



Countywide Polling Place Program

*Report to the Texas Legislature
Under Section 43.007(j), Texas Election Code*



**Texas Secretary of State
Elections Division**

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BRIEF OVERVIEW

This report is submitted in accordance with Section 43.007(j) of the Texas Election Code (“the Code”), which requires the Secretary of State to file a report with the Texas Legislature no later than the first day of each odd-numbered year regarding specific complaints or concerns filed with the Office of the Secretary of State related to counties participating in the countywide election day polling places program (“Program”) for the 2023/2024 election year cycle. Under the Program, counties were eligible to apply to use countywide voting locations (also known as “super precincts” or “vote centers”) for elections held on the November 2023 and 2024 uniform election dates, the March 2024 primary election and May 2024 runoff primary election, and elections held countywide on the May uniform election date, instead of providing polling places at each regular county election precinct. Participation in the Program is limited to those counties that use direct recording electronic (“DRE”) voting systems, ballot-marking devices, hand-marked scannable paper ballots that are printed and scanned at the polling place, or any other type of voting system equipment that the Secretary of State determines is capable of processing votes for each type of ballot to be voted in the county. Participating counties must also provide a computerized and linked voter registration list at each countywide polling place.

BACKGROUND

House Bill 758 was enacted by the 79th Texas Legislature and required the Secretary of State to establish a pilot program in one or more counties as a test of the countywide voting location concept. Lubbock County was the only county to participate in the pilot program, successfully running a countywide polling place pilot for the November 2006 General Election for State and County Officers.

In the next regular legislative session, the 80th Texas Legislature enacted House Bill 3105, requiring another pilot program for the 2008 election year. The pilot was limited to elections held countywide on the May uniform election date and the November 4, 2008 General Election for State and County Officers, excluding the March and April 2008 Primary Elections. House Bill 3105 contained a number of changes from the previous legislation. Specifically, it added language requiring the county to adopt a methodology for determining its polling place locations and limited participating counties to reducing the total number of polling places to no more than fifty percent of the number of precinct polling places that would normally be used in the county. Lubbock and Erath Counties participated in the House Bill 3105 program.

House Bill 719, enacted by the 81st Texas Legislature, made the pilot program permanent. The bill added language requiring a county to retain 65 percent of the number of precinct polling places that would normally have been used in its elections in the county’s first election using countywide polling places. Additionally, House Bill 719 limited the Secretary of State to choosing three counties with a population of 100,000 or more and two counties with a population of less than 100,000 for each election under the pilot program (House Bill 2194, enacted in the 82nd Legislature, increased the number of counties in the Program to six counties with populations of 100,000 or more and four counties with populations of less than 100,000.) House Bill 719 also required the Secretary of State to continue the countywide election day polling places program for the 2009/2010 election cycle. Under the Program, counties were eligible to apply to use countywide voting locations for elections held on the November 2009 and 2010 uniform election dates and for elections held countywide on the May uniform election date, instead of providing polling places at each regular county election precinct. Participation in the Program was limited to those counties that exclusively used voting systems and provided a computerized and linked voter registration list at each countywide polling place.



Four counties were selected for the November 3, 2009 uniform election date: Collin, Erath, Galveston, and Lubbock Counties. Four counties were selected for the November 2, 2010 General Election for State and County Officers: Collin, Erath, Lubbock and Madison Counties. Each county was required to file a report with the Secretary of State regarding the implementation of the Program in their county, and all the county reports were made available on the Secretary of State website.

Senate Bill 578, enacted by the 83rd Texas Legislature, expanded the Program for use in each primary election and runoff primary election if the county chair or county executive committee of each political party participating in a joint primary election under Section 172.126 of the Texas Election Code agreed to the use of countywide polling places; or the county chair or county executive committee of each political party required to nominate candidates by primary election agreed to the use of the same countywide polling places.

House Bill 3107, enacted by the 87th Texas Legislature (Regular Session), expanded the Program for use in any election held as part of a joint election agreement with a participating county or any election held under a contract for election services with a participating county.

Senate Bill 1, enacted by the 87th Texas Legislature (Second Called Session), expanded the Program for use in counties that use ballot-marking devices, hand-marked scannable paper ballots that are printed and scanned at the polling place, or any other type of voting system equipment that the Secretary of State determines is capable of processing votes for each type of ballot to be voted in the county.

“SUCCESSFUL” COUNTYWIDE PRECINCT PROGRAM

House Bill 2194, enacted by the 82nd Texas Legislature, created a new process for counties that had used the countywide election precinct method of voting. Prior law required counties to apply to use countywide election precincts election-by-election. House Bill 2194 added Section 43.007(k)(2) to the Code to allow counties to continue using countywide election precincts without further approval from the Secretary of State.

To date, 96 Texas counties have applied for and met the Secretary of State’s requirements for the “successful” countywide precinct polling place designation:

Angelina County, Aransas County, Archer County, Atascosa County, Austin County, Bastrop County, Bee County, Bell County, Bexar County, Blanco County, Bowie County, Brazoria County, Brazos County, Brown County, Burleson County, Burnet County, Callahan County, Cass County, Chambers County, Cherokee County, Collin County, Comal County, Coryell County, Dallas County, Deaf Smith County, DeWitt County, Eastland County, Ector County, Ellis County, El Paso County, Erath County, Fisher County, Floyd County, Fort Bend County, Gaines County, Galveston County, Grayson County, Gregg County, Grimes County, Guadalupe County, Harris County, Harrison County, Hays County, Henderson County, Hidalgo County, Hood County, Hopkins County, Howard County, Jack County, Jefferson County, Jim Wells County, Jones County, Karnes County, Kaufman County, Kendall County, Lampasas County, Lee County, Liberty County, Lubbock County, Madison County, Marion County, McLennan County, Medina County, Midland County, Milam County, Montague County, Navarro County, Nueces County, Orange County, Palo Pinto County, Parker County, Parmer County, Polk County, Potter County, Randall County, Rockwall County, Rusk County, San Jacinto County, San Patricio County, Scurry County,



Smith County, Somervell County, Swisher County, Tarrant County, Taylor County, Throckmorton County, Tom Green County, Travis County, Upshur County, Victoria County, Walker County, Webb County, Wharton County, Wichita County, Williamson County, and Young County.

IMPLEMENTATION OF CURRENT PROGRAM

One county was selected for the May 6, 2023 uniform election date: **Orange County**.

Four counties were selected for the November 7, 2023 uniform election date: **Burleson County, Cass County, Karnes County, and Parmer County**.

No new counties were selected for participation in the program for the March 5, 2024 primary election.

No new counties were selected for participation in the program for the May 4, 2024 uniform election.

No new counties were selected for participation in the program for the May 28, 2024 primary runoff election.

Three counties were selected for the November 5, 2024 general election: **Cameron County, Comanche County, and Uvalde County**.

Each of these counties was required to file a report with the Office of the Secretary of State regarding the implementation of their countywide polling locations.

May 6, 2023 Uniform Election

Orange County (Population 84,808)

Orange County's initial election under the program was the May 6, 2023 Uniform Election. Prior to participating in the program, Orange County had 34 county election precincts. For the Uniform Election held on May 6, 2023, the county opted to maintain 23 county election polling places as countywide election day polling places.

Turnout Trends

An analysis of Orange County's turnout trends for the May Uniform Election in 2023 indicate a 4.76% turnout of registered voters, compared to a 10.31% turnout for the May Uniform Election in 2022 and a 2.88% turnout for the May Uniform Election in 2021.

Public Feedback

Orange County solicited feedback from county election officials, voters, and the general public on the institution of the program in the county. All feedback received by the county was positive toward the program.

Orange County applied for "successful" status and was designated as a "successful" county under the program on August 25, 2023.



November 7, 2023 Uniform Election

Burleson County (Population 17,642)

Burleson County's initial election under the program was the November 7, 2023 Constitutional Amendment Election. Prior to participating in the program, Burleson County had 13 county election polling places. For the Constitutional Amendment Election held on November 7, 2023, the county opted to maintain 9 county election polling places.

Turnout Trends

An analysis of Burleson County's turnout trends for the Constitutional Amendment Election in 2023 indicate a 18.47% turnout of registered voters, compared to a 6.79% turnout for the Constitutional Amendment Election in 2021 and a 13.65% turnout for the Constitutional Amendment Election in 2019.

Public Feedback

Burleson County conducted a survey on the county's use of the program following the election and received positive feedback from voters. The county believes that, based on feedback and turnout figures, continuation of the program is in the county's best interest.

Burleson County applied for "successful" status and was designated as a "successful" county under the program on January 10, 2024.

Cass County (Population 28,454)

Cass County's initial election under the program was the November 7, 2023 Constitutional Amendment Election. Prior to participating in the program, Cass County had 18 county voter registration precincts. For the Constitutional Amendment Election held on November 7, 2023, the county opted to maintain 12 county election polling places.

Turnout Trends

An analysis of Cass County's turnout trends for the Constitutional Amendment Election in 2023 indicate a 18.66% turnout of registered voters, compared to a 8.68% turnout for the Constitutional Amendment Election in 2021 and a 15.59% turnout for the Constitutional Amendment Election in 2019.

Public Feedback

Following the election, Cass County received feedback from election workers, voters, and county party officials. All comments received by the county were favorable toward the program, citing the convenience of voting at any polling location in the county.

Cass County applied for "successful" status and was designated as a "successful" county under the program on January 10, 2024.

Karnes County (Population 14,710)

Karnes County's initial election under the program was the November 7, 2023 Constitutional Amendment Election. Prior to participating in the program, Karnes County had 15 county election precincts. For the Constitutional Amendment Election held on November 7, 2023, the county opted to maintain 10 county election polling places.



Turnout Trends

An analysis of Karnes County’s turnout trends for the Constitutional Amendment Election in 2023 indicate a 15.98% turnout of registered voters, compared to a 7.97% turnout for the Constitutional Amendment Election in 2021 and a 12.77% turnout for the Constitutional Amendment Election in 2019.

Public Feedback

Karnes County solicited feedback from election workers who were in direct contact with voters regarding the county’s implementation of the program. Election worker responses were positive and cited voter comments on the convenience of voting at any county polling location on election day.

Karnes County applied for “successful” status and was designated as a “successful” county under the program on January 31, 2024.

Parmer County (Population 9,869)

Parmer County’s initial election under the program was the November 7, 2023 Constitutional Amendment Election. Prior to participating in the program, Rockwall County had 8 county election polling places. For the Constitutional Amendment Election held on November 7, 2023, the county opted to maintain 6 county election polling places.

Turnout Trends

An analysis of Parmer County’s turnout trends for the Constitutional Amendment Election in 2023 showed an increase in turnout. Reports indicate a 14.67% turnout of registered voters for 2023, compared to an 6.91% turnout for the Constitutional Amendment Election in 2021 and a 14.13% turnout for the Constitutional Amendment Election in 2019.

Public Feedback

Parmer County received positive feedback from voters. The voters expressed appreciation for the convenience of using countywide polling places on election day and expressed support for the county’s continued use of the program.

Parmer County applied for “successful” status and was designated as a “successful” county under the program on January 10, 2024.

November 5, 2024 General Election

Cameron County (Population 421,017)

Cameron County’s initial election under the program was the November 5, 2024 general election. Prior to participating in the program, Cameron County had 101 county election precincts. For the general election held on November 5, 2024, the county opted to maintain 70 county election polling places.

Turnout Trends

An analysis of Cameron County’s turnout trends for the general election in 2024 indicate a 48.69% turnout of registered voters, compared to a 33.86% turnout for the general election in 2022 and a 52.16% turnout for the general election in 2020.

Public Feedback

Cameron County solicited feedback from voters, election workers, party chairs, and the general public. Comments were positive and expressed support of the county’s use of the program.



Comanche County (Population 13,594)

Comanche County's initial election under the program was the November 5, 2024 general election. Prior to participating in the program, Comanche County had 12 county election precincts. For the general election held on November 5, 2024, the county opted to maintain 9 county election polling places.

Turnout Trends

An analysis of Comanche County's turnout trends for the general election in 2024 indicate a 65.3% turnout of registered voters, compared to a 49.08% turnout for the general election in 2022 and a 63.65% turnout for the general election in 2020.

Public Feedback

Comanche County created a survey to solicit feedback on the county's use of the countywide polling place program. Responses to the survey were positive and Comanche County did not receive any complaints regarding the county's use of the program.

Uvalde County (Population 24,564)

Uvalde County's initial election under the program was the November 5, 2024 general election. Prior to participating in the program, Uvalde County had 14 county election precincts. For the general election held on November 5, 2024, the county opted to maintain 10 county election polling places.

Turnout Trends

An analysis of Uvalde County's turnout trends for the general election in 2024 indicate a 54.47% turnout of registered voters, compared to a 45.5% turnout for the general election in 2022 and a 63.65% turnout for the general election in 2020.

Public Feedback

Uvalde County did not receive any complaints regarding the county's use of the countywide polling place program.

RECOMMENDATIONS TO THE 89TH TEXAS LEGISLATURE

After eighteen years of the countywide polling place program, the countywide polling place program continues to grow and be successful for the counties that implement the program. For the November 2024 general election, 99 counties participated in the program, including the 96 counties that had previously been designated "successful." This accounts for nearly 39% of the counties in the state.

First Recommendation

Local political subdivisions conducting elections in counties participating in the countywide polling place program have expressed concerns regarding the required use of county election precincts under the program. For example, a local political subdivision that conducts elections on the November general election date for state and county officers is required to use the county election precincts and polling places. For local political subdivisions located in counties that utilize the countywide polling place program, this means those political subdivisions must have their ballot at every countywide polling place. For many local political subdivisions, this impacts the cost of conducting an election. Additionally, Section 31.093 of the Election Code only requires election administrators to contract for election services with local political subdivisions located wholly or partly within the county served by the elections administrator. Elections administrators are not required to contract for election services in May of even-



numbered years. County clerks, county tax assessor-collectors or other county officials serving as the elections officer are never required to contract for election services with local political subdivisions. Due to the increased labor and costs associated with a local political subdivision deploying ballots to every countywide polling place in a county participating in the program, the 89th Legislature may wish to consider requiring all county election officers in participating counties to contract for election services with local political subdivisions when the program is being utilized and use of county election precincts is required.

Second Recommendation

Section 85.062(f-1) of the Election Code requires that the same methodology that a county uses to determine the location of countywide polling places be used to determine the location of any temporary branch polling locations. Section 43.007(m) provides part of that methodology and states that, in determining locations, the county must ensure that each commissioners court precinct contain at least one polling place and that the total number of polling places open for voting in any one commissioners court precinct does not exceed more than twice the number of polling places open for voting in any other commissioners court precinct in the county. These two provisions of the Election Code operating together require a county participating in the countywide polling place program to open multiple temporary branch early polling locations. Counties are required to open at least one temporary branch early voting location in each of their four county commissioner precincts due to the fact that the same methodology used to select countywide polling locations must be used to determine temporary branch early voting locations and the methodology requires the placement of one polling location in each commissioner court precinct. An increase in the number of early voting locations may lead to increased costs and increased use of other resources in order to find sufficient staff and equipment for any additional temporary branch early voting locations. The 89th Legislature may wish to consider addressing the required number of early voting locations for counties participating in the countywide polling place program.

OVERALL OBSERVATIONS

For the moment, the effect of the countywide polling place program on voter turnout is difficult to gauge. However, information provided by the participating counties, including feedback from voters, election officials, and party chairs, along with the turnout percentages, suggests countywide election polling places offer a way to ensure that voters who plan to vote in the election have an increased opportunity to do so much as with early voting.

Counties have become more familiar with the program and several counties have expressed interest in implementing this program in the near future. Many concerns from voters stemmed from issues that were unrelated to the use of the program itself, such as lack of adequate signage or parking spaces or extended wait times. These are issues that should be addressed by participating counties as they move forward with the program.

STATUTORY CONSIDERATIONS

- Consider requiring all county election officials, not just election administrators, to contract for election services when the use of county election precincts is required and the county is participating in the countywide polling place program.
- Consider clarification on the required number of temporary branch early voting locations for counties participating in the countywide polling place program.

