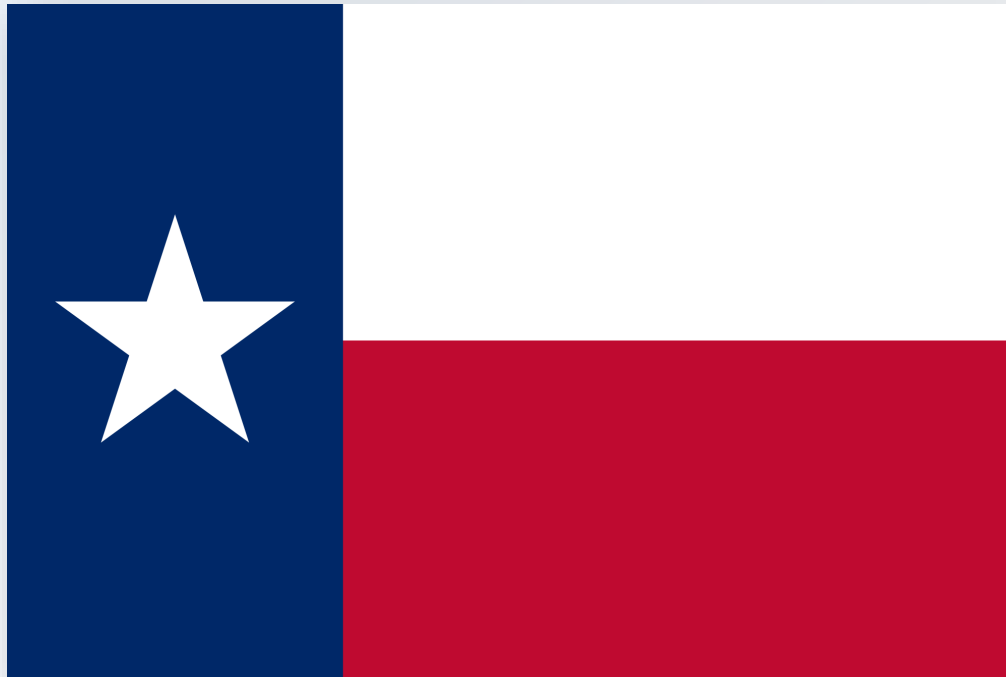
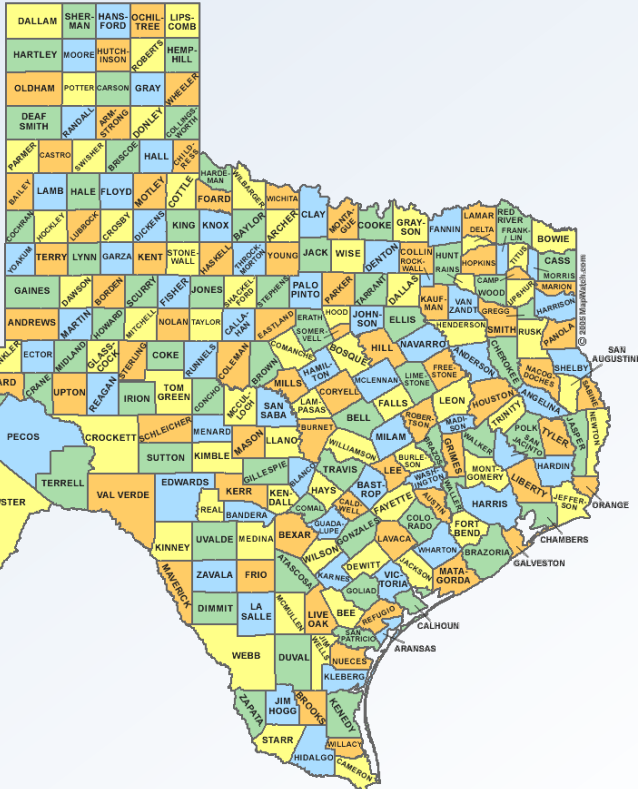


Elections 101



Texas By the Numbers



- Registered Voters = 17,759,273
- 254 Counties
- 750+ Political Party Chairs
- Approximately....
 - 2000 Water Districts
 - 1700 Municipalities
 - 1200 School Districts
 - And numerous hospital districts, library districts, emergency services districts, etc.
- And they all have elections!



What to Expect in this Presentation?

- Basic Election Concepts
- Terminology and “Election Lingo”
- Citations and References



SOS RESOURCES FOR ELECTION OFFICIALS



Secretary of State



- Chief Election Officer
- Official Forms
- Uniformity
- Assistance and Advice
- Voting Rights Hotline
- Referral of Criminal Complaints to OAG
- Statewide Voter Registration and Election Management System
- Election Night Reporting



How do you contact us?

Phone numbers

1.800.252.VOTE (8683)

512.463.5650

Option 3 for receptionist

Or

1.800.252.2216

Option 2 for legal

Physical Location

Rudder Building

1019 Brazos

Austin, Texas 78701

PO BOX 12060

Austin, Texas 78711

elections@sos.texas.gov



SOS Websites

- Resources for Election Officials:
 - <http://www.sos.texas.gov/elections/>
- Resources for Voters
 - <http://www.votetexas.gov/>



Conducting Your Elections

The screenshot shows the Texas Secretary of State website header with the name Jane Nelson and a search bar. The navigation menu includes: About SOS, Elections & Voting, Business Services, Notary & Apostilles, Rules & Meetings, International Relations, and Forms & Other Services. The main content area features the title "Laws and Procedures Pertaining to Local Election Officials (Cities, Schools and Other Political Subdivisions)". Below the title, there are two columns of links. The left column is under the heading "2023 Election Advisories and Memos" and includes: "New: No.2023-22 - Partial Manual Count after the November 7, 2023 Uniform Election", "New: No.2023-21 - March 5, 2024 Primary Election Law", "Calendar and May 28, 2024 Primary Runoff Election Law Calendar", and "New: No.2023-20 - Deadlines for Vacancies and Replacement Nominees for the General Election for State". The right column is under the heading "Election Forms" and includes "General Election Information" with sub-links for "Current Election Information" and "Important Election Dates 2023-2024". A red circular icon with a white envelope symbol is located on the right side of the page.

<https://www.sos.state.tx.us/elections/laws/local-laws.shtml>



Forms, Resources and Legal Library

- Links to—
 - Forms Manual
 - Handbooks
 - Advisories

Forms, Resources & Legal Library

The purpose of the Resource and Legal Library page is to provide a virtual Election Law Library. From this page, you can link to Election Forms, Election Law Opinions, the Texas Election Code, and more.

Forms

- [Main Election Forms Manual](#)
 - [Candidate Forms](#)
 - [Early Voting Forms](#)
 - [Election Day Forms](#)
 - [Voter Registration Forms](#)
- [County Chair Forms](#)
- [Election Complaint Form \(PDF\)](#) Do not use this form for campaign-related complaints; contact [Texas Ethics Commission](#)
- [Inspector Request Form \(PDF\)](#)

Resources

- [Important 2022-2024 Election Dates](#)
- [2024 Candidate's Guide](#)
- [Campaign Finance Information](#) (Texas Ethics Commission)
- [Countywide Polling Place Program \(GVPP\)](#)
- [Court Provisions](#)
- [Electoral College](#)
- [High School Voter Registration Applications Online Order Form](#)
- **Handbooks**
 - [Election Judges and Clerks Handbook \(PDF\)](#)
 - [Early Voting Ballot Board Handbook \(PDF\)](#)
 - [Poll Watcher's Guide \(PDF\)](#)
 - [Central Counting Station Handbook \(PDF\)](#)
 - [Signature Verification Handbook \(PDF\)](#)
 - [County Chair Handbook \(PDF\)](#)
- [Printers Registered with the Secretary of State](#)
- [Rollback Elections](#) (Texas Comptroller's Office)
- [Texas Poll Worker Training](#)
- [Volunteer Deputy Registrar Resources](#)

Legal Library

- [Texas Election Code](#)
- [Texas Administrative Code - Elections](#)
- [Texas Constitution](#)
- [Election Glossary](#)
- [Elections Acronyms and Abbreviations](#)
- [Glossary of Spanish Terminology/Términos de Elecciones](#)
- **Court Orders**
 - [Archived Court Orders](#)
- [Elections Division Advisories](#)
- [Election Law Opinions](#)
- [DOJ Preclearance History](#)
- [Reports to Legislature](#)



Election Form Index

Elections Form Index

Note: The links displayed within the forms section access PDF (Portable Document Format) files which can be accessed using the Adobe Acrobat Reader. Visit [Adobe.com](https://www.adobe.com) to download your copy of Acrobat Reader. All PDF documents featured on this page are configured to print out on legal size paper.

Note: Some browsers use their own PDF readers. If you experience issues with the PDF documents below, we recommend opening these files with Adobe Acrobat.

Select a Form Category

- | | | |
|---|--|--|
| <ul style="list-style-type: none">• Section 1 – Order and Notice of an Election• Section 2 – Candidates• Section 3 – Ballots• Section 4 – Officers of Election• Section 5 – Early Voting Clerk Responsibilities• Section 6 – Early Voting by Mail• Section 7 - Voting in Person• Section 8 – Security and Chain of Custody | <ul style="list-style-type: none">• Section 9 – Provisional Voting• Section 10 – Early Voting Ballot Board/Signature Verification Committee• Section 11 – Counting Votes• Section 12 – Reconciliation Forms• Section 13 – Cancellation of an Election• Section 14 – Recount• Section 15 – Logic and Accuracy Testing• Section 16 – Election Technology (Voting Systems, Electronic Pollbooks) | <ul style="list-style-type: none">• Section 17 – Local Option Elections• Section 18 – Primary Elections• Section 19 – Voter Registration Chapter 19 Funding• Section 20 - Primary Finance• Section 21 - Voter Registration• Section 22 - Volunteer Deputy Registrar (including High Schools)• Section 23 - Becoming an Elected Official• Section 24 - Public Information• Section 25 - Miscellaneous Forms |
|---|--|--|

- <https://www.sos.state.tx.us/elections/forms/pol-sub/index.shtml>



Election Glossary/Acronym List

- Glossary:

www.sos.state.tx.us/elections/laws/glossary.shtml

- Acronyms:

www.sos.state.tx.us/elections/laws/elections-acronyms-abbreviations.shtml



SOS RESOURCES FOR VOTERS



www.votetexas.gov

The screenshot shows the homepage of the Texas Secretary of State's election website. At the top, there is a dark blue navigation bar with links for "Election Results", "Voting Issues for Texas Evacuees Due to Natural Disasters", "ID requirements for voting in person", and "ID requirements for voting". Below this is a white header area with the "VOTETEXAS.GOV" logo, which includes a star and the text "POWERED BY THE TEXAS SECRETARY OF STATE". To the right of the logo are several dark blue buttons: "VOTER REGISTRATION", "VOTING IN PERSON", "VOTING BY MAIL", "VOTERS WITH DISABILITIES", "GET INVOLVED", "FAQS", and "RESOURCES". Below the buttons are social media icons for X, Facebook, Instagram, and YouTube, followed by a search bar with a "Go" button.

The main content area is divided into two columns. The left column features a section titled "What do you want to know about voting?" with a sub-header "Thank you for visiting VoteTexas.gov, the one-stop resource for voter information." Below this is a portrait of Jane Nelson, the Secretary of State, with her signature and name. A dropdown menu labeled "SELECT A QUESTION..." and a "GO!" button are positioned below the portrait. The right column features a large section titled "The General Election Takes Place on" with a digital clock display showing "NOV: 7: 2023". Below the clock are four calendar icons representing key dates: "10 OCT Last Day to Register", "27 OCT Mail Ballot App. Deadline", "23 OCT Early Voting Begins", and "3 NOV Early Voting Ends". At the bottom of this section are two blue buttons: "AM I REGISTERED?" and "REGISTER TO VOTE".

At the bottom left of the main content area, there is a "LATEST TWEETS" section with a search bar containing "Tweets from @VoteTexas".

- Available in both Spanish and English
- Mobile Site
- Updated for each Uniform Election
- Please feel free to link to this website to assist in providing information to voters



SOURCES OF LAW



Sources of Law

- US Constitution
- Texas Constitution
- Texas Election Code
- Texas Administrative Code
- Advisories/Memos
- OAG Opinions
- Other Texas Statutes
 - Local Government Code
 - Government Code
 - Education Code
 - Water Code,
 - Agriculture Code, etc.....
- Court Cases



Texas Election Code

The screenshot shows a web browser window displaying the Texas Constitution and Statutes website. The browser's address bar shows the URL www.statutes.legis.state.tx.us. The website header includes navigation links for Home, Search, Download, and Statutes By Date. A red banner at the top states: "The statutes available on this website are current through the 1st Called Session of the 82nd Legislature, July 2011. The Texas Constitution is current through the amendments approved by voters in November 2011." Below this is a "Quick Links" sidebar with links to Texas Constitution and Statutes, Texas Legislature Online, General Appropriations Act, Index to Sections Affected, Texas Administrative Code, Texas Law Timeline, Amendments to the Texas Constitution Since 1876, and Constitutional Amendments Search. The main content area features a search form and a tree view of the Texas Constitution and Statutes. The tree view is expanded to show the Election Code section, which includes Title 1 (Introductory Provisions) and Title 2 (Voter Qualifications and Registration). Under Title 2, the following chapters are listed: Chapter 1 (General Provisions), Chapter 2 (Vote Required for Election to Office), Chapter 3 (Ordering Election), Chapter 4 (Notice of Election), Chapter 11 (Qualifications and Requirements for Voting), Chapter 12 (Voter Registrar), Chapter 13 (Application for Registration; Initial Registration), Chapter 14 (Renewal of Registration), Chapter 15 (General Administration of Registration), Chapter 16 (Cancellation of Registration), and Chapter 17 (Judicial Review). A tooltip is visible over Chapter 11, containing the text "Click to expand CHAPTER 11. QUALIFICATIONS AND REQUIREMENTS FOR VOTING". The browser's taskbar at the bottom shows several open applications, including Microsoft Office 2007, and the system clock displays 10:45 AM on 11/25/2023.

<http://www.statutes.legis.state.tx.us/>



Texas Administrative Code



Texas Administrative Code

[TITLE 1](#) ADMINISTRATION
[PART 4](#) OFFICE OF THE SECRETARY OF STATE
[CHAPTER 81](#) ELECTIONS

Subchapters

[SUBCHAPTER A](#) [VOTER REGISTRATION](#)
[SUBCHAPTER B](#) [EARLY VOTING](#)
[SUBCHAPTER C](#) [VOTING SYSTEMS](#)
[SUBCHAPTER D](#) [VOTING SYSTEM CERTIFICATION](#)
[SUBCHAPTER E](#) [ELECTION DAY PROCEDURES](#)
[SUBCHAPTER F](#) [PRIMARY ELECTIONS](#)
[SUBCHAPTER G](#) [JOINT PRIMARY ELECTIONS](#)
[SUBCHAPTER H](#) [SURPLUS ELECTION CONTRACT FUNDS](#)
[SUBCHAPTER I](#) [IMPLEMENTATION OF THE HELP AMERICA VOTE ACT OF 2002](#)
[SUBCHAPTER J](#) [VOTER EDUCATION](#)
[SUBCHAPTER K](#) [IMPLEMENTATION OF THE NATIONAL VOTER REGISTRATION ACT](#)
[SUBCHAPTER L](#) [ELECTRONIC STORAGE MEDIUM STANDARDS](#)
[SUBCHAPTER M](#) [IMPLEMENTATION OF THE MILITARY AND OVERSEAS VOTER EMPOWERMENT ACT](#)



County Election Commission and County Election Board
County Clerk
Voter Registrar
Election Administrator
Election Worker

LOCAL ELECTION OFFICIALS



County Election Officials

- County Election Commission
 - Membership: County judge, county clerk, county tax assessor-collector, county chair of each political party.
 - Duties: Appoints and recommends termination of an EA.

- County Election Board
 - Membership: County judge, county clerk, VR, sheriff, county chair of each political party required to nominate by primary election
 - Duties: Supplies, Appointment of EVBB, Consolidation



County Election Officials

- County Clerk
 - Responsible for Overall Conduct of County Elections
- Duties Include:
 - Early Voting Clerk
 - Procuring, ordering, and Delivering Supplies
 - Locating and Equipping Polling Places
 - Recruiting and Training Election Judges and Clerks
 - Preparing Ballots, Testing Equipment
 - Maintaining Office Hours Before and After Election
 - Preparing/Delivering Reports to SOS
 - Custodian of Election Records
 - May contract with other political subdivisions
 - May enter into joint election agreements
 - And many more!

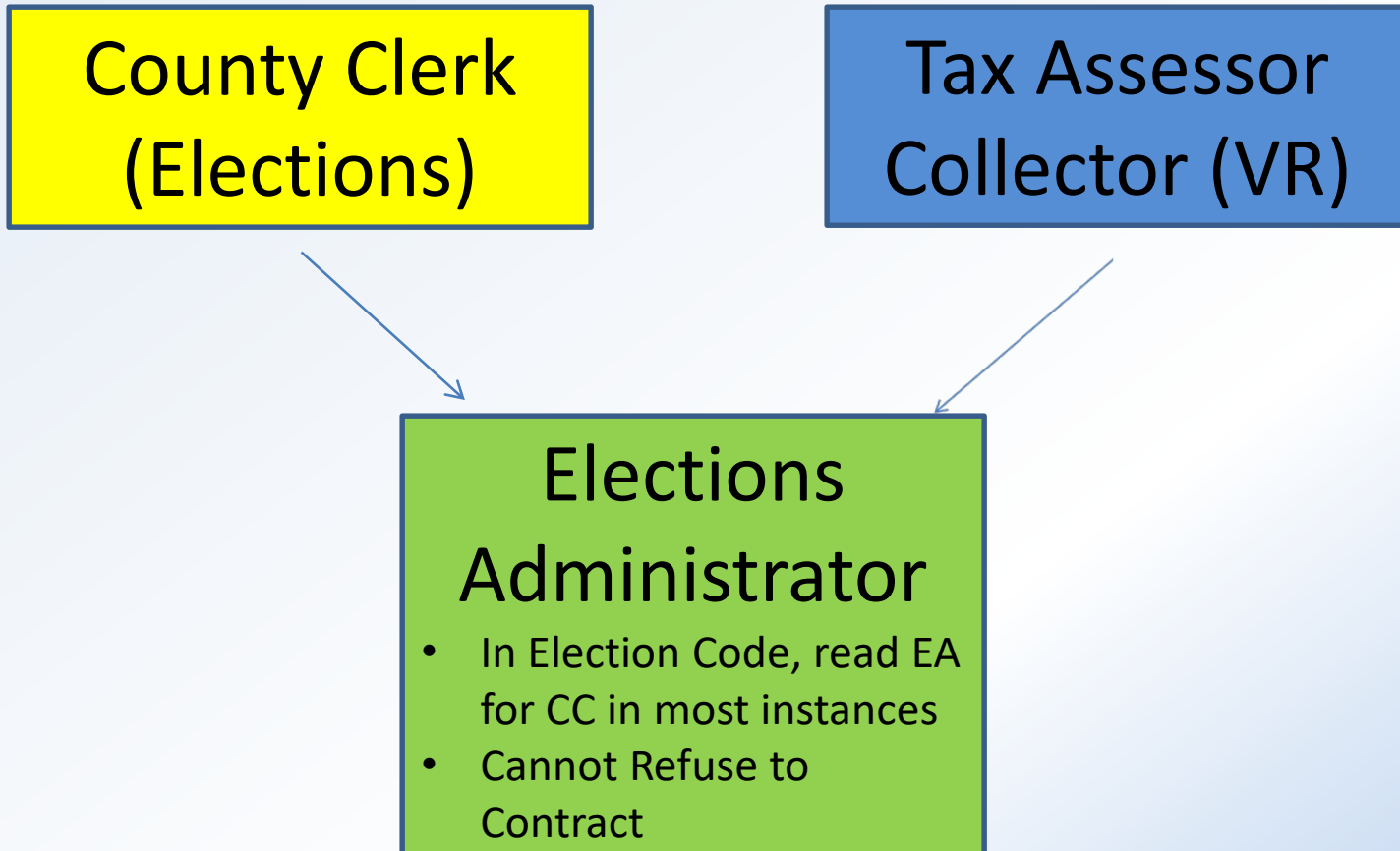


County Election Officials

- Tax Assessor-Collector as Voter Registrar
 - Maintains/Issues List of Registered Voters
 - Records/Maintains Voting History
 - Trains/Certifies Volunteer Deputy Registrars
 - All election duties may be transferred to Tax Assessor-Collector (Sec. 31.071)
 - VR duties may be transferred to CC (Sec. 12.031)
 - All CC and EA Election Duties may transferred to EA (Sec. 31.031)



County Election Officials



Election Workers

- Early Voting Clerk and Deputy Clerks
- Presiding Judge/Alternate Judge
- Election Day Clerks
 - See Handbook Online:
 - http://www.sos.texas.gov/elections/forms/election_judges_handbook.pdf
- Early Voting Ballot Board
 - See Handbook Online:
 - www.sos.state.tx.us/elections/forms/ballot_board_handbook.pdf

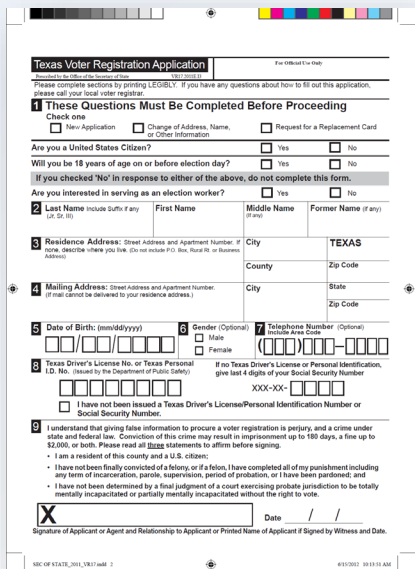


VOTER REGISTRATION



Voter Registration

- Application Required for Registration (13.002)
 - In writing, signed by the applicant, and
 - Submitted by **personal delivery, mail, or fax transmission**
 - If submitted by fax, a copy of the registration application must be submitted by mail and be received by the VR no later than the fourth business day after the fax is received.
 - Updates to existing registrations can be done by Texas Online



The image shows a sample of the Texas Voter Registration Application form. The form is titled "Texas Voter Registration Application" and includes instructions for completion. It contains several sections for the applicant to fill out, including:

- 1 These Questions Must Be Completed Before Proceeding**: A section with checkboxes for "New Application", "Change of Address, Name, or Other Information", and "Request for a Replacement Card". It also asks if the applicant is a United States Citizen and if they will be 18 years of age or older before the election.
- 2 Last Name**: A section for entering the last name, first name, middle name, and former name.
- 3 Residence Address**: A section for entering the street address, apartment number, city, county, state, and zip code.
- 4 Mailing Address**: A section for entering the street address, apartment number, city, state, and zip code.
- 5 Date of Birth**: A section for entering the date of birth in MM/DD/YYYY format.
- 6 Gender**: A section with checkboxes for "Male" and "Female".
- 7 Telephone Number**: A section for entering the telephone number in () - - - - - format.
- 8 Texas Driver's License No. or Texas Personal ID No.**: A section for entering the license or ID number, with a checkbox for "I have not been issued a Texas Driver's License/Personal Identification Number or Social Security Number".
- 9 I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law.**: A section with a checkbox for "I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to 180 days, a fine up to \$2,000, or both. Please read all [agg](#) statements to affirm before signing." and a list of disqualifying conditions.
- Signature**: A section for the applicant's signature and date.



GENERAL CONCEPTS IN ELECTIONS



Uniform Election Dates

– Uniform Election Dates (41.001)

- Each **general or special election** is required to be held on one of the following dates:
 - **First** Saturday in May in an odd-numbered year;
 - **First** Saturday in May in an even numbered year (for political subdivisions other than a county); OR
 - **First** Tuesday after the First Monday in November.
- **EXCEPTIONS:**
 - Runoff election
 - Elections that result from a court order
 - Emergency election under Section 41.0011
 - Election to fill vacancy in the legislature under Section 203.013
 - **Election held under a statute that expressly provides that the requirement of Subsection (a) does not apply to the election,**
 - Initial election for the members of the governing body of a newly incorporated city.



Types of Elections

- **General Elections**

- Presidential Election,
- General Election for State and County officers,
- Regular Officer Elections for Cities, School Districts, Water Districts, Hospital Districts, Library Districts.

- **Primary Elections**

- **Special Elections**

- Special Election to fill a Vacancy,
- Constitutional Amendment Election,
- Local Option Liquor Elections,
- Tax Ratification Elections,
- Bond Elections,
- Bingo Elections,
- Stock Law Elections,
- Leash Law Elections,
- Hail Suppression Elections, etc., etc., etc.....



Plurality v. Majority

- **Plurality:** A candidate must receive more votes than any other candidate for the office.
- **Majority Vote:** A candidate must receive more than 50% of the total vote.
 - Runoff Election: If no candidate received the vote necessary to be elected in an election requiring a majority vote, a runoff election is required. (2.021)
- **Elections that Require a Majority Vote:**
 - Primary election (172.003)
 - Special election to fill vacancy in legislature or Congress (203.003, 204.005, 204.021)
 - Election for an office of a city with a population of 200,000 or more.
 - City that has increased the term of its elected officials to more than two years (Article XI, Section 11)
 - Otherwise provided by law – (Education, Water Code, etc.)



Contracts/Joint Elections

- Joint Elections

- If two or more entities are holding an election on the same day in a particular territory, then they may enter into a joint election agreement and share precincts, workers, and/or equipment, etc. (Chapter 271)

- Contract for Election Services

- Contract between county election officer and entity holding election for various election services including the leasing of election equipment. (31.092)



Accessibility

- All **buildings** used as polling places in Texas must be accessible to voters with disabilities.
- With certain exemptions, **each polling place must provide at least one accessible voting machine** for use by voters with disabilities so that such voters may vote in private and without assistance.
- If a voter needs **assistance when voting**, they may bring their own assistant to the polling place or two election officers may assist.



VOTING TECHNOLOGY



Types of Voting Technology

- **Electronic Voting Systems**

- The devices that are used for casting ballots and counting votes.

- Ballot Marking Devices
- DRE Voting Machines
- Precinct Scanners
- Central Scanners
- Tabulation/Accumulation System



Other Types of Voting Technology

- Electronic Pollbooks
- Voter Registration Systems
- Mail Ballot Management Tools
- Electronic Mail Ballot Delivery Tools (for FPCA voters only)
- Line Management Tools
- Election Night Reporting System



Voting Systems

- **State Certification Requirements**
 - Voting System Software/Devices
 - Electronic Pollbooks
- **Local Testing Requirements**
 - Acceptance Test
 - Hardware Diagnostic Test
 - Logic and Accuracy Test/Tabulation Testing



Curbside Voting

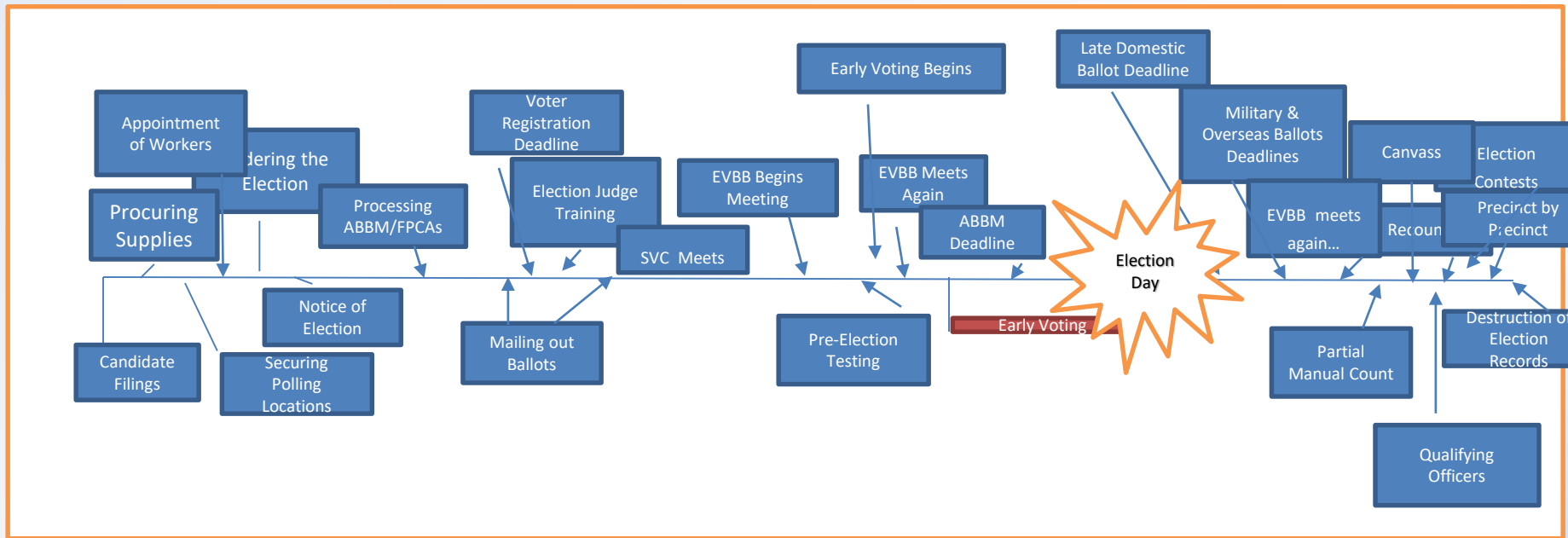
- If a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, the voter may vote curbside.
- Election worker(s) qualify voter, bring a selection of ballots or a DRE to the voter, and allow voter to choose, mark, and cast ballot curbside.



ELECTION EVENTS AND TIMELINES



Every election has a beginning, middle and end....



Candidacy

- **Types of Candidates**
 - Major Political Party
 - Convention Party
 - **Write-in**
 - **Independent**
- **Candidate Filings**
 - Declarations
 - Applications/Petitions/Filing Fee
 - Ethics Forms



Order of Election

- Who orders an election?
 - **County Judge**
 - General Election of officers of the County Government (November, even-numbered years)
 - **Mayor**
 - General Election for city officers in a city with a population of 1.9 million or more
 - **Governing Body of Political Subdivision**
 - General election of the political subdivision
- Deadlines vary by election.
- Contents of Order outlined in Sections **3.006**, 85.004, 85.007(a), 85.007, 83.010.



Notice of Election

- Notice must include:
 - The type and date of the election;
 - The location of each polling place, including the street address, room number, and building name;
 - The hours the polls will be open;
 - The location of the main early voting polling place, including the street address, room number, and building name. The notice must designate which location is the main early voting polling place;
 - The regular dates and hours for early voting by personal appearance;
 - The dates and hours of any Saturday or Sunday early voting, if any;
 - The early voting clerk’s mailing address or street address at which the clerk may receive delivery by common or contract carrier, phone number, email address, and the Internet website (if the EV clerk has an Internet website);
 - We recommend that the information regarding branch early voting locations be included as part of your notice; and
 - Any other information required by law.
- In an election ordered by the commissioners court or by an authority of a city or school district, the notice of election **must be published in a newspaper** in accordance with 4.003(a)(1).





Early Voting

- State law requires EV be conducted in person and by mail.
- Dates of Early Voting:
 - **General Rule:** 17th day to 4th day before Election Day.
 - Special runoff election for state senator, state representative or primary runoff: begins on the 10th day before the elections and ends on the 4th day.
 - Uniform Election Date in May and resulting runoff: 12th day to 4th day before election.
 - If first day falls on a Saturday, Sunday, or legal holiday, EV begins on the next regular business day. (85.001)
- Early Voting by Mail
 - State Application for a Ballot By Mail (ABBM) must be received no later than the 11th day before election day
 - **Annual** ABBM due to age or disability
 - Federal Postcard Application (FPCA) must be received by the 11th day before election day



Election Day

- 7:00 a.m. ----- Polls open.
 - Voter registrar’s office is open.
 - Early voting clerk’s office is open for early voting activities.
- 7:00 p.m. ----- Poll Close
 - Deadline for receiving early voting ballots by mail and late ballots cast by voters who became sick or disabled.
 - But see our election law calendar for deadlines to receive “late domestic ballots”, overseas ballots, and ballots from military voters using an FPCA



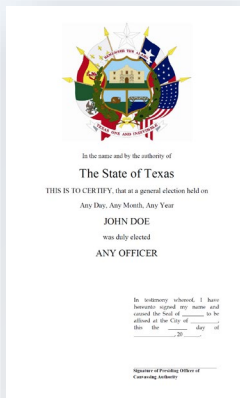
Qualifying a Voter

- Voter Provides Acceptable Form of ID*
 - *Or completes a Reasonable Impediment Declaration (RID)
- Voter is Located on List of Registered Voters
 - Addresses do **NOT** have to match.
- Check-in Voter
- Voter Signs Signature Roster/Combination Form
- Voter Casts Ballot




Post-Election Procedures

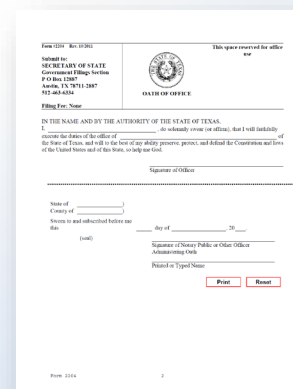
- Election Night Returns (ENR)
 - Canvass
 - Qualifying for Office
 - Certificate of Election (67.016)
 - Statement of Elected Officer (Art XVI, Sec. 1, Tex. Const.)
 - Oath of Office, Chapter 602, Texas Government Code
- Filed locally, unless district or state office.



The image shows a certificate of election form for the State of Texas. At the top is the state seal. Below it, the text reads: "In the name and by the authority of The State of Texas THIS IS TO CERTIFY, that at a general election held on Any Day, Any Month, Any Year JOHN DOE was duly elected ANY OFFICER". At the bottom, there is a section for the elector's signature and date, and a footer for the Department of Public Safety, Division of Voting Systems.



The image shows a "STATEMENT OF OFFICER" form. It includes a header with the Texas state seal and the text "This space reserved for office use". Below that, it says "Statement" and "Execution". The "Statement" section contains a paragraph where the officer declares their faith in the Constitution and laws of the State of Texas. The "Execution" section has a line for the officer's signature and date. At the bottom, there are "Print" and "Reset" buttons.



The image shows an "OATH OF OFFICE" form. It includes a header with the Texas state seal and the text "This space reserved for office use". Below that, it says "OATH OF OFFICE". The main text reads: "IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS, I, _____ do solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and Laws of the State herein and of the State, to which I am sworn." There is a line for the officer's signature and date. At the bottom, there are "Print" and "Reset" buttons.



Post-Election Procedures

- **Recounts (Title 13, Election Code)**
 - Petition for a Recount
 - Automatic Recount
 - www.sos.state.tx.us/elections/laws/recounts.shtml
- **Election Contests (Title 14, Election Code)**
 - Action occurs in district court.
 - Losing candidate files suit against the winning candidate.



Questions?

elections@sos.texas.gov

