lobby. If you are employed by a business entity engaged in the representation of clients for the purpose of influencing legislation or administrative action, you must complete a Schedule A for each of the entity's clients for which you lobby. You must also complete a Schedule A for the entity itself if the entity reimburses, retains, or employs you to lobby on behalf of the entity itself.
- 4. Reason For Amendment.** Indicate whether you are completing this Schedule A to report information about a new employer/client or to change information about an existing employer/client. If you are changing information about an existing employer/client, you should provide only the information necessary to report the changes.
- 5. (Changed) Employer/Client Name.** If the name of an employer/client previously reported has changed, show the changed name here. (In box 3 of this section report the name as previously reported.)
- 6. Employer/Client Mailing Address.** Provide the mailing address of the person covered by this Schedule A.

PART 2 - COMPENSATION

- 1. Level of Compensation for Lobbying.** You may report compensation and reimbursement **either** in one of the stated categories **or** as an exact amount. If the compensation and reimbursement amount exceeds \$500,000 you must enter the exact amount.

You must report compensation and/or reimbursement that you receive or are entitled to receive under an agreement under which you are retained or employed.

If you are compensated and/or reimbursed for both lobbying and non-lobbying services, you must make a reasonable allocation of your compensation and/or reimbursement and report only the amount received for lobbying.

If you are employed, reimbursed, or retained by a business entity that receives compensation and/or reimbursement for lobby activities you are required to report all compensation and/or reimbursement paid to the entity for your lobby activities. (See **“Individual Reporting for Entity”** below if you are reporting compensation and/or reimbursement paid to the entity for lobby activities by persons other than yourself.)

2. **Type of Compensation Being Reported.** Indicate whether the compensation and/or reimbursement being reported is **“PAID,” “EARNED,”** or **“PROSPECTIVE.”** Check only one box.

Paid. Check this box if you are reporting only compensation that has actually been received at the time of registration.

Earned (but not received). Check this box if you are reporting compensation that has been received and also compensation that has been earned but not yet received.

Prospective. Check this box if you are reporting compensation that has been paid, compensation earned (but not received), and also compensation that you anticipate will be received or earned by terms of a contract or written agreement.

Note: You must always report compensation that has been paid to you. The **“EARNED (but not received)”** and **“PROSPECTIVE”** options permit you to also include compensation that you expect to receive by terms of a contract or other agreement and thereby avoid the necessity of filing an amended registration when you actually receive such compensation.

3. **Individual Reporting Compensation And/Or Reimbursement For Entity.** Check **“YES”** if you are reporting compensation and/or reimbursement on this Schedule A at the request of an entity that has chosen not to register pursuant to Ethics Commission Rule 34.45. If you check **“YES,”** provide the name, address, and phone number of the entity. Checking **“YES”** indicates that you are reporting not only compensation and/or reimbursement paid to the entity for your lobby activities but also compensation and/or reimbursement for activities by one or more other persons who are not registered as lobbyists.

PART 3 - ORGANIZATIONAL INFORMATION

You are not required to file Form AREG to report changed organizational information about an existing employer/client.

1. **Is the Employer/Client an Entity or an Individual?**

Entity. If the employer/client is any type of entity other than an individual, check the **“ENTITY”** box and continue on to the next question.

Individual. If the employer/client is an individual, check the “**INDIVIDUAL**” box, and complete Part 4 of this Schedule A.

2. Is the Employer/Client a Corporation?

Yes. If the employer/client is a corporation, check “**YES**” and continue on to the next question.

No. If the employer/client is not a corporation, check “**NO**” and complete Part 3(a) of this Schedule A.

3. Are the Shares of the Corporation Publicly Traded?

Yes. If the employer/client is a corporation the shares of which are publicly traded, check “**YES**” and complete Part 4 of this Schedule A.

No. If the employer/client is a corporation the shares of which are not publicly traded, check “**NO**” and complete Part 3(b) of this Schedule A.

4. Are Your Communications on Behalf of this Client in Your Capacity as an Independent Contractor (as Defined by Texas Ethics Commission Rule § 34.1(5)) Whose Compensation for Communications is Totally or Partially Contingent on the Outcome of a Purchasing Decision or Negotiations Regarding such Decisions?

Yes. If your communications on behalf of this client are in your capacity as an independent contractor AND your compensation for these communications is contingent on the outcome of a purchasing decision or negotiations regarding such decisions, check “**YES**” and complete Part 5 of Schedule A. "Independent contractor" is defined by Texas Ethics Commission Rule § 34.1(5) as a person, including a consultant, who communicates with a member of the executive branch concerning state agency purchasing decisions involving a product, service, or service provider or negotiations regarding such decisions. The term does not include an employee, as defined by Gov't Code § 305.022(e), of a vendor.

No. Check “**NO**” if your communications on behalf of this client are not in your capacity as an independent contractor as described above.

5. Is this Client a State Agency that Pays You a Sales Commission or such Fee?

Yes. If this client is a state agency that pays you a sales commission or such fee, check “**YES**” and complete Part 6 of this Schedule A.

No. Check “**NO**” if this client is not a state agency that pays you a sales commission or such fee.

PART 3(a) - UNINCORPORATED ENTITY

If the employer/client covered by this Schedule A is any type of entity other than a corporation, fill out Part 3(a). Include your name and the entity's name in the spaces provided.

- 1. Entity Membership.** State the number of members in the entity. If the membership varies, provide the most current membership number available. You do not need to include the names of members.

2. **Name(s) of Person(s) who Determine Lobby Policy.** Provide the name of each person in the entity who determines the policy of the entity relating to influencing legislation or administrative action.

You may attach more pages as necessary to complete this section. If you do so, check the “additional pages” box.

3. **Description of Policy-Making Methods.** Describe the methods by which the entity develops and makes decisions about positions on policy.

You may attach more pages as necessary to complete this section. If you do so, check the “additional pages” box.

4. **Contributors.** Provide the name of each person making a grant or contribution, in addition to or instead of dues or fees, that exceeds \$250 a year.

If no one has made a grant or contribution in addition to or instead of dues or fees exceeding \$250 a year, check the “not applicable” box.

You may attach more pages as necessary to complete this section. If you do so, check the “additional pages” box.

PART 3(b) - CORPORATION NOT PUBLICLY TRADED

If the employer/client covered by this Schedule A is any type of corporation other than a corporation with shares that are publicly traded, fill out Part 3(b) of this Schedule A. Include your name and the corporation’s name in the spaces provided.

1. **Corporate Shareholders.** Provide the number of shareholders in the corporation. If the number of shareholders varies, provide the most current number available. If the corporation does not have shares, mark “N/A.” You do not need to include the names of shareholders.

2. **Corporate Officers and Board Members.** Provide the name and mailing address for each officer and each board member of the corporation.

You may attach more pages as necessary to complete this section. If you do so, check the “additional pages” box.

3. **Corporate Ownership/Holdings.** List the name of each person who owns 10% or more of the shares of the corporation.

If the corporation does not have shares or if no shareholder owns 10% or more of the shares, check the “not applicable” box.

You may attach more pages as necessary to complete this section. If you do so, check the “additional pages” box.

PART 4 - LOBBYING SUBJECT MATTER

You must report the subject matter of your lobby activities on behalf of the employer/client covered by this Schedule A. Include your name and the employer/client name in the spaces provided.

1. **Subject Matter.** If you are completing this Schedule A to add a new employer/client, check all boxes that describe the subject matter of your lobby communications on behalf of the employer/client. If you are completing this Schedule A to add new lobby subject matter in regard to an employer/client previously reported, check all boxes that describe the new subject matter.
2. **Docket Nos. or Other Designation.** If you are completing this Schedule A to add a new employer/client, list the docket numbers or other administrative designations, if applicable, of the matters that are the subject of your communications with officers or employees of the executive branch on behalf of the employer/client. If you are completing this Schedule A to report new docket numbers or administrative designations in regard to an employer/client previously reported, list the new information.

You may attach more pages as necessary to complete this section. If you do so, check the "additional pages" box.

Note: You are not required to report a change in a docket number or other administrative designation of a matter previously reported.

PART 5 - REPRESENTATION AS AN INDEPENDENT CONTRACTOR

Complete Part 5 only if your communications on behalf of this client are in your capacity as an independent contractor as defined by Texas Ethics Commission Rule § 34.1(5) AND your compensation for these communications is contingent on the outcome of a purchasing decision or negotiations regarding such decisions.

1. **Page Number.** Once you complete a Schedule A, Part 5, in regard to a particular client, count the total number of pages of that Schedule A, Part 5, and write the total in this box.
2. **Registrant Name.** Enter your name in the space provided.
3. **Employer/Client Name.** Enter the name of the person who is the vendor that you are disclosing as a client. You must complete a separate entry for each client/vendor on whose behalf you communicate concerning state agency purchasing decisions or negotiations regarding such decisions. If you communicate concerning more than one purchasing decision or negotiation on behalf of a single client/vendor, you must complete a separate entry for each separate purchasing decision or negotiation.
4. **Is the Client a Vendor of a Product or Service?**

Yes. Check "YES" if this client is a vendor of a product or service.

No. Check "NO" if this client is not a vendor of a product or service.

- 5. Product/Service Description.** Enter a description of the product or service that is the subject of your communication on behalf of this client concerning the state agency purchasing decision or negotiation.

If you are reporting here, or if you report in number 8, information that relates to a contract that was legally binding prior to September 1, 2009, we recommend that you disclose the date the contract was executed.

- 6. Amount of Sales Commission/Fee.** Enter the dollar amount of the sales commission or such fee, if known. If the amount of the sales commission or fee is based on a percentage of the sale, complete number 7 of this Schedule A, Part 5. If you do not know the amount of the sales commission or fee at this time, complete numbers 9 and 10 of this Schedule A, Part 5.
- 7. Percentage (if amount is based on a percentage of sales).** Enter the percentage amount, if the amount of the sales commission or fee is based on a percentage of the sale.
- 8. Amount of Purchasing Decision.** Enter the dollar amount of the purchasing decision, if known. If you do not know the amount of the purchasing decision at this time, complete numbers 11 and 12 of this Schedule A, Part 5.

Note: Effective September 1, 2009, section 305.022(c) of the Government Code, as amended by House Bill 3445 (HB 3445), adopted by the 81st Legislature, prohibits sales commissions in circumstances in which a state agency purchasing decision exceeds 10 million dollars. In Ethics Advisory Opinion 486, the Texas Ethics Commission concluded that section 305.022 does not prohibit a person from retaining, employing, or compensating another or rendering services if the person is obligated to perform such activity pursuant to a contract that was legally binding prior to September 1, 2009. Additionally, the Commission determined that all reporting requirements under chapter 305 of the Government Code, including section 305.022, would also apply in such circumstances.

If you are reporting information about a state agency purchasing decision that exceeds 10 million dollars AND that involves a contract that was legally binding prior to September 1, 2009, we strongly suggest that you disclose the date the contract was executed. That date may be disclosed on number 5, Product/Service Description, of this Schedule A, Part 5.

- 9. Estimate of Maximum Amount of Sales Commission (if exact amount not known).** If you do not know the amount of the sales commission or such fee at this time, you must enter a reasonable estimate of the maximum amount of the sales commission or fee.
- 10. Method Under Which Sales Commission is Computed (if exact amount not known).** Enter a brief description of the method you used to compute the estimated maximum amount of the sales commission or fee disclosed in number 9 of this Schedule A, Part 5.
- 11. Estimate of Maximum Amount of Purchasing Decision (if exact amount not known).** If you do not know the amount of the purchasing decision at this time, you must enter a reasonable estimate of the maximum amount of the purchasing decision.

- 12. Method Under Which Purchasing Decision is Computed (if exact amount not known).**
Enter a brief description of the method you used to compute the estimated maximum amount of the purchasing decision disclosed in number 11 of this Schedule A, Part 5.

PART 6 - STATE AGENCY AS A CLIENT

Complete Part 6 only if this client is a state agency that pays you a sales commission or such fee. A person who is paid a sales commission or such fee by a state agency must report the state agency as a client and report information about the amount of the sales commission or fee paid by the state agency.

- 1. Page Number.** Once you complete a Schedule A, Part 6, in regard to a particular client, count the total number of pages of that Schedule A, Part 6, and write the total in this box.
- 2. Registrant Name.** Enter your name in the space provided.
- 3. Employer/Client Name.** Enter the name of the state agency that you are disclosing as a client. You must complete a separate entry for each subject matter for which this state agency paid you a sales commission or such fee.
- 4. Subject Matter Description.** Enter a description of the subject matter for which you were paid a sales commission or such fee by the state agency/client.
- 5. Amount of Sales Commission/Fee.** Enter the dollar amount of the sales commission or such fee, if known. If you do not know the amount of the sales commission or fee at this time, complete numbers 6 and 7 of this Schedule A, Part 6.
- 6. Estimate of Maximum Amount of Sales Commission (if exact amount not known).** If you do not know the amount of the sales commission or such fee at this time, you must enter a reasonable estimate of the maximum amount of the sales commission or fee.
- 7. Method Under Which Sales Commission is Computed (if exact amount not known).** Enter a brief description of the method you used to compute the estimated maximum amount of the sales commission or fee disclosed in number 6 of this Schedule A, Part 6.

SCHEDULE B: ASSISTANT

You must complete a Schedule B for each person you employ or retain for the purpose of assisting in lobby activity. You are not required to file a Schedule B for a person who provides only clerical or secretarial help. Use Schedule B to add an assistant or to report changes in information previously reported about an assistant. Use Schedule C to delete an assistant.

A person listed as an assistant is required to register as a lobbyist if the person crosses one of the registration thresholds.

1. **Registrant Name.** Enter your name here.
2. **Reason for Amendment.** Indicate whether you are completing this Schedule B to add an assistant or to change information previously reported about an assistant.
3. **Assistant Name.** Provide the name of the assistant covered by this Schedule B. If you are completing this Schedule B to show a change in the name of an assistant previously reported, mark the box provided and provide the name as previously reported.
4. **Assistant's Business Address.** Provide the business mailing address of the assistant.
5. **Assistant's Occupation.** State the occupation of the assistant.
6. **Subject Matter.** Check all boxes that describe the subject matter of the lobby activity in which the person assists you.
7. **Docket Nos. or Other Designation.** If applicable, list the docket numbers or other administrative designation of the matters in which the person covered by this Schedule B assists you.

You may attach more pages as necessary to complete this section. If you do so, check the "additional pages" box.

SCHEDULE C: DELETIONS

Use Schedule C to delete an employer/client or an assistant.

1. **Total Pages this Schedule C.** After you have completed Schedule C, count the total number of Schedule C pages you are filing and write the total in this box.
2. **Registrant Name.** Please provide your name as listed on your registration.

Type of Deletion. Check the appropriate box to indicate whether you are deleting an employer/client or an assistant.

Name. Please enter the name of the individual or entity you wish to delete. Ethics Commission records will show that information regarding that employer/client or assistant has been deleted effective on the date the amendment is filed.

Attach additional copies of Schedule C as needed.