



Texas Secretary of State  
ELECTIONS DIVISION



# Overview of Texas Elections

36th Annual Election Law Seminar  
for Cities, Schools, and Other Political Subdivisions

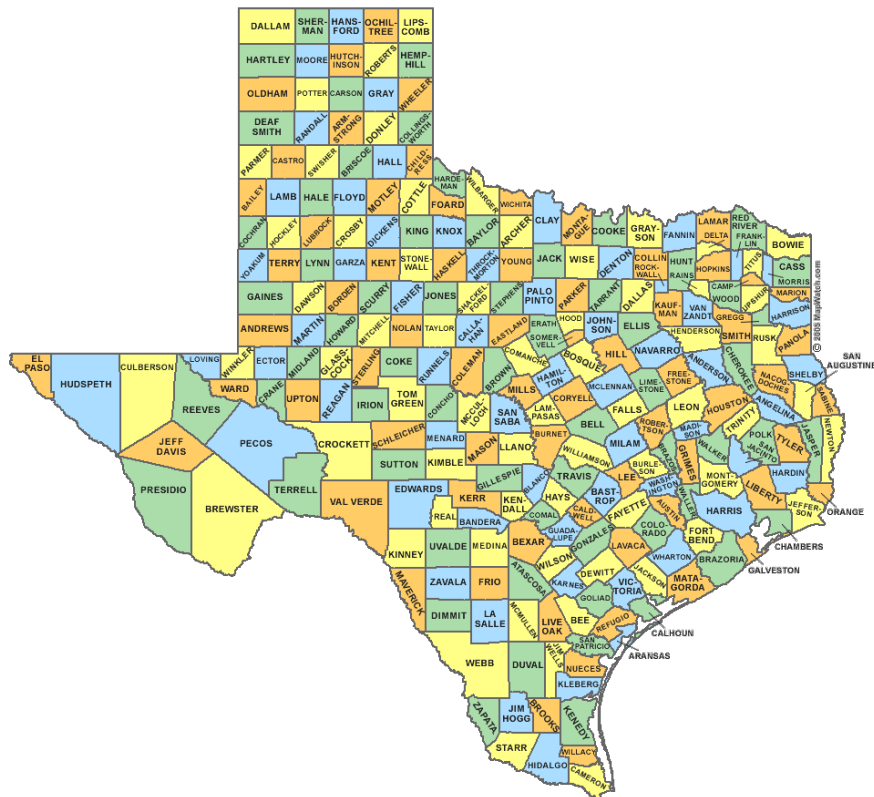


## Topics Covered

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



## Texas By the Numbers



- Registered Voters = 18,623,931
- 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!



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# SOS Resources for Election Officials



## Texas 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](mailto:elections@sos.texas.gov)



## SOS Website

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





# Conducting Your Elections

← → ↻ sos.state.tx.us/elections/laws/local-laws.shtml 🔍 ☆ 👤

**EFFECTIVE SEPTEMBER 1, 2023, OUR LOBBY WALK-IN HOURS WILL BE 9 A.M. - 4 P.M. (CENTRAL), MONDAY - FRIDAY.**

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 **Texas Secretary of State**  
Jane Nelson

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 [Rules & Meetings](#) | 
 [International Relations](#) | 
 [Forms & Other Services](#)

## Laws and Procedures Pertaining to Local Election Officials (Cities, Schools and Other Political Subdivisions)

**2024 Election Advisories and Memos**

**New:** [No.2024-38](#) - June 7, 2025 Runoff Election Law  
 • [Calendar\(Extended Version\)](#) and [Condensed Election Law Calendar](#)

**New:** [No.2024-37](#) - May 3, 2025 Election Law Calendar  
 • [\(Extended Version\)](#) and [Condensed Election Law Calendar](#)

[No.2024-36](#) - Partial Manual Count after the November 5, 2024 Uniform Election Date

**Election Forms**

**General Election Information**

- [Current Election Information](#)
- [Important Election Dates 2024-2025](#)

**New to Elections?**



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





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# SOS Resources for Voters



[www.votetexas.gov](http://www.votetexas.gov)

The screenshot shows the homepage of VoteTexas.gov. At the top, there is a navigation bar with links: "by mail", "Am I Registered to Vote?", "What's on the Ballot?", "Find My Polling Place", "Election Results", and "Voting Issues for Texas Evac". Below this is a row of service categories: "VOTER REGISTRATION", "VOTING IN PERSON", "VOTING BY MAIL", "VOTERS WITH DISABILITIES", "GET INVOLVED", "FAQS", and "RESOURCES". The "VOTETEXAS.GOV" logo is prominently displayed, along with social media icons for X, Facebook, Instagram, and YouTube, and a search bar. A central banner features a photo of Jane Nelson, Secretary of State, with the text "What do you want to know about voting?" and "Thank you for visiting VoteTexas.gov, the one-stop resource for voter information." Below this is a "SELECT A QUESTION..." dropdown menu and a "GO!" button. To the right, a large graphic announces "The General Election Takes Place on NOV: 5: 2024" with a calendar-style breakdown: "7 OCT Last Day to Register", "25 OCT Mail Ballot App. Deadline", "21 OCT Early Voting Begins", and "1 NOV Early Voting Ends". At the bottom of this section are two buttons: "AM I REGISTERED?" and "REGISTER TO VOTE". A "LATEST TWEETS" section is visible at the very bottom, showing "Posts 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



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# 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 with the URL [statutes.capitol.texas.gov](https://statutes.capitol.texas.gov). The page title is "Texas Constitution and Statutes Home". A navigation bar includes "Home", "Search", "Download", and "Statutes By Date". A red notice states: "The statutes available on this website are current through the 88th 4th Called Legislative Session, 2023. The constitutional provisions found on this website are current through the amendments approved by voters in November 2023." Below this is a "Hide Quick Search" link and a search form with fields for "Code:", "Article/Chapter:", and "Art./Sec.:", along with "Go" and "Reset" buttons. A sidebar on the left lists the following categories:

- ☐ TEXAS CONSTITUTION
- ☐ TEXAS STATUTES
  - ☐ AGRICULTURE CODE
  - ☐ ALCOHOLIC BEVERAGE CODE
  - ☐ AUXILIARY WATER LAWS
  - ☐ BUSINESS AND COMMERCE CODE
  - ☐ BUSINESS ORGANIZATIONS CODE
  - ☐ CIVIL PRACTICE AND REMEDIES CODE
  - ☐ CODE OF CRIMINAL PROCEDURE
  - ☐ EDUCATION CODE
  - ☐ **ELECTION CODE**
    - ☐ TITLE 1. INTRODUCTORY PROVISIONS
      - ☐ CHAPTER 1. GENERAL PROVISIONS
      - ☐ CHAPTER 2. VOTE REQUIRED FOR ELECTION TO OFFICE
      - ☐ CHAPTER 3. ORDERING ELECTION
      - ☐ CHAPTER 4. NOTICE OF ELECTION
    - ☐ TITLE 2. VOTER QUALIFICATIONS AND REGISTRATION

<https://statutes.capitol.texas.gov/>



# Texas Administrative Code



OFFICE of the SECRETARY of STATE

**Texas Administrative Code**

<a href="#">TITLE 1</a>	ADMINISTRATION
<a href="#">PART 4</a>	OFFICE OF THE SECRETARY OF STATE
<a href="#">CHAPTER 81</a>	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](#)



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# County Election Officials

County Election Commission and County Election Board

County Clerk

Voter Registrar

Election Administrator

Election Worker



# County Election Officials

- County Election Commission
  - Membership: County judge, county clerk, county tax assessor-collector, county chair of each political party that made nominations by primary election
  - Duties: Appoints and recommends termination of an Election Administrator
- 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 Early Voting Ballot Board, 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!



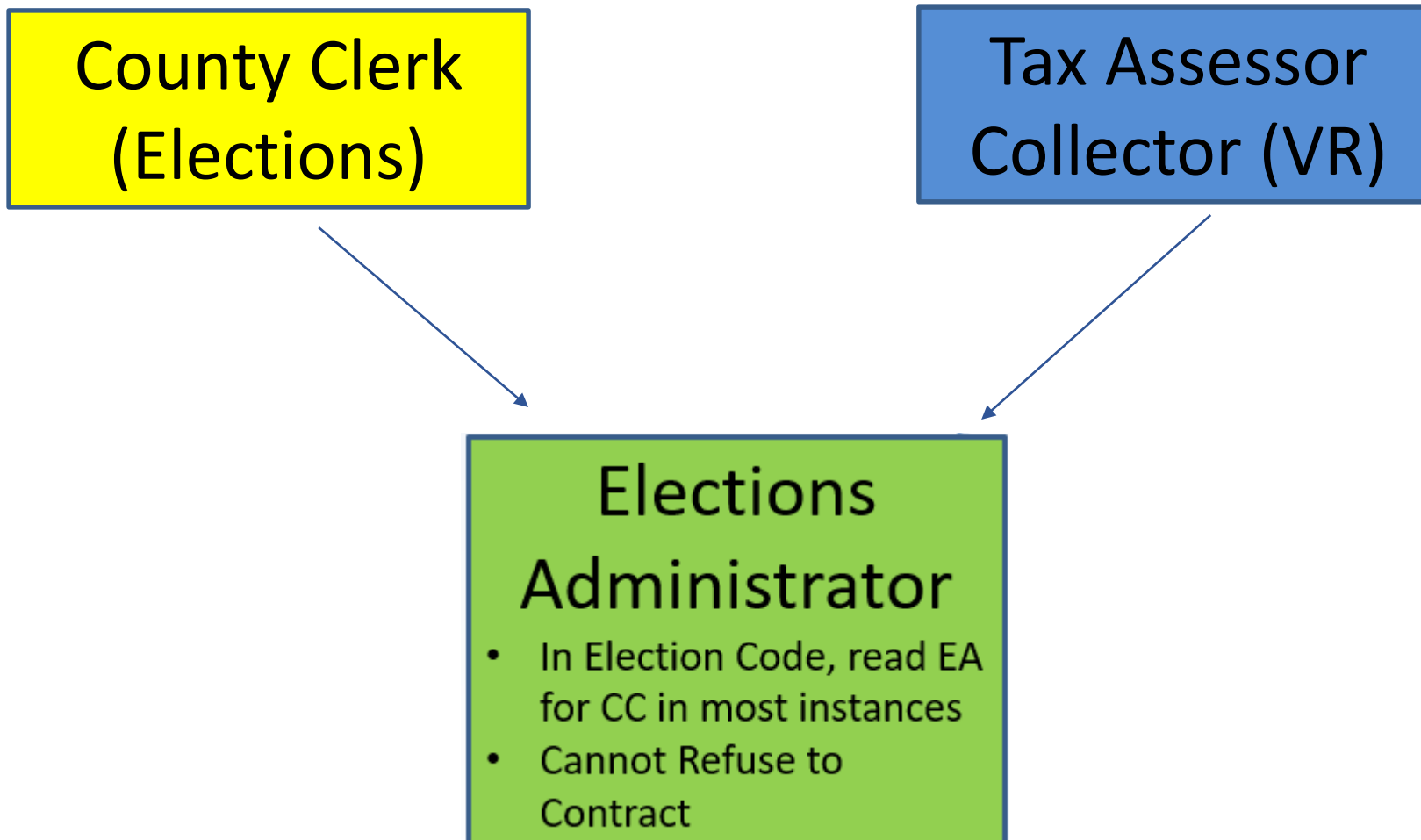
# County Election Officials

## 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 VR Election Duties may be transferred to EA (Sec. 31.031)



# County Election Officials





## Election Workers

- Early Voting Clerk and Deputy Clerks
- Presiding Judge/Alternate Judge (Poll Workers)
- Election Day Clerks (Poll Workers)
  - See Handbook Online:
    - <https://www.sos.texas.gov/elections/forms/election-workers-handbook-2024.pdf>
- Early Voting Ballot Board
  - See Handbook Online:
    - <https://www.sos.state.tx.us/elections/forms/ballot-board-handbook.pdf>



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# 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.
  - See [Votetexas.gov](http://Votetexas.gov) for information on how to update existing registrations

Texas Voter Registration Application		For Official Use Only	
<small>Prescribed by the Office of the Secretary of State VR17-2021E13</small>			
<small>Please complete sections by printing LEGIBLY. If you have any questions about how to fill out this application, please call your local voter registrar.</small>			
<b>1 These Questions Must Be Completed Before Proceeding (Check one)</b>			
<input type="checkbox"/> New Application <input type="checkbox"/> Change of Address, Name, or Other Information <input type="checkbox"/> Request for a Replacement Card			
Are you a United States Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Will you be 18 years of age on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>If you checked 'No' in response to either of the above, do not complete this form.</b>			
Are you interested in serving as an election worker? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>2</b>	Last Name <small>Include Suffix if any (Jr, Sr, III)</small>	First Name	Middle Name <small>(if any)</small>
			Former Name <small>(if any)</small>
<b>3</b>	Residence Address: <small>Street Address and Apartment Number. If none, describe where you live. (Do not include P.O. Box, Rural Rt. or Business Address)</small>		City
		County	TEXAS
		Zip Code	
<b>4</b>	Mailing Address: <small>Street Address and Apartment Number. (If mail cannot be delivered to your residence address.)</small>		City
		State	
		Zip Code	
<b>5</b>	City and County of Former Residence in Texas		
<b>6</b>	Date of Birth: (mm/dd/yyyy)	<b>7</b> Gender (Optional)	<b>8</b> Telephone Number (Optional)
	□□/□□/□□□□	<input type="checkbox"/> Male <input type="checkbox"/> Female	(□□□)□□□-□□□□
<b>9</b>	Texas Driver's License No. or Texas Personal I.D. No. <small>(Issued by the Department of Public Safety)</small>		If no Texas Driver's License or Personal Identification, give last 4 digits of your Social Security Number
	□□□□□□□□		XXX-XX-□□□□
	<input type="checkbox"/> I have not been issued a Texas Driver's License/Personal Identification Number or Social Security Number.		
<b>10</b>	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 one year in jail, a fine up to \$4,000, or both. Please read all three statements to affirm before signing.		
	<ul style="list-style-type: none"> <li>• I am a resident of this county and a U.S. citizen;</li> <li>• I have not been finally convicted of a felony, or if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and</li> <li>• I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.</li> </ul>		
	<b>X</b>	Date    /    /	
<small>Signature of Applicant or Agent and Relationship to Applicant or Printed Name of Applicant if Signed by Witness and Date.</small>			



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# 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 41.001(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 votes.
  - 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.



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# Voting Technology



# Types of Voting Technology

- **Electronic Voting Systems**
  - The devices that are used for casting ballots and counting votes.
    - Ballot Marking Devices
    - DRE (Direct Recording Electronic) 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.



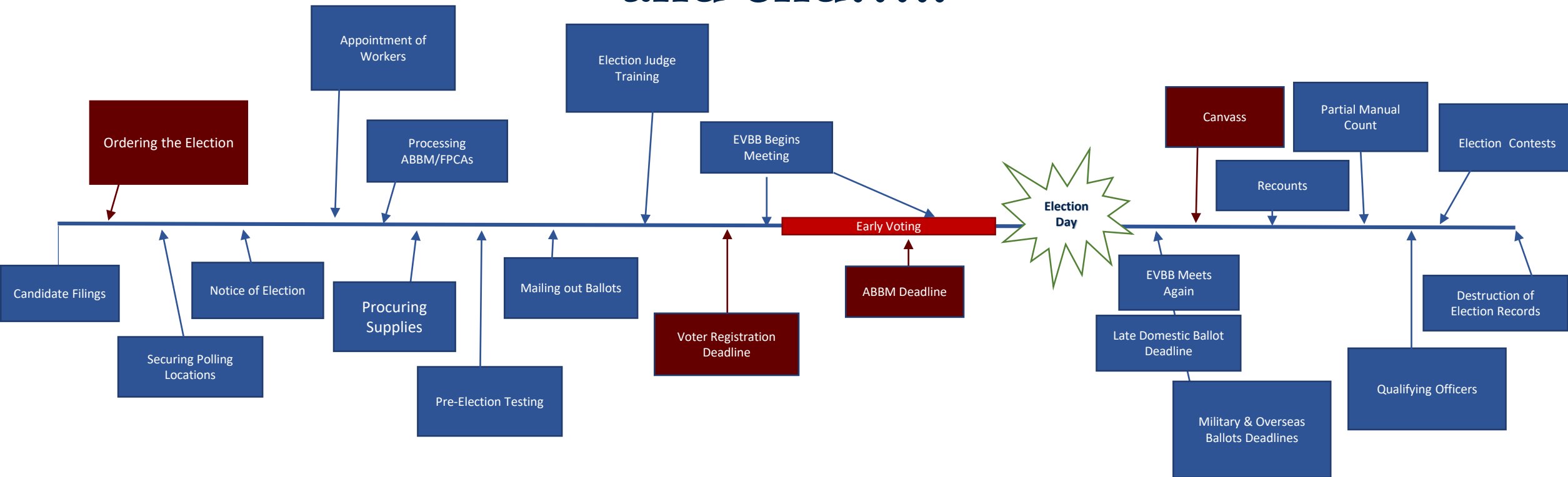
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# Election Events and Timelines



## 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 11<sup>th</sup> day before election day
  - **Annual** ABBM due to age or disability
  - Federal Postcard Application (FPCA) must be received by the 11<sup>th</sup> 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. ----- Polls 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 an In Person 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.

Form 1016 (Rev. 06/2016)

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

In testimony whereof, I have  
hereunto signed my name and  
caused the Seal of \_\_\_\_\_ to be  
affixed at the City of \_\_\_\_\_ of  
this, the \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_.

Signature of Presiding Officer of  
Counting Authority

Form 1017 (Rev. 06/2016)

This space reserved for office  
use

Submit to:  
SECRETARY OF STATE  
Elections Division  
P.O. Box 12887  
Austin, TX 78712-2887  
512-463-6324  
512-463-6324 - Fax  
Filing Fee: None

STATEMENT OF OFFICER

I, \_\_\_\_\_ do solemnly swear (or affirm) that I have not  
directly or indirectly paid, offered, promised to pay, contributed, or procured to contribute any money, or  
thing of value, or rendered any public office or employment for the purpose or with a view of the  
election at which I was elected or as a reward to secure my appointment or confirmation, whichever the  
case may be, whether past or future.

Position to Which Elected/Appointed: \_\_\_\_\_

City and/or County: \_\_\_\_\_

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein  
are true.

Date: \_\_\_\_\_

Signature of Officer: \_\_\_\_\_

Form 1017 2

Form 1018 (Rev. 06/2016)

This space reserved for office  
use

Submit to:  
SECRETARY OF STATE  
Elections Division  
P.O. Box 12887  
Austin, TX 78712-2887  
512-463-6324  
512-463-6324 - Fax  
Filing Fee: None

OATH OF OFFICE

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 United States and of this State, so help me God.

Signature of Officer: \_\_\_\_\_

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )  
I have subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(seal)  
Signature of Notary Public or Other Officer  
Administering Oath

Printed or Typed Name \_\_\_\_\_

Form 1018 3



# Post-Election Procedures

- **Recounts (Title 13, Election Code)**
  - Petition for a Recount
  - Automatic Recount
  - [www.sos.state.tx.us/elections/laws/recounts.shtml](http://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.



## Available Support



**WEBINARS**



**TRAINING**



**RESOURCES**

[elections@sos.texas.gov](mailto:elections@sos.texas.gov)

800-252-VOTE • 512-463-5650

[sos.texas.gov](http://sos.texas.gov)