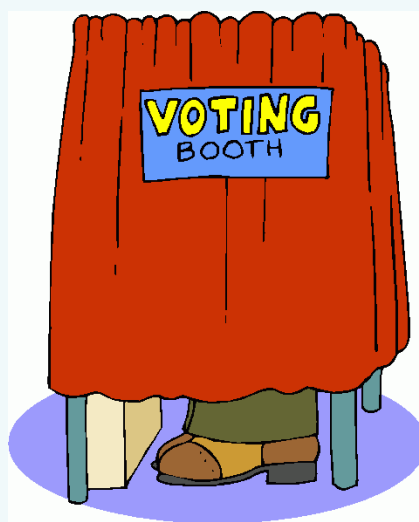


Countywide Polling Place Program: Things You Should Know



ELECTION LAW SEMINAR For County Election Officials



What is the Countywide Polling Place Program?

Similar to Early Voting, the program allows any voter to vote at ANY county polling place on Election Day.

Does NOT eliminate your voter registration precincts.



Historical Background

House Bill 758 (2005) added Section 43.007 to the Texas Election Code providing for the countywide polling place program. Lubbock County was the first county to participate in the program during the November general election in 2006. Currently, there are 90 Texas counties that have been designated as “successful” under the countywide polling place program.



Program Specifics

- Counties may utilize the program for various elections, including:
 - Any election required to be conducted by the county;
 - Any election held as a joint election with the county under Chapter 271;
 - Any election held under a contract for election services with the county under Chapter 31;
 - Primary and primary runoff elections (subject to the agreement of the party/parties);
 - Political subdivision elections
- Limited slots for initial participation in the program:
 - 6 slots for counties with population of 100k or more
 - 4 slots for counties with population under 100k



Technological Requirements

- Must be using one of the following voting systems:
 - Direct recording electronic voting machines (DRE);
 - Ballot marking devices;
 - Hand-marked scannable paper ballots printed and scanned at the polling place; or
 - Other types of voting systems that SOS determines are capable of processing each ballot style
- Must have a computerized voter registration list capable of instantaneous verification that a voter has not voted (e-pollbooks).



Application Requirements

- Counties must submit an application to SOS to participate in the program. The application must include:
 - A letter, addressed to SOS, detailing specifics for implementing the program in the county and requesting approval to participate.
 - A letter signed by the county judge indicating support of the county's plan and requesting SOS approval.



Application Requirements (cont.)

- The letter addressed to SOS included in the county's application to participate must contain the following:
 - Information regarding the voting systems utilized by the county on Election Day (including vendor, quantity, duration used)
 - Information on the county's computerized voter registration list (e-pollbook) and plan for dealing with addressing connectivity issues
 - Information on the public hearing (including a recording or transcript)
 - Information on the county's methodology in selecting polling places
 - A statement that presiding and alternate judges will be selected in accordance with law
 - Communication plan to notify voters of the county's implementation of the program
 - A statement that any joint election issues have been resolved
 - Election precinct information (when lines were last reviewed by commissioners court, total number of precincts, total number of voters per precinct)



Application Requirements (cont.)

A county seeking to participate in the program must hold a public hearing of its commissioners court on the implementation of the program. A recording or transcript of the hearing must be provided to SOS as part of the county's application.



Selection of Polling Places

- In an election in the first year of using the program, a county must use at least 65% of the polling places it would otherwise use in that election.
 - Drops to 50% after the first year of use of the program.
- SOS recommends establishing an advisory committee to assist with the selection of polling places.



Senate Bill 924

- **NEW LAW:** SB 924 (2023) allows combining election precincts in a general or special election **ONLY** for counties with population under 1.2 million that do not participate in the countywide polling place program.
- This means that counties that participate in the countywide polling place program **MAY NOT** combine in a general or special election requiring the use of county election precincts.
 - This may impact the calculation of the number of countywide polling locations in a county (percentage of polling places must now be calculated using unconsolidated precincts).



Selection of Poll Workers

- Section 32.002(c-1) provides the methodology for selecting poll workers for countywide polling places.
 - For judges appointed via the list procedure in Section 32.002 (county elections or elections held jointly with the county), judges must be selected in direct proportion to the percentage of election precincts in each county commissioners court won by a political party in the preceding gubernatorial election.
 - Poll workers do not have to be registered voters of the election precinct where the countywide polling place is located, but must be registered voters of the county.



Selection of Poll Workers

- Example:
 - County Commissioner Court Precinct #1 is comprised of 10 county election precincts and will have 5 countywide polling places for the upcoming election
 - Party A won 6 of the election precincts and Party B won 4 of the precincts in the preceding gubernatorial election
 - The presiding judge for three of the countywide polling places will be affiliated or aligned with Party A (60% X 5 polling places = 3 polling places)
 - The presiding judge for the remaining two countywide polling places will be affiliated or aligned with Party B (40% X 5 polling places = 2 polling places)



After a Countywide Election

- Following any election under the program, the county must submit a report to SOS on the use of the program for that election, including voter turnout data for that election and previous similar elections. The report must be submitted 30 days after the election.
- After one election under the program, a county may apply for “successful” status, which will allow the county to utilize the program for any qualified election. Unless the county has been designated as “successful,” the county will have to submit a full formal application to use the program in subsequent elections.



“Successful” Status

- Following one countywide polling place program election, the county commissioners court must hold another public hearing on the use of the program in the election.
- The county must then submit a letter from the county judge to SOS requesting “successful” designation following one (or more) countywide polling place program elections. A transcript or recording of the public hearing must be included in the request.
- SOS will review the request along with the county’s report on the election (which included voter turnout data for the countywide program election and previous elections). In reviewing a request for successful status, the SOS may consider any complaints that have been supplemented with evidence regarding the county’s use of the countywide program.
- After-election reports must be continued to be submitted 30 days after any election in which the county utilized the program after being designated “successful.”



Questions?

elections@sos.texas.gov

