

Early Voting in Person Requirements (HB 1217)



Main Early Voting Polling Place



Early Voting Hours

Polling place hours at the main early voting location will depend on who is designated by statute as the early voting clerk:

- County Election Officer (Sec. 83.002)
- City Secretary (Sec. 83.005)
- Other (Sec. 83.006)

Regular Dates & Times of Early Voting

If the EV clerk is...	Where?	When?	Hours?
City Secretary	Main Early Voting Polling Place	Weekdays during Early Voting Period that is not a legal state holiday	<p>If 1,000 registered voters or greater = At least 9 hours each weekday of EV period.</p> <p>If less than 1,000 registered voters = At least 4 hours each weekday of EV period.</p>
County Elections Officer	Main Early Voting Polling Place	Weekdays during Early Voting Period that is not a legal state holiday	At least 9 hours each day, but voting may not be conducted earlier than 6 a.m. or later than 10 p.m.
Other EV clerk	Main Early Voting Polling Place	Weekdays during early voting period that is not a legal state holiday	<p>If 1,000 registered voters or greater = At least 9 hours each weekday of EV period.</p> <p>If less than 1,000 registered voters = At least 4 hours each weekday of EV period.</p>

[Sec 85.005]



Extended Hours – Weekday

Elections ordered by a city, school, or other political subdivision

- Cities are no longer required to conduct early voting at the main early voting polling place for 12 hours on two weekdays.
- If cities, schools, or other political subdivisions wish to conduct extended early voting at the main early voting polling place, that information must be included in the original order and notice of election.

[Sec. 85.005(b)]

Extended Hours – Weekend

Elections ordered by a city, school, or other political subdivision

- For cities, schools, and other political subdivisions the authority ordering an election may order voting for a Saturday or Sunday (or both) at the main early voting location.
 - City secretaries do not have the authority to order Saturday or Sunday early voting 72 hours immediately preceding the first hour that voting will be conducted.
 - Voting on **ANY** Saturday/ Sunday **MUST** be included in the **election order**. The order must include the dates and hours of Saturday and/or Sunday voting.

[Sec. 85.006(a)]



Main Early Voting Polling Place

May 4, 2024 Election

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
April 21	22	23	24	25	26	27
 	at least 9 hours*	only if included in order of election				
28	29	30	May 1	2	3	4
only if included in order of election	at least 9 hours*	at least 9 hours*	 	 	 	Election Day

*If less than 1,000 registered voters, then at least 4 hours each weekday



Voting after the time the polls close

- A voter who has not voted before the scheduled time for closing a polling place during the early voting period is allowed to vote after that time if the voter is in line at the polling place by closing time.

[Sec. 85.005(d)]

Temporary Branch Locations



Temporary Branch Locations

Location:

1. In territory served by Early Voting Clerk;
2. Inside any building;
 - May not be located in a movable structure in the general election for state and county officers, general primary election, or runoff primary election
3. Cannot be in a candidate's (or relative to candidate's) home

MUST be “fixed at one place” for duration of period voting is required to be conducted. [Sec. 85.062(c)]

Temporary Branch Locations

- Entity may establish one or more temporary early voting polling places.
- Established by:
 - County Clerk/Elections Administrator as EV Clerk → Commissioners Court
 - Any other Early Voting Clerk → Governing Body of Political Subdivision (Sec. 85.062(a)(2))
- An entity may add additional branch locations during the early voting period, however, once the branch location is opened it must remain open all the same weekdays as the main early voting location for at least 8 hours a day (3 hours if an exception applies)
 - Must still meet the 5 day notice requirement for the additional branches [Sec. 85.067]
 - It is NOT possible to remove branch locations at any time

Temporary Branch Locations

Local Political Subdivisions

- Voting at a temporary branch polling place must be conducted on the days that early voting is required to be conducted at the main early voting polling place and remain open for **at least 8 hours** each day
 - If the county clerk/elections administrator or city secretary is NOT serving as the early voting clerk **AND** the territory has fewer than 1,000 registered voters:
 - then voting at a temporary branch polling place must be conducted on the days that early voting is required to be conducted at the main early voting polling place and remain open for at least **3 hours** each day

[Sec. 85.064]

May Uniform (May 2024)

	Main Early Voting	Temporary Branch	Extended Weekday at the Main Early Voting Polling Place	Extended Weekend at the Main Early Voting Polling Place	Extended Weekend at Temporary Branches
County	Counties cannot order an election in May of an even-numbered year				
City/School/Other	Each weekday that is not a holiday for at least nine (9) hours. If the territory has fewer than 1,000 registered voters, at least four (4) hours each day	Same days as the main for at least eight (8) hours each day if the city secretary/county election officer is the EV clerk. However, three (3) hours each day if the city secretary/county election officer is not the EV clerk and the territory has fewer than 1,000 registered voters	Governing body of the CSO may order, but MUST be included in the order of election	Governing body of the CSO may order or may be petitioned, but MUST be included in order of election	Governing body of the CSO may order, but MUST be included in order of election



Frequently Asked Questions

- **Q: Can a city, school, or other political subdivision conduct extended weekday early voting hours?**
- **A:** Yes. While cities are no longer required to conduct early voting at the main early voting polling place for at least 12 hours on one or two weekdays, cities, schools, and other political subdivisions may choose to conduct early voting beyond the hours required each weekday under Section 85.005 of the Code. However, if a city, school, or other political subdivision chooses to conduct extended weekday early voting, the entity **MUST** include that information in the original order of election.

Frequently Asked Questions

- **Q: Does early voting have to be conducted on days that are school, county, or town holidays?**
- **A:** Early voting must be conducted on each weekday of the early voting period that is not a legal state holiday as defined by Section 1.006 of the Code. (Sec. 85.005).
 - If the holiday is not listed under 1.006 then the polls must be open

Frequently Asked Questions

- **Q: If a city, school, or other political subdivision which is not a county forgot to include weekend early voting hours in their initial order of election, can they amend the order to include weekend early voting hours?**
- **A: No.** Voting on any Saturday or Sunday must be included in the political subdivision's original order and notice of election. While the order of election may be amended to correct minor errors or updates, no substantive changes may be made to an order of election. [Sec. 85.006].
 - **NOTE** – If the entity is contracting with the county or conducting a joint election with the county, and the county orders extended weekday or weekend early voting after the deadline to order an election, then the entity may amend the order and notice of election to reflect the county's voting hours.

Frequently Asked Questions

- **Q: Can a political subdivision establish a temporary branch polling place after the early voting period has started?**
- **A: Yes.** If, during the early voting period, your political subdivision needs to establish a temporary branch polling place(s), you may do so as long as the subdivision complies with Section 85.067 of the Code.
 - Early voting by personal appearance at each temporary branch polling place must be conducted on the weekdays that voting is required to be conducted at the main early voting polling place under Section 85.005 of the Code and must remain open for at least eight hours each day if the city secretary or county clerk/elections administrator serves as the early voting clerk. If the city secretary or county clerk/elections administrator does not serve as the early voting clerk and the territory holding the election has fewer than 1,000 registered voters, then the temporary branch polling place(s) must remain open for at least three hours each day.
 - However, once the temporary branch polling place is established, it must be open for the remainder of the early voting period during the same weekdays as the main early voting location. Further, the temporary branch polling place must remain open for the hours dictated under Section 85.064 of the Code.

Frequently Asked Questions

- **Q: Do the temporary branch polling places need to conduct early voting during the same hours as the main early voting location?**
- **A:** Not necessarily. Early voting by personal appearance at each temporary branch polling place must be conducted in accordance with Section 85.064 of the Code and must be conducted on the weekdays that voting is required to be conducted at the main early voting polling place under Section 85.005 of the Code and must remain open for at least eight hours each day if the city secretary or county clerk/elections administrator serves as the early voting clerk. If the city secretary or county clerk/elections administrator does not serve as the early voting clerk and the territory holding the election has fewer than 1,000 registered voters, then the temporary branch polling place(s) must remain open for at least three hours each day.

Additional Resources

- Election Law Calendars
 - [May 4, 2024 Election Law Calendar](#)
- [Election Forms Index](#)
- [Conducting Your Elections Page](#)
- [Training and Educational Resources Page](#)
- [Election Advisory 2023-10 : NEW LAW: Changes to Early Voting by Personal Appearance – House Bill 1217](#)

Any Questions?

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