

Welcome to the
35th Annual
Breakout
Session for Other
Political
Subdivisions



Let's get started

1. 2023 Texas Legislature – What's New?
Began January 10, 2023 – Ending.....
2. Redistricting
3. Important Dates for May 4, 2024 Elections
4. Helpful Reminders
5. Questions and answers

House Bill 2815 - Omnibus Water District Bill

Effective June 18, 2023

- **Conduct of Confirmation Election** ([Section 49.102\(k\), Water Code](#))

- ❖ If the board of directors of the district determines it is “in the best interest of the district and the voters of the district” for the district to administer its own election, the district shall establish precincts and designate polling places inside the boundaries of the district.

- ❖ Allows a water district that has made such a finding to administer its own confirmation election and any election held in conjunction with a confirmation election on either the May or November uniform election date.

- **Bond and Refunding Bond Propositions** ([Section 49.106, Water Code](#))

- ❖ Allows a water district to include new money and refunding bond authorizations in the same proposition.

House Bill 2815 District Bill

Effective June 18, 2023

- Omnibus Water

- **Moot Tax Rate Elections** (Section 49.23602(c), Texas Water Code)
 - ❖ After S.B. 2, a developed water district could have been required to call an automatic tax rate election even if the adopted tax rate was less than or equal to the voter-approval tax rate (i.e., the election would be moot).
 - ❖ H.B. 2815 amended Section 49.23602(c) to provide that a developed water district does not need to call what otherwise would be an automatic tax rate election if the adopted tax rate is less than or equal to the voter-approval tax rate.
- **Filling MUD Director Vacancies** (Former Section 54.103, Texas Water Code)
 - ❖ Previously the Water Code prohibited a MUD board from filling a vacancy on the board with a person who had resigned from the board or was defeated in a directors election within the prior two years.
 - ❖ H.B. 2815 repealed the provision, eliminating the restriction on appointments.

House Bill 2815 - Omnibus Water District Bill

Effective June 18, 2023

- If you work with water districts, consider reading this bill in its entirety. It also includes:

- Director Fees of Office
- Division of Districts
- TCEQ Creation & Oversight of Management Districts
- Water Control & Improvement District annexations
- TCEQ Bond Feasibility Tests
- Notice to Purchasers

and much more!

House Bill 2626 - Online Campaign Finance Reports

Effective September 1, 2023

- **Relating to the availability on the Internet of certain reports of political contributions and expenditures (Section 254.0401, Texas Election Code)**
 - ❖ Requires campaign finance reports filed by a candidate or officeholder of a political subdivision to be posted on the political subdivision's website.
 - Must be available to the public on the political subdivision's website not later than the **10th business day** after the date the report is received.
 - Before making a report available the authority with whom the report is filed may remove each portion, other than city, state, and zip code, of the address of a person listed as having made a political contribution to the person filing the report.
 - Must be accessible on the website until the **fifth anniversary** of the date the report is first made available.

Senate Bill 477 – Voters with Disabilities

Effective June 18, 2023

- **Mandates first priority for voters with mobility issues** ([Section 63.0015, Texas Election Code](#))
 - ❖ An election officer **shall** accept a person with a mobility problem that substantially impairs a person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived before the person.
 - ❖ Notice of the priority given to persons with a mobility problem that substantially impairs a person's ability to ambulate **shall** be posted at each entrance to a polling place where it can be read by persons waiting to vote, on SOS' website, and on the county's election website(s). ([Texas Secretary of State Form 7-38](#))
- **Mandates reservation of a parking spot for voters clearly marked with a sign** ([Section 64.009, Texas Election Code](#))
 - ❖ Sign must indicate that the space is reserved for use by a voter who is unable to enter the polling place; and
 - ❖ Sign must display in large font that is clearly readable from a vehicle, a telephone number that a voter may call or text to request assistance from an election officer at the polling place. ([Texas Secretary of State Form 7-43](#))
 - ❖ May provide a call button or intercom as an alternative to providing a telephone number.

Senate Bill 477 – Voters with Disabilities

Effective June 18, 2023

(continued)

• CLERK TO POST APPLICATION FORM ONLINE

(Section 84.0121, Texas Election Code)

- ❖ The early voting clerk shall post the official application form for an early voting ballot on the clerk's Internet website, if the clerk maintains an Internet website, in a format that allows a person to easily complete the application directly on the website before printing.
- ❖ The early voting clerk may use the application form provided by the Secretary of State's Office under Section 84.013 or may provide their own application form.

House Bill 1243 – Offense of Illegal Voting

Effective September 1, 2023

- ❖ Increases the penalty for illegal voting from a Class A misdemeanor to a second degree felony or a state jail felony.

Senate Bill 232 – Voters with Disabilities

Effective September 1, 2023

- ❖ Establishes that an officer of a political subdivision is automatically removed from office if the person pleads guilty or no contest, receives deferred adjudication, or is convicted of a qualifying offense.
- ❖ Defines “qualifying offense” as bribery, theft of public funds, perjury, coercion of a public servant or voter, tampering with a government record, misuse of official information, abuse of official capacity, or conspiracy or attempt to commit any of these offenses.

Senate Bill 1933 – Election Audits

Effective September 1, 2023

- ❖ For a county with a population of more than 4 million, authorizes the Secretary of State's Office to order administrative oversight of a county office administering elections or voter registration if the SOS receives a complaint and determines, after providing required notice to the applicable county election official and an opportunity for response, that there is good cause to believe there is a recurring pattern of problems.
- ❖ Authorizes the SOS to file a petition for removal of the applicable county officer or, if applicable, terminate the employment of the county elections administrator if the problems are not rectified.
- ❖ Further expands the authority of the SOS to conduct randomized county election audits and recommend administrative oversight if an audit finds recurring problems with that county's election administration or voter registration.

Senate Bill 1750 – Abolishing county elections administrator position in certain counties

Effective September 1, 2023

Chapter 32, Election Code, is amended by adding Section 31.050 to read:

❖ **ABOLISHMENT OF POSITION AND TRANSFER OF DUTIES IN CERTAIN COUNTIES.**

On September 1, 2023, all powers and duties of the county elections administrator of a county with a population of more than 3.5 million under this subchapter are transferred to the county tax assessor-collector and county clerk. The county tax assessor-collector shall serve as the voter registrar, and the duties and functions of the county clerk that were performed by the administrator revert to the county clerk, unless a transfer of duties and functions occurs under Section 12.03 or 31.071.

HOSPITAL DISTRICTS!



House Bill 1243 ~ Montague County ONLY~

Effective September 1, 2023

- ❖ Allows municipality, ISD, or Hospital District to move their election to a November date.

House Bill 3191 – Hospital Districts Board Terms

Effective September 1, 2023

- ❖ Creates a mechanism for hospital districts to change the length of terms of their board members and provides for a staggering schedule if those terms are changed.
- ❖ Provides for the automatic resignation of a board member who fails to appear at a specified number of board meeting without an excuse accepted by the board. Makes conforming changes to comply with election requirements outlined in the Texas Election Code.
 - Repeals: Health & Safety Code §§286.023(g), 286.025(b), 286.044(b)
 - Statutes Affected: Various provisions in the Health & Safety Code
 - Special District Local Laws Code §§ 1023.054, 1070.111

Want to follow bills filed ?

- Register to receive legislative updates for the upcoming legislative session:

<https://capitol.texas.gov/MyTLO/Login/register.aspx>

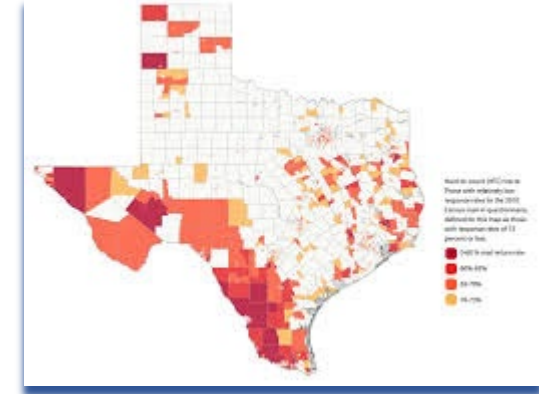
Texas Legislature Online - Homepage



The screenshot shows the homepage of the Texas Legislature Online (TLO) website. The browser address bar displays "capitol.texas.gov/Home.aspx". The page features a navigation menu with links for Home, My TLO, House, Senate, Legislation, Search, Committees, and Calendars. The main content area is divided into several sections:

- Texas House:** A list of links including Home, Speaker of the House, Members, Committees, Committee Meetings, Committee Witnesses, Calendars, Current Amendment, Journals, News, House Research Organization, and Kids' House.
- Texas Senate:** A list of links including Home, Lieutenant Governor, Members, Committees, Committee Meetings, and Calendars.
- Search Legislation:** A search interface with a dropdown menu for "Legislature: 88(R) - 2023", radio buttons for "Word/Phrase" (selected) and "Bill Number", a search input field, and a "Go" button.
- Additional Searches:** A grid of links for Text Search, Statutes, Bill Lookup, Constitution, Amendments, Reports, Sections Affected, Administrative Code, and Legislative Archive System.
- How Do I ...:** A list of links for finding bills, following status, contacting legislators, finding votes, scheduling hearings, viewing bill text, and testifying at hearings.
- Access Mobile Version of TLO:** A section explaining how to access the mobile version of the website on various devices.
- Legislative Activity:** A section providing links for video broadcasts, today's calendars, meetings, filed bills, and votes for both the House and Senate.
- Legislative Process:** A section with links for "How a Bill Becomes Law", "How to Follow A Bill", "Dates of Interest", and "Glossary".
- Redistricting:** A section with a dropdown arrow.

REDISTRICTING



If your district has not held an election since redistricting, make sure you.

- Verify your district's street guide with the county voter registrar!
- Your precinct(s) could have changed. *This could affect your posting requirements!*
- Translations – Additional languages added:
 - **NEW: Dallas County – English, Spanish & Vietnamese**
 - Harris County – English, Spanish, Chinese & Vietnamese
 - Tarrant County – English, Spanish & Vietnamese

**Important Deadlines for
your
May 4, 2024
Election**

MAY 4, 2024 - UNIFORM ELECTION DATE

Monday, December 18, 2023	Deadline to post Notice of Candidate Filing Period Cities, Schools and Other Political Subdivisions (**except Chapter 49 Water Districts)
Wednesday, January 17, 2024	Deadline to post Notice of Candidate Filing Period (**Chapter 49 Water Districts only) <u>First Day</u> to File for a Place on the General Election Ballot
Friday, February 16, 2024	Last Day to Order an Election for May 4, 2024 <u>5:00 p.m. Deadline for a candidate to file for Place on Ballot</u>
Tuesday, February 20, 2024	<u>5:00 p.m.</u> Deadline for a write-in candidate to file a Declaration of Write-in Candidacy
Thursday, April 4, 2024	Last Day to Register to Vote
Monday, April 22, 2024	First Day of Early Voting By Personal Appearance
Tuesday, April 30, 2024	Last Day of Early Voting By Personal Appearance
Saturday, May 4, 2024	Election Day
Tuesday, May 7, 2024	First Possible date to Canvass (3 rd day after election)
Wednesday, May 15, 2024	Last Day to Canvass (11 th day after election)

ELECTION DATE	IMPORTANT DATES	TASK
<i>*Dates are always subject to change</i>		
NOVEMBER 5, 2024	Monday, August 19, 2024	Last Day to Order Election
MAY 3, 2025	Friday, February 14, 2025	Last Day to Order Election
NOVEMBER 4, 2025	Monday, August 18, 2025	Last Day to Order Election

May 4, 2024 Important Election Dates

- **ASAP - Contact county election offices and verify if they will contract for May 4, 2024**
- **Monday, December 18, 2023:**
 - Deadline for most political subdivisions that have a first day to file candidate applications to post Notice of Candidate Filing Period
- **Wednesday, January 17, 2024:**
 - First Day to File for a Place on the Ballot
 - Deadline for Chapter 49 water districts and political subdivisions without a first day to file candidate applications to post Notice of Candidate Filing Period not later than the 30th day before the deadline for a candidate to file and application for a place on the ballot (Texas Water Code § 49.113)
- **Friday, February 16, 2024:**
 - Last Day to File for a Place on the Ballot (5:00 p.m. deadline)
 - Deadline for political subdivisions to order a May 4th election
- **Monday, February 19: Presidents' Day**
 - Deadline for Chapter 49 water districts exempt from the use of electronic voting equipment to publish or mail notice of exemption (Water Code § 49.111)
- **Tuesday, February 20:**
 - Last Day to File a Declaration of Write-in Candidacy (5:00 p.m. deadline)
- **Friday, February 23:**
 - Last day for a candidate, including write-in, to withdraw (5:00 p.m. deadline)

Important Dates (cont'd)

- **Tuesday, March 5 (60th day before election day):**
 - Last day to **deliver** notice of the election to the County Clerk and Voter Registrar: Governing body of a political subdivision that orders an election shall deliver notice of the election, including the location of each polling place, to the county clerk and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day.
 - Recommended date for political subdivision administering their own election to request from the county the initial list of voters who have submitted an annual application for ballot by mail
- **Thursday, March 14:**
 - Deadline to post Appointment of Agent (if applicable)
- **Friday, March 15:**
 - Mandatory Secretary/ Agent office hours begin (at least 3 hours/day during regular office hours)
- **Wednesday, March 20:**
 - FCPA/Overseas Ballot-By-Mail Deadlines: The early voting clerk must mail a ballot to military or overseas applicants on or before the later of: (1) Wednesday, March 20; or (2) the 7th calendar day after the early voting clerk receives the application
 - All Other Ballot-By-Mail Deadlines: The early voting clerk must mail a ballot not later than the 7th calendar day after the later of the date the early voting clerk accepts the application for ballot by mail, or the date the ballot becomes available
 - If your jurisdiction is conducting their own election make sure you have requested a list of person(s) who have submitted an Annual Ballot by Mail Application with the county/counties located within your jurisdictional boundaries.

Important Dates (cont'd)

- Thursday, April 4:
 - LAST DAY TO REGISTER OR MAKE A CHANGE OF ADDRESS TO BE EFFECTIVE FOR THE MAY 4th ELECTION
 - First day to publish Notice of Election, if publication is chosen method
- Saturday, April 13 (21st day before election day):
 - Last day to post Notice of Election in each election precinct, if posting is permissible and is chosen method
 - Last day to post Notice of Election on bulletin board used for posting notices of meetings of governing body (if applicable)
 - Last day to post notice of election on county website, if county maintains a website, or on bulletin board used for posting meeting notices
 - Last day to post Notice of Election on the political subdivision's website (if applicable)
 - For a bond or other debt obligation election, last day to post election order:
 - in 3 public places within the boundaries of the political subdivision; and
 - on the political subdivision's website, prominently, and together with the Notice of Election, contents of the proposition(s), sample ballot(s), and if applicable the Voter Information Document, if the political subdivision maintains a website
 - County posting requirements for political subdivision elections under Election Code Sections 4.003(b), 4.008(a), and 4.009

Important Dates (cont'd)

- **Friday, April 19:**
 - Last day to deliver notice to the presiding judge for each precinct of duty to hold the election (Writ of Election)
 - Last day to cancel a May 4th election (if applicable)
- **Monday, April 22:**
 - First day of early voting by personal appearance
 - Early voting must be conducted for nine (**9**) hours each weekday unless the political subdivision has fewer than 1,000 registered voters, then early voting in person must be conducted for four (**4**) hours per day (Election Code § 85.005(b))
 - For bond and other debt obligation elections, deadline to post the election order prominently in each early voting polling place
 - Recommend checking with county election officials for any additional annual ABBMs
- **Tuesday, April 23:**
 - Last day to receive an application for a ballot by mail
- **Wednesday, April 24:**
 - Last day to publish or mail Notice of Election, if publication or mailing is chosen method

Important Dates (cont'd)

- **Tuesday, April 30:**
 - Last day of early voting by personal appearance
- **Saturday, May 4: ELECTION DAY - 7:00 A.M. TO 7:00 P.M**
 - Make arrangements for any voter who decides to deliver their BBM to the early voting clerk's office to have access to the location and to be able to present an acceptable form of ID, as required
- **Monday, May 6 (1st business day after election):**
 - Deadline to receive a domestic ballot-by-mail if it is postmarked by 7:00 p.m. on election day (5:00 p.m. deadline)
 - For all late ballot deadlines refer to the Texas Secretary of State's Election Advisory - May 4, 2024 Election Law Calendar
- **Tuesday, May 7: First day to conduct official local canvass**
 - If political subdivision cancelled its election because candidates were unopposed for office, first day to issue Certificate of Election to each candidate and for candidates to take actions necessary to qualify for office (oath of office, sworn statement, etc.)
- **Friday, May 10:**
 - Deadline for Voter Registrar to complete review of provisional ballots

Important Dates (cont'd)

- **Monday, May 13:**
 - Deadline for early voting ballot board to convene and count any late domestic, overseas, or provisional ballots
- **Wednesday, May 15:**
 - Last day to conduct official local canvass
- **Monday, May 20:**
 - Deadline for election documents to be electronically available if requested under the Texas Public Information Act
- **Monday, June 3:**
 - Pursuant to Texas Water Code § 49.054(f), a revised District Registration Form must be submitted to TCEQ within 30 days after the election
- **Thursday, June 13:**
 - Last day of Secretary/ Agent mandatory office hours.
- **Monday, July 15:**
 - Annual Voting Systems filing due to Secretary of State
 - Deadline to submit Campaign Finance Reports due to district from candidates
 - **New Law,** 88th Regular Session of the Texas Legislature, House Bill 2626, requires campaign finance reports filed by a candidate or officeholder of a political subdivision to be posted on the political subdivision's website not later than 10 days after receipt.

Additional Info on Bond Elections

INFORMATION FOR BOND ELECTIONS

Bond Ballot Language

- There are specific requirements for bond and other debt obligation proposition and ballot language, which have been impacted by numerous bills in recent years. Consult your district's attorney for more information and to confirm whether your language incorporates all of the new changes!
 - ❖ **Remember** that because they will be publicly posted, any documents attached to the Order Calling, Notice of Election and Voter Information Document (*if applicable*) must be translated in all languages required for that county
 - ❖ If you are contracting with a county, verify the character limit allowed for a proposition. Examples:
 - ❑ Harris County has a limit of 650 characters per proposition
 - ❑ Montgomery County has a limit of 10,000 characters per proposition

Voter Information Document.

- Pursuant to Government Code Section 1251.052, a political subdivision with at least 250 registered voters as of the date the election is ordered must prepare a voter information document for each debt obligation proposition
- The voter information document must be posted in the same manner as a bond election order is required to be posted under the Election Code, including on the political subdivision's website

Voter Information Document (cont'd)

- **The Voter Information Document Must State:**
 - The language that will appear on the ballot;
 - The following information, formatted as a table:
 - The principal amount of the bonds to be authorized;
 - The estimated interest on the bonds to be authorized;
 - The estimated combined principal and interest required to pay on time and in full the bonds to be authorized;
 - The principal amount of all outstanding bonds;
 - The estimated remaining interest on outstanding bonds;
 - The estimated combined principal and interest required to pay all outstanding bonds;
 - The estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the political subdivision with an appraised value of \$100,000; and
 - Any other information that the political subdivision considers relevant or necessary to explain the aforementioned information
 - Certain major assumptions incorporated into the calculations presented in the Voter Information Document

Bond Election Tips

Don't Forget for bond and other debt obligation elections. . .

- If you are contracting with your county election office **KNOW their deadlines!**
- For any website posting requirements (including those posted by counties or directly by the district), take screenshots of all postings, including the website URL and date, for the Attorney General transcript file
- Make sure to find out: When does the county need your election order for a bond election to post at each early voting and election day polling location and how do they want it? Do they want hard copies or e-mail?

For the most up-to-date information from the Texas Attorney General's office on new legislation and requirements for bond transcripts, visit their All Bond Counsel letter website, <https://www.texasattorneygeneral.gov/public-finance/all-bond-counsel-letters>

Conducting Your Election

Who is going to administer your election?

- County Election Office; or
- You, the Political Subdivision.

****Contact your county election office to see if they are offering to contract with political subdivisions (many are!).**

Obtain or Bookmark:

- Secretary of State Website: <https://www.sos.state.tx.us/>
- Election Code;
- Local Government Code; and
- Any other additional codes that affect your political subdivision (e.g., Water Code, Health and Safety Code, etc.).
- Texas Legislature online (for information about new legislation): <https://capitol.texas.gov/>

****Note:** Texas statutes are available electronically here: <https://statutes.capitol.texas.gov/>. However, after a legislative session, there often is a significant delay before that website is updated to incorporate new legislation. Be sure to check the SOS website for election advisories, and the Texas Legislature website for new legislation that may affect your elections.



Conducting Your Election

If you contracted with your county in May 2022, verify how many voters voted in the last election. This may assist your district in making the decision to contract vs. conducting your own election.

Know your election deadlines!

Dates for your election, posting deadlines, filing deadlines, publishing deadlines

- a. If contracting with the county election office, make sure to attend a planning meeting or obtain a list of their deadlines (*Even if you are not contracting with the county to administer your election, we always recommend attending the county's planning meeting(s) to keep up-to-date on voter registration and ABBM issues, among other things*);
- b. Newspaper publishing deadlines;
- c. Federal, State, and Local holidays - how do they affect your election?

Create a calendar marked with ALL deadlines so you know what document(s) are required and when they are due.

Contact the voter registrar and request a list of streets and street ranges in your political subdivision early:

- a. Verify and make sure your streets and boundaries are correct;
- b. If you submit changes, make sure that they are corrected prior to the county deadline; and
- c. Request a list of registered voters prior to and after the deadline to register.

IF YOU ARE CONTRACTING WITH A COUNTY ELECTION OFFICE:

- The Secretary or Agent for your political subdivision retains responsibility for accepting candidate application packets and posting required documents. The county **does not** and **will not** accept or review your candidate applications. This is the responsibility of the authority ordering the election.
- Request a contract, read the contract, and, as appropriate, consider sending it to your district's attorney to review before it is signed.
- Is a DEPOSIT required and when is it required?
- Understand the allocation of responsibilities between the county and your district so nothing falls through the cracks!
- Meet the deadlines set out by the Texas Election Code, and other Codes applicable to your district, and your county/counties.
- Verify that you will receive a copy of all documents required for your election files, especially if you are calling a confirmation, bond, or other debt obligation election that will result in an Attorney General transcript.
 - *E.g., constitutional oath for Presiding Judge, Alternate Judge, and Early Voting Clerk; certificate of posting election order at all early voting and election day polling locations; voter affidavits for confirmation elections, etc.*
- Submit your ballot language on time and in all languages required by your county
- Proof your ballot language both on paper and on the machine.
- Proof your ballot audio.
- Attend your county's Logic & Accuracy Test - don't know what that is? FIND OUT!

IF YOU ARE CONTRACTING WITH A COUNTY ELECTION OFFICE (CONT'D):

- Request a daily list of persons who have returned their voted ballot by mail and who have voted early by personal appearance. Political subdivisions who maintain a website are required to post by 11 a.m. a daily list of voters who have voted in their election.
 - If your political subdivision DOES NOT maintain a website, then the jurisdiction must post the daily list of voters where they post meeting agendas.
- Make sure that you get all Certificate of Postings proofed and signed, and all necessary attachments (including, if applicable, website screen shots).
- Ask the county when they will have the canvass results available and get with your political subdivision early on to set your canvassing date. Remember that under the Election Code, you only need two members of your board present to canvass!

IF THE DISTRICT IS ADMINISTERING THE ELECTION:

- The Secretary or Agent for your political subdivision generally is responsible for accepting candidate application packets and posting required documents.
- Know your deadlines!
- Is your political subdivision required to use electronic voting equipment, or can you use paper ballots?
 - If you are going to use paper ballots, what are the notice requirements?
 - If you are going to use electronic equipment, the Board may be required to adopt the use of the election equipment being used in the election.
 - **Reminder: Before a political subdivision can purchase a voting system, the contract must be approved by SOS.**
- If you are conducting a Board candidate election, make sure you are familiar with all procedures and requirements.
- Identify your early voting and election day polling locations early. As needed, reserve any non-political subdivision buildings and confirm any fees or limitations.
- Work with the political subdivision's attorney and the board to set the dates and hours for early voting.
- Begin locating eligible election workers for the election.
- Set training dates for your workers.
- Know what supplies you will need for your election.
 - E.g., If you are using paper ballots, you also will need ballot boxes.
- Contact your county election official regarding any annual ABBMs they have received.
 - The county is responsible for creating and maintaining a searchable database of annual ABBMs and forwarding it to local political subdivisions.

IF THE DISTRICT IS ADMINISTERING THE ELECTION (CONT'D):

- Order your early voting kit(s), election day kit(s), BBM supplies, and any additional supplies needed for the election.
- Consult with your political subdivision's attorney and Board regarding the method(s) for transmitting the Notice of Election (posting, publication, and/or mailing).
- Keep in contact with your election judges and clerks to verify their dates and hours of availability. Start preparing your election training materials early!
 - Thorough election judge training helps them expect the unexpected and (hopefully!) leads to a smooth experience during early voting and on election day.
 - But....also make sure your election judges know who to contact when things go wrong!
- After the closing of your polls on election day and the counting is completed, make sure that the unofficial results are posted on the door of your polling location(s).
- Go through the paperwork and ensure that any provisional ballots are delivered to the voter registrar for processing.
- Make sure the early voting ballot board is aware of dates that they may need to reconvene (if needed), to ensure the Board is able to canvass the election on time.
- File any additional documents with the proper offices, as required.
- Make sure to follow the Election Code and your political subdivision's record retention policies for handling all election records.
 - For confirmation, bond, and other debt obligation elections, work with your district's attorney to make sure you are retaining all documents that may be needed for any future Attorney General transcripts.



Just a friendly reminder

- Annexations/Exclusions

- If your political subdivision has had any boundary changes (annexations or exclusions), you need to notify the voter registrar of the county or counties involved within 30 days (Election Code § 42.0615).

- Updated Forms

- Make sure you have the most recent version of the election forms you are using.
- The Texas Secretary of State did a major update of election forms on September 2, 2023!
- All election forms are available on the SOS website (<https://www.sos.state.tx.us/elections/forms/pol-sub/index.shtml>).

Look for the following:

2-49

Prescribed by Secretary of State

Section 141.031, Chapters 143 and 144, Texas Election Code

Date form was updated →

09/2023



- **TEXAS ETHICS COMMISSION FORMS**

- The Texas Ethics Commission updates forms on January 1st of every year!
- Visit the Texas Ethics Commission Website at:
<https://www.ethics.state.tx.us/forms/coh/cohfrm.php>
 - Appointment Of A Campaign Treasurer By A Candidate
 - Code of Fair Campaign Practice
 - Candidate/Officeholder Campaign Finance Report

Contact Information:

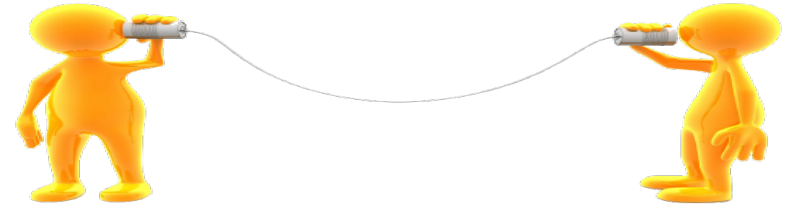
Phone: (512) 463-5800

TDD : 1-(800) 735-2989

General Information and Legal Helpline:

reception@ethics.state.tx.us

Helpful Tips



- Communication

- If you are contracting with a county to administer your election, make sure you stay in contact with your county election officials and voter registrar. It is very important to meet all deadlines!
- If you are not contracting with a county, communication will still be key to implement the ABBM requirements and to obtain the voter list.

- Translation Requirements

- Under the federal Voting Rights Act, whether you are conducting your own election or contracting with the county, your ballot and all other voter-related materials will need to be in English & Spanish and may need to be translated in additional languages.
 - ◆ Additional information is available on the Department of Justice's website (<http://www.justice.gov/crt/about-language-minority-voting-rights>).
- Most counties require you to provide translated ballot language.

Helpful Tips

- Electronic Voting Equipment
 - Currently, it appears **NO** vendor is renting equipment certified by the SOS to political subdivisions!
 - Counties have been updating their voting equipment, make sure that if your county has updated or purchased a new voting system your political subdivision adopts the new voting system, as required (Election Code Ch. 123).
 - Talk with your district's attorney about whether there are any additional requirements in an equipment rental agreement as a result of House Bill 89 (relating to representations that an entity will not boycott Israel), Senate Bill 252 (relating to representations that an entity does not engage in business with Iran, Sudan, or any foreign terrorist organization), or Senate Bills 13 or 19 (relating to representations with respect to energy companies and firearm entities/trade associations).
 - If your county is NOT contracting in May 2024 and your district is required to use electronic voting equipment, consider contacting the Texas SOS office for assistance as soon as possible.

Beyond the Election Code

- Other Codes can contain election requirements and, in some instances, control over provisions of the Election Code.
 - Example: Election Code § 141.040 provides that the Notice of Candidate Filing Period must be posted no later than the 30th day before the first day on which a candidate may file the application.
 - ◆ **BUT** for Chapter 49 water districts, Water Code § 49.113 provides that the notice required by Election Code § 141.040 must be posted no later than the 30th day before the deadline for a candidate to file an application.

Water Code § 49.101. All elections shall be generally conducted in accordance with the Election Code except as otherwise provided for by this code.

PAST LEGISLATIVE CHANGES WORTH NOTING

House Bill 3107 - 87TH Legislative Session

➤ Clean-up Bill

▪ DELIVERING, SUBMITTING, AND FILING DOCUMENTS

- Amended Election Code Section 1.007(c) to add e-mail as a permissible method of delivering, submitting, or filing a document or paper.
- Also amended Election Code Sections 143.004(b) and 144.003(a) to specify that city and political subdivision candidate applications that do not require a fee may be submitted by e-mail.

▪ RESOLVING TIE VOTES - 87TH Legislative Session

- Amended Election Code Section 2.002 to:
 - extend the period allowed for a second election to resolve a tie vote from 30 days to 45 days after the date the required automatic recount is completed; and
 - provide additional opportunity to resolve the tie without an election either through voluntary casting of lots or a candidate withdrawing.
- Amended Election Section 2.028(c) to require that for a tie vote in a runoff election, a tying candidate who wishes to withdraw to must provide a signed and sworn statement of withdrawal.
 - This requires that the candidate's signature be notarized.

▪ UNOPPOSED CANDIDATE - POLITICAL SUBDIVISION

- Amended Election Code Section 2.051(b) to allow for cancellation of a candidate election for an unopposed single-member district even if there is an at-large proposition on the ballot.
 - Still prohibits cancellation of an unopposed single-member district candidate race if there is an opposed at-large candidate race on the ballot.

- **ELECTION ORDER & NOTICE OF ELECTION**
 - Amended Election Code Section 4.004(a) to require that the notice of election include the Internet website of the authority conducting the election.
 - Amended Election Code Section 85.004 to require that the election order and notice of election designate and state (not just state) the location of the main early voting place.
 - Amended Election Code Section 83.010 to require that the election order and notice of election state the early voting clerk's:
 - Mailing address, or street address at which the clerk can receive mail (if different than the mailing address);
 - Phone number;
 - E-mail address that can receive correspondence from the public; and
 - Internet website (if the early voting clerk has an Internet website).

**Sample of Requirements for
Election Order & Notice of Election**

Applications for ballot by mail shall be sent to:

Ft. Bend County Election Office - Early Voting Clerk

Mailing Address: 301 Jackson St., Richmond, Texas 77469

Physical Address: 4520 Reading Rd., Suite A-400, Rosenberg, Texas 77471

Phone: 281-341-8670

E-mail: Vote@fortbendcountytexas.gov

Website: <https://www.fortbendcountytexas.gov/government/departments/county-services/elections-voter-registration>

← QUESTIONS & ANSWERS →

We would like to take this opportunity to offer our appreciation for your presence. It is an honor to present at the 35th Annual Secretary of State's Conference for Cities, Schools, and other Political Subdivisions.

Happy Holidays and best wishes for the New Year!

Thank you!

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Dear Santa,
When you arrive on
Christmas Eve, could
you please throw a
quick load in the
washer, vacuum a
couple carpets and
wash your cookie
dishes? Thanks!



